

A Slowdown For Sirica

Washington

Watergate Judge John J. Sirica, probably the man most responsible for forcing Richard Nixon's resignation, will step down from full-time service October 31 and become a senior judge.

With no more Watergate cases pending, the 73-year-old Sirica wrote President Carter he hoped "I have contributed to, and measured up in some degree, to the high responsibilities thus imposed."

Carter, in turn, told Sirica in a letter that he had displayed personal courage and wisdom at a time of "the greatest challenge to our system of government."

Sirica, who became the best-known judge in America in his five-year association with Watergate cases, had delayed his retirement from active service until the last Watergate decision was out of the way.

That was Tuesday when he reduced the sentences of the three men closest to Nixon, H. R. Halde- man, John D. Ehrlichman and John N. Mitchell.

In the course of his Watergate tenure, Sirica made the landmark decision that even a President had no right to withhold evidence from a criminal trial. The ruling was upheld by the Supreme Court and Nixon was forced to give up his tapes — one of which showed he had lied from early on about Watergate.

Three days after the "smoking gun" tape was made public, Nixon announced his resignation.

When the White House reported that one of its tapes had an 18½-minute erasure in a key conversation, Sirica convened a panel of experts to determine whether it was done purposely. The panel concluded it was.

During the three-months-long Watergate coverup trial, Nixon's lawyers said he was too ill to testify. Sirica sent three doctors to California to check, and they reported the claim was true. Over objections of the defendants, Sirica went ahead with the trial.

As a senior judge, Sirica will be able to pick the cases he wants and work as much as he chooses.

Sirica suffered a serious heart attack in February last year while making a speech to a lawyer's organization. He didn't return to the bench for six months.

For years Sirica has been besieged with offers to write a book and to lecture. But he steadfastly refused to do so before Watergate had run its course.

He had long been active in Republican party circles when President Eisenhower chose him for the federal bench in 1957.

Through seniority, Sirica became chief judge of the court, and that post included the duties of accepting grand jury indictments and assigning special cases to specific judges.

When he received the indictment of the seven Watergate burglars on Sept. 15, 1972, Sirica — knowing the case was a political hot potato — assigned it to himself.

Known around the courthouse



JUDGE JOHN SIRICA
The end of Watergate

as "Maximum John" for his tough sentences, Sirica set the tone for what was to come on one of the first days of the burglary trial. He told lawyers:

"The jury is going to want to know why the men went in there. Let's get down to the details and find out why they went in there if you have some evidence as to that. That is one of the crucial issues in the case.

"Who paid them? Did they get any money to go in there? Was it purely for political espionage? What was the purpose?"

Sirica had asked the right questions at that trial in January, 1973.

The answers didn't come until much later.

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