

What the Missing Recordings Missed

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WASHINGTON, Oct. 31 — John N. Mitchell, then the director of President Nixon's reelection campaign, returned to Washington from a series of routine political affairs in California on the evening of Monday, June 19, 1972.

The former Attorney General found a capital "clamoring for a response," as he put it, to the aborted burglary on the previous Saturday at the Watergate offices of the Democratic National Committee.

He and several advisers who were involved in the conspiracy or soon to undertake a criminal cover-up of it gathered immediately at Mr. Mitchell's apartment for "quite a general discussion."

Dean Conversation Missing

Then, at eight minutes past 6 P.M. on the following day, the campaign chief received a telephone call from the President. Mr. Nixon spoke to his old confidant for four minutes.

The conversation, the White House disclosed today, is one of two of which it will be unable to supply recordings to Chief Judge John J. Sirica of the United States District Court here.

One of the President's lawyers, J. Fred Buzhardt, said Mr. Nixon had spoken on June 20 from an extension telephone that was not connected to an automatic recording system.

Mr. Buzhardt told Judge Sirica that the second conversation, between the President and his former counsel, John W. Dean 3d, during a meeting on April 15, 1973, had been missed because of an equipment malfunction.

Testimony by principals in the Watergate scandal — and statements by Mr. Nixon himself — have produced sharply conflicting accounts of the conversations, both of which are central to investigations of the cover-up.

Testimony Quoted

Mr. Mitchell gave his version of the June 20 call from the President during his testimony before the Senate Watergate committee. It included this exchange with Senator Herman E. Talmadge, Democrat of Georgia:

SENATOR TALMADGE. What did you tell the President about the Watergate break-in at that time? Did you tell him employees of the Committee to Re-elect the President were involved in it?

MR. MITCHELL. I assume the President knew that because it had been in the newspapers by then, to my recollection; but what I really recall about the conversation was more.

Q. Did you tell him [Jeb Stuart] Magruder was involved in it at that time?

A. I did not know Magruder was involved in it at that time.

Q. Who did you tell him was involved?

A. The only ones I knew

were involved at that time were the five that were accosted on the premises.

At another point, under questioning by the committee's chief counsel, Samuel Dash, Mr. Mitchell testified about the June 20 telephone call as follows:

"I apologized to him for not knowing what the hell had happened and [said] I should have kept a stronger hand on what the people in the committee were doing, et cetera."

The former Attorney General contended that it was not until a day or two afterward that he learned of further committee involvement and that therefore he could have given the President no hint of it.

But among those at the meeting in Mr. Mitchell's apartment were Magruder, then deputy director of the committee, and Frederick C. LaRue, then an assistant to Mr. Mitchell.

Both men, who have since pleaded guilty to criminal charges in the case, have testified that there was talk at the meeting of destroying documents that dealt with the Watergate wiretaps.

Mitchell Response Recalled

"It was generally concluded that that file [containing the wiretap reports] should be immediately destroyed," Magruder told the Senate panel. He admitted to prior knowledge of the bugging and said he had kept the file.

"I recall . . . a discussion by Magruder of some sensitive files which he had," LaRue told the Senators, "and that he was seeking advice about what to do about those files. As I remembered, there was a response from Mr. Mitchell that it might be good if Mr. Magruder had a fire."

Dean, who was dismissed by Mr. Nixon as White House counsel on April 30 and who

later pleaded guilty in the cover-up, met with the President between 9:17 P.M. and 10:12 P.M. on April 15.

The encounter took place in the Old Executive Office Building, next door to the White House, and despite the increasing tension between the two men Dean said the President was "very cordial."

The former White House counsel's account of the meeting, given to the Watergate committee in a statement delivered June 25, including the following:

'Leading Questions'

"The President almost from the outset began asking me a number of leading questions . . . which made me think that the conversation was being taped and that a record was being made to protect himself. . . ."

"Toward the end of the conversation the President recalled the fact that at one point we had discussed the difficulty in raising money and that he had said that one million dollars was nothing to raise to pay to maintain the silence of the defendants. He said that he had, of course, only been joking when he made that comment. . . ."

"The most interesting thing that happened during the conversation was, very near the end, he got up out of his chair, went behind his chair to the corner of the Executive Office Building office and in a nearly inaudible tone said to me he was probably foolish to have discussed Hunt's clemency with Colson. I do not recall that I responded. The conversation ended shortly thereafter."

Charles W. Colson, then a special counsel to the President, arranged the employment as a White House consultant of E. Howard Hunt Jr., one of the original defendants.