

Mitchell on Stand for 3 Hours; Says He 'Would Like to Know' Who Kept Pressing for Spying

'FULLY AND FREELY'

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He Tells Grand Jurors He Never Approved Campaign Bugging

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By WALTER RUGABER
Special to The New York Times

WASHINGTON, April 20 —

Former Attorney General John N. Mitchell appeared before a Federal grand jury today and said afterward that plans to spy on the Democrats were pressed upon him repeatedly last year.

"I have heard discussions of such things [on eavesdropping activity]," Mr. Mitchell told re-

Transcript of Mitchell news conference is on Page 12.

porters. "They've always been cut off at all times, and I would like to know who it was that kept bringing them back and back and back."

Mr. Mitchell confirmed in substance a report in today's New York Times quoting him as telling friends that he had met on three occasions early last year with two officials of the Committee for the Re-election of the President.

Says He Rejected Them

Jeb Stuart Magruder, then deputy director of Mr. Nixon's political organization, and G. Gordon Liddy, one of seven men convicted in the Watergate plot, were said to have proposed bugging the Democrats. Mr. Mitchell said he had turned them down.

The former Attorney General seemed to suggest in his remark today that he suspected that someone else had ordered the two men to return with the eavesdropping proposals despite his asserted resistance to them.

Mr. Mitchell, who spent nearly three hours testifying before the grand jury, said upon leaving the United States Court House here that he had "never approved any bugging plans during any period during the campaign."

He was asked why he had waited until now to acknowl-

edge having heard discussion of bugging activity. He replied only that it "involves a large number of subject matters that are being investigated by the grand jury"

Remains in Jury Room

Mr. Mitchell, a former law partner of President Nixon's who served as manager of the Nixon campaign until about two weeks after the Watergate break-in was discovered, said he testified today "fully and freely and openly."

His attorney, William G. Hundley of Washington, said Mr. Mitchell had not invoked his Fifth Amendment rights against self-incrimination during the session and had not left the grand jury room to consult with him.

Mr. Mitchell was subpoenaed to come before the 23-member panel here after reports that Mr. Magruder had told the authorities that the bugging of the Democratic National Committee headquarters was approved by the former Attorney General and by John W. Dean 3d, counsel to the President.

Mr. Magruder was expected to testify before the grand jury, but he has not been seen in the courtroom. The former campaign official and Presidential aide has been absent from his home.

He was encountered on a Washington street today by a reporter who described him as "agitated" and "very tense."

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He was said to have hurried away with his lips trembling when asked a question. *AP/2*

In addition to telling Federal prosecutors in a meeting Saturday that Mr. Mitchell and Mr. Dean had authorized the bugging, Mr. Magruder was reported to have said the two officials had arranged "hush money" for the convicted conspirators.

Mr. Mitchell had conceded in private conversations that he met with Mr. Magruder and Liddy at his office in the Justice Department on Jan. 24 and Feb. 4, and again in March, after he left the department.

The former Attorney General—he held the Cabinet post until March 1, 1972—told reporters after his grand jury appearance today that bugging proposals had been met with "an absolute, final disapproval" from him.

But his present position has raised questions about his public silence on time proposals and about the impression he had created earlier that he was totally ignorant of the Watergate affair.

Mr. Hundley said today that he was confident the Government would conclude that Mr. Mitchell was guilty of "no criminal violations." In answer to a question, he specifically said he did not believe Mr. Mitchell had committed perjury.

Nixon Lawyer There

Other developments in the spreading scandal included the following:

Herbert W. Kalmbach, President Nixon's personal attorney, appeared at the courthouse for the second consecutive day. It was assumed that he testified before the grand jury, but he would not confirm this.

James W. McCord Jr., a convicted conspirator now said to be cooperating with the grand jury and a Senate investigating committee, filed a \$1.5-million civil lawsuit against the re-election committee and three of its officials.

President Nixon left this afternoon for an Easter holiday at his villa on Key Biscayne, Fla., and the only assistant making the trip was Ronald L. Ziegler, the White House press secretary.

The chief counsel of the Senate committee, Samuel Dash, met last night with the principal assistant United States attorney, Earl J. Silbert, to discuss the Watergate investigation. No details of the meeting were disclosed.

The Federal Bureau of Investigation is trying to discover the source of leaks of grand jury testimony in the Watergate case to Jack Anderson, the columnist. Mr. Anderson has quoted from the secret transcripts in several columns this week.

Chief Judge John J. Sirica of the United States District Court denied "without prejudice" a motion dealing with grand jury testimony by a Washington lawyer, Peter H. Wolf.

Asks Ruling on Disclosure

Mr. Wolf wants the judge to rule on whether the lawyer can be forced to disclose the name of a client who, he said yesterday, hid about eight cartons of documents dealing with the Watergate affair and Republican finances.

The documents were removed from the White House complex a day after the Watergate break-in, Mr. Wolf said his client had informed him, and were returned to the re-election committee shortly before last year's election.

Judge Sirica ruled in effect that he would wait until Mr. Wolf is called before the grand jury next Tuesday, is asked to name the client, and refuses. The lawyer would then be brought before the judge for a decision.

Mr. Mitchell, who came here from New York yesterday, arrived at Mr. Silbert's offices shortly after 9 A.M. today and was there for nearly two hours before entering the grand jury room at about 11 A.M.

In an interview with American Broadcasting Company news this morning, he referred to the three meetings with Mr. Magruder, denied his former deputy's reported version of them, and said the talks had been in "a much wider context."

"You know it was an entire intelligence gathering program that was considered at the different times, and of course the electronic surveillance was turned down and turned down and that was disposed of," Mr. Mitchell said.

He later told several reporters that The New York Times report of his knowledge of the bugging reports was true so far as he knew.

"But I want to add the plans were not just to bug somebody," he told a reporter for Columbia Broadcasting System news. "They were for more detailed intelligence. We were not there just to talk about bugging."

Told of Fund to Segretti

When Mr. Mitchell's testimony was interrupted for lunch, Mr. Hundley emerged to explain that there was "a general intelligence plan that I suppose all political parties may have in any campaign."

"He [Mr. Mitchell] is a sophisticated man," his lawyer went on. "When he saw it included some bugging, he cut it off. He stopped it."

Mr. Kalmbach, a California lawyer who has handled various matters for the President, was accompanied by two lawyers when he arrived at Mr. Silbert's offices.

To questions such as whether he had testified and whether he was there on his own behalf or as a representative of Mr. Nixon, he replied, "No comment."

He told the F.B.I. last year that he had paid between \$30,000 and \$40,000 to Donald H. Segretti. Mr. Segretti was reported to have been hired by Dwight L. Chapin and Gordon C. Strachan, former White

House aides, to disrupt Democratic campaigns.

Before Mr. Kalmbach left, David I. Shapiro, a law partner of Charles W. Colson, former

special counsel to the President, arrived at Mr. Silbert's offices. Mr. Shapiro also had no comment on the reason for his appearance.

McCord's \$1.5-million lawsuit was a counterclaim to an action by the Democratic National

Committee against him, the re-election committee and other defendants that arose from the Watergate break-in.

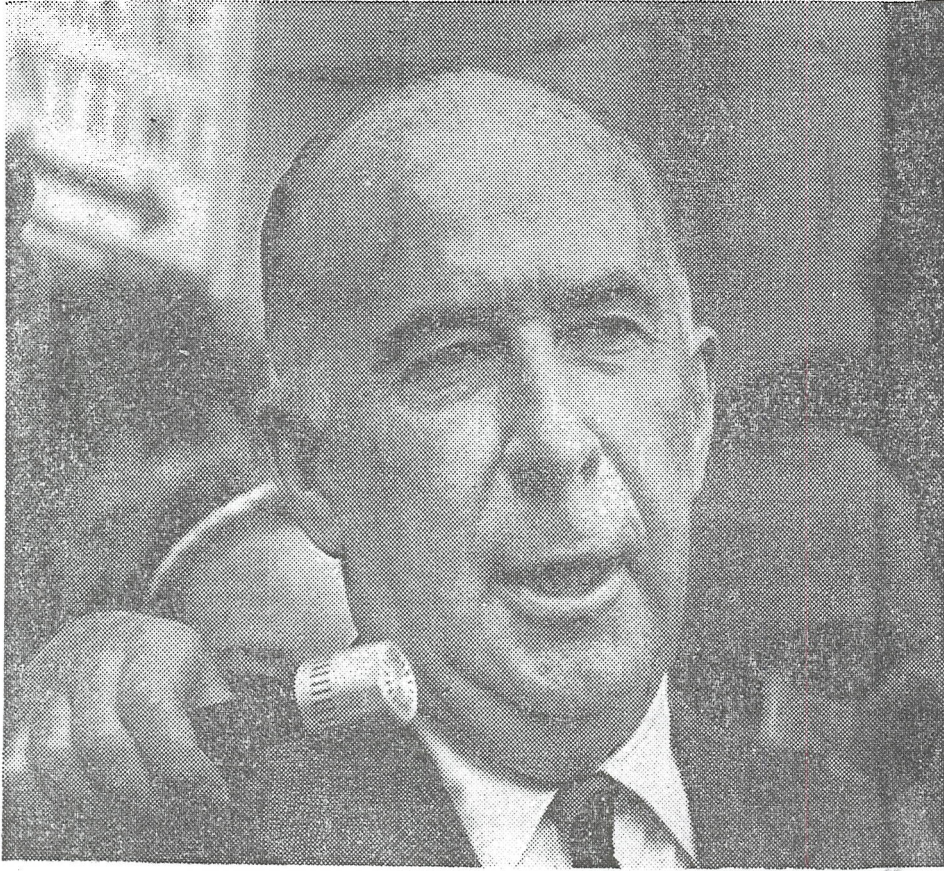
McCord asserted that "all acts and duties" required of him as security coordinator for the re-election committee had

been "previously approved and sanctioned by the highest ranking officials" of the Nixon unit.

The McCord claim alleged that the convicted Watergate conspirator has suffered "severe physical, mental, and emotional strain and has suffered

intense mental anguish" as a result of the defendants' actions.

McCord named the re-election committee, its finance arm, Mr. Magruder, Liddy and E. Howard Hunt Jr.



The New York Times/Mike Lien

Former Attorney General John N. Mitchell replying to reporters' questions during the short walk to his car yesterday after he appeared before grand jury in Washington.



Associated Press

Herbert W. Kalmbach, the President's personal attorney, entering the Federal Courthouse in Washington yesterday.