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Watergate Judge Is Called Firm and Nonpartisan

By JACK ROSENTHAL

WASHINGTON, Jan. 15 — Early this afternoon after four more defendants had pleaded guilty and the "Watergate seven" had diminished to the "Watergate two," one of the trial spectators turned to a companion and cracked: "This judge will have a trial even there are no defendants left."

Hyperbole notwithstanding, the remark offered a clue to the no-nonsense nature of John J. Sirica, the Federal Judge presiding over the temperstuous case involving the break-in and bugging of the Democratic national headquarters last June.

The portrait painted by Washington lawyers who know him is of a one-time prizefighter who, while not a hanging judge, has little patience with diversions in the courtroom; of a Republican, appointed to the bench by President Eisenhower, who is, they say, rigorously above political considerations; of a man who is not notably intellectual, but who has the unquestioned respect of the local bar.

A Bit of Disbelief

His behavior today offered a new illustration. Although he was not required to do so, when the four defendants asked to change their plea to guilty, he questioned them at length from the bench.

Repeatedly, he pressed Bernard L. Barker, one of the four, as to the source of money used for expenses in the Watergate affair. Just as persistently, the defendant said, no, he did not know for sure. Finally, he said the money had come in the mail in a blank envelope.

Well, I'm sorry," Judge Sirica finally said in quiet ex-



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Judge John J. Sirica

asperation, prompting a rustle in the gallery, "but I don't believe you."

His impatience accorded with his attitude ever since the politically explosive case first reached the United States District Court. At a hearing last October, for example, he said:

"I have been through some of these political cases that smack of politics, but no political party, Republican or Democratic, has a monopoly on honesty or integrity."

In another pre-trial session, a defense lawyer described a prosecution argument as "baloney." Judge Sirica quickly interrupted: "Have you ever used that expression 'baloney' in another Federal court?" The chastised lawyer immediately agreed that "specious" would be a better word.

Sitting, almost unmoving, behind the high blondwood paneled bench in the cavernous Cerebral Courtroom here, Judge Sirica presents a deceptive profile. His black, wavy hair and business-like demeanor suggest a rather young man.

In fact, as even lawyers who know him are surprised to learn, he will be 69 years old on March 19 and he has been in the law in Washington for 47 years. He has been a Federal judge for more than 15 years and is, by virtue of seniority, the chief judge of the District Court here.

Jack Dempsey Friend

Acquaintances say that Judge Sirica, the son of an Italian immigrant, truly came up the hard way. He put himself through the Georgetown University Law School (class of 1926) by working as athletic instructor at a Knights of Columbus Gymnasium, where he was also an amateur boxer.

His boxing background led to a long friendship with Jack Dempsey, with whom he toured the country on bond drives during World War II.

Judge Sirica, who stands about 5 feet 8 inches, now stays in trim, associates say, by taking long walks.

In his long legal career, he has practiced in just about every setting imaginable in Washington — as a Federal prosecutor, a Congressional counsel, a successful private lawyer and as a judge.

He married late, at age 47, and has three children, the oldest now 19, still living in the family's comfortable buff-brick home in a secluded, expensive residential neighborhood of the city.

While he was plainly a Re-

publican when appointed to the Federal bench in 1957, "he had only a modest political background, and even that was in the District of Columbia, which is hardly a hot Republican political battleground," a Democratic lawyer recalled today.

"He may not be the most intellectual man on the D.C. bench, but he's honest," the lawyer added. "He's not cantankerous—he's no Julius Hoffman. But he does get abrupt, sometimes."

In any event, says a former prosecutor, Judge Sirica deserves high marks for assigning the Watergate case to himself. "It's a no-win case. If he is tough, the Republicans will be sore. If he's not, Democrats will think the worst of him. I think he's a stand-up guy."