

McCord Asks Sirica To Grant New Trial

By Lawrence Meyer

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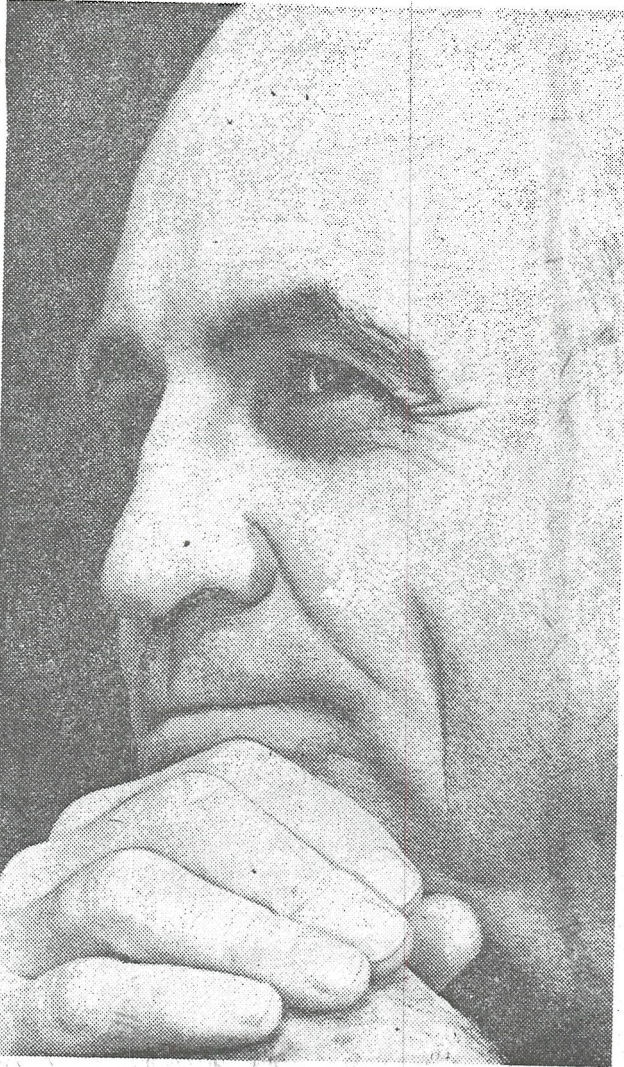
Convicted Watergate conspirator James W. McCord Jr. asked Chief U.S. District Judge John J. Sirica yesterday to grant him a new trial on the grounds that perjured testimony and the government's withholding of pertinent evidence denied him a fair trial.

McCord, the security director for the Committee for the Re-election of the President until he was arrested inside the Democratic National Committee's Watergate headquarters last June 17, said that he was enticed by high government officials into the operation and then a "massive obstruction of justice" denied him use of the enticement defense.

Sirica yesterday granted McCord an indefinite stay on his sentencing, which was set for June 15. Only one of the seven convicted Watergate conspirators, G. Gordon Liddy, has received a final sentence. Liddy was sentenced to six years and eight months to 20 years in jail and fined \$50,000 for his role in the conspiracy. Sirica has not yet set a date for giving final sentences to the other five conspirators, who are now serving provisional terms of 35 to 40 years in jail.

In his motion, McCord repeated the assertion he made while testifying before the Senate select committee on the Watergate affair that he had been told the bugging of the Watergate had the express approval of Attorney General John N. Mitchell.

In addition, McCord contended that "unknown to him, he was in fact recruited by the President's special investigations unit, or at least by its two principal operatives, Liddy and (coconspirator E. Howard) Hunt Jr. to do certain electronic eavesdropping." The existence of the special investigative unit, which President Nixon said was created to plug leaks of information, was revealed in Mr.



By Ken Feil—The Washington Post

James W. McCord Jr. says perjury denied him fair trial.

Nixon's statement of May 22.

The alleged approval for the Watergate operation by Mitchell and White House counsel John W. Dean III, along with the participation of Hunt and Liddy, members of the White House unit, McCord said, "all would indicate that the op-

eration was being undertaken under color of law with the approval of the highest legal advisers in the executive branch of the government. Therefore, McCord should have had available to him the defense that he was acting under the direction of his superiors at the White House and under color of law."

McCord did not have this defense available, the motion asserts, because of perjury committed at the trial by deputy Nixon campaign director Jeb Stuart Magruder who testified that he had not approved the operation. In addition, McCord cited the \$500,000 in re-election committee funds to buy the silence of his coconspirators as part of the obstruction of justice.

Haldeman Relates President's Views

President Nixon ex-

pressed concern last summer that the "insinuations and appearances and allegations" arising from the Watergate incident might be harmful to his presidential campaign and urged his aides to "get the facts" on the case and make them known, according to H.R. (Bob) Haldeman, the President's former chief of staff.

In a sworn deposition released this week, Haldeman said that after the election, the President again expressed his desire that "the whole matter be cleared up and made known so that it wouldn't be hanging over into the second term."

Despite the President's concern, Haldeman said the President did not request a formal report on the Watergate from White House counsel John W. Dean III until March 20.