

WXPost JAN 24 1975

Connally Trial Judge Limits Role

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U.S. District Court Chief Judge George L. Hart Jr. has made clear that the Watergate cover-up trial will not serve as the model for the forthcoming bribery trial of former Treasury Secretary John B. Connally.

At a pretrial hearing in his chambers last week, Judge Hart said that "unlike some of my brethren," he would leave the questioning of prospective jurors up to opposing attorneys in the case.

According to a transcript of the hearing made public yesterday, Judge Hart also said he did not think a representative jury could be secured if it was limited to panelists willing to be sequestered.

U.S. District Court Judge John J. Sirica, who conducted the Watergate cover-up trial, insisted on sequestering the jury in that case for the three months that it lasted. He also conducted all the questioning of prospective jurors himself at closed-door sessions which remain under seal.

Although the Connally trial is expected to last only three weeks at most, Judge Hart said he felt "there are just too many people, normal citizens, that ought to be on the jury who can't afford to be sequestered for three weeks." He said he himself wouldn't want to leave his wife at home by herself that long.

Overriding the objections of Watergate prosecutors who wanted a sequestered jury, Judge Hart said he would let the Connally trial jurors go home each night after Connally's lawyer, Edward Bennett Williams, agreed not to make an issue of any "inadvertent" exposure to trial publicity that might result—such as a chance glance at a newspaper headline.

Hart, who succeeded Sirica as chief U.S. District Court judge here last year, also said he would not permit the use of earphones for any White House tape recordings to be played at the trial because, he said, earphones would make "a blinking circus out of this thing."

The prosecution plans to play only one tape at the trial, which is scheduled to start April 1. The case involves charges that Connally took \$10,000 in payoffs for his help in securing then-President Nixon's approval of a controversial 1971 increase in milk price supports.

Some 30 tapes were introduced at the cover-up trial. Earphones were distributed throughout Judge Sirica's courtroom when they were played.

Finally, Judge Hart said he had "no intention of reserving half of the courtroom for the press"—which Sirica had done at the cover-up trial. Hart said he would set aside three rows "at most."

Hart said he had given "serious consideration to reserving no seats for the press, but I think under the precedent that has been set heretofore, there would be such a stink raised about that, that it would result in more publicity than I want."