

Watergate trial snagged on "intimate" phone calls *ChiTrib 1/17/73*

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(1) Our Washington Bureau

WASHINGTON—The Watergate trial enters an extraordinary legal chapter Wednesday in an effort to block testimony about so-called "intimate" telephone conversations overheard on a Democratic field quarters wiretap.

Chief U.S. prosecutor Earl Silbert planned to subpoena Alfred C. Baldwin III, an FBI agent who has admitted monitoring 200 telephone calls over a three-week period in 1971.

Five Democratic Party officials and Democratic chairmen in 11 states have threatened in the Watergate case to withhold testimony by Baldwin and the content of their conversations over that phone.

IN AN INTERVIEW in Los Angeles, Silbert said Baldwin said some of the calls involved "explicit" intimate details of the personal lives of those using the telephone.

One former official at Democratic headquarters said a young woman was used to tap telephone messages. She discussed her love life at the time of the alleged Watergate espionage. If an admission is made to this by Baldwin in his testimony, the defense lawyers could ask for additional information on cross-examination that the individual had

The two remaining defendants, G. Gordon Liddy and James W. McCord Jr., are accused of plotting to eavesdrop on Democratic headquarters and steal political information for use in the presidential campaign. Both were associated with President Nixon's re-election campaign.

A POLICE sergeant testified Wednesday that he found an address book belonging to one of the five men arrested in Democratic headquarters last June 17 that contained two White House telephone numbers.

Sgt. Robert G. Denell said the listing included "Howard Hunt, W. House, 202-45-2282." Hunt was a White House consultant who has pleaded guilty to conspiracy-eavesdropping charges in the Watergate case.

The address book also contained a listing for "George, 202-45-6355." Prosecutors and defense lawyers agreed that the number was assigned to a telephone installed in Room 46 of the Executive Office Building used by White House officials from Aug. 16, 1971, to March 15, 1972.

The address book apparently belongs to Eugenio Martinez, one of four Miami men who pleaded guilty Monday to burglary-bugging charges.

TRIAL JUDGE John J. Sirica rejected efforts by Spencer Oliver, executive director of the Assn. of Democratic State Chairmen, to stop Baldwin from testifying. Sirica said he would allow the testimony over the tapped telephone calls. Sirica was assigned for Baldwin's case.

by a 2-1 vote set up an extraordinary procedure for Baldwin's attorney, Charles Morgan, of the American Civil Liberties Union, to provide the wiretapper's testimony.

The appellate panel directed Sirica to hear the testimony in chambers and allow Morgan or the defense lawyers to voice their objections to its airing in open court and before the jury.

If Sirica authorizes testimony over their objections, the protesting lawyer may instantly request a hearing in the appeals court to seek review of the trial judge's ruling, the panel held.

Normally, an appellate court does not interfere with the conduct of a criminal trial but reviews the record for possible judicial error if a guilty verdict has been returned.

Baldwin will testify from memory about the telephone calls he monitored, Silbert said. The prosecutor argued unsuccessfully for the right to introduce testimony about the conversations, telling the appeals

panel.

"We want to give the jury the full flavor — the full story of what the investigation revealed. In this case the public interest does outweigh the private interest."

But Morgan contended that the Democrats who filed the suit to limit Baldwin's testimony have a right of privacy and said the charges could be proved without revealing what was overheard.

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Watergate data

WASHINGTON (AP) — The Senate Democratic Policy Committee Tuesday took steps to preserve all records for a congressional investigation of the Watergate political spy case.

The committee voted Sunday to ask J. Edwin D. Nease, who will head the investigation, to direct the Committee to Reel for the President and Federal Agencies to recover and preserve all documents that have a bearing on this incident.

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