

# SIRICA DECLINES BID TO STEP ASIDE

## Bars Disqualifying Himself in New Watergate Trial

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WASHINGTON, April 30 (Reuters)—Judge John J. Sirica refused today to disqualify himself from presiding at the Watergate cover-up conspiracy trial of seven top former aides to President Nixon and in his re-election campaign five of the seven defendants, whose tentative trial is set to begin in September, had filed motions to have Judge Sirica removed from the case, charging among other things, a pro-prosecution bias.

In response, Judge Sirica turned down the motions on every point raised by the defendants.

The attempt to remove him from the case was made by former Attorney General John A. Mitchell; former White House counsel Charles W. Colson; John D. Ehrlichman, President Nixon's former domestic affairs adviser; Kenneth Wells Parkin-

son, a lawyer for the re-election campaign committee; and Gordon C. Strachan, a liaison man between the committee and the White House.

"Every action, decision and comment of the court cited by defendants arose in the course of official judicial activities," Judge Sirica said.

He noted that the five defendants had made much of his comments in the original trial of the men who broke into the Democratic party's headquarters in the Watergate office building in June, 1972.

During that case, Judge Sirica took over the questioning on several occasions when he felt the prosecutors were not pressing witnesses hard enough.

He also expressed disbelief that the conspiracy extended no higher than the men actually caught at the time of the burglary or shortly thereafter.

These statements, he said in his order, had their basis in the evidence brought out in open court.

"They reflect, if anything, a

judicial state of mind rather than a personal bias," Judge Sirica said. "An expressed belief that others might be involved, that a witness had not fully revealed facts known to him, that a defendant had not answered a question truthfully, that all pertinent facts had not been produced before the jury, that the court had been right in asking questions and an expressed hope that other authorities might uncover all of the relevant facts, are matters that have their roots in the record than before the court."

The two others who are to stand trial in September include President Nixon's former White House chief of staff, H. R. Haldeman, and Robert C. Mardian, former second-in-command at the re-election committee.

All seven have pleaded not guilty.

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