

UNITED STATES OF AMERICA]
v.] Criminal Case No. 74-170
JOHN W. MITCHELL,]
HARRY R. HALDEMAN,]
JOHN EHRLICHMAN,]
ROBERT C. MARDIAN and]
KENNETH W. PARKINSON,]
DEFENDANTS.]

FORM OF VERDICT

AS TO DEFENDANT JOHN W. MITCHELL:

Count 1: Guilty
Not Guilty
Count 2: Guilty
Not Guilty
Count 4: Guilty
Not Guilty
Count 5: Guilty
Not Guilty
Count 6: Guilty
Not Guilty

John A. Loffler
FOREMAN OR FORELADY

DATED: *January 1st, 1975*



MICHAEL EVANS

THE MITCHELL VERDICT

Reached without rancor, a judgment that would sound a warning for the future of the republic.

MEMBERS OF THE JURY DURING A BREAK AT THE U.S. COURTHOUSE IN WASHINGTON, D.C.

prosecution contended that Hunt's lawyer, William Bittman, told Parkinson about a memo in which Hunt outlined his demands in exchange for "maintaining silence." Parkinson admitted getting a list from Bittman of the amounts that each defendant was seeking to meet expenses, copying it and giving it to Dean—but he claimed that he never read it.

Parkinson's lawyer, Jacob Stein, portrayed his client as a political innocent badly abused by Mitchell and Mardian. Even Neal conceded that Parkinson, when he agreed to represent the Nixon committee after the break-in, had "stepped into this lions' den and didn't realize there were lions there." Although Neal argued that this "upright man" later became "fatally involved," the jurors apparently decided that Parkinson had been at worst an entrapped rather than a willing conspirator.

High Costs. Judging by earlier sentences given other Watergate principals, especially the one-to-four-year sentence being served by the cooperative Dean, court observers estimate that Sirica, despite his "hanging judge" reputation, will mete out nowhere near the maximum penalties to the newly convicted conspirators. Some forecast a minimum sentence of two years for Mitchell, Haldean and Ehrlichman—double that of Dean's—and a lesser term for Mardian. No date for sentencing has been set.

Predictably the four convicted men plan to submit a barrage of arguments to bolster their appeals. They expect to remain free for two years or so as those appeals are fought through the court system. Most legal experts close to the case, including at least one defense attorney, see no real chance that the charges will be dismissed. At best, a new trial could be ordered, but even that is highly doubt-

ful. The appeals, of course, will only add to the high cost of legal fees for the defendants. Ehrlichman revealed last week that he now owes his lawyers \$400,000—a bill he cannot meet from his own assets.

One main ground for appeal will be that massive pretrial publicity, including the impeachment proceedings against Nixon, made a fair trial impossible, especially in such a politically aware city as Washington. Other arguments, especially by Ehrlichman, will be the failure of Nixon to testify because of his poor health and Sirica's refusal to let the trial await Nixon's recovery. Still another basis for appeal will be Sirica's insistence on presiding over the trial after he was so closely involved in breaking the cover-up.

All of those arguments have serious flaws. When Sirica first questioned prospective jurors, there were some indications that the publicity about Nixon's pardon might actually have worked in the defendants' favor. Originally, half of the jurors said that convicting Nixon's aides would be unfair since their leader had gone free.

Furthermore, even before the trial started, an appeals court in Washington rejected defense contentions that Sirica should not handle the case. The same higher court has already praised his personal questioning of Liddy in the first trial as being a "palpable search for truth... in the highest tradition of his office as a federal judge." Although he made a few careless remarks out of the jury's hearing in the latest trial, Sirica applied the rules of evidence and argument with some latitude but with an even hand that surprised his critics.

The most promising prospect for a successful appeal probably lies with

Mardian, who will argue that he deserved a separate trial. He will contend that his case was unfairly linked with the much stronger cases against the other three convicted defendants and that he was fatally tarnished by their misdeeds.

Whatever the eventual results of those appeals, the New Year's Day verdict meant that the nation could now begin to leave Watergate to the historians. However tardily, the courts, the Congress, the press and public had met the challenge of arrogant men at the pinnacle of Government acting unlawfully to preserve and expand their power. More investigations remain (*see following story*), and there could be more revelations of official misconduct. Yet most of the mysteries of Watergate have now been resolved. Most of the corruption has been exposed.

Whether the demands of justice have been fully met, especially in the case of the pardoned President, will long be debated. But certainly for Richard Nixon, as well as for his convicted co-conspirators, Watergate has proved a personal disaster. The verdict was a reason for relief rather than jubilation. But it was a fitting way to close a sorry chapter in U.S. history and to begin a new year.

The Cases Still Open

The conviction of four top Nixon aides left plenty of work for Watergate Special Prosecutor Henry S. Ruth Jr. Among the investigations that his office is still pursuing:

► Former Presidential Counsel J. Fred Buzhardt, 50, faces possible indictment for his role in preparing the heavily edited tape transcripts released by

Richard Nixon last April 30. There were serious discrepancies between the edited transcripts and the tapes that were eventually released. Buzhardt has insisted that he was solely responsible for editing the transcripts.

► The famous 18½-minute gap on a tape of a White House conversation between Nixon and H.R. Haldeman on June 20, 1972, still has not been explained. Investigators have narrowed the list of suspects to Nixon, Haldeman, Secretary Rose Mary Woods and one-time Presidential Aide Stephen Bull.

► John Connally is scheduled to go to trial in March on charges of accepting a \$10,000 bribe for helping to get a raise in milk-price supports after a dairy cooperative made a big contribution to Nixon's re-election campaign. The Government is also looking into possible violations involving dairymen's contributions to the 1972 presidential campaigns of Democrats Hubert Humphrey and Wilbur Mills.

► Charles G. ("Bebe") Rebozo, Nixon's close friend, is under investigation concerning the \$50,000 that he allegedly gave to Fred LaRue, a Nixon re-election committee aide, in 1973. Investigators suspect that half the amount may have gone into a "hush money" fund for the Watergate burglars.

► One former Nixon presidential counsel, Edward Morgan, has already pleaded guilty to conspiring to violate tax laws in backdating a deed that gave Nixon's pre-presidential papers to the National Archives and gained him a \$576,000 tax deduction. Nixon's former tax lawyer, Frank De Marco, and the appraiser of the papers, Ralph Newman, are also under scrutiny in the papers incident.

► William O. Bittman, once the attorney for Watergate Burglar E. Howard Hunt, may be indicted for his repeated denials to Watergate prosecutors that he had received a memo from Hunt that stated the Watergate burglars' belief that they would receive pardons and support money in return for "maintaining silence."

► Maurice Stans, former finance chairman of the Committee for the Re-election of the President, is under investigation for his soliciting and handling of donations to the 1972 campaign.

► Armand Hammer, chairman of Occidental Petroleum, is under investigation for a \$54,000 contribution to the Nixon campaign illegally channeled through former Montana Governor Tim Babcock.

► International Telephone and Telegraph is still being looked into in connection with a favorable IRS ruling that permitted the conglomerate to acquire the Hartford Fire Insurance Co. in 1969. Federal authorities are also studying the sudden halt in 1972 of a Securities and Exchange Commission investigation into "insider" trading of ITT stock by company executives.