

Watergate Witness for Today

NYTimes

John Newton Mitchell

JUL 10 1973

By CHRISTOPHER LYDON

Special to The New York Times

WASHINGTON, July 9—

For two months now, since his indictment in the Vesco case in New York and awaiting more bad news from the Watergate grand jury here, John N. Mitchell has lived and felt like a prisoner. His lawyer described him as "shaken." A friend calls him "betrayed."

Man in the News
other visitor says that "shrunk" may be too strong a word for the former Attorney General, but that Mr. Mitchell has lost weight and the old inner confidence is not what it used to be.

Before the Senate's televised Watergate hearings tomorrow, friends say he "will shed a different light" on the scandal engulfing the Nixon Administration. But committee staff members who interviewed Mr. Mitchell for four hours here today offered no fresh clues about his testimony.

The Mitchell's Fifth Avenue apartment in Manhattan, expensively decorated in Martha Mitchell's most exuberant style, is a comfortable enough place. Still, the mood inside—awash in bitterness following a once-proud career—is



United Press-International

No one seeks his advice
(Mr. Mitchell yesterday)

that of a place of confinement.

Hour after hour Mr. Mitchell's chauffeur-bodyguard stands at the living-room curtains peering down on newsmen parked in cars on the street outside.

Mrs. Mitchell, until she left

for a vacation in the South last week with her 13-year-old daughter Marty, was alternately cheerful and depressed. "Doesn't he look good!" she exclaimed to one of her husband's guests the other day, between bursts of recrimination at "Mr. President" and other old allies—the "Katzenjammer Kids," she called them—in the Nixon White House. "Four years ago we had everything," she erupted at a visitor, "and now we have nothing."

John Mitchell himself sits most of the day at a small desk in the library preparing for his testimony and watching—with a mixture of amusement and disappointment—the news shows and Watergate hearings on television. "All I do is watch TV," Mr. Mitchell told a friend unhappily. Memorandums, copies of correspondence, old logs of official appointments and telephone calls—all the documents he will draw on before the Senate Watergate Committee tomorrow—are grouped in piles around him. A gallon jug of Dewars Scotch whisky, mounted in a wooden frame for easy pouring, sits

Continued on Page 27, Column 2

on a shelf behind him.

The Cabinet chair that visitors sit in is only one reminder of the heights John Mitchell has fallen from. Clubby lunches with the great names of law, finance and politics are no more, he complains. Without mentioning the loss of reputation he has suffered, he says he has calculated that his five-year misadventure in politics and government cost him \$459,000 in net income.

As a young man John Mitchell was such a good lawyer that while he served in the Pacific as a Navy officer during World War II, clients solicited his counsel by mail on the highly specialized subject of housing bonds. No one seeks his advice these days.

After the Vesco indictment, his name was stricken from the roster of the Broad Street law firm—Mudge Rose Guthrie & Alexander—where Mr. Mitchell was a rich but never, it seems, popular partner. Old associates there, refusing all calls and comment on Mr. Mitchell, seem determined to pretend that he never existed.

Few of his once powerful friends in Washington call or comment either. Richard G. Kleindienst, his alter ego and successor for a brief term in the Attorney General's office, cut off all contacts with Mr. Mitchell three months ago—regretfully, he says, but fearing charges of impropriety.

Others have attacked him. Jeb Stuart Magruder, who had been the first deputy at the Nixon re-election headquarters when Mr. Mitchell was managing the campaign last summer, has accused his old boss of approving the Watergate bugging during at least one of three formal meetings early last year.

John W. Dean 3d, a political protégé who once felt like a son to Mr. Mitchell, tended to support Mr. Mitchell's contention that he tried to "turn off" the bugging scheme; but Mr. Dean also accused Mr. Mitchell of taking an active role in the perjured cover-up.

Doubted Competence

Meanwhile, Charles W. Colson, formerly a special counsel in the White House, has suggested that he and President Nixon both doubted Mr. Mitchell's competence as a campaign manager, and long ago suspected his complicity in the Watergate affair. And finally, in the closest thing yet to a Presidential accusation, an unofficial White House memo two weeks ago since disavowed by Mr. Nixon through his press spokesman—charged that John Dean had masterminded the cover-up to protect himself and "his patron, Mitchell."

All through those angry denials of Watergate involvement last year, Mr. Mitchell

now says he always felt that "somewhere along the line," his colleagues would make him the villain. Sure enough, and with masses of what they contend is supportive detail, they have tried.

Yet despite his deep and perhaps even desperate dilemma, there is still a certain stubborn pride about John Newton Mitchell, and it is the key, say the people who have talked with him recently, to the testimony he will offer the Watergate Committee tomorrow.

He never wanted immunity from the prosecutors, his lawyers say, and he will answer for major, possibly criminal, mistakes—including prior discussions of the Watergate burglary and a knowing role in the cover-up.

But he will have no part of the "bail-out" strategy with which John Dean disappointed him; rather he will argue with a confident's authority that President Nixon—the admiring former law partner who exalted him with public roles he didn't want—never knew what was going on.

The Keenest Hurts

Solidarity with President Nixon seems to represent an emotional necessity as much as it represents Mr. Mitchell's view of the facts in the case. The keenest hurts in past months have been the persistent reports, which he vigorously denies, that the two men fell out long ago—that Mr. Mitchell's influence never recovered from his sponsorship of Judges Clement F. Haynsworth Jr. and G. Harrold Carswell for the Supreme Court; that he lost his automatic access to the President in 1971; and that he was dismissed from the campaign staff last year when he was contending that his wife's threat of divorce had forced his departure on him.

Most painful of all was the official White House statement that when Mr. Mitchell was summoned to Washington as the cover-up crumbled last April 14, he was allowed to meet only with an old rival for the President's ear, John D. Ehrlichman.

"I'm not going to tell you," Mr. Mitchell cautioned a visitor to the apartment the other day, "whether I then went over to see the President."

"My husband," Mrs. Mitchell interposed, "is a very proud man."

More than anything else, friends sense, and contrary to the whole spirit of Martha Mitchell's attacks on the President, John Mitchell wants to redeem a personal relationship with Richard Nixon.

The bond between the two men is an old Washington mystery, though it was usually framed as a question of how and why Mr. Nixon came to rely so on Mr. Mitchell, not vice versa.

There were some similarities of background, and more

striking differences of personality. Mr. Mitchell, born in Detroit on Sept. 5, 1913—nine months after Mr. Nixon—was the son of a modestly successful businessman but worked his own way—through Fordham and the Fordham law school—to wealth and prominence in the law. Like Mr. Nixon, he adopted an individualistic conservatism on the way.

Superb Athlete

Unlike the awkward young Nixon, Mr. Mitchell had been a superb athlete—a semiprofessional hockey player in college and no-handicap golfer until he gave up the game for government—and remained a physically commanding figure.

The President met Mr. Mitchell in the Wall Street legal fraternity in 1963—a period of depression and readjustment for Mr. Nixon, the former Vice President who had been defeated for the Presidency in 1960 and again for the governorship of California in 1962. From the beginning, it appears, he found Mr. Mitchell a thoughtful listener, a sympathetic analyst of legal and public affairs, and a solid symbol of strength.

In 1966, their law firms merged to form what was known as Nixon Mudge Rose Guthrie Alexander & Mitchell. By 1967 Mr. Nixon's Presidential campaign was drawing heavily on Mr. Mitchell's counsel, and after several more conventionally political figures dropped out as campaign managers Mr. Mitchell became the unquestioned strategic and organizational boss of the narrowly victorious 1968 campaign.

A Personal Hero

When Mr. Nixon named him Attorney General, he presented him not only as his right-hand man but also as a sort of personal hero. "John Mitchell is more than one of the nation's great lawyers," Mr. Nixon said. "I have learned to know him over the past five years as a man of superb judgment, a man who knows how to pick people and to lead them and to inspire them with a quiet confidence and poise and dignity."