

# FBI agents give testimony

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WASHINGTON (AP) — The Watergate cover-up trial heard testimony Tuesday from three FBI agents who interviewed defendants John N. Mitchell and John D. Ehrlichman within weeks of the June 17, 1972, break-in at Democratic National Committee headquarters.

The agents testified that both Mitchell and Ehrlichman told them in separate interviews that all they knew of the break-in was what they had read in the newspapers. One of the charges against each is that the statement was false.

Battle lines formed over prosecution plans to play portions of 20 more White House tapes as the prosecutors began calling witnesses to describe how the taping system was installed, how it operated and to identify the voices.

John J. Wilson, lawyer for H. R. Haldeman, the former White House staff chief who was a participant in most of the recorded conversations, said he would demand that when the government plays a portion of any tape that the entire conversation be played.

William G. Hundley, lawyer for Mitchell, said that playing tapes which include incriminating references to Mitchell could deny him his right to face his accusers.

Daniel C. Mahan, an FBI agent, testified he interviewed both Mitchell and Ehrlichman as part of his assignment "to determine all the persons involved in the break-in."

Mitchell was interviewed on July 6, 1972, and according to Mahan's written

report, he stated, "he had no knowledge of the break-in of the Democratic National Committee headquarters other than what he has read in newspaper accounts of that incident."

On July 26, 1972, Ehrlichman told Mahan "that he is in possession of no information relative to the break-in of the Democratic National Committee headquarters on June 17, 1972, other than what he has read in the way of newspaper accounts of that incident."

"Mr. Ehrlichman stated that he has sought no information in this regard either from the Republican National Committee or from the Committee to Re-elect the President of the United States. He also advised that he has received no information in regard to that incident and, in fact, did not wish to

receive any due to a pending suit filed by the Democratic party against the Republicans," the report said.

Defense lawyers pointed up errors in the FBI reports including misspellings of names and reference to "Saturday, June 18, 1972," when, in fact, June 18, 1972, was a Sunday.

All the agents, when questioned, said they asked neither Mitchell nor Ehrlichman what newspapers they had read and what they had read in them.

William S. Frates, Ehrlichman's lawyer, asked Mahan what he did with his notes from the interviews and the agent replied they were destroyed.

He explained that Justice Department regulations require the destruction of such notes after they have been transcribed and incorporated into reports.