

No Mr. Nice Guy for Watergate case

By Jim Squires

Chicago Tribune Press Service

WASHINGTON, June 2.—When Atty. Gen. Robert Kennedy decided to try to nail Teamster boss James R. Hoffa in 1962, he reached down into the ranks of the Justice Department and tapped James J. Neal for the job.

One insider familiar with that decision recalls the reasons behind it.

"Bobby really wanted to prosecute Hoffa himself," he said. "And since he could not, he just picked the meanest, toughest, most incorruptible young lawyer he could find. He never regretted the decision."

ELEVEN YEARS later James F. Neal finds himself temporarily at least, as a major force in the prosecution of the Watergate case, having been selected by special prosecutor Archibald Cox to study the evidence and make recommendations.

Rumor has it that Cox wants Neal to stay on indefinitely to head up the actual prosecution, and that Neal is balking because of an overloaded private practice in Nashville.

But some of Neal's friends contend the two-week time limit he has placed on his own participation is actually only Neal's way of giving himself an "out" if he doesn't like what he sees.

"Neal's got that gleam in his eye," confides an associate who has discussed the case with him. "If he thinks he can take charge of that prosecution and pursue it to a successful conclusion, he won't be able to turn his back on it."

MORE THAN a month ago, when it became apparent that the Justice Department was looking outside for a big name lawyer with a "clean" image, a list of potential selections was read to Neal over the telephone at his Nashville home.

"They're all good lawyers," he told the caller with a note of disdain in his voice, "but what they need is a good prosecutor."

Neal is a good prosecutor, a man who, like Bobby Kennedy, places winning at the top of his list of priorities.

"Jim Neal is also a good defense lawyer," said one man who more than once has found himself opposing Neal in Tennessee courts. "But Neal's de-

fense usually consists of prosecuting the prosecution."

DESPITE HIS success in private practice and as United States attorney for the Middle District of Tennessee from 1964 to 1966, much of Neal's reputation was built as head of Kennedy's prosecution team in Hoffa's 1962 trial.

A short, barrel-chested man who wears expensive, well-tailored suits and plays tennis to keep trim, Neal strutted around the courtroom much as Hoffa strode the corridors, both acting like big cats about to pounce on anything that moved.

They were formidable opponents.

"It was like two banham roosters," remembers one trial observer. "Hoffa's presence antagonized Neal. Neal's presence antagonized Hoffa. If they had ever tangled, it would have been a helluva fight."

THE CIGAR-CHOMPING Neal was robbed of victory in the 1962 case—a \$1 million fraud charge against the union leader—when a mistrial was declared because of jury tampering by the defense.

But the jury-tampering charges proved the ultimate weapon and two years later a second prosecution team, which included Neal, sent Hoffa to prison for trying to bribe jurors.

As in the Watergate case, wire-tapping played a major role in the Hoffa case. Day after day, Neal took the

floor to deny charges by defense lawyers that the prosecution had built its case on evidence gotten from illegal wiretaps.

And in the later prosecution of the jury-tampering charges, electronic surveillance was a key to winning. In an effort to pinpoint the jury-tampering, the government strapped a tape recorder to the back of a former Nashville policeman who had been hired as a Hoffa investigator.

THE EVIDENCE he gathered resulted in the disbarment and conviction of Z. T. Osborn Jr., a young Hoffa lawyer who had been the winning attorney in the famous Baker vs. Carr reapportionment case. Years later, after his release from prison, Osborn committed suicide.

The Hoffa case has also continued to haunt Neal for a decade. Deals he made as a government prosecutor with a key were not supported by the Nixon administration.

Despite Neal's opposition, the Justice Department proceeded with a vigorous prosecution of Parlin on charges that prosecution witness, Grady Parlin, Neal thought should never have been brought. Because he felt responsible, friends say, Neal has served as Parlin's defense lawyer for something less than his normally expensive fee.

IF HE STAYS in the Watergate case, he will find himself across the table from old acquaintances. He knows William G. Hundley, attorney for John Mitchell. In addition, Charles Norman Shaffer, an attorney for John Dean, was on the same Hoffa prosecution team.

Even if Neal decides not to stay, his brief presence will be telling.

Says one old Justice Department associate: "If Archie Cox wants Jim Neal

Refer to the
the Partin file

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Neal was Hoffa prosecutor