

2 Ex-Nixon Aides Indicted in Break-in

5 Others Charged by Grand Jury

Washington Post Service

Washington

A Federal Grand Jury yesterday returned indictments in the Watergate bugging case against two former White House aides, G. Gordon Liddy and E. Howard Hunt Jr., and the five men arrested inside the Democratic party headquarters here on June 17.

The eight-count indictment, returned here in U.S. District Court, charges the seven men with conspiring to steal documents and eavesdrop on the Democratic headquarters from May 1 to June 17.

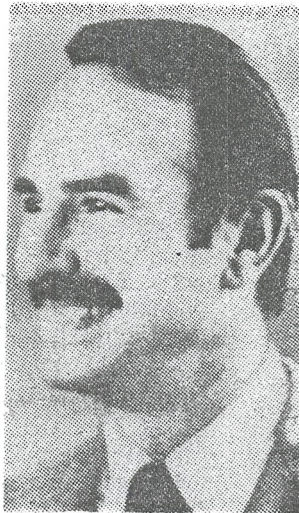
Though the indictment does not touch on the central questions about the purpose or sponsorship of the alleged espionage, it asserts the following new details:

- Hunt and Liddy actually entered the Democrats' headquarters on June 17 "with the intent to steal property of another" though they were not arrested with the other five men.

- The only money involved in the conspiracy is \$1600 which Liddy gave to suspect James W. McCord Jr., the former security chief of President Nixon's re-election committee.

- Liddy, Hunt and McCord "inspected, surveyed and reconnoitered the headquarters of Senator George McGovern at 410 First street SE" on May 27.

Liddy, 42, a former White House and Treasury Department aide, was fired as finance counsel to the Nixon



AP Wirephotos

E. HOWARD HUNT G. GORDON LIDDY
They were charged with burglary, eavesdropping and conspiracy.

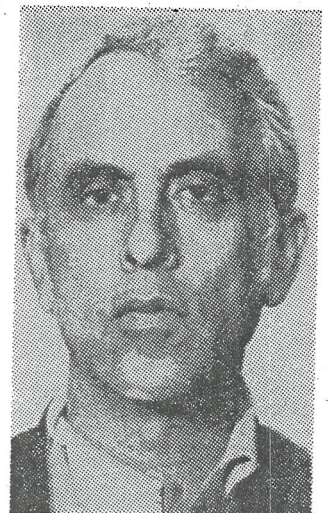
22 San Francisco Chronicle Sat., Sept. 16, 1972



BERNARD BARKER
Real estate agent



VIRGILIO GONZALEZ
A Miami locksmith



EUGENIO MARTINEZ
A worker in Miami

See Back Page

re-election committee after he refused to answer questions by the FBI about the incident.

Hunt, 54, a 21-year veteran of the Central Intelligence Agency and a former White House consultant, dropped from sight for several weeks after his name was publicly linked to the Watergate incident.

Liddy and Hunt are believed to be the first White House aides ever to be indicted, according to a spokesman for the National Archives.

Other than Hunt, Liddy and McCord, the other four persons named in the indictment are: Bernard L. Barker, a Miami real estate agent; Eugenio R. Martinez, an employee in Barker's firm; Frank A. Sturgis, a soldier of fortune; and Virgilio R. Gonzalez, a Miami locksmith.

LAW

Four of the eight counts in the indictment, the ones which charge burglary and possession of eavesdropping devices, were made under Washington, D.C., law.

Maximum penalty for burglary is 2 to 15 years in jail per count. For possession of electronic inspection equipment, the maximum penalty is five years in prison and a \$10,000 fine.

The four other counts were brought under federal law. The maximum federal for interception and disclosure of telephone and oral communications is five years in prison and a \$10,000 fine.

PROBE

In releasing the indictment, Attorney General Richard G. Kleindienst said the three-month investigation was "one of the most intensive, objective and thorough investigations in many years, reaching out to cities all across the United States as well as into foreign countries."

However, acting FBI director L. Patrick Gray III said on Tuesday that his agents were still "running leads" in the case.

It could not be immediately determined if the return of the indictment meant the federal investigation into the Watergate incident is complete.

The Democrats, who have used the Watergate incident



FRANK STURGIS
Soldier of fortune

as a campaign issue, have said the investigation must be pursued. The Republicans, on the other hand, called on the Democrats to apologize for charging other White House and Nixon campaign officials with involvement.

O'BRIEN

Lawrence F. O'Brien, campaign manager for Senator McGovern, has charged that "there is developing a clear line to the White House" in the case.

Reacting to the indictment yesterday, O'Brien said in a prepared statement that "We can only assume that the investigation will continue since the indictment handed down today reflects only the most narrow construction of the crime that was committed."

"In particular," O'Brien continued, "we will continue to press for a far more thorough examination of the funding of the crime."

O'Brien was referring to \$114,000 of Mr. Nixon campaign checks which were deposited in suspect Barker's Miami bank account.

The exact reason for the transfer of the checks from the Nixon campaign treasury has not been fully explained though both the General Accounting Office and the House Banking and Currency Committee have made lengthy reports on the matter.

Liddy was the last Nixon campaign official to have the checks in his possession, according to the August 26 report by GAO, the investigative arm of Congress.



JAMES McCORD
Former security chief

Yesterday's indictment made no reference to campaign funds.

GOP

Clark MacGregor, the President's campaign manager, reacted to the indictments by calling for public apologies from "those who have recklessly sought to connect others with the case."

In an obvious reference to the Democrats, MacGregor added: "We now appeal to all those who have sought political benefit from this case to discontinue saying or doing anything that will interfere with a full and fair trial."

Senator Robert Dole, the chairman of the Republican National Committee, was more direct and demanded an apology from McGovern and his campaign organizers.

"As we knew all along," Dole said, "and as the grand jury has now determined, there is no evidence to substantiate any of the wild and slanderous statements McGovern has been making about many high officials in the Nixon administration."

"I would expect McGovern to stop trying to make a political issue out of this matter," Dole said.

JUDGE

When the indictments were formally returned in district court, principal assistant U.S. Attorney Earl J. Silbert asked Chief Judge John J. Sirica to specially choose a judge for the case, rather than allowing the usual random selection of a judge.

Silbert, who directed the grand jury investigation, noted that the trial is expected to be "protracted, difficult and widely publicized" — the criteria for which the U.S. Judicial Conference has recommended the appointment of the "best available judge" to handle exceptional cases.

Meanwhile, U.S. Attorney Harold A. Titus Jr. said he did not know when the government would be ready to begin prosecution of the seven defendants.

CONSPIRACY

The ten - page indictment asserts that the conspiracy included:

- Taking photographs of "documents, papers, and records" and "then returning them to the location from which they were illegally removed." (O'Brien had earlier made this charge publicly.)

- Leasing of rooms at the Howard Johnson Motor Lodge across from the Watergate to receive the intercepted conversations. From May 5 to May 28 McCord rented Room 419; from May 29 to June 17 he rented Room 723.

- Purchasing a \$3500 system "capable of receiving intercepted wire and oral communications" on May 10. McCord bought the equipment.