

Watergate Trial Judge Wants

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Testimony in the celebrated Watergate bugging trial is scheduled to begin today, with questions remaining about how broad the scope of the trial will be.

The indictment handed down in the case against seven men—two of them former White House aides—is confined to the bugging of Democratic headquarters at the Watergate, and an allegedly related attempt to “reconnoiter” the campaign offices of Democratic Sen. George S. McGovern.

However, the presiding judge in the case has served notice that he wants the trial to explore some of the broader questions not taken into consideration in the indictment: its sponsorship, purpose and financing, as well as its possible relationship to a wider campaign of espionage and sabotage allegedly undertaken against the Democrats.

“This jury is going to want to know what did these men go into that headquarters for,” Chief U.S. District Court Judge John J. Sirica told the prosecution and defense during a pre-trial hearing Dec. 4. “Was their sole purpose political espionage? Were they paid? Was there financial gain? Who hired them? Who started this?”

Assistant U.S. Attorney Earl J. Silbert, the chief prosecutor, responded in a later hearing, saying he does not expect the cooperation of the seven defendants in the case, and without that

the jury will be left only to draw inferences.

According to sources close to the Watergate investigation, the June 17 Watergate incident was only a part of a wider campaign of intelligence-gathering and disruptive activities conceived by high White House aides and directed by officials at the Committee for the re-election of the President.

These sources said that the Justice Department decided that most, if not all, of the spying activities were legal, carefully skirting the edges of the law, leaving the Watergate bugging as the only clear-cut example of criminal activity that could be proved in court.

four Miami men indicted in the case: Bernard Barker, Virgilio R. Gonzalez, Frank Sturgis and Eugenio R. Martinez.

Gerald Alch, an associate of Boston trial lawyer F. Lee Bailey, is the attorney for James W. McCord, the former security coordinator for the Nixon re-election committee who was arrested inside the Watergate.

The prosecution's case is accordingly, the sources said, the Watergate investigation did not probe fully into other matters that could not be tied directly to the bugging.

A primary objective of the spying and disruption, according to the sources, was to derail the presidential candidacy of Sen. Edmund S. Muskie while promoting the nomination of a candidate who, the White House

William O. Bittman, the former Justice Department lawyer who successfully

prosecuted both former Teamster President Jimmy Hoffa and former Senate aide Robert G. (Bobby) Baker, is the attorney for Hunt.

New York attorney Henry B. Rothblatt, who successfully defended Col. Oran K. Henderson in the Mylai massacre case, represents the aides felt, would give President Nixon less of a battle.

Sen. McGovern was reportedly the first choice as an opponent, and Sen. Hubert H. Humphrey the second.

The White House, often citing the possibility of prejudicing the rights of the seven defendants, usually refused to comment on the spying allegations as they were made public. Spokesmen generally did not deny the substance of allegations but attacked the news media for publishing accounts based largely on information provided by sources who were not named.

The trial brings together some of the country's best-known legal talent.

‘Exploration’

expected to rest on two pillars: the fact that five of the defendants were arrested inside Democratic headquarters on June 17; and the testimony of former FBI agent Alfred C. Baldwin III, who has said he monitored the tapped telephone conversations of Democratic Party officials.

Sirica, the chief judge of U. S. District Court here, is known for his stern, non-nonsense approach on the bench.

Sirica, 68, a lifelong Republican and a federal judge here for 16 years, established his strong-willed reputation in 1944 when he was chief counsel to a House subcommittee investigating allegations of political favoritism at the Federal Communications Commission.

The probe focused on aides to President Roosevelt, and Sirica took the job after he received assurances that he would be unfettered in his investigation.

Soon Sirica determined that political pressure pressure was being applied to Democratic committee members. So in an unprecedented action he resigned in a public hearing and denounced the investigation as a whitewash.