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The Watergate Burglar's Claim

Washington

Lawyers for the seven original Watergate burglars argued yesterday that their convictions should be reversed because the White House coverup of the scandal prejudiced their trial.

The seven-member U.S. Court of Appeals here will hand down its ruling later.

Nearly all the lawyers cited evidence in the White House transcripts to show that perjury was committed by witnesses in the original case and that other evidence was withheld from the defendants.

They also argued that the White House was engaged in an obstruction of justice by paying hush money to the defendants and offering clemency.

Prosecution lawyers argued that the coverup did not alter the fact that the seven participated in the Watergate burglary.

"We are asking the court to do just what Judge Byrne did in the Ellsberg case,"

said William G. Ohlhausen, a lawyer for James W. McCord Jr., one of the burglars. "There is such a stench that this case has to be thrown out."

Judge Matthew J. Byrne dismissed charges against Dr. Daniel Ellsberg in the Pentagon Papers case because of the government's tampering in the case.

C. Dickerman Williams, a lawyer for E. Howard Hunt, said the case against his client should be dropped because evidence from Hunt's White House safe was destroyed by former acting FBI Director L. Patrick Gray III.

In addition to Hunt and McCord, arguments were presented on behalf of G. Gordon Liddy, a former White House aide and finance counsel to Mr. Nixon's re-election campaign and four Cuban-Americans, Bernard L. Barker, Eugenio Martinez, Frank A. Sturgis and Virgilio Gonzalez.

United Press