

Evidence Is Curbed In Watergate Case

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The U.S. Court of Appeals ruled yesterday that no evidence concerning the contents of "allegedly illegally intercepted communications" shall be admitted in the Watergate bugging trial except under conditions outlined in the court's brief order.

Five officials and employees of the Democratic National Committee, saying that some their conversations may have been overheard by a witness scheduled to testify in the trial, had asked the Court of Appeals to bar testimony about the contents of the conversations from the trial. Chief U.S. District Judge John J. Sirica denied the motion last week.

The appellate court ordered that Sirica hold a hearing in secret with lawyers for the prosecution, defense and the five Democrats present to hear a description of the testimony before it is given in open court.

If any objection is raised but overruled, the court said, an opportunity shall be given for the matter to be brought

back to the Court of Appeals before the evidence is admitted.

The court's order was issued by Chief Circuit Judge David L. Bazelon and Circuit Judge J. Skelly Wright. Circuit Judge George M. MacKinnon dissented, saying that the decision about whether the evidence should be admitted is one for the trial judge to decide "without any interim right of appeal" by persons in the case.