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Watergate Lawyer To Seek Rehearing

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Attorney Henry B. Rothblatt, formerly the lawyer for the four Watergate conspirators from Miami, intends to re-enter the case to demonstrate that his clients were pressured into pleading guilty, according to informed sources.

Rothblatt refused to comment yesterday on reliable reports that he plans to seek a court hearing to show that money and clemency were offered to the four men in exchange for their guilty pleas.

Final sentencing of the Miami men has been deferred by the Watergate trial judge, John J. Sirica of U.S. District Court, to give them an opportunity to provide their "full cooperation" in the continuing investigation of the case.

Rothblatt's plans appear to buttress the contention of another of the Watergate conspirators, James W. McCord Jr., that "there was political pressure applied to the defendants to plead guilty and remain silent."

McCord, the former security coordinator of the Committee for the Re-election of the President, also said in a letter to Judge Sirica that persons as yet unnamed had knowledge of the conspiracy and that government witnesses



HENRY B. ROTHBLATT

... to re-enter case

in the trial committed perjury.

McCord and former White House aide G. Gordon Liddy were convicted of all the charges against them, after former White House consultant E. Howard Hunt Jr. and the four Miami defendants entered guilty pleas in the opening days of the trial.

According to sources close to the case, Hunt visited Rothblatt's clients at an Arlington apartment during the trial and induced them to follow his lead and plead guilty.

The sources reported yesterday that Rothblatt intends

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to seek a post-conviction hearing for the four men to show that Hunt, acting on behalf of others, offered each as much as \$1,000 for each month spent in jail and a promise of eventual clemency if they would enter guilty pleas.

To prove this, the sources said, Rothblatt plans to call Hunt and the four Miami men to the witness stand to testify about an alleged meeting at the Arlington Towers apartments in which the arrangements for pleading were reportedly finalized.

According to the sources, Hunt persuaded the men at the meeting to plead guilty and abandon a defense in which they had planned to take the witness stand during the trial and possibly name other persons who had knowledge of the Watergate conspiracy.

The object of a post-conviction hearing, according to the sources, would be to seek a new trial for Rothblatt's former clients on grounds that they pleaded guilty as a result of an obstruction of justice.

If such a hearing were to take place, it would have to be ordered by Judge Sirica, who on Friday made public McCord's letter that alleged such "political pressure" to plead guilty took place in the case.

During the trial in January, Hunt pleaded guilty immediately after the prosecution made its opening presentation in the case.

Several days later, the defendants from Miami—Bernard L. Barker, Frank Sturgis,

Eugenio R. Martinez and Virgilio B. Gonzales—pleaded guilty after firing Rothblatt because he refused to agree to change their original pleas of not guilty.

The four Miami conspirators could refuse to allow Rothblatt to re-enter the case, but the sources said that Rothblatt is confident that the men will again seek his legal assistance.

Prior to the time the four pleaded guilty, there were numerous news accounts saying that they had been offered money and promises that their families would be cared for if they went to jail.

After pleading guilty at the trial, all four denied to the judge that they had been pressured or induced by any means to plead guilty. However, the four were not under oath when they made the statements.

According to sources close to the case, the Miami men had earlier planned to argue that their participation in the Watergate bugging was not illegal because they believed the operation had been countenanced by the White House and former presidential aides at the President's re-election committee.

The sources said that at least one of the Miami men, who were recruited by Hunt to participate in the bugging operation and other undercover activities against the Democrats, was prepared to testify that they knew the names of present and former Nixon administration officials who had knowledge of the conspiracy.

The thrust of McCord's letter to Judge Sirica indicates that McCord, too, has such knowledge and is prepared to reveal it. Part of his letter said:

"Perjury occurred during the trial in matters highly material to the very structure, orientation and impact of the government's case and to the motivation and intent of the defendants.

"Others involved in the Watergate operation were not identified during the trial, when they could have been by those testifying."

Other developments in the Watergate case:

- The federal grand jury that investigated the incident for three months last year will be reconvened on Monday. The first witness will be Liddy, who was sentenced last week to a minimum of six years and eight months in jail.

- Also on Monday the Senate Select Committee investigating the Watergate and related political espionage will meet to determine if all seven committee members can obtain access to the FBI's Watergate files. Currently, only the chairman, ranking minority member and the two top staff aides have access.

- On Friday, McCord will meet in camera with Judge Sirica to discuss McCord's charges that there was political pressure, perjury and undisclosed involvement of other persons in the Watergate operation.

- Former Attorney General John N. Mitchell said he doesn't have the faintest idea what McCord intends to

reveal. Mitchell disputed a report in yesterday's Washington Post that his wife's demand that he leave politics was triggered by McCord's arrest. Mitchell resigned as the President's campaign manager two weeks after the Watergate break-in.

- The Senate Judiciary Committee confirmation hearings on L. Patrick Gray's nomination to become permanent FBI director will be postponed for at least a week. Republican sources in the Senate said there will be an attempt to determine if the White House still supports Gray. Sen. Edward J. Gurney (R-Fla.), a Judiciary Committee member, told the Associated Press yesterday, "If we are going to seriously consider the nomination of Mr. Gray, then I think we should include consideration of calling Mr. McCord."

Gray's conduct in the Watergate investigation, including the distribution of FBI files to presidential counsel John W. Dean III, has become the focus of the confirmation hearings.

Meanwhile, a subpoena has been issued to California attorney Donald H. Segretti by the Senate's Select Committee. Sen. Lowell P. Weicker (R-Conn.), one of the Committee members, said yesterday that "the subpoena has been issued, but I don't (know) for what date for Segretti's appearance before the Committee."

At least 16 persons have publicly said they were approached or actually hired by Segretti to conduct political

spying and sabotage on behalf of the President's re-election against the Democratic presidential contenders.

FBI files show that Segretti was hired and paid at least \$30,000 by Herbert W. Kalmbach, the President's personal attorney, and Dwight L. Chapin, the President's former appointments secretary.

In another development yesterday, Sen. Bob Packwood (R-Ore.) said that the Watergate affair has become a "dagger in the heart" of the Republican Party. He called on President Nixon to reveal all the facts and appoint a respected, non-partisan prosecutor to investigate the case.

"It's not going to go away," Packwood said. "The trail of ever-decreasing concentric circles seems to narrow on the coterie at the White House."

He added: "It's coming to the point where either the information will be bludgeoned and dragged out day by day, or it's going to be voluntarily given."

But Senate Republican leader Hugh Scott (Pa.) said in a statement that President Nixon had personally assured him that "the White House has nothing to hide" in the Watergate case.

The subject came up last Tuesday at the regular weekly meeting the President has with Republican congressional leaders.

Scott quoted the President as saying: "Hugh, I have nothing to hide. The White House has nothing to hide. I repeat we have nothing to hide and you are authorized to make that statement in my name."

In a related matter, Herbert L. Porter, an official of President Nixon's re-election campaign, yesterday denied any prior knowledge of the Watergate break-in.

A federal judge granted permission Friday for the addition of Porter's name and that of Jeb Stuart Magruder as defendants in a \$3.2 million civil suit brought by the Democratic National Committee after the June 17 break-in and bugging attempt on its offices.

Porter, a former White House aide, said in a statement issued through the re-election committee that he had testified to the FBI, a grand jury and in federal court "that I had absolutely no prior knowledge of the Watergate bugging incident."

Magruder, also a former White House aide and Mitchell's principal deputy at the re-election committee, has previously denied prior knowledge of the bugging. Magruder and Porter turned over campaign funds to Liddy, according to FBI reports and testimony in the trial.