

# Mitchell Version Differs From Prior Testimony

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By WALTER RUGABER JUL 11 1973

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WASHINGTON, July 10 — John N. Mitchell's version of events in the Watergate affair varies drastically and irreconcilably from the testimony of other key witnesses heard by the Senate investigators.

The former Attorney General and campaign director for President Nixon, who spent all day before the Senate Watergate committee, remembered most of the over-all framework of the scandal.

But he flatly rejected many crucial details related earlier in the Senate hearings by figures such as Jeb Magruder, his deputy at the campaign committee, and John W. Dean 3d, the former counsel to the President.

He said he had not approved the wiretapping at the offices

of the Democratic National Committee and he denied receiving information based on the overheard conversations, as Mr. Magruder has sworn.

While admitting knowledge of an attempted cover-up, he disputed Mr. Magruder's recollection of such substantive matters as the destruction of wiretap memorandums and Mr. Dean's statement about the collection of payoff money for those arrested in the espionage plot.

At one point Mr. Mitchell accused Mr. Magruder of "a palpable, damnable lie." At another, Senator Herman E. Talmadge, Democrat of Georgia, charged Mr. Mitchell with a conflict in sworn testimony.

The implication that ran

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through it all was that one former official or another had committed perjury on a massive scale, a suggestion that was perhaps less vivid before today's conflicts.

Mr. Magruder has admitted perjury in the first Watergate investigation. Mr. Mitchell has been indicted on perjury charges in New York arising from a campaign contribution. Mr. Dean was a leading member of the cover-up plot.

Mr. Magruder, who came before the Senate committee on June 14, said that the wiretapping plans were presented to Mr. Mitchell for the second time at a meeting in his Justice Department office on Feb. 4.

"At that meeting," the witness said, "we did discuss potential targets, we discussed the potential target of the Democratic National Committee, primarily because of information we had relating to Mr. [Lawrence] O'Brien."

### I.T.T. Case

Lawrence F. O'Brien was then serving as chairman of the opposition party, and according to Mr. Magruder there was a series of reasons behind the decision to listen in on his telephone conversations.

Mr. O'Brien's, he said, had been "a very effective spokesman against our position on the I.T.T. case," which involved settlement of a major antitrust action brought against the International Telephone and Telegraph Corporation by the Justice Department.

Mr. Mitchell agreed on the time and place of the session, agreed with Mr. Magruder's list of the participants, agreed that espionage had been discussed, and agreed that he had rejected the plan at that time.

But he strongly disagreed with Mr. Magruder that any targets had been talked over and, as he did from time to time in his testimony today, sought to bolster his statement with corroborating detail.

For one thing, he said, the I.T.T. case did not even become an issue until Feb. 29, when Jack Anderson, the columnist, published a memorandum by a lobbyist for the corporation suggesting that the antitrust settlement had been politically inspired.

### Letter in 1971

The memorandum, attributed to Mrs. Dita D. Bear of I. T. T., prompted renewed Senate hearings on Richard G. Kleindienst's nomination as Attorney General in March, but the antitrust settlement had been controversial before that.

And Mr. O'Brien criticized the settlement during the previous year. He raised the I.T.T. issue in a letter to Mr. Mitchell himself while he still served as Attorney General in December of 1971.

In his appearance last month, Mr. Magruder testified repeatedly that Mr. Mitchell had finally given his approval to a wiretapping program during a meeting in Key Biscayne, Fla., on March 30, 1972.

"Mr. Mitchell simply signed off on it, in the sense of saying, 'Okay, let's give him [G. Gor-

don Liddy, one of the conspirators] a quarter of a million dollars and let's see what he can come up with," Mr. Magruder said.

Mr. Mitchell recalled the meeting in Key Biscayne when he testified today, and the former Presidential adviser agreed with his former deputy that it was simple indeed. His version was as follows:

"Well, it was very simple. This, again [I said:] 'We don't need this, I am tired of hearing about it, out, let's not discuss it any further.'"

Mr. Magruder said he had taken the reports on the wiretapping to Mr. Mitchell a week or so after the eavesdropping began and had shown them to the former Attorney General during one of the 8:30 meetings "I had each morning with him." "I showed him the documents . . ." Mr. Magruder said. "He, as I recall, reviewed the documents [and] indicated . . . that there was really no substance to these documents and . . . not worth the money that [Liddy] had been paid for it."

Mr. Mitchell, calling this "a palpable, damnable lie," testified that in fact he had a meeting at the White House at 8:15 each morning in the period and that his appointment record

would show no meetings alone with Mr. Magruder at the time.

Mr. Magruder testified that during a June 19 meeting with Mr. Mitchell and others "it was generally concluded" that files of the wiretap reports should be destroyed.

### 'Not in My Recollection'

"Not in my recollection was there any discussion of destruction of documents at that meeting," Mr. Mitchell swore today.

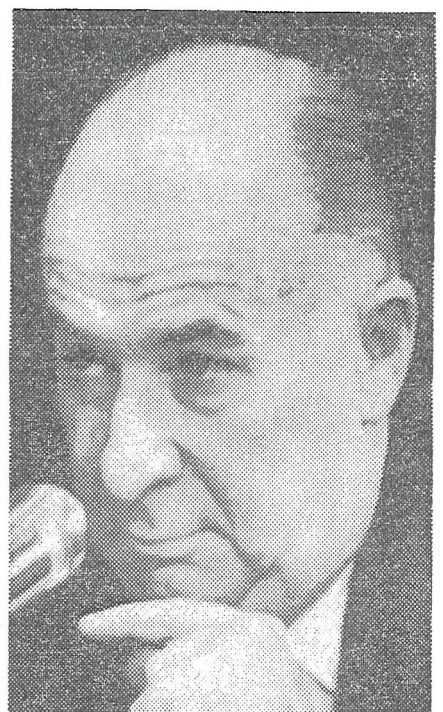
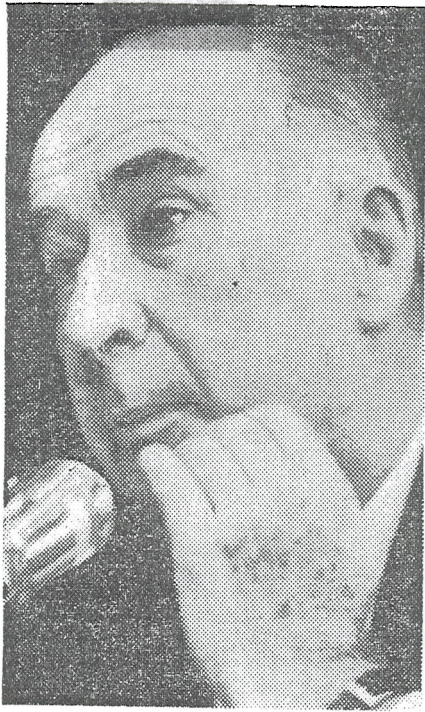
Mr. Dean, who appeared before the committee throughout the week of June 25, said there had been a meeting last June 28 in Mr. Mitchell's office dealing with hush money for the men arrested at the Watergate several days earlier.

" . . . Mitchell asked me to get the approval of Haldeman and Ehrlichman to use Mr. Herbert Kalmbach to raise the necessary money," Mr. Dean testified. He referred to H. R. Haldeman and John D. Ehrlichman, then the President's two ranking advisers, and to Herbert W. Kalmbach, formerly Mr. Nixon's personal attorney.

"There was no such meeting," Mr. Mitchell said today. "I made no such request, ever."

Mr. Mitchell added that he had been in New York on June 28 and had not returned until about 5:30 P.M.





Former Attorney General John N. Mitchell during his appearance at the Senate Watergate hearing yesterday

Associated Press