

# Watergate Jury Hears Key Tape

Washington

Parts of the three White House tape recordings that led to Richard M. Nixon's resignation from the presidency were played yesterday to the jury in the

Watergate coverup trial.

Out of the presence of the jury but in open court, the chief prosecutor, James F. Neal, said that the tapes and the other evidence yesterday proved "a direct agency" in which Mr. Nixon's "agents" obstructed justice at Mr. Nixon's order.

In another development, Judge John J. Sirica denied mistrial motions by defendants John N. Mitchell and Kenneth Parkinson, who had contended that their cases had been prejudiced by the government's surprise disclosure last week that a government witness, William O. Bittman, had withheld and lied about a crucial memorandum.

The tapes, made public last August 5, contain Mr. Nixon's conversations with H. R. Haldeman, then his White House chief of staff and now one of the five defendants in the trial, on June 23, 1972, six days after the Watergate break-in at Democratic headquarters in the Watergate complex.

They show Mr. Nixon telling Haldeman to direct officials of the Central Intelligence Agency to tell the head of the FBI to limit its inquiry into the break-in. They show that Mr. Nixon wanted the curtailment for political reasons rather than concern over national security.

The tapes, often faint and sometimes difficult to hear, were played in conjunction with testimony by Lieutenant General Vernon A. Walters, deputy director of the CIA, and L. Patrick Gray III then acting head of the FBI.

Walters testified about receiving the directive from

Haldeman, in the presence of John D. Ehrlichman, then the White House adviser on domestic affairs and now another defendant, and passing it on to Gray; Gray told of receiving it.

When a defense lawyer objected to the prosecution's line of questioning, Neal, replied:

"There's no other way you can show the agency — from the former President of the United States to Haldeman and Ehrlichman to Walters to Gray — and that is the obstruction" (of justice).

"It's the act itself," he added. After a recess, the questioning was allowed to proceed the way Neal wished.

Mr. Nixon, who was named an unindicted co-conspirator in the case last March, was pardoned by President Ford on September 8 for any federal crimes he may have committed against the United States during his presidency. Mr. Nixon has been subpoenaed by the prosecution and defense but whether he testifies depends on his health.

The other defendants are all former Nixon campaign or White House aides: Mitchell, the former attorney general and director of the Nixon re-election campaign; Robert C. Mardian, a former assistant attorney general and political coordinator for the Committee to Re-Elect the President, and Parkinson, an attorney hired by the committee after the Watergate break-in.

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