

## MITCHELL CALLED VAGUE AT HEARING

Loss of Memory Reported  
in Watergate Testimony  
for Impeachment Panel

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John N. Mitchell, one of the few officials who had regular access to President Nixon, reportedly said he had a loss of memory today when asked about the Watergate case by House Judiciary Committee members and lawyers.

Mr. Mitchell, Mr. Nixon's former Attorney General and re-election campaign director, was summoned before the committee at the request of the President's defense lawyer, James D. St. Clair, in an effort to bolster the President's position in the impeachment inquiry.

But committee members of both parties said, after a full day of testimony, that Mr. Mitchell had been so vague that the President's defense had been either helped nor harmed.

### 'A Convenient Memory'

"He has what I call a convenient memory—it's selective," said Representative George E. Danielson, a California Democrat. Mr. Danielson, who has been an outspoken critic of the President, added that trying to obtain information from Mr. Mitchell was "like trying to nail a drop of water to the wall."

One of the President's Republican supporters, Representative Delbert L. Latta of Ohio, said that Mr. Mitchell had added nothing to the inquiry, and another Republican, Representative Henry P. Smith 3d of upstate New York, remarked, "John Mitchell's recollection really isn't very good."

Mr. Mitchell is under indictment in the Watergate case for conspiracy, obstruction of justice and perjury. He declined to invoke his constitutional privilege against self-incrimination, but his lawyer, William G. Hundley, repeatedly objected today to questions on the ground that the answers might prejudice his trial.

The committee chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, overruled all the objections. Even then, Mr. Mitchell reportedly asserted repeatedly that he had "no specific recollection" of information sought by the committee members and lawyers.

### Central Allegation

Mr. St. Clair proposed Mr. Mitchell as a witness to rebut



The New York Times/George Tames  
John N. Mitchell taking his seat to testify before the House Judiciary Committee yesterday.

what he and the President's Congressional supporters see as the central allegation in the impeachment investigation: that the President ordered or sanctioned the payment of \$75,000 to E. Howard Hunt Jr., a convicted Watergate conspirator, so that Mr. Hunt would not testify freely.

The payment, made on the night of March 21, 1973, followed a discussion about Mr. Hunt's money demands by the President and H. R. Haldeman, then White House chief of staff, and John W. Dean 3d, then the President's counsel.

The transcript of the tape of that conversation that was released by the committee yesterday contains several passages that, according to the President's critics, leave no doubt that Mr. Nixon at least acquiesced in the payment.

Mr. St. Clair, however, is trying to prove, through Mr. Mitchell and other witnesses, that the men who arranged the payment were not aware of any instructions from the President.

In answer to questions from Mr. St. Clair today, Mr. Mitchell reportedly testified that he had received a telephone call about the demand, from a campaign aide, Frederick C. LaRue, and that he had advised Mr. LaRue to make the payment.

But Mr. Mitchell said that Mr. LaRue told him that the money was for legitimate expenses, not to buy silence, and that the President's name was not mentioned.

Moreover, Mr. Mitchell reportedly contended that the alleged events leading up to the payment to Mr. Hunt did not occur in the sequence outlined by the Watergate grand jury.

He said that he had received the call from Mr. LaRue about the Hunt demand before he had been called by Mr. Haldeman, not afterward, as the grand jury alleged.

Thus, said Representative Lawrence J. Hogan, Republican of Maryland, it was clear that Mr. LaRue and Mr. Mitchell were not acting on orders from the President.

Democrats and some Republicans, however, said that it made no difference what Mr. Mitchell thought the money was going to be used for or who called him when. They maintain that the President is shown by the transcripts to have clearly believed that Mr. Hunt was asking for hush money.

"We know that the President thought there was a blackmail threat, so what Mitchell thought and said and did is not critical," said Representative Elizabeth Holtzman, Democrat of Brooklyn.

What was more important, the President's critics and even some of his supporters said, was Mr. Mitchell's inability to remember what had taken place on crucial occasions in the Watergate affair.