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Mardian Defense In Coverup Case

Washington

Former assistant attorney general Robert C. Mardian testified in his own defense yesterday that he believed former President Nixon was running the Committee to Re-elect the President at the time of the Watergate break-in.

Mardian also agreed with a statement by U.S. District Judge John J. Sirica, presiding over the Watergate coverup trial, that if the Republican National Committee had been running the campaign, Watergate might not have happened.

Mardian had resigned as head of the Justice Department's old Internal Security Division to go to the re-election committee at the request of his old colleague, John N. Mitchell, former attorney general and then campaign director.

Asked who ran the committee, Mardian replied, "When I first went over there I assumed it was John Mitchell. After I had been there some period of time, I concluded it was someone else."

"Well, who, for instance?" Sirica asked.

"President Nixon," Mardian replied. "I concluded that some of the decisions being made were not those of John Mitchell . . . he was overruled on several occasions. I didn't know of anyone in government who could overrule John Mitchell but the President."

Mardian also denied any involvement in the Watergate coverup, answering allegations of incriminating behavior with a loud "No!"

Mardian, the fourth of Mr. Nixon's former aides to present his defense in the Watergate coverup trial, replied with terse, loud answers to a series of questions put to him by defense lawyer Thomas Green.

Did defendant John N. Mitchell ask him on June 17, 1972 — the day of the Watergate arrests — to have someone get in touch with Attorney General Richard G. Kleindienst in order to get the burglars out of jail?, Green asked.

"No!" Mardian replied.

Did Mardian ever make such a call?

"No!"

Mardian also said "no" when asked if Mitchell had suggested in his presence three days after the Watergate arrests that Jeb Magruder, a Nixon campaign official, should burn incriminating documents.

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