

Watergate Judge Presses Call for More Witnesses

Cites 'Substantive Developments' in the Case as He Prods Prosecution on Further Grand Jury Testimony

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WASHINGTON, March 30—The judge in the Watergate case pressed the Government today to summon more witnesses before a Federal grand jury "in view of substantive developments" in the conspiracy. He did not identify the potential witnesses.

Chief Judge John J. Sirica of the United States District Court here sharply questioned prosecution lawyers about whether they intended to call six persons who were thought to be important figures in the Nixon Administration?

Earl J. Silbert, principal Assistant United States Attorney, told the judge that he proposed to hear evidence from all seven men who have been convicted or have pleaded guilty and said he would call others if "factual" developments warranted it.

The exchange occurred in a court proceeding in which Judge Sirica postponed until June 15 the sentencing of James W. McCord Jr., a convicted conspirator who has freely testified about the affair before a Senate committee.

At the same time, the judge

granted immunity from further prosecution to G. Gordon Liddy, who was also convicted, and ordered him to testify before the grand jury. Liddy could be held in contempt of court if he continued to refuse.

In his exchange with Mr. Silbert, Judge Sirica apparently referred to a closed session on Jan. 24 at which he gave the prosecutor "several names of persons that I thought should be called before the grand jury."

The judge had been listening to tape recordings of an interview by reporters for The Los Angeles Times with Alfred C. Baldwin 3d, a witness who monitored wiretaps on telephones of the Democratic National Committee in the Watergate complex here last May and June.

In the January trial, Judge Sirica subjected Mr. Baldwin and other witnesses to close questioning about the reasons for the conspiracy and the possibility that other persons had been involved.

"I suggested those names [of

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people who ought to be summoned before the grand jurors] based on what I have heard from the witnesses on the stand and from what I heard on the tapes provided by The Los Angeles Times," he said last month.

Today, Judge Sirica said, "I'm not mentioning any names this morning to you, but they have been mentioned in a sealed transcript and you know who they are, correct?"

"That is correct, Your Honor,"

Most Heard by Jury

"Have these people been called before your grand jury since I mentioned the matter in a secret session in my office?" the judge asked.

"They have not, Your Honor," the prosecutor said.

"Why not," the judge snapped.

Mr. Silbert replied:

"Because, with one possible exception, all of those—and the name of that person had never come up in the course of this investigation at all—all of those witnesses had been before the grand jury and examined extensively. We have offered, if the Court please, to let you examine those transcripts.

"One of the witnesses that Your Honor mentioned was before the grand jury on four separate occasions. One was before the grand jury on three separate occasions. Another was before the grand jury, I believe, twice. All of them were examined thoroughly and exhaustively."

Judge Sirica then demanded,

"Regardless of whether they have been there once or 10 times, do you expect to call them back in view of substantive developments?"

It was at this point that Mr. Silbert said he would do so if the evidence developed from the seven defendants suggested it. At that, the judge leaned back in this chair and said, "That's all I wanted to hear."

Judge Sirica, who has shown strong interest in uncovering the full story of the Watergate case, warned Government and defense lawyers in February that if they identified the proposed witnesses he would undertake contempt proceedings against them.

While the names have not been disclosed, one source said that the judge had given the Government six names. There have been various indications that the six are Government figures.

The judge has held a number of closed meetings and, while it was assumed that his reference today to a "secret session" meant the one on Jan. 24, it was possible that other potential witnesses had been suggested.

On Monday, Judge Sirica met in secret with Mr. Silbert, two other prosecuting attorneys, and Samuel Dash, chief counsel for the select Senate committee investigating the Watergate burglary and bug-ging and related clandestine activity.

This meeting occurred the day after Mr. Dash's announcement that McCord, who was security chief for the Committee for the Re-election of the President at the time of the

conspiracy, had attributed prior knowledge of the plot to other persons besides those indicted.

One of McCord's attorneys, Gerald Alch of Boston, emphasized to Judge Sirica today that his client was preparing 12 to 15 memorandums on the conspiracy for the Senate panel. He is scheduled to testify again next Wednesday.

Mr. Alch asked for a 30-day delay in sentencing to permit McCord to talk to the Senators and to the grand jury, a step the judge urged on all seven conspirators. Judge Sirica gave McCord a delay of three months.

Liddy, whose sentence is from six years eight months to 20 years in prison for his role as head of the spying activity, apparently continued to balk at answering grand jury questions, despite his grant of immunity.

His attorney, Peter L. Maroulis of Poughkeepsie, N. Y., said he thought his client would "maintain his position" of silence and expected contempt proceedings against Liddy on Monday.

Liddy, whose lawyer attributed his silence in part to a pending appeal of his conviction, is central to the Senate testimony by McCord, who has cited Liddy as the source of much of his knowledge of the case.

McCord told the Senators Liddy had said that such Nixon Administration figures as John N. Mitchell, the former Attorney General, and John W. Dean 3d, counsel to the President, had played a part in the espionage plot.