

# Nixon's Denial Over Watergate Tape Gap

Washington

Richard M. Nixon's lawyer said yesterday that the former President has denied under oath any "personal responsibility" for the 18 1/2-minute gap in one of the White House tapes, one of the few remaining mysteries in the Watergate scandals.

Attorney Herbert J. Miller Jr. said Mr. Nixon made the denial before special Watergate prosecutor Henry S. Ruth and two members of a grand jury who questioned him for 11 hours last June 23 and 24.

A panel of court-appointed experts concluded before Mr. Nixon resigned the presidency that the gap was the result of at least five and perhaps as many as nine manual erasures of a crucial conversation between Mr. Nixon and his chief of staff, H. R. Haldeman.

The conversation occurred June 20, 1972, three days after the original break-in at Democratic National Committee headquarters. Haldeman's notes show the subject was Watergate.

Miller referred to the tape gap yesterday in a three-hour hearing before a special three-judge court. It is considering Mr. Nixon's attempts to gain ownership and control of the White House tapes and 42 million documents accumulated during his presidency.

There was no indication when the three judges, Aubrey E. Rob-

inson of the U.S. District Court, and Carl McGowan and Edward A. Tamm of the U.S. Court of Appeals, would rule on the Nixon civil suit, filed Sept. 7, 1974. \*

Whatever they decide, a Supreme Court appeal is almost certain.

The Justice Department is seeking to keep the Nixon records under government control, and Miller said in doing so department lawyers have cast doubt on Mr. Nixon's honesty.

"They say Mr. Nixon is untrustworthy, they say Mr. Nixon will distort the record, they say Mr. Nixon created the 8 1/2-minute gap," Miller said.

"With respect to the 18 1/2-minute gap," Miller continued, "Mr. Nixon was interrogated by the office of the special prosecutor."

Of the Justice Department lawyers, Miller said, "Let them challenge that his (Mr. Nixon's) personal responsibility (for the tape gap) was denied under oath."

Asked after the hearing whether Mr. Nixon had denied responsibility for the tape gap before the grand jury, Miller said yes.

In a demonstration of her tape transcribing methods Mr. Nixon's secretary, Rose Mary Woods, has said she accidentally erased five or six minutes of the 18 1/2 minutes of the tape, but no more.

*Associated Press*

\*No record in file.  
20 Dec 74?