

Both Sides Rest in Watergate Trial

Washington

Both sides in the Watergate bugging trial rested yesterday with the judge and the prosecution taking different positions on the possibility of high-ranking presidential aides being involved in spying on the Democrats.

Earl J. Silbert, the principal assistant U.S. attorney, told the jury that the two remaining defendants had used funds that had been gathered by President Nixon's campaign organization.

The two, G. Gordon Liddy and James W. McCord Jr., were officials of the Committee for the Re-election of the President and cash used to eavesdrop on the Democrats came from its coffers, Silbert said.

But, he asserted, Liddy and McCord "were off on an enterprise of their own, converting that money for their own purposes." This implied that others were unaware of the spying.

CONSPIRACY

Chief U.S. District Judge John J. Sirica commented that the jury was entitled to conclude that several officials of the Re-election Committee who are not on trial might have been involved in the conspiracy.

The government and the defense completed their evidence on the 15th day of trial, and the charges of conspiracy, burglary and eavesdropping are expected to go to the jury today after defense arguments and Judge Sirica's charge.

Sirica raised the question of a wider conspiracy during an argument to the jury by Liddy's attorney, Peter L. Maroulis of Poughkeepsie, N.Y.

SHADOW

The lawyer, who called seven witnesses of his own yesterday, said the government's case had cast "a shadow of guilt" over Liddy, but he added that the "shadow is the shadow of Howard Hunt."

E. Howard Hunt Jr., at

the time of the bugging a White House aide, was named in the indictment. But at the beginning of the trial he pleaded guilty to all charges and was dropped from the proceeding.

Maroulis brought up the names of four officials of the President's political organization who have testified at the trial—Jeb Stuart Magruder, Herbert L. Power, Robert C. Odle Jr. and Hugh W. Sloan Jr.

The government contends that the re-election committee planned and financed a legitimate intelligence operation during last year's presidential campaign and put Liddy in charge of it.

ILLCIT

Maroulis appeared to be suggesting that at some point in the chain of command the intelligence operation took on an illicit hue and that Liddy had been put by the prosecution on the wrong side of that point.

"As I have pointed out to you," he told the jurors, "it is conceded on both sides Mr. Magruder, Mr. Porter, Mr. Odle and Mr. Sloan are on the safe side of the line of innocence."

It was then that Sirica interrupted.

"Wait a minute now," the judge said. "Who made that concession? Mr. Silbert? You are arguing what you think the evidence is. This is for the jury to decide.

"If they decide that Mr. Magruder or Mr. Odle or Mr. Sloan are involved in this alleged conspiracy, they can do it. However, they're not on trial, I'll grant you that. They (the jurors) can draw their own conclusions from the evidence in the case."

Whatever the jurors decide, they may only acquit or convict the two defendants on trial. The panel could make no official statement on the wider issue.

N.Y. Times Service