

Magruder Says Mitchell Did Not Object to

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WASHINGTON, Oct. 29—The jury in the Watergate cover-up trial was told today that former Attorney General John N. Mitchell heard about—and did not object to—a plan to bug the hotel room that Senator George McGovern, then the leading candidate for the Democratic nomination for President, was to occupy at the 1972 Democratic National Convention at Miami Beach.

The testimony came from Jeb Stuart Magruder, once Mr. Mitchell's deputy at the Committee for the Re-election of the President and now an inmate at a Federal prison. Mr. Magruder pleaded guilty in August, 1973, to a charge of conspiracy to obstruct justice in the Watergate cover-up case.

Mr. Magruder subsequently added that, as far as he knew, no bugs were actually placed in Mr. McGovern's hotel room.

Mr. Magruder testified, in a firm and confident-sounding voice, that there was a "brief meeting" in early June, 1972, attended by Mr. Mitchell, Mr. Magruder and G. Gordon Liddy, one of the seven men who pleaded guilty or were convicted in the Watergate break-in case in January, 1973, and, according to testimony at the trial, the man who developed the intelligence plan that led to the Watergate break-in.

Mr. Liddy told the others, Mr. Magruder recounted, that the suite that Mr. Mitchell was to occupy at the Doral Hotel at Miami Beach during the Republican convention would first be occupied by Senator McGovern during the Democratic convention, which was to be held a few weeks earlier.

The men discussed bugging Mr. McGovern's room, the witness said. And Mr. Mitchell, according to Mr. Magruder, commented, "Just make sure you get the bugs out of that suite" before it was time for Mr. Mitchell to arrive.

In a brief appearance toward the end of the court day, Mr. Magruder provided other testimony, as well in response to questions by Jill Wine Volner, an assistant special prosecutor.

Plan to Bug McGovern Hotel Room in '72

Some New Details

Much of what Mr. Magruder said was similar to his testimony at the Senate Watergate committee hearings last year, when he said Mr. Mitchell had approved the intelligence plans that led to the Watergate break-in. But some of Mr. Magruder's testimony, like his comments about the Doral Hotel, was apparently new.

At one point, for example, he contradicted testimony given at the trial by John W. Dean 3d, former counsel to President Nixon and the prosecution's chief witness at the trial.

Mr. Magruder's testimony, though, was only one of the day's developments at the trial of Mr. Mitchell and the four other former White House or Nixon campaign aides charged with the Watergate cover-up conspiracy.

The four others are H. R. Haldeman, former White House chief of staff; John D. Ehrlichman, Mr. Nixon's former chief adviser on domestic affairs; Robert C. Mardian, former Assistant Attorney General, and Kenneth W. Parkinson, a former attorney for the Nixon re-election committee.

Most of the day's proceedings were spent on questioning E. Howard Hunt Jr., another of the seven men who pleaded guilty or were convicted in the Watergate break-in case—the case whose prosecution the five defendants in the cover-up trial are accused of plotting to obstruct.

Mr. Hunt, in his second day on the witness stand, testified under questioning by Richard Ben-Veniste, one of the prosecutors, that he remained silent about the Watergate break-in because he felt he "could hopefully affect the length of [his] sentence" and because he had received from Charles W. Colson, then a special counsel to Mr. Nixon, what he regarded as a "signal" that he would be given a Christmas-time pardon or clemency from the President if necessary.

Under questioning at another point by William G. Hundley, one of Mr. Mitchell's attorneys, Mr. Hunt seemed to suggest that one of the reasons behind his long silence about the Watergate affair—a silence, he testified yesterday, that he had maintained at least in some degree until his appearance at this trial—was the money that was being paid to him in the months after the break-in.

Mr. Hunt testified yesterday about his demands to the Nixon campaign and White House authorities for money or other "assurances" in the months following his participation in the direction of the Watergate break-ins, which took place in May and June, 1972.

'Blackmail' Denied

One of the elements of the conspiracy charge against the five defendants in the cover-up trial is that they sought to obstruct justice in the Watergate break-in case by such means as offering money and other assurances to the seven defendants in the break-in case to keep their silence.

This morning, under questioning by Mr. Hundley, Mr. Hunt repeatedly denied that his demands for money were "blackmail." Instead, he said,

his demands were something like an attempt by a "bill collector" to get long-overdue debts.

But Mr. Hundley asked Mr. Hunt about his subsequent decision that the men he had been "protecting" through his silence were no longer worthy of his loyalty.

"If these people had met your demands," Mr. Hundley asked, "would your testimony still be that they were not worth protecting?"

Mr. Hunt replied:

"At the time I read the transcripts of the White House tapes, I felt, as I said, a rude awakening. I read the President's contemptuous references to those of us who had gone to prison as 'idiots' and 'jackasses.'

"I realized that there had

been a wild scramble going on for months in the White House to protect themselves and very little thought had been given to our plight, much less to the money, which was the easiest thing for them to give to ease our burden."

Mr. Hunt seemed to give even more contradictory testimony regarding another matter: a reference in the first version of his memoirs—contained in the first bound galleys but not in the published version—regarding what he described as an attempt by Mr. Ben-Veniste to suborn perjury.

The statement occurs in the course of a discussion about "interviews" in which Mr. Ben-Veniste asked Mr. Hunt about his contention that he had

<p>never been offered executive clemency.</p> <p>The portion of this discussion, which is contained in the current version of Mr. Hunt's memoirs—whose official publication date is Nov. 11—says that Mr. Ben-Veniste "mused" in the presence of Mr. Hunt's attorneys that convicts with long sentences generally went to Atlanta or Leavenworth. The "threat," the book says, was "clear."</p> <p>In the bound galleys, but not in the final version, this section is followed by the statement: "We had some unpleasant exchanges during which it occurred to me that, despite the Watergate task force's highly publicized piety, an assistant special prosecutor was actually encouraging me to perjure myself, or, as he would have put it, suborning perjury."</p>	<p>Mr. Hundley brought the matter up first. He asked Mr. Hunt whether one of the "false statements" that Mr. Hunt admitted making yesterday was the statement in his memoirs regarding Mr. Ben-Veniste's subornation of perjury.</p> <p>Mr. Hunt said there was nothing in the book to imply that Mr. Ben-Veniste had suggested perjury.</p> <p>Mr. Hundley then read the portion that appears in the final version. Mr. Hunt said it was a "true" account, the only exception being his contention that he had not received an offer of clemency.</p> <p>This afternoon, Mr. Ben-Veniste asked Mr. Hunt if he or anyone else in the prosecutor's office had ever suggested to Mr. Hunt that he lie. Mr. Hunt said no, no one had.</p>	<p>Then Jacob A. Stein, Mr. Parkinson's attorney, began his cross-examination of Mr. Hunt and brought up the statement about perjury that is in Mr. Hunt's first version of his memoirs.</p> <p>Mr. Hunt said he had rewritten the segment after consulting with his lawyers, who told him Mr. Ben-Veniste had not been suborning perjury.</p> <p>But what were the circumstances in which Mr. Hunt had written the statement originally, Mr. Stein asked.</p> <p>"I was dictating my impressions at the time," Mr. Hunt replied.</p> <p>Mr. Ben-Veniste then questioned Mr. Hunt again; and elicited the concession that Mr. Hunt had been lying in the original interviews described</p>	<p>in the book, when he told the prosecutor that he had not received an offer of clemency.</p> <p>The prosecutor—whom Mr. Hunt had described as a "curly haired, abrasive young man"—brought up the statement about perjury.</p> <p>"Was that an attempt to misstate the facts?" Mr. Ben-Veniste asked.</p> <p>It was, Mr. Hunt replied.</p> <p>Mr. Ben-Veniste asked whether he himself had had anything to do with having the statement deleted from the book.</p> <p>Mr. Hunt replied that he had not.</p> <p>Among other developments during the direct examination of Mr. Hunt was his testimony that he had given his own admittedly second-hand version of the plan to bug the hotel room that Mr. Mitchell was</p>	<p>eventually to occupy during the Republican convention.</p> <p>Mr. Hunt, who said he was repeating what Mr. Liddy had told him, testified that the Democratic official who was to have the room ahead of Mr. Mitchell was Lawrence F. O'Brien, then chairman of the Democratic National Committee.</p> <p>On cross-examination today, Mr. Hundley asked Mr. Hunt whether he was aware that Mr. O'Brien's reservations were for the Fontainebleau Hotel, and Mr. Mitchell's for the Doral. Mr. Hunt said he had not known.</p> <p>William S. Frates, an attorney for Mr. Ehrlichman, elicited from Mr. Hunt the admission that various other items in the memoirs, to be published by G. P. Putnam's Sons of New York, were incorrect.</p>
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