

Mary McGrory.....

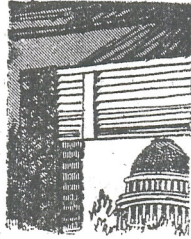
The Tiger in The Courtroom

Washington

CHIEF PROSECUTOR JAMES F. NEAL put on his best show to date at the Watergate conspiracy trial while the jury was out of the room. It was little comfort to the defendants. They know he can do it again.

Neal was asked by Judge John J. Sirica, who always likes to be reminded of what the case is all about, to take it from the top just one more time.

Neal without notes, reeled off an almost flawless scenario for a closing argument to the jury. He gave names, dates, spicy bits of testimony. He referred to one defense explanation as "a bunch of baloney," and two paragraphs later, was quoting a stanza from Alexander Pope about "vice, the monster of such frightful mien."



Glumness descended on the defendants' five separate tables. At Haldeman's and Ehrlichman's especially, the hope was that with the tapes out of the way, things would look up. But Neal is still there, and he is demonstrably a tiger.

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NEAL WAS THE constant first choice of Leon Jaworski and company to present the big Watergate case, not just because he is experienced, but because no taint of eastern elitism lurks about him. He has a Tennessee accent, he goes to the barnyard for analogies. He looks like a football player.

He has the evidence of the century in the tapes, but he is not relying on them alone. He is the most zestful and aggressive lawyer in the court. He tangles frequently with the other lawyers, but his talk is full of "if it please the court."

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THERE ARE ABOUT 15 lawyers for the defense, but Neal is beginning to make them feel outnumbered. When they get into difficulties, he will frequently help them out, which is another way of letting them know they are not up against a simple country lawyer and increasing their unease.

Neal got his big chance when the judge sent the jury out while he heard another round in the requests for acquittal or severance which regularly overtake the defendants.

Neal, with a nod from Sirica, took the ball and ran the whole way down the field. He gave the eight overt acts of conspiracy charged in the indictment. He took the defendants one by one and cited, with quotation from tapes or testimony, the most telling phrase.

"Out of John Mitchell's own mouth I can cite you his testimony as to his motives," he said. He carefully delineated the "lesser degrees of culpability" of Robert Mardian and Kenneth Parkison. He recited a line from a Hunt-Colson exchange on hush money. "How about some ready (cash)?" he quoted Ehrlichman's memorable phrase from Ehrlichman to Kalmbach, "they will have our heads in our laps."

The feeling that Neal will do that to the defendants is now seeping through the courtroom. It helps if he doesn't have you on tape, but it is no guarantee of safety. The prospect of being cross-examined by Neal was bad enough. Now that they've heard an impromptu run-through of his final arguments, they know the worst is yet to come.

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