

4 Watergate Suspects Plead Guilty

2 Defendants
Still on Trial

By Lawrence Meyer

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Four more Watergate defendants pleaded guilty to conspiracy, burglary, and illegal wiretapping and eavesdropping yesterday.

Lawyers for the remaining two defendants immediately called for a mistrial, which Chief U.S. District Judge John J. Sirica turned down. Testimony in the case resumed for the first time since Thursday.

Sirica accepted the pleas of the four defendants, all from Miami, after trying—but generally failing—to elicit new information about motivation and payment for and break-in and bugging of the Democratic National Committee's headquarters last June 17.

Those who pleaded guilty are Bernard L. Barker, Frank Sturgis, Eugenio R. Martinez and Virgilio R. Gonzales. Last Thursday, former White House consultant E. Howard Hunt Jr. pleaded guilty.

The four Miami men were arrested inside the Watergate by metropolitan police on June 17 at about 2:30 a.m. Arrested with them was James W. McCord Jr., then the security coordinator for the Committee for the Re-election of the President. McCord and G. Gordon Liddy, also a former White House and re-election committee official, are the two remaining defendants.

The motion for a mistrial was made by Gerald Alch, McCord's lawyer.

Alch told Sirica that the jury would see the four men and Hunt absent and conclude that they had pleaded guilty, a conclusion that would prejudice the rights of McCord and Liddy to a fair trial. "No instruction," Alch said, "can obviate the inference that these five men have pleaded guilty . . . after two days of deliberations to which the jury has not been privy."

Sirica said he had ample precedent for denying the motion and told Alch that he could appeal the ruling to the U.S. Court of Appeals later. "I'm not awed by the appellate courts. Let's get that straight," Sirica said bluntly. "All they can do is reverse me. They can't tell me how to try my case."

Before questioning each

of the four Miami men yesterday, Sirica recapitulated events that began Friday, when no testimony was taken and the defendants and trial counsel spent several hours in secret conferences.

Sirica quoted from a letter, a copy of which Barker had given Earl J. Silbert, chief prosecutor, Friday morning, in which the four defendants told their lawyer, Henry Rothblatt, that they wanted to plead guilty.

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"We have been asking you since Sunday, Jan. 7, 1973, to change our plea from not guilty to guilty," the letter said. Rothblatt refused and continued to refuse through last Friday when he told reporters he would not plead his clients guilty and that they would have to get another lawyer if they wanted to change their plea.

Rothblatt, in his opening statement on Wednesday, told the jury that his clients were "following orders" in "a military fashion."

In their letter to Rothblatt, the four men said, "We have made it clear from the beginning that the defense you presented in opening statements and to the press is not acceptable to us."

Sirica questioned the defendants closely about press reports that they were being induced and "pressured" to plead guilty by promises of financial rewards for themselves and their families.

Each of the four men could receive a maximum sentence of 55 years in jail and a \$50,000 fine.

Individually, and then as a group, the defendants denied that any inducements had been made or promises given by Hunt or anyone else that they would receive anything in return for a guilty plea. They also denied reports that they were still being paid. "Are you being paid by anybody for anything," Sirica asked. "No," they replied in unison.

After the proceedings, Rothblatt was asked if Hunt were applying "pressure" to the four men. "That I cannot discuss, will not discuss," Rothblatt said, explaining that he is barred from revealing a confidential attorney-client communication. Rothblatt has indicated that although Sirica

formally relieved him as the lawyer for the four men, he still has an interest in them.

Sirica appointed Alvin Newmyer Sr., 89, the senior member of the District of Columbia bar, to represent the four men for purposes of changing their plea to guilty. Sirica described Newmyer as a "highly respected leader of the District of Co-

lumbia bar and an outstanding trial lawyer for many, many years."

Following their guilty pleas, the four men were taken to the D.C. jail where they were being held in lieu of a \$100,000 surety bond that Sirica had demanded from each of them. Hunt was released Thursday after posting the same amount of bond.

The afternoon session began with the resumption of testimony by Thomas J. Gregory, a 25-year-old Brigham Young University student who testified he was recruited by Hunt to spy on Sen. Edmund S. Muskie later Sen. George McGovern.

Gregory repeated portions yesterday of testimony he had given out of the jury's presence on Thursday. He described how Hunt introduced him to McCord and how McCord tried unsuccessfully to place a bug in McGovern's campaign headquarters.

Later, Gregory said Hunt

introduced him to a man who was wearing sunglasses when Hunt picked Gregory up in a car one night in mid-May. When the three stopped for hamburgers at a McDonald's, Gregory said, the man took off the dark glasses. It was Liddy.

Gregory said Liddy and Hunt personally surveyed McGovern's headquarters prior to the last attempt to break in on May 28. That attempt, by the four men from Miami, was headed off by Gregory when he warned them someone still was in the headquarters, Gregory said.

Silbert told Sirica during the afternoon session that he was submitting a diary belonging to Martinez that the FBI had seized while searching the defendant's car. Silbert said the diary, often described in news reports as being Martinez' account of the Watergate incident, was "almost totally blank." Silbert said there was "absolutely no foundation whatsoever to all that speculation about this diary."



Sketch by Betty Wells

Conferring at bench with Judge Sirica at Watergate trial are (from left) attorney Alvin Newmyer Sr., defendants

Bernard L. Barker, Frank Sturgis, Eugenio R. Martinez and Virgilio R. Gonzales. The four pleaded guilty yesterday.

Don't Believe You, Judge Tells Suspect



United Press International

Watergate suspects still on trial are James W. McCord Jr., left, and G. Gordon Liddy.