

Both Sides Rest in the Watergate Trial; Judge and Prosecutor Differ on Scope of Case

By WALTER RUGABER

WASHINGTON, Jan. 29 —

Both sides in the Watergate trial rested today with the judge and the prosecution taking different positions on the possibility of high-ranking Presidential aides' being involved in spying on the Democrats.

Earl J. Silbert, the principal Assistant United States Attorney, told the jury that the two remaining defendants had used funds that had been gathered by President Nixon's campaign organization.

The two, G. Gordon Liddy and James W. McCord Jr., were officials of the Committee for the Re-election of the President and cash used to eavesdrop on the Democrats came from its coffers, Mr. Silbert said.

But, he asserted, Mr. Liddy and Mr. McCord "were off on

an enterprise of their own, converting that money for their own purposes." This implied that others were unaware of the spying.

Chief Judge John J. Sirica of the United States District Court here commented that the jury was entitled to conclude that several officials of the re-election committee who are not on trial might be involved in the conspiracy.

The Government and the defense completed their evidence on the 15th day of trial, and the charges of conspiracy, burglary and eavesdropping are expected to go to the jury tomorrow after defense arguments and Judge Sirica's charge.

The trial has lasted three or four days less than the most optimistic forecasters had predicted. The judge and others had set four weeks as the minimum time required, while oth-

ers projected a proceeding of six weeks or more.

Judge Sirica raised the question of a wider conspiracy during an argument to the jury by Mr. Liddy's attorney, Peter L. Maroulis of Poughkeepsie, N. Y.

The lawyer, who called seven witnesses of his own today, said the Government's case had cast "a shadow of guilt" over Mr. Liddy, but he added that the "shadow is the shadow of Howard Hunt."

E. Howard Hunt Jr., a former White House aide, was named in the indictment. But at the beginning of the trial he pleaded guilty to all charges and was dropped from the proceeding.

Mr. Maroulis brought up the names of four officials of the President's political organization who have testified at the trial, Jeb Stuart Magruder, Herbert L. Porter, Robert C. Odle Jr. and Hugh W. Sloan Jr.

The Government contends that the re-election committee planned and financed a legitimate intelligence operation during last year's Presidential campaign and put Mr. Liddy in charge of it.

Mr. Maroulis appeared to be suggesting that "at some point in the chain of command" the intelligence operation took on an illicit hue and that Mr. Liddy had been put by the prosecution on the wrong side of that point.

"As I have pointed out to you," he told the jurors, "it is conceded on both sides Mr. Magruder, Mr. Porter, Mr. Odle and Mr. Sloan are on the same



Associated Press

R. Spencer Oliver, center, on the way to testify in the Watergate trial yesterday in Washington. A Democratic party official, he said a telephone he used had been bugged. With Mr. Oliver are Hope Eastman and Charles Morgan Jr., lawyers.

side of the line of innocence."

It was then that Judge Sirica interrupted.

"Wait a minute now," he said. "Who made that concession? Mr. Silbert? You are arguing what you think the evidence is. This is for the jury to decide.

"If they decide that Mr. Magruder or Mr. Odle or Mr. Sloan were involved in this alleged conspiracy, they can do it. However, if you're not on trial, I'll let you draw their own conclusions from the evidence. It's up to the jury to decide,

and I'll let you draw your conclusions from the evidence.

vict the two defendants on trial. The panel could make no official statement on the wider issue.

The Judge's remarks were in line with his earlier moves. He has regularly pressed the Government to produce evidence on the motives of the defendants and on the question of whether others had hired them for the spying operation.

Mr. Silbert's closing argument was filled with scorn and sarcasm, but there was little discussion of motive aside from the negative statement that the defendants were "off on an enterprise of their own."

Mr. Liddy, the prosecutor charged repeatedly, was "the

money man, the boss, the supervisor of the conspiracy. The former agent of the Federal Bureau of Investigation had been "playing cops and robbers," Mr. Silbert charged, "only this time he's not the cop, he's the robber."

The prosecutor reminded the jury of testimony that Mr. Liddy had used a shredding machine at the Nixon headquarters on the day Mr. McCord and four other men had been arrested inside the Democratic National Committee offices.

Mr. Liddy was "in a panic-stricken state of mind" on June 17, Mr. Silbert charged, and it can be concluded that the documents he destroyed that day

dealt with the wiretapping of telephones in the Democratic headquarters.

Mr. McCord was interested in the money available in the operation, the prosecutor said, and had made three deposits of \$10,000 cash in his bank account during the espionage effort.

There were four witnesses for Mr. McCord and seven for Mr. Liddy. Most testified that the two men had excellent reputations.

Mr. Maroulis told the jury that links between Mr. Liddy and other defendants had an "innocent purpose."

DO NOT FORGET THE NEEDLES!