

Judge Wants to Start Watergate Trial

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U.S. District Court Judge Charles R. Richey indicated yesterday that he may begin the civil trial in the Watergate bugging case before the Nov. 7 presidential election to "insure the right of the public to know and the right of the press."

Expressing a "grave and substantial concern" about his own ruling to require secrecy in all pretrial testimony in the case, Judge Richey also indicated that he is seeking ways to amend that decision.

In a hearing yesterday,

Judge Richey alluded to suggestions that details of the Watergate incident are purposely being withheld until after the Presidential election, and said:

"I think there is also a suggestion implicit in all this that if something is not done by this court to bring this matter to a head one way or the other . . . the integrity of the courts may become subject to question. The integrity of the entire governmental process may become subject to question.

"This judge is not going to be a party to any such criticism, if I can possibly avoid it, unless the interests

of justice compel me to do otherwise."

Richey, a Republican who came to the federal bench on the recommendation of Vice President Spiro T. Agnew, then asked attorneys for the Democrats to help him find a legal precedent for expediting a civil trial in the case.

"It may be that, so far as the public is concerned, their interest might be better served by having a civil trial before the election," he told surprised attorneys who had entered the courtroom for what was to be a routine procedural hearing.

On Tuesday, Judge Richey

ruled that all pretrial depositions taken in the Democrats' \$1 million civil suit against the Watergate suspects must be sealed to protect the rights of potential defendants in criminal actions stemming from the incident.

Yesterday, he asked the Democrats' attorneys to provide him with legal citations that would enable him to amend his order for pretrial secrecy—while still insuring the rights of potential criminal defendants.

"There must be some way to reconcile the rights of the accused to a fair trial . . .

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WATERGATE, From A1

and the rights of the public to know by virtue of the First Amendment providing for free speech and a free press in a free society," Richey observed.

Furthermore, he said, "the very lack of knowledge about the facts of the case, whatever they may be, is going to generate an even greater amount of publicity" than would prompt their disclosure.

In hinting that he would like to expedite the civil trial, Richey noted that a grand jury is investigating the criminal aspects of the Watergate incident and that civil trials rarely precede criminal trials in related matters.

"Do you know of any cases where a civil matter such as this has ever been allowed to go forward to trial before a criminal case which is akin to the same subject matter?" the judge asked the Democrats' attorneys. "If you can find them I want them . . . at the very earliest moment."

Harold Ungar, one of the Democrats' attorneys, told Judge Richey that "some persons, directly or peripherally involved in this case," are using the courts "to give them a sense of assurance that nothing is going to happen for some substantial time and that nobody is going to know anything for

some substantial time."

Earlier, Judge Richey had mentioned a television appearance Wednesday night by Maurice Stans, former Secretary of Commerce and now finance counsel of the Nixon campaign. Stans said "the public ought to be prepared to wait for the findings of the grand jury" before expecting Republicans to discuss the matter.

Stans and other spokesmen for the President's campaign have contended it is improper for them to discuss the incident while it is under investigation.

Yesterday, Richey said Stans' remarks on television raised a problem of "substantial importance and which I had not considered until I listened to the television screen last night."

The judge then made his suggestion that the public "might be better served by having a civil trial before the election."

In a related matter, syndicated columnist Hack Anderson reported today that the \$25,000 campaign check linked to one of the five suspects arrested inside the Watergate originally came from Sen. Hubert H. Humphrey's largest campaign contributor, Swayne Andreas. (See Page D19.)

Andreas, chairman of First InterOceanic Corp. of Minneapolis, gave \$75,000 to Humphrey's unsuccessful bid for the Democratic Pres-

idential nomination this year.

In addition, Andreas gave \$25,000 in cash during April to President Nixon's chief fund-raiser in the Midwest, Kenneth H. Dahlberg, according to the Anderson column.

Quoting "secret sworn testimony" that Dahlberg gave to Miami State's Attorney Richard E. Gerstein, Anderson said that Dahlberg acknowledged that he collected the \$25,000 from Andreas on April 9, two days after the new campaign disclosure law took effect.

This would contradict Dahlberg's earlier public statements that the \$25,000 was collected prior to April 7 and therefore does not have to be reported.

It is this \$25,000 that sparked the General Accounting Office to order an audit of the financial records of the Committee for the Re-election of the President.

GAO sources have said that the \$25,000 was not reported as a campaign contribution received after April 7.

Failure to report the contribution could be a violation of the new campaign finance law. It is expected to be listed as a violation in the GAO audit report now scheduled to be released this week.

Dahlberg, the wealthy Midwest fund-raiser, has said that on April 10 he con-

verted the \$25,000 cash to a cashier's check, which was handed to Maurice Stans, the top national Republican fund-raiser, during a Washington meeting the next day.

Sources close to the FBI investigation into the Watergate incident have said the \$25,000 check was deposited nine days later in the Miami bank account of Bernard L. Barker, one of the five men arrested in the June 17 incident.

It has not been publicly revealed how the \$25,000 check made its way to Barker's account. Republican officials, including campaign manager Clark MacGregor, have said that the last per-

son to have it was G. Gordon Liddy.

Liddy was fired from his post as finance counsel to the Nixon committee on June 28 because he refused to answer questions from the FBI about the Watergate incident.

Yesterday Liddy gave a formal statement to lawyers for the Democrats as part of the party's separate civil suit.

Liddy was the first of 13 persons that lawyers for the Democrats say they want to question in the matter. For the time being, according to Judge Richey's ruling, all these sworn statements, including Liddy's, will be kept under seal of the court and not made public.

It was this ruling that Richey indicated yesterday he may change to bring the matter before the public prior to the election.

In the matter of Anderson's report on the origin of the \$25,000 Nixon campaign contribution, neither Dahlberg nor Andreas could be reached yesterday for comment.

Sources in Miami confirmed that Dahlberg gave a sworn statement to State's Attorney Gerstein on Wednesday, but declined to discuss the contents of it.

Gerstein has opened his own independent investigation into the Watergate incident because he said many of those involved come from Miami. He is a Democrat running for re-election this

November.

Here in Washington yesterday two Houston oil executives testified before the federal grand jury investigating the Watergate incident, according to reliable government sources.

They are William C. Liedtke Jr., president of Pennzoil United Inc. and chief Nixon fund-raiser in the Southwest states, and

Roy . Winchester, vice president for Pennzoil's public relations.

Sources said they were questioned about \$89,000 of Nixon campaign funds apparently from Texas that also wound up in the bank account of Barker. This \$89,000 came through a Mexico City lawyer in a way that still is not clear to government agencies investigating the case, the sources said.

The political spotlight also continued to focus on the Watergate affair. Lawrence F. O'Brien, national campaign chairman for Sen. George S. McGovern, charged that a "calculated Republican attempt to suppress and cover up the facts of this case will turn out to be the biggest political blunder in Richard Nixon's career."

"It will cost him the election," O'Brien said in a prepared statement released in Annapolis. O'Brien was meeting there with Mary-
rence F. O'Brien, national land Gov. Marvin Mandel.

O'Brien repeated his charge that "every ounce of political muscle available to the White House was being expended to suppress a highly critical government report on Republican campaign financing."

He was referring to the GAO report that was scheduled to be released Tuesday on the eve of President Nixon's renomination but was abruptly held following a request by chief fund-raiser Stans.

O'Brien said that "enough is already known to discern the outlines of a scandal that will rock the Nixon administration to its foundations."

Disagreeing, Sen. Howard W. Cannon (D-Nev.), chairman of the Senate Subcommittee on Elections and Privileges, said there is sufficient reason for the delay in releasing the GAO report.

"The GAO is upgrading the report, and I am hopeful it will be completed within a few days," Cannon said in a prepared statement. Sources in the GAO agreed and said the delay would only insure that the report is more complete and accurate.