

JAN 27 1973

Judge Questions Bugging Witness

Washington

Evidence that \$199,000 in campaign funds was paid to a defendant in the Watergate trial with the approval of two ranking presidential advisers was presented to the jury yesterday.

Chief Judge John J. Sirica of the U.S. district court here summoned the panel to hear a transcript of his examination on Tuesday of

Hugh W. Sloan Jr., former treasurer of the Finance Committee to Re-elect the President.

The judge, who had appeared skeptical about some of Sloan's testimony in the absence of the jury, ruled yesterday that it might have an "important bearing" on the witness' credibility and on other issues.

Reacting strongly to a remark by a defense attorney,

the judge also said he will continue to examine witnesses personally whenever he feels dissatisfied with the questioning by either side.

EXAMINE

When the prosecution finished with Sloan on Tuesday, Sirica sent the jurors from the courtroom and began to examine the witness on a number of financial points and other issues.

Sloan said he had "no idea" why the \$199,000 in cash had been turned over to G. Gordon Liddy, a defendant in the trial. Liddy was then counsel to the finance arm of President Nixon's political organization.

The witness said he had "verified" the payments with Maurice H. Stans, former Secretary of Commerce. Stans had in turn verified them with John N. Mitchell, the former attorney general, Sloan said. Mitchell was then head of the Committee for the Re-election of the President and Stans headed the finance group.

FIRST

These points had not emerged on direct examination by Earl J. Silberg, the principal assistant U.S. attorney, and the jury, thus, heard them for the first time yesterday.

The judge placed no particular stress on them, however.

The judge observed, when Sloan said he did not know what Liddy had used the \$199,000 for, that the witness was a college graduate. Sirica concluded his questioning by asking whether Sloan had been granted immunity from prosecution.

Sloan said he had not received immunity.

Both the government and the defense objected when Sirica proposed at the beginning of yesterday's session to read the Sloan testimony.

DEFENSE

The prosecution did so on the ground that it would be better to recall Sloan and let the panel hear his testimony directly. Sirica remarked that the witness "might have a lapse of memory."

The defense complained that reading the testimony would serve to "emphasize and reinforce" Sloan's evidence.

The judge observed that neither the defense nor the government had "pursued" the examinations of Sloan, and defense attorney Peter Maroulis said in his judgment, no cross-examination had been needed.

Sirica appeared to interpret the remark as a question about the propriety of his examining Sloan himself, and he replied with sharp words:

"I exercise my judgment as a federal judge and as the chief judge of this court . . . and as long as I'm a federal judge I'll continue to do it . . . I could care less what happens to this case on appeal."

N.Y. Times Service