

Court Hears Nixon Tape -- "Erasure"

Dispute Grows  
**President's Secretary On Stand**

Washington

The mystery over erasure of a Watergate tape deepened yesterday as President Nixon's secretary moved away from the White House position that she was solely responsible for the incident.

The secretary, Rose Mary Woods, stressed at a federal court hearing that she could not have been responsible for causing more than a 5½-minute erasure out of a total 18-minute segment missing from the June 20, 1972, tape.

Miss Woods' version was given some weight by the playing of the tape in Chief U.S. District Judge John J. Sirica's court. It was the first time any of Mr. Nixon's tapes had been heard in public.

The erased segment, as heard in the courtroom, at first produced a loud buzz — like the sound of an electric razor. But at the 5½-minute mark the tone dropped sharply in volume.

Miss Woods has said repeatedly that she inadvertently pushed the "record" button on her tape machine, and perhaps caused a gap, while talking on the phone last October 1 for about 5½ minutes. She said yesterday she could not explain the remaining 12½ minutes that are missing in a conversation between Mr. Nixon and H. R. Haldeman, his then chief of staff, three days after the Watergate break-in.

"I couldn't believe there could be something like that unless there was a malfunction in the tape," the red-haired Miss Woods said yesterday. I told him (Mr. Nixon) I didn't think that in any way my hitting the record button could cause that long a gap . . . I think I would have remembered that long a telephone conversation."

However, an explanation

of the obliterated tape submitted to Sirica by White House counsel J. Fred Buzhardt

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hardt said the entire erased portion "was caused by the depression of a record button during the process of reviewing the tape."

Unlike Miss Woods' testimony calling the erasure accidental, Buzhardt's analysis did not characterize it one way or the other.

Addition signs of a possible split between Miss Woods and White House lawyers emerged as it was learned that she was subpoenaed by Watergate prosecutors last Wednesday, after Buzhardt and presidential counsel Leonard Garment met with special prosecutor Leon A. Jaworski in Sirica's chambers.

Miss Woods also revealed yesterday that she had retained outside counsel, Charles S. Rhyne, a law school classmate of Mr. Nixon's, after she was instructed to do so by White House chief of staff Alexander M. Haig Jr.

"General Haig told me none of the White House lawyers would come down here with me . . . he told me to hire an attorney," Miss Woods said.

Sirica said White House lawyers may have felt that representing Miss Woods would conflict with their service to the President.

While the playing of the first White House tape was a landmark of sorts in the long-fought battle over the recordings, the tape itself — aside from the erased portion — appeared to contribute little of substance to the Watergate investigation.

Lawyers and spectators strained forward in their seats to catch bits of conversation from the nearly 40-minute tape, which included the obliterated portion. Voices were difficult to hear because they were not amplified in the spacious courtroom and a faint hum was present throughout.

The section played in court began in the midst of a meeting between Mr. Nixon and John D. Ehrlichman, formerly his chief domestic adviser.

They could be heard dis-

cussing a Supreme Court decision that declared unconstitutional the administration's position on wiretapping suspected subversives.

"What the hell does that show you?" asked a voice that sounded like the President's.

At another point, the comment was made that "in 1968, the press was violently pro-Humphrey," while another voice said "the press was in love with Humphrey." It was not clear which man was speaking.

Other sounds that could be heard included someone whistling and the President asking his steward for "a little of the consommé."

Assistant Prosecutor Jill Volner questioned Miss Woods yesterday about her testimony that she must have inadvertently kept her foot on the tape machine pedal, after accidentally hitting the "record" button with her finger, in the process of reaching for a ringing telephone to the left and rear of where she sat.

As Miss Woods sought to re-enact what she had done, Mrs. Volner said, "you took your foot off the pedal."

"I didn't do it that day," Miss Woods replied.

She also introduced a new element by saying she had cradled the phone at her left ear while jotting notes during the call on a pad on her lap or table.

When Mrs. Volner asked, "You had to do two things simultaneously?" Miss Woods replied:

"Yes, and I sometimes do many more than two things at once."

Asked if she did not notice

that the numbers on the tape-machine meter were running, indicating it was recording, Miss Woods said:

"I can do many things at once, but I could not take shorthand, talk on the phone and watch that little meter."

It was not clear from the courtroom demonstration that an erasure would occur from depression of the foot pedal while the record button was pushed down. A tape reel revolved while Miss Woods kept her foot on the pedal and the record button down, but it was not



UPI Telephotos

Jill Volner, an assistant Watergate prosecutor, waited for taxi outside White House yesterday

shown if this erased any tape.

Miss Woods' attempted re-enactment brought agreement by her lawyer and White House counsel that Mrs. Volner could inspect Miss Woods' White House office, where the erasure apparently occurred.

In addition, Sirica agreed that Miss Woods' electric typewriter and high-intensity desk lamp should be brought to his courtroom so that electronic tests can be made to determine if they could have caused the humming noise in the obliterated tape, as the White House suggests.

Miss Woods' phone call was not picked up by the recorder because the machine had no microphone attached at the time.

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