

Evidence Is Curbed In Watergate Case

The U.S. Court of Appeals ruled yesterday that no evidence concerning the contents of "allegedly illegally intercepted communications" shall be admitted in the Watergate bugging trial except under conditions outlined in the court's brief order.

Five officials and employees of the Democratic National Committee, saying that some of their conversations may have been overheard by a witness scheduled to testify in the trial, had asked the Court of Appeals to bar testimony about the contents of the conversations from the trial. Chief U.S. District Judge John J. Sirica denied the motion last week.

The appellate court ordered that Sirica hold a hearing in secret with lawyers for the prosecution, defense and the five Democrats present to hear a description of the testimony before it is given in open court.

If any objection is raised but overruled, the court said, an opportunity shall be given for the matter to be brought back to the Court of Appeals before the evidence is admitted.

The court's order was issued by Chief Circuit Judge David L. Bazelon and Circuit Judge J. Skelly Wright. Circuit Judge George M. MacKinnon dissented, saying that the decision about whether the evidence should be admitted is one for the trial judge to decide "without any interim right of appeal" by persons in the case.

Student May Not Graduate

Thomas Gregory, the college student who has testified that he spied on the presidential campaigns of Sens. Edmund S. Muskie and George McGovern, will be deprived of credits at Brigham Young University as a result and will probably not graduate.

Prof. J. Keith Melville, for whom the BYU senior arranged to report on the two campaigns as part of an honors program earning 16 credits, said yesterday in Provo, Utah, that Gregory had "not satisfied the requirements of the project and has violated the trust I placed in him."

Gregory, 25, needs the 16 credits to graduate in April as scheduled. "I'm afraid he won't graduate then," Dr Melville said. "I'm not happy about it but I feel worse about the circumstances of his involvement."

Gregory also faces the possibility of suspension or expulsion if school authorities determine he has violated the BYU honor code, which commits students to observe "high principles of honor, integrity and morality." In a statement Wednesday, BYU President Dallin H Oaks said no action would be taken until court disclosure of Gregory's role in the Watergate affair is completed.



On way to court with their lawyer, Peter Maroulis (center) are Watergate conspiracy case defendants G. Gordon Liddy (at left) and James W. McCord Jr.

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