

Mitchell, Haldeman,

THURSDAY, JANUARY 2, 1975

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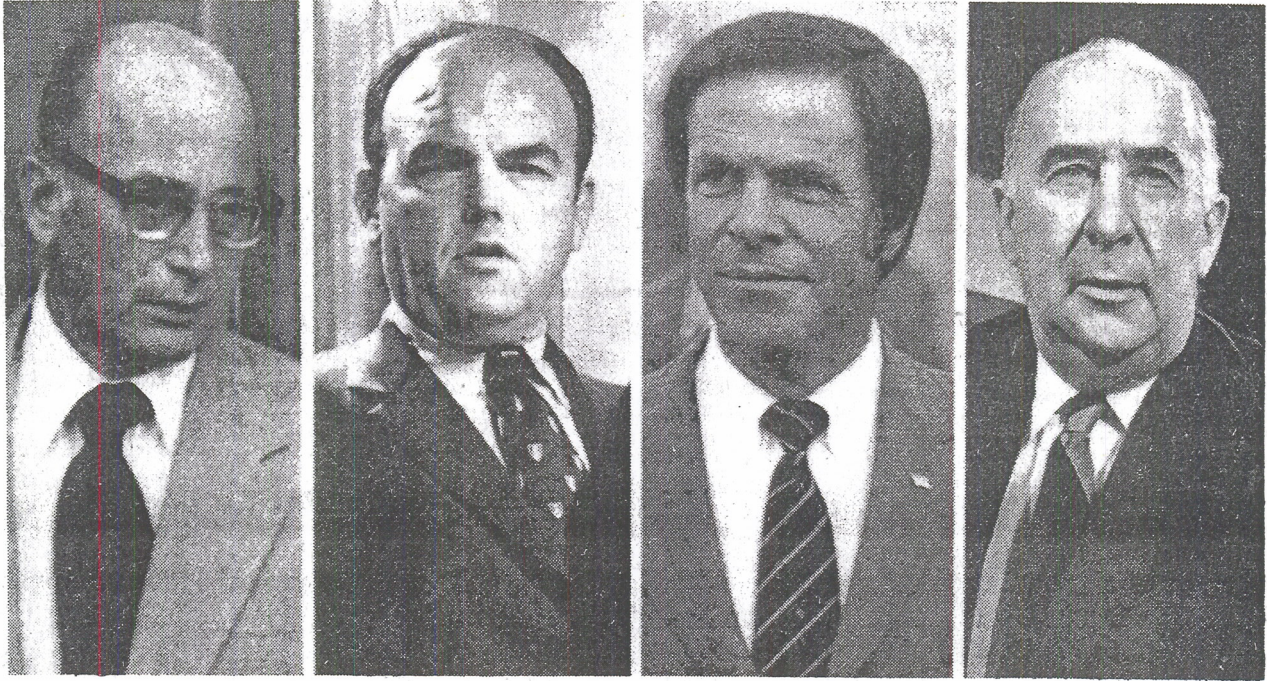
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Ehrlichman, Mardian

guilty, Parkinson

acquitted in Watergate



Convicted in Watergate Trial

Found guilty Wednesday of criminal conspiracy in obstructing justice in the Watergate scandal were Robert C. Mardian, John D. Ehrlichman, H. R. Haldeman and John Mitchell, the latter three once the most powerful men in former President Nixon's administration. — (AP Wirephoto)

Mitchell was asked what he would do now.

"Can't you guess, can't you tell?" he responded. "I think I'm going to the moon, that's the best place."

All the lawyers had said they would appeal any conviction and Haldeman's attorney, John W. Wilson, had said often that he was filling "an error bag" with mistakes Judge Sirica had made to be used for an appeal.

Mitchell said he feels he has about 50 issues for appeal and that "I have a

bigger error bag than Mr. Wilson."

The verdict came three months to the day from which the jury selection process began. The jury of nine women and three men received the case Monday afternoon, worked until 5:45 p.m. New Year's Eve and were back in deliberation at 9:00 a.m. New Year's Day.

The jurors, in their third day of deliberation, had signaled their progress by asking Judge Sirica to re-read his instructions about perjury and false

declarations to the Senate Watergate committee.

That indicated to lawyers that the jury had completed its deliberations on the charge of conspiracy to obstruct justice that is common to all five defendants in the trial and the obstruction of justice charges against four of them.

At mid-day, the jury gave one further indication by saying they would not break for lunch until 1:30 p.m.—one hour

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later than usual.

The jury made one other request before breaking for lunch, asking the judge for a list of exhibits put into evidence during the 2½ months of the trial.

The jurors asked that they be given the list without having to return to the courtroom.

The defendants were called into the courtroom as the law on perjury was re-read by Sirica.

Newsmen and the public were kept out, and Sirica explained later that "the fewer people (in the courtroom) the better" because all the jurors' eyes would be focused on the judge.

He said all defendants agreed to barring the courtroom doors when the jury made such requests.

"We want to keep these things quiet," Sirica said. "If we let the press in, we would have to have the public in, and you could have demonstrations."

Actually, only a handful of spectators were in the courthouse, which otherwise was closed to the public for the holiday.

Prohibited from reading newspapers, watching television, or taking alcoholic drinks, the jury spent a quiet New Year's Eve at the Sheraton Park Hotel.

All but four of the jurors were in bed by midnight, only to be awakened by a "Happy New Year" knock on the door from one of the jurors who was still up.

Wednesday's verdict thus ended the major trial of the Watergate affair, a scandal that had already forced the resignation of a President for the first time in the country's history.

Richard M. Nixon had been subpoenaed by Ehrlichman to testify but his hospitalization for phlebitis, his near death from post-operative complications and slow recuperation forced the judge to quash the subpoena.

Sirica sent three court-appointed doctors to Nixon's home in San Clemente, Calif., and they returned with a report that the former President would not even be able to give a written deposition until at least Jan. 6, much less be able to testify at the trial.

But although Nixon did not make an appearance, his voice on the White House tapes proved to be damning evidence.

The former President was a co-conspirator in the case but was made immune from prosecution by the pardon granted him by his successor President Ford.

Haldeman and Ehrlichman were his number one and number two aides for much of Nixon's White House years until the bursting Watergate scandal forced their resignations on April 30, 1973.

For Ehrlichman it was the second conviction carrying a prison term.

He was found guilty last July 12 of

conspiring to violate the rights of Daniel Ellsberg's Beverly Hills psychiatrist by authorizing burglars to enter the psychiatrist's office.

In that case Ehrlichman was sentenced to a prison term of 20 months to five years but his appeal from the conviction and sentence has kept him from going to prison.

Mitchell, too, had stood trial, accused with former Secretary of Commerce Maurice H. Stans, of conspiracy to obstruct justice in the Robert L. Vesco contributions case. Both Mitchell and Stans were acquitted April 28 after a 48

(Continued)

day trial.

Kenneth Wells Parkinson, the only defendant to be acquitted, said the verdict was exactly what he expected.

"I was very unhappy on March 1, 1974," the day the indictment was handed down, Parkinson said. "I said then I was innocent and that there would come a time when I was able to clear myself. That time has come today.

"Obviously, I'm thrilled," Parkinson said to reporters gathered outside the U.S. district courthouse.

Parkinson was asked what he is going to do now.

"Go home and take a hot bath," he said.

For Parkinson the verdict means that he can resume his law practice. He had been charged with being the middleman in demands for money and subsequent payments.

The Watergate cover-up trial was in its 64th day today with the jury off weekends, Thanksgiving Day and for a two-day Christmas holiday.

There were more than 80 witnesses in the trial, 28 of them testifying for the prosecution and they included three men who had already pleaded guilty to charges that they conspired to obstruct justice.

The first was John W. Dean III, the White House counsel who became Nixon's chief accuser. Next was Jeb Stuart Magruder, the deputy director of the re-election committee under Mitchell, and Frederick C. LaRue, a top campaign aide.

But the most impact seemed to come from the 30 tape recordings played, 28 of them White House conversations involving at various times, Nixon with Haldeman, Ehrlichman, Dean, and — once — Mitchell.

There was no immediate reaction from the former president. At San Clemente, Calif., a switchboard operator at the one-time Western White House, said the former president would have no comment on the verdict until Thursday.

Sen. Lowell P. Weicker, R-Conn., who served on the Senate Watergate committee, said in a statement released

after the verdict was announced.

"The Watergate verdict is not a panacea for the repeated trampling of constitutional democracy. It is the failure to correct ongoing abuses, not the guilt or innocence of individuals for past offenses, which continues to disturb me.

"Preoccupation with the Watergate trial has only obscured the flaunting of democratic processes by spy shops and law enforcement agencies and the necessity of making the entire intelligence community accountable to Congress," Weicker said.

William G. Hundley, Mitchell's attorney, said that when the verdict was read the former attorney general leaned over and said, "Don't take it too hard."

Mitchell was red-faced when he heard himself declared guilty but his color soon returned to normal.

Chief trial prosecutor James F. Neal, who is resigning to return to private practice in his native Tennessee, told newsmen: "It's not a happy occasion. We prosecuted as vigorously as we could."

The jury listened to the Nixon tape recordings with earphones and heard the former president instruct his aides to "play it tough" in the early days. Later there were discussions of clemency and

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pardons for the Watergate burglars and finally Nixon's "scenario" talks with Haldeman and Ehrlichman — exploring ways to protect himself and his associates by "drawing the wagons around the White House."

Ehrlichman, a campaign aide in 1968 who rose rapidly to become Nixon's number two assistant, was the only one of the five defendants to turn full face against his friend and former boss.

"It was clear I was deceived," Ehrlichman said on the witness stand, maintaining that he was kept outside the circle of those with knowledge about Watergate, had no part in hush money payments and no knowledge of the secret taping system.

He maintained he has always tried to get the full story out and the tapes showed that on a number of occasions he did indeed urge breast-bargain.

It was Ehrlichman also who provided the single most dramatic moment of the long trial when he recalled the day Nixon asked him to resign.

Tears welling in his eyes and temporarily unable to continue, Ehrlichman told of turning down a renewed Nixon offer of financial help for coming legal problems, saying that all he asked of the President was that he explain the resignation some day to the five Ehrlichman children.

The tapes of the mid-March 1973 period when the scandal was bursting wide open showed plainly the Nixon-Haldeman-Ehrlichman effort to make

Mitchell shoulder all the blame.

After the verdict, Haldeman emerged from the courthouse to face gusting wind and television camera lights.

"There's only one human being in the whole world" who knows the facts, he said. "That person is me and I know that legally and morally I'm totally and absolutely innocent."

"I have the full conviction that ultimately the truth will be known," Haldeman said.

David Bress, Mardian's attorney, told reporters he was extremely distressed by the guilty verdict.

"I do not think the result is a just one," Bress said. "I do not think Robert Mardian should have been indicted in the first place.

"I thought it was inconceivable all along that any jury would ever convict Bob Mardian or he being tried separately," and not in the company of the other defendants, Bress said.

William Hundley, Mitchell's attorney, said that when the verdicts were returned the former attorney general turned to him and whispered, "Don't take it too hard."

Hundley said Mitchell's conviction will be appealed and he cited pre-trial publicity, the pardon of former President Nixon, the lack of severance from the other defendants and alleged improper conduct by Judge Sirica as grounds.

Ehrlichman, accompanied by his wife Jeanne, stopped by to talk with reporters in the courthouse press room before leaving the building.

He shied away from placing any blame on Nixon and said:

"I have no sense of resentment or hard feelings toward anyone involved in this matter."

Ehrlichman said that this lawyers had argued nine or 10 months ago that he could not get a fair trial in Washington

with its saturation coverage of the Senate Watergate hearings, the House Judiciary Committee hearings and other trials.

He said he would be ready to go on trial again immediately somewhere else without the burden of being in the dock with four other defendants.