

# Nixon's Lawyers Find 'Nonexistent' Watergate Tape

Former President Nixon's lawyers said yesterday they have found one of nine tape recordings of presidential Watergate conversations they previously said had never been made.

The tape includes conversations Jan. 5 and Jan. 8, 1973, between Mr. Nixon and his adviser, Charles W. Colson, during which the two purportedly discussed clemency for Watergate conspirator E. Howard Hunt Jr.

On Wednesday Mr. Nixon's defense lawyer, James D. St. Clair, said that White House officials had been unable to account for the tape. He said then that a search for the conversations would continue.

St. Clair did not make an appearance yesterday during a hearing before U.S. District Court Judge John J. Sirica, but a deputy, John J. Chester, disclosed that the missing tape had been located.

Chester did not say how or when the missing conversations were found, but he turned over to the judge an original of the tape.

At the same time, Chester reported to the court that a 31-minute telephone conversation March 21, 1973, between Mr. Nixon and Colson was only partially recorded because the reel ran out after the first 14 minutes of the discussion. That tape had previously been submitted to the court under the terms of a U.S. Supreme Court order directing the former President to surrender tapes and other evidence relevant to the Watergate cover-up.

On Wednesday, the White House turned over 22 tape-recorded conversations to Sirica, saying that nine of the last of the group of tapes requested by the high court did not exist.

However, still unresolved is what the White House will do about personal notes Mr. Nixon made following conversations covered by the subpoenas. The White House has said a search for the material has begun, and Chester advised Sirica yesterday that he would soon file a report on its status.

In an analysis of the last batch of subpoenaed tapes surrendered to the court, the former President's lawyers yesterday claimed executive privilege on parts or all of nine tape-recorded conversations.

They claimed that those sections should remain confidential because they are not related to the Watergate cover-up prosecution.

Under the terms of the Supreme Court order, Sirica will listen to the tapes and decide if the claims are justified.