

NYTimes
DEC 7 1973
**Nixon-Dean Tape Will Go
To Mitchell Trial Judge**

By **ARNOLD H. LUBASCH**

Federal prosecutors disclosed last night that the White House had agreed to provide the tape recording of a conversation between President Nixon and John W. Dean 3d for the trial of two former Cabinet officers.

The tape recording of the conversation last Feb. 28 between the President and the former White House counsel was demanded yesterday by Judge Lee P. Gagliardi, who is presiding over the trial of former Attorney General John N.

Mitchell and former Secretary that is scheduled to begin Jan. 9 in Federal District Court here.

Mr. Mitchell and Mr. Stans were indicted last May 10 for obstructing an investigation of the financial operations of Robert L. Vesco in return for the fugitive financier's secret \$200,000 cash contribution to President Nixon's 1972 election campaign.

[Mr. Vesco has been granted permission to live in Argentina and will not be liable to extradition, Reuters reported Thursday. Page 20.]

The prosecutors in the Mitchell-Stans trial, James W. Rayhill and Kenneth R. Feinberg, told Judge Gagliardi yesterday after his request that J. Fred Buzhardt Jr., a special White House counsel, had informed them that the tape would be provided no later than next Friday for the judge to examine in private.

Judge Gagliardi had indicated earlier that he would not permit Mr. Dean to testify as a

Continued on Page 24, Column 3

Continued From Page 1, Col. 6

key witness for the prosecution in the Mitchell-Stans trial unless he received the tape recording.

Defense lawyers for Mr. Mitchell and Mr. Stans, who had given up their Cabinet posts to head the President's re-election campaign, subpoenaed White House tape recordings and other material for use in attacking the credibility of Mr. Dean under cross-examination at the scheduled trial.

The defense lawyers had sought a reported tape recording of a conversation on April 15 between the President and

THE NEW YORK TIMES, FRIDAY, DECEMBER 7, 1973

Mr. Dean, as well as the tape of Feb. 28, but the White House said later that the conversation of April 15 had not been recorded because the tape had run out.

At the pretrial session yesterday, Judge Gagliardi said that the Federal prosecutors had given him a partial transcript of the conversation of Feb. 28, as supplied by the White House last week, but the judge insisted that he needed the complete recording as soon as possible.

The Federal prosecutors had moved to quash the original subpoena for the tapes, but the judge subsequently ruled that he wanted to examine them in private to determine whether they were relevant material to the defense.

In the conversation of April 15, Mr. Dean reportedly told the President that he was seeking immunity from prosecutors

in exchange for testimony against White House aides.

The conversation of Feb. 28 was sought by the defense lawyers on the ground that Mr. Dean had told the Senate Watergate committee that he had discussed the Vesco case with the President on that date.

She Disdains 'Self-Service'

ST. JOSEPH, Mo. (AP)—After Miss Terry Ward, deputy county recorder here, had issued 2,000 wedding licenses in the courthouse, she had one made out permitting her to wed Mike Dean. But for making out her wedding license, she called on the services of her boss, Tom Sloan.

Women's Lib in Reverse

RICHMOND (AP)—Five men have been accepted as members by the previously all-female Virginia Press Women association.