

Watergate Jury Called 'Exceptional'

By Jack Anderson

The American people are entitled to know more about the historic grand jury that named President Nixon an "unindicted co-conspirator" in the Watergate crimes.

The 23 grand jurors, selected from all walks of life, watched the Watergate drama develop behind guarded doors. They heard the secret testimony; they listened to the presidential tapes.

Four were absent when the grand jury met on March 1. The remaining 19 voted for the first time in history to accuse an American President of criminal conspiracy. Were they fair to Richard Nixon? Or were they out to get him, as he has said of his accusers?

We have broken through the secrecy, which has surrounded the Watergate grand jury. Inside sources have described the closed-door drama; we have had access to actual transcripts. We are perhaps in a unique position, therefore, to assess this red-letter grand jury.

The 23 citizens—including an economist, a cleaning woman, a retired Army officer, an elevator operator, a receptionist, a taxi driver—were called together on June 5, 1972, to hear evidence of crimes in the District of Columbia.

Courthouse sources say one grand jury in ten is outstanding. This one, in the opinion of Assistant U.S. Attorney John Forney Rudy II, then in charge of

the grand jury section, was "exceptional."

Most of the jurors were alert and responsive, with a keen sense of civic duty. At least one woman gave up her job to stay on the jury. They were well informed and asked sharp questions.

So when chief Watergate prosecutor Earl Silbert asked for an experienced grand jury, Rudy immediately recommended this one.

They had already served several weeks and could have begged off. "We asked whether they would be willing to sit on a case that might last five or six months," recalls Rudy. "They were not told it would be the Watergate case." Without hesitation, they agreed to stay beyond the normal period of duty.

The early transcripts revealed no hint of prejudice against the President. On the contrary, the grand jurors at first seemed to shy away from implicating the President in the Watergate horror.

We spotted many openings in the secret testimony, where it would have been logical to ask about his involvement. But in the beginning, the follow-up questions weren't asked, almost as if there were an unspoken wish to keep the President out of it.

As the evidence piled up, the feeling seemed to grow inside the grand jury room that Mr. Nixon was responsible at least for the Watergate atmosphere, that his own suspicion and hos-

tility had infected the White House with a moral rot.

Occasionally, the growing outrage would surface. During a discussion of propriety, for example, a juror snapped: "Is 'proper' an obsolete word these days?"

Three jurors, in particular, began to ask questions aimed at the President. Other jurors wanted to call witnesses not on the prosecution list, who they thought might have knowledge of the President's involvement.

But most questions from the jurors were not at all loaded against the President. The best questions were asked by the gray-bearded foreman, Vladimir Pregelj, and a black postal clerk, Harold Evans.

The methodical Pregelj, a native of Yugoslavia and a naturalized citizen, had a gift for reducing the complexities down to simple, pointed questions.

The grand jurors were irritated with the special prosecutors, incidentally, for restricting the questioning. After the special prosecutors took over the Watergate case, they stopped inviting the jurors to cross-examine witnesses.

The jurors had a high attendance record and put in long hours. Once they stayed in session until midnight and found the cleaning crew had locked them in. They had to pound on the doors to rouse a janitor to let them out.

They were scrupulous about the grand jury rules and kept the Watergate secrets locked

behind the tightest lips in Washington. They were absolutely furious at us for publishing excerpts from the grand jury transcripts. They were highly upset, too, with The Washington Post's intrepid Watergate sleuths, Bob Woodward and Carl Bernstein, for attempting to question grand jury members.

The 23 Watergate jurors, a cross-section of the people of Washington, closely followed the case as it evolved from a foolish burglary into a plethora of dirty deeds. The cover-up came apart before their eyes. White House witnesses lied and cried. The high were humbled; careers were ruined.

In the end, they concluded that the President was implicated. Seven days after they named him an "unindicted co-conspirator," we reported that they believed he was involved in both "the Watergate cover-up" and "an alleged conspiracy to buy the silence of the Watergate defendants."

We even gave the nose count on March 7, reporting that "all but four of the 23 grand jurors (sought) some way to hold Mr. Nixon accountable for the cover-up" but "the prosecution informed them it would be impossible to indict a sitting President."

The best commentary was given by President Nixon himself, who declared over nationwide television on April 30, 1973: "It is essential that we place our faith . . . especially in the judiciary system."