

The Nation

Watergate

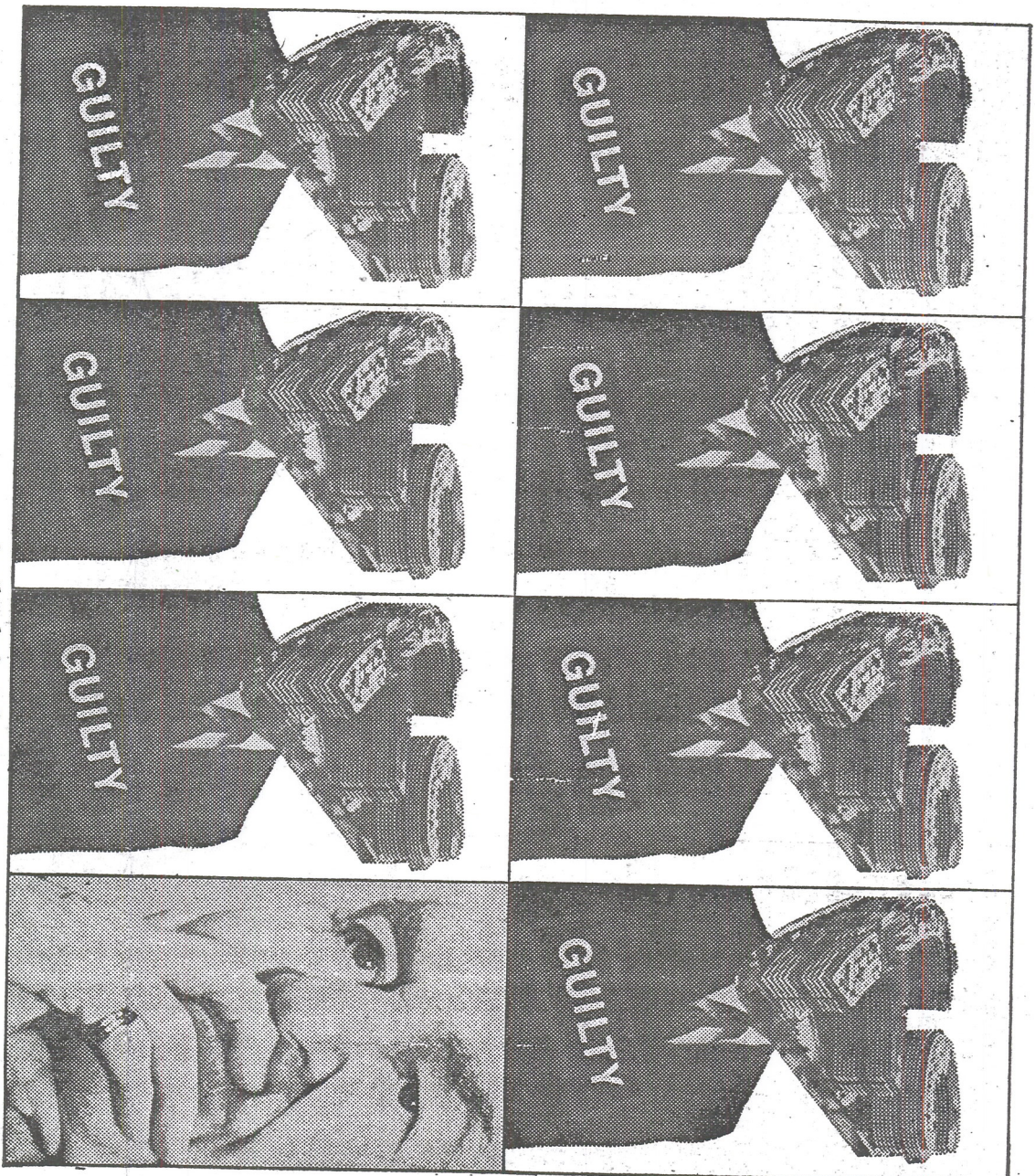
Still No Real Answers

WASHINGTON—There were a lot of important questions in the Watergate trial, Judge John J. Sirica observed last week, and "I was hoping that we would get answers to all of them. I don't know if we did or not. Maybe one or two."

On Tuesday the trial ended with the expected conviction of the last two of the seven defendants. But there was mounting criticism in the Congress of the Government's handling of the case. Senator Sam J. Ervin Jr., a North Carolina Democrat, is scheduled to begin a full-scale investigation into the matter—offering the possibility that he might find answers where Judge Sirica had suffered disappointment.

Henry E. Petersen, the Assistant Attorney General in charge of the Criminal Division of the Department of Justice, had said in September that the Government's investigation had been the "most exhausting and far-reaching" he could remember in 25 years. "In no instance has there been any limitation of any kind by anyone on the conduct of the investigation," Mr. Petersen had declared. "As the trial goes forward, the thoroughness of the grand jury investigation will become apparent."

By December and January, the Gov-



Another look at the Watergate caper: Senator Sam. J. Ervin Jr.

ernment's signals made the limited scope of the forthcoming trial more apparent. The prosecutors talked at pretrial conferences of common burglary, of "another street crime." The indictments were drawn quite narrowly.

On Tuesday, after deliberating less than 90 minutes, the jury found George Gordon Liddy and James Walter McCord Jr., officials of President Nixon's political organization, guilty, as charged on all counts. The case against them, like the case against five other men who had pleaded guilty earlier, convinced the jurors that they had done exactly what the Government had charged. The testimony had been detailed and extensive.

But the political realities, the nagging questions about the extent and the purpose of the conspiracy, were ignored. It was awkward at times, especially with the intensely curious judge setting up a dignified clamor at regular intervals.

There was motive. While the Government did not need to establish one in order to convict the defendants, Judge Sirica had said repeatedly that the jury—and by implication the public—would want to know why the defendants had carried out wiretapping and espionage activities at the Democratic headquarters in the Watergate building, and against Democratic Presidential candidates.

But Earl J. Silbert, the principal

United States Attorney, asserted in his final argument to the jury on Monday that the defendants were "off on an enterprise of their own." At no point in the trial was there a comprehensive statement of motive.

There was also money. Judge Sirica reserved his most incredulous remarks for the testimony that Liddy had been paid \$199,000 in cash by the Committee for the Re-Election of the President and that no one seemed to know what Liddy had done with the money. Jeb Stuart Magruder, former Deputy Director of the Nixon campaign, said \$250,000 had been budgeted for a political intelligence operation. Mr. Liddy had been in charge, and some of the Watergate burglars had been caught with his money in their possession.

Mr. Magruder said he had no idea Liddy was bugging the Democrats. Hugh W. Sloan Jr., the former treasurer of the Nixon fund-raising unit who had paid the \$199,000, testified that he had no idea what the defendant had done with any of the funds.

Judge Sirica, who had questioned Mr. Sloan during the trial, announced Friday that he had "great doubts" about whether the witness had "told us the entire truth" and noted that neither the Government nor the defense had asked "any questions."

There was also the question of "higher-ups" who might have been involved in illicit espionage. For the

Government, Mr. Silbert's assertion that the defendants were "off on an enterprise of their own" was about as far as it went. Mr. Magruder was the highest ranking official to testify.

Judge Sirica said after the trial that regardless of Mr. Sloan's testimony he was not satisfied that "somebody else doesn't know what the \$199,000 Mr. Liddy got [from Mr. Sloan] was to be used for." He also said he wanted the prosecution to "put under oath in the grand jury room" several "persons" he did not identify.

"Everybody knows there's going to be a Congressional investigation in this case," the Judge said Friday. He referred to the inquiry scheduled by Senator Ervin. Hearings are not expected for at least six weeks, and perhaps not for at least six months.

How much more conclusive evidence on espionage in the 1972 campaign might be developed by Senator Ervin cannot be foretold. Judge Sirica, "still not satisfied that all of the pertinent facts . . . have been produced before an American jury," had this to say:

"I would hope, frankly—not only as a judge but as a citizen of a great country and one of millions of Americans who are looking for certain answers—I would hope that the Senate committee is granted power . . . to try to get to the bottom of what happened in this case."

—WALTER RUGABER