

Alibi Offered by Mardian Depends on Time Factor

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Robert C. Mardian offered an alibi at the Watergate cover-up trial yesterday that boiled down to a matter of minutes.

The question turned on who sent G. Gordon Liddy to the Attorney General of the United States on a frantic mission to get the Watergate burglars out of jail hours after they had been arrested.

A top Nixon campaign official at the time, Mardian said

he didn't even learn of the Watergate break-in until after Liddy had interrupted then-Attorney General Richard G. Kleindienst over lunch at the Burning Tree Country Club here on June 17, 1972.

Since Mardian was in Los Angeles that day, the dispute resulted in a coast-to-coast playback of the morning after the Watergate break-in.

Even by the prosecution's account, it remained a close call on whether Liddy could have received his instructions from Mardian before hustling out to the golf course to track down the Attorney General.

But about all that any of yesterday's witnesses could agree upon was that no one seemed to have been clock-watching that day.

Mrs. Kleindienst, who was the first to testify, said she had just finished cleaning some kitchen cabinets and was having lunch in her husband's easy chair when the phone rang and a man named Gordon Liddy came on the line.

"His name meant nothing to me," Mrs. Kleindienst said, but Liddy told her he was trying to find her husband to discuss "a very sensitive and urgent matter" on behalf of the Committee for the Re-Election of the President and its director, former Attorney General John N. Mitchell.

She said she gave Liddy "rather succinct" directions to

the golf course after he told her he was calling from committee headquarters near the White House.

"I would have said Mr. Liddy was from out of town because he didn't know where Burning Tree was," Mrs. Kleindienst told the jurors with a laugh. The time was between noon and 12:30 p.m., she said firmly, although she wasn't sure just how she knew it except for the fact that she was having lunch.

The next to testify was Kleindienst's golfing partner that day, former Assistant Attorney General A. William Olson, who said they teed off in the "member-guest tournament" at Burning Tree that day around 8:30 a.m. As he recalled it, they finished up around noon and went to the clubhouse for a buffet lunch.

"We passed through the bar, picked up a drink . . . and went through the buffet line," Olson testified. He said they had just sat down to eat when Liddy showed up with Powell Moore, a CRP press spokesman, and called Kleindienst away for a private chat. Olson guessed that it was 12:30 p.m. by now—or maybe 12:45 p.m.

The scene then shifted to the West Coast, where it was three hours earlier. Thomas Reed, then California's Republican national committee-

man, said he joined the Robert Mardians around 8:30 a.m. for breakfast in the Beverly Hills Hotel and then went upstairs with them for about half an hour later for an appointment with Mitchell. He insisted that Mardian stayed with him all the time, except for maybe a trip to the restroom, until they left for a Nixon campaign gathering at the Airporter Inn around 10:40 a.m., Pacific Coast time.

All that conflicts with the testimony of prosecution witnesses such as former Nixon campaign officials Jeb Stuart Magruder and Frederick C. LaRue, who were also on the West Coast at the time. They testified that Mardian was told of the break-in and assigned by Mitchell to call Liddy with his marching orders before leaving the Beverly Hills Hotel.

According to Magruder's testimony, Mardian was told to contact Liddy around 10 a.m. California time—or 1 p.m. in Washington. Powell Moore, who was also a government witness, said he couldn't recall the exact time he and Liddy got to Burning Tree, but he indicated that they didn't leave CRP headquarters until sometime close to 1:30 p.m. By that account, Mardian could have made the call to Liddy.