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Mitchells' Guards Seen Getting Illegal U.S. Pay

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Three armed U.S. deputy marshals, acting under the direction of James W. McCord Jr., served in apparent violation of the law as bodyguards for the daughter of John N. Mitchell after Mitchell left the attorney general's office last year.

A Justice Department source said yesterday the three deputy marshals were paid for their services to Mitchell from April 5 to June, 1972, by government checks and used their government-issued badges, guns and credentials while on the job.

The source said that the three deputies were on part-time status and were authorized to take outside jobs, but in this instance they were ordered to provide bodyguard and other security service by a government superior and then reported directly to McCord.

McCord at the time was security chief for the Committee for the Re-Election of the President and was later convicted as one of the Watergate bugging conspirators.

Justice Department press spokesman Horace Webb initially told a reporter yesterday that Mitchell had contracted privately with the three deputies to provide guard and escort service to and from school for the Mitchell's 11-year-old daughter, Marty. He said any citizen could hire a part-time deputy marshal for his own use.

Questioned again later, Webb said he would stick by his original statement, but that in light of the reporter's questions concerning government payment of the marshals and their use of government guns and badges, the matter "is being looked into more fully by

the marshal's service and we won't have any additional response today."

A federal law prohibits using money appropriated to pay government employees' salaries to be used to pay salaries of nongovernment organizations, such as the Committee for the Re-election of the President.

Mitchell and DeVan L. Shumway, press spokesman for the Committee for the Re-election of the President, were called by a reporter for comment yesterday, but did not return the calls. The U.S. Marshal Service referred a reporter to the Justice Department, which oversees the marshals.

It had previously been reported that an FBI agent had worked for the Mitchells to help keep Martha Mitchell incommunicado after she learned of the Watergate arrests last June. The FBI commented that "no agents acting in an official capacity" had been assigned to the Mitchells.

The Justice Department source told The Post that McCord, assisted by E. Howard Hunt Jr. and G. Gordon Liddy, who was then the re-election committee's general counsel, conducted a security briefing for the deputy marshals when they first began their jobs for the committee.

(Hunt pleaded guilty and Liddy was convicted in the Watergate trial in January.)

Later, the three deputies received passes to the White House and were briefed by McCord on the security system in effect there, the source said. All of the deputies had less than one year of experience at the time and were under special part-time status which pays a minimum of \$8,000 per year, he said.