

JAWORSKI WANTED AS APPEAL WITNESS

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Haldeman and Ehrlichman
Say He Might Aid Case

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WASHINGTON, Feb. 7—Lawyers for H. R. Haldeman and John D. Ehrlichman argued in Federal District Court here today that their clients should be permitted to summon Leon Jaworski, the former special prosecutor, to testify in connection with their attempts to have their convictions in the Watergate cover-up case overturned.

The lawyers contended it was possible that Mr. Jaworski had possessed exculpatory evidence during the trial that he had not made available to the defendants.

Judge John J. Sirica said that he would issue a written opinion next week on the motions by all four of the convicted cover-up defendants to have the verdicts reversed or a retrial ordered.

In addition to Mr. Haldeman and Mr. Ehrlichman, once the top two White House aides in the Nixon Administration, those found guilty last month were John N. Mitchell, the former Attorney General; and Robert C. Mardian, a former Assistant Attorney General.

Another defendant, Kenneth W. Parkinson, was acquitted.

The lawyers for Mr. Haldeman and Mr. Ehrlichman based their arguments on Mr. Jaworski's disclosure before a house subcommittee last week that he had been permitted by President Nixon to go to the White House and listen to the tapes of certain conversations.

'Juicy' Information

Mr. Jaworski said that the tapes had contained "juicy" information but nothing that was relevant to the Watergate case.

Under the rules of criminal law, prosecutors must give defendants access to evidence that might help their defense.

John J. Wilson, Mr. Haldeman's attorney and Andrew C. Hall, Mr. Ehrlichman's attorney, declared that they wanted to call Mr. Jaworski as a witness to determine the basis on which he decided that none of the information was relevant to the case.

"It burns me up," Mr. Wilson said, "that lawyers at the White House were circumscribing our access to papers there with such silly precision that we couldn't even take notes, and at the same time prosecutors were given access to tapes."

Judge Sirica seemed to take the arguments lightly. At one point, he leaned back in his chair and told Mr. Wilson, "You're making a pretty speech here, or argument."

Mr. Wilson replied with a smile, "I know, your honor, you'll give me due process, and then overrule me."

Mr. Ehrlichman was the only defendant in court today. Afterwards, he told reporters that he was considering writing a book but would not go on a lecture tour.

McCord Enters Court Plea

WASHINGTON, Feb. 7 (UPI)—James W. McCord Jr., the Watergate burglary defendant whose letter to Judge Sirica helped implicate top White House figures in the scandal, told the Supreme Court today that his trial had been "tainted" by Government misconduct.

In an appeal of his 1972 conviction, Mr. McCord said Government officials had deliberately destroyed evidence that would have been beneficial to him, that the prosecutors conspired with his lawyers to introduce illegally obtained evidence and that he was denied equal treatment because of President Ford's pardon of Richard M. Nixon.

Mr. McCord, a security coordinator for the Committee for the Re-election of the President, was sentenced to one to five years in prison for his role in the June 1972 break-in at Democratic national headquarters in the Watergate. He has been free on bond since March 8, 1973.