

Cover-up Case Guilt Clear, U.S. Declares

By George Lardner Jr.
Washington Post Staff Writer

12/20/74

In an impassioned summation that marked the beginning of the end at the Watergate cover-up trial, chief prosecutor James F. Neal warned yesterday that "there will be no justice for any of us" if the scandal goes unpunished.

The jurors sat in rapt attention as Neal pointed an ac-

cusings finger at former White House aides H. R. (Bob) Halde- man and John D. Ehrlichman and maintained that the evidence against them and their fellow defendants — John N. Mitchell, Robert C. Mardian and Kenneth Wells Parkinson — was by now overwhelming, a clear case of obstruction of justice on a massive scale.

"Justice and its pursuit is an elusive goal," Neal said softly. "The court system is a delicate instrument which works only if it is not impeded or tampered with—and if it gets the facts and the evidence."

That, he submitted, did not happen at the original Watergate trial which ended nearly two years ago—in the same courtroom before the same judge—with the conviction of just seven burglars whose lips remained sealed.

"If people can be improperly induced to remain silent in one trial," Neal said, "then injustice will be done in one trial, and then in another trial, and there will be no justice for any of us."

The closing arguments, which are expected to last three days, began in mid-afternoon after a surprise, last-minute burst of prosecution testimony aimed at demolishing Mardian's claims of innocence.

Moving to a lectern directly facing the jurors, Neal led off with a scathing denunciation of defense attempts to pass off the hundreds of thousands of dollars paid to the Watergate burglars as innocuous payments for attorney's fees

and living expenses.

"There has been an effort to beguile you, repeated over and over and over again," Neal told the jury.

The government, he said, agreed that the money was spent exactly as the five defendants have stated. But, he emphasized, "that doesn't answer the question. That simply poses it." The real question, he said, was why the money was paid at all.

The prosecutor spoke in a rich Tennessee twang, only occasionally glancing at note card reminders. He shouted. He whispered. He glared, at times swiveling around dramatically to point at the defendants.

Any obstruction of justice is a serious matter, Neal said, but "it is even more serious when it is carried on or participated in by the very people who were sworn into high office to enforce the law . . . Just such things on a massive scale by the highest officials is what this case is all about."

After testimony from more than 80 witnesses along with a

See TRIAL, A13, Col. 1

TRIAL, From A1

succession of White House tapes, Neal agreed the facts brought out at the long trial were indeed complicated. But he said the issue for the jurors to decide when they start their deliberations next Thursday were really rather simple.

All they had to do, the prosecutor suggested, was to keep

asking "Why?"

" . . . Why were the documents destroyed, why was the CIA used to obstruct the FBI's investigation of Watergate, why was a cover story [for the money that financed the break-in] developed, why were veiled, camouflaged offers of clemency made without using that word? And why was nearly half a million dollars paid for seven people caught wiretapping and burglarizing Democratic National Committee headquarters? Why?"

Former Attorney General Mitchell sat slouched in his chair as the prosecutor launched into a point-by-point rundown of the tangled case, beginning with the hiring of G. Gordon Liddy in late 1971 as general counsel for the Committee for the Re-election of the President and then the meeting in Mitchell's office at the Justice Department where Liddy first presented an elaborate espionage plan under the code name, "Project Gemstone."



JAMES F. NEAL
 . . . demands conviction

"It has been said that the pursuit of justice is mankind's most noblest effort on earth," Neal declared. "Sadly enough, something to this effect is inscribed on the Department of Justice at 10th and Pennsylvania. Sadly enough, this is where, not once, but twice, Mitchell had his conference with Liddy . . ."

At first, the jurors were reminded, "It was a million-dollar item" that Liddy proposed, with charts devoted to kidnaping, call girls, "black bag jobs," and wiretappings.

Mitchell's response to all

that, Neal said indignantly, was simply to state "that wasn't quite what he had in mind."

The former attorney general has maintained that he rejected the plan. The prosecutor scoffed at the contention, pointing out that it kept popping up with a more modest price tag, first \$500,000, then \$250,000.

"Do you think Mr. Mitchell got to be the attorney general of the United States without the ability to say, 'No, you get out of my office!' to someone like Mr. Liddy?" Neal thundered. "Mr. Mitchell was not concerned about the illegalities of the plan. He was concerned about the money. A million. A half a million. And finally, the price is right."

Tracing over Mitchell's alleged approval of the spy work at a meeting on Key Biscayne on March 30, 1972, Neal recalled the testimony of deputy Nixon campaign director Jeb Stuart Magruder who quoted Mitchell as saying, "Let's give him (Liddy) the money and see what he can do."

There were still other "straws in the wind" suggesting strongly that Mitchell had approved the bugging and break-in at Democratic National Headquarters here along with other illicit activities, the prosecutor charged.