

NYTimes NOV 7 1973  
**Wright Tells of Receiving Belated Notice on Tapes**

By LESLEY OELSNER

Special to The New York Times

WASHINGTON, Nov. 6—Charles Alan Wright is back home in Texas after months of serving as President Nixon's chief legal strategist in the battle for control of the Watergate tapes.

He is getting abusive mail and wondering what has happened to his reputation.

He is wondering, too, why no one bothered to tell him—until the day of the public announcement—that the White House was asserting that no tape recordings had been made of two of the nine disputed White House conversations about Watergate.

"It was my secretary who told me," Mr. Wright said today in a telephone interview from his office at the University of Texas Law School in Austin.

"She said, 'You won't believe this, but two of the tapes don't exist. You should hear it from us before hearing it on the radio.'"

The secretary was calling from the White House, Mr. Wright said, and shortly afterward, J. Fred Buzhardt Jr., the President's deputy counsel, announced in Federal Judge John J. Sirica's Washington courtroom that the White House would not be able to turn over nine tapes after all, for two of the nine did not exist.

A few days later, another

Continued on Page 32, Column 6

Continued From Page 1, Col. 6

White House staff member, Stephen B. Bull, testified before Judge Sirica that President Nixon had had a good idea more than a month before that those two tapes did not exist.

And Mr. Wright, who had already been criticized in some legal circles for his participation in the White House's handling of the tapes case, found himself in a more awkward position than ever before.

He had gone to the White House last summer with a national reputation, in the legal community at least, as one of this country's best constitutional scholars. He was considered impeccably professional and honest.

But now in the minds of many lawyers and laymen, he is the lawyer who told Judge



The New York Times  
Charles Alan Wright

Sirica on Oct. 23 that Mr. Nixon would comply "in all respects" with the subpoena for the tapes—leaving the clear impression that tapes of all nine conversations specified in the subpoena would be turned over—when the President allegedly already knew or strongly suspected that two of the conversations had not been recorded.

Professor Wright said, when asked, that he was not bitter about his dealings with Mr. Nixon or others, at the White House or about the effect those dealings had had on his life.

He said "there are people, particularly laymen," who felt that he had behaved improperly. He also said that he had received "abusive" letters. But he added that his colleagues at the law school had been "terrific" in offering their moral support, and that he felt that he had behaved in a "highly professional way at all times."

As for the belated disclosure about the nonexistence of the

tapes, he said that he "would be happier if I had known."

"But," he added quickly, "I don't say that by way of criticism of anyone."

Mr. Wright said that he did not know whether the two disputed conversations had ever been recorded, but that he was willing to accept the White House statement that they had not been. "I believe my colleagues, I believe the President," he said. But he added that if it turned out that the two tapes had existed and then been destroyed, he would withdraw from all participation in the White House case.

As for rumors that he had quit the White House team—if not in a huff, for that would be out of keeping with his eminently lawyerlike image, that at least in disillusionment—Professor Wright said today that the rumors were untrue.

He is out of the case now, he said, simply because the job

that he was asked to do—prepare the constitutional arguments—is over. The job now is to convince Judge Sirica that the two disputed conversations were never regarded, and that, he said, "is a problem for trial lawyers."

His job in the present case—the one based on the subpoena issued last summer by the then special Watergate prosecutor Archibald Cox—is thus "done," he said. But if there are any further proceedings in the case of the Senate Watergate committee's subpoena to the President—a subpoena that Judge Sirica has already rejected—then, Mr. Wright said, he will expect to work on the President's case.

Mr. Wright brushed aside any suggestion that his work on the tapes case might have cost him a judgeship, perhaps even an appointment to the Supreme Court. But he said that he did not want to be a judge.

All he wants to do now, he said, is get back into the full rhythm of academic life, teaching his course and his seminar on Federal courts, serving on the school's various committees and coaching the school's intramural football team, the Legal Eagles.

"I want to be a law professor for the rest of my life," he said.

Yet for all of Mr. Wright's disclaimers, for all his insistence of no bad feelings, law professors, lawyers and others across the country are wondering about his morale.

Mr. Wright concedes that he is not entirely happy with the outcome of the case. He said that when the President decided not to appeal to the Supreme Court the ruling by the United States Court of Appeals upholding the subpoena, he in effect lost the case. He does not question the wisdom of the President's decision, for that was a political decision, he said, but, in his words, "I never like to lose a case."

"As a lawyer, you naturally like to press on, and redeem yourself by winning," he said.

He also said that he was "not happy" about the "uproar" caused by the latest disclosures on the alleged nonexistence of the two tapes.

"I think, had I been advised on Oct. 23 that there was even a possibility that the tapes didn't exist, it would have helped us to make that point in the beginning."

Some outsiders use harsher terms. If Mr. Wright was not informed of the tapes' nonexistence, they say, then he was in effect deceived by his client.

There has been no statement

NOV 7 1973

on the subject from the White House, despite questions from reporters in recent days about the date that Mr. Wright had been informed. Mr. Wright's Washington secretary, who is also secretary to Leonard Garment, the President's counsel, declined today to comment about Mr. Wright's statement that he first got the information in a telephone call from her.