

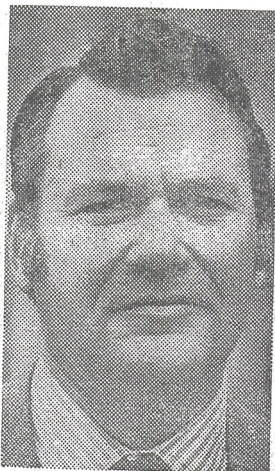
Cover-up Trial Enlivened

By George Lardner Jr.
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Courtroom theatrics and a letter from the jury dominated the Watergate cover-up trial yesterday as it bogged down in sometime bitter wrangling over the style of former White House aide John D. Ehrlichman's defense strategy.

The bickering kept the jurors out of the courtroom for hours. But they signalled their patience beforehand in a note to the judge stating their determination to reach a just verdict.

The jurors told U.S. District Judge John J. Sirica in a handwritten letter that they were more interested in moving ahead at "a pace consistent with fairness and justice," even if it means keeping them sequestered through the holiday season.



WILLIAM O. BITTMAN
... day's chief witness

The chief witness in the slow-moving day was Washington lawyer William O. Bittman, who served as Watergate

spy E. Howard Hunt's first attorney.

Ehrlichman's chief lawyer, William S. Frates, maintained that Bittman's testimony was needed to show that much of the money secretly paid to Hunt during the Watergate scandal went for attorney's fees and thus, Frates argued, was not "hush money."

Frates, however, emphasized that he didn't want to vouch for Bittman's credibility and asked Sirica to call him as a "court witness" instead.

Chief trial prosecutor James F. Neal protested sharply. What Bittman thought the money was for, he argued, was completely irrelevant to the question of why it was given Hunt in the first place.

Pointing out that Bittman was named an unindicted co-conspirator in the cover-up case, Neal maintained that Ehrlichman's lawyers ought to be required to call him as

their own witness if they wanted his testimony so badly.

The prosecutor also pointed out that Bittman's appearance could prove unfair to the other defendants, especially Nixon re-election committee lawyer Kenneth Wells Parkinson, who was allegedly informed of Hunt's hush-money demands — by Bittman — in the fall of 1972. An old friend of Neal, Bittman is under investigation by Watergate prosecutors in connection with that episode.

Insisting that he was just interested in "full disclosure," Frates maintained that the allegations against Bittman were all the more reason for calling him as "a court witness."

"He's Mr. Neal's friend," the Miami lawyer chortled at one point. "He's not Mr. Ehrlichman's friend."

"Yes, he is my friend," Neal shot back angrily. "And I think he did wrong. But a man can do wrong and still be my friend. I don't let 'em hang and twist slowly, slowly in the wind."

Ehrlichman once reportedly suggested that then-acting FBI Director L. Patrick Gray be left "twisting slowly, slowly in the wind" when his Senate confirmation hearings last year became mired in Watergate disclosures.

Sirica at first ruled that Bittman would have to be called as Ehrlichman's witness if he were to testify at all, but then relented after Frates said he would not call him.

"I'm not satisfied that the jury is going to get all the facts, it's that simple," Sirica said in deciding to call Bittman as a court witness after all. "I believe in doing what is right at the moment."

The jurors finally heard from Bittman in the afternoon, testifying in much the same fashion as he had during a special hearing last month.

Under questioning by Frates, Bittman said Hunt retained him on July 3, 1972, and paid him and his law firm at the time, Hogan & Hartson, a total of \$156,000 in legal fees over the next nine months.