

Watergate Perjury, Pressure Charged

McCord Ties Others to Plot; Liddy Jailed

By Lawrence Meyer
Washington Post Staff Writer

James W. McCord charged yesterday that persons yet unnamed were involved in the Watergate conspiracy to bug the Democrats, that "political pressure" had been "applied to the defendants to plead guilty and remain silent," and that government witnesses had perjured themselves at his trial.

McCord, breaking a nine-month silence maintained by the seven Watergate defendants, asked for a private meeting with Chief U.S. District Judge John J. Sirica, saying he could "not feel confident" talking to the FBI or with prosecutors who "work for the Department of Justice."

McCord said he wanted to talk to the judge despite his belief that "retaliatory measures will be taken against me, my family, and my friends."

A two-page letter from McCord to Sirica was read in court yesterday at what was to be a sentencing session for McCord and the other defendants.

Sirica ended up issuing a final sentence to only one defendant: former White House aide G. Gordon Liddy. The judge, describing the Watergate crimes as "sordid, despicable and thoroughly reprehensible," ordered Liddy to serve at least six years, eight months in prison and fined him \$40,000.

Sirica deferred final sentencing of the other five defendants, saying he "would have to weigh as a factor" whether they now give their "full cooperation" to ongoing Watergate investigations. He said he would make that final decision in three months or more and was, until then, provisionally imposing a maximum sentence on each of the five.

During the dramatic, two-hour court session, E. Howard Hunt Jr., another former White House aide who was the first of five defendants to plead guilty in the Watergate incident, told Sirica that he was "destroyed as a man" and pleaded for mercy.

"I lost my employment, then my beloved wife (who died in an airplane crash), both in consequence of my involvement in the Watergate affair," Hunt told Sirica. "Humbly, with profound contrition, I ask now that your honor look beyond the Howard Hunt of last June 17 to my life as a whole. And if it please this court, to temper justice with mercy."



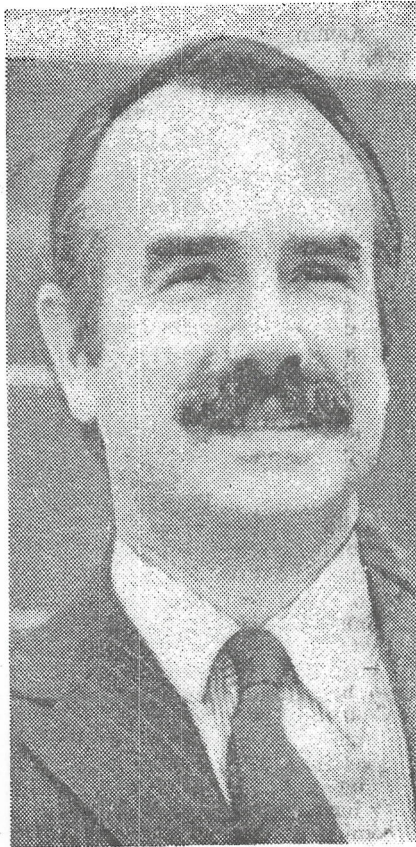
E. HOWARD HUNT JR.
...pleads in court for mercy

Sirica offered to speak to McCord before passing sentence on him, with the conditions that a full transcript be made of McCord's statements and that Sirica could release the transcript to the grand jury and the select Senate committee investigating the Watergate bugging and allegations of political spying and sabotage sponsored by aides to President Nixon in the 1972 presidential campaign.

Gerald Alch, McCord's lawyer, said after a private meeting with Sirica that McCord agreed to the judge's terms. Alch said he hoped to have McCord make his statement to Sirica sometime next week.

McCord, Liddy and Hunt stand con-

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G. GORDON LIDDY
... "the leader with the money"

WATERGATE, From A1

victed, along with four other men—all from Miami—of charges of conspiracy, burglary, illegal wiretapping and eavesdropping in connection with the June 17 break-in and bugging of the Democratic National Committee's Watergate headquarters. Only Liddy and McCord stood trial. The other five pleaded guilty to all charges against them.

McCord, an ex-FBI and CIA agent was security director for the Committee for the Re-election of the President. Since his arrest inside the Watergate in the early hours of June 17 along with the four men from Miami, McCord has maintained a stoic silence in public about his involvement in the Watergate affair.

In a two-page, single-spaced letter that he delivered to Sirica through a probation officer on March 20, McCord broke that silence, telling the judge that he was torn by legal considerations and his family's fears on the one hand, and his desire to minimize his punishment and the "interests of justice" on the other.

McCord's letter contains these statements:

- "There was political pressure applied to the defendants to plead guilty and remain silent."

- "Prejury occurred during the trial in matters highly material to the very structure, orientation, and impact of the government's case, and to the motivation and intent of the defendants."

- "Others involved in the Watergate operation were not identified during the trial, when they could have been by those testifying."

- "The Watergate operation was not a CIA operation."

- McCord wanted to speak to Sirica in private. "Since I cannot feel confident in talking with an FBI agent, in testifying before a grand jury whose U.S. attorneys work for the Department of Justice, or in talking with other government representatives, such a discussion with you would be of assistance to me."

- "Members of my family have expressed fear for my life if I disclose knowledge of the facts in this matter, either publicly or to any government representative." Although McCord said he did not share these concerns "to the same degree, nevertheless, I do believe that retaliatory measures will be taken against me, my family, and my friends should I disclose such facts."

McCord concluded the letter by saying that he made the statements in it "freely and voluntarily, fully realizing that I may be prosecuted for giving a false statement to a judicial official." He had not discussed the matter with his lawyers, McCord said, "as a matter of protection for them."

Principal Assistant U.S. Attorney Earl J. Silbert, the chief prosecutor in

the Watergate trial, said later that he knew McCord had written Sirica a letter, but that the first time he knew the contents was as the judge read the letter in court.

The release of McCord's letter follows questions raised during the confirmation hearings for Acting FBI Director L. Patrick Gray III about the propriety of his giving FBI files on the Watergate investigation to White House counsel John W. Dean III.

Persons questioned by the FBI said they were later asked about their FBI statements by re-election committee officials.

It was reported yesterday that prosecutors tried to limit the FBI's role in the investigation, fearing dissemination of the FBI information to the very people being investigated.

An official transcript of a March 20 session that Sirica held in chambers, unsealed by the judge yesterday, shows that Silbert and U.S. Attorney Harold H. Titus Jr. were asked by Sirica to be present when he read the letter.

Silbert and Titus told Sirica, however, that they thought it would be improper for them to know the letter's contents and left before it was read.

During the trial, when Sirica expressed his dissatisfaction that all the facts concerning the Watergate incident were not coming out, Silbert insisted several times that the government had no evidence that would support a prosecution against anyone other than the seven defendants.

Following yesterday's court session, McCord, the only one of the seven defendants who remained free, left the U.S. District Courthouse with his lawyer, Gerald Alch. Asked at a brief press conference if McCord's safety was secure, Alch said, "He advises me that it is, and he is the best judge of that." Asked if any actual threats have been made, Alch said, "Not to my knowledge."

When Alch was asked what McCord would tell the judge, the lawyer responded, "I don't know what he's going to say and I haven't asked him."

A spokesman for the Justice Department said yesterday that if McCord's statement to Sirica "contains information supporting these allegations (of perjury and other criminal activity) or indicating any other violation of federal law, the Department of Justice will, of course, take appropriate action immediately."

In Key Biscayne, Fla., deputy White House press secretary Gerald L. Warren said he would have no comment on McCord's charges because it was the "consistent policy" of the Nixon administration "not to comment on matters in this trial, or any other pending trial. It is a policy that we will religiously follow while there is a judicial process in motion," Warren said. "I believe I would leave it at that."

Samuel Dash, chief counsel to the

seven-member bipartisan Senate Select Committee investigating the Watergate incident, was in court at the sentencing.

Dash said that Sirica had not told him of McCord's letter, adding, "I would say that what Judge Sirica has done has given us a greater opportunity to get information that might not otherwise be known."

McCord's letter appeared to refute White House claims that no one else was involved in the Watergate incident, Dash said.

During the trial, the government called four high officials and former officials of the President Nixon's campaign committee—deputy campaign manager Jeb Stuart Magruder, Herbert L. Porter, Robert C. Odle Jr. and Hugh W.

Sloan Jr. Each of them denied any knowledge of, or involvement in the Watergate bugging, which was financed with re-election committee funds given to Liddy, according to testimony in the trial.

During the court session yesterday, some of the defendants showed marked changes since they last appeared in court a month or more ago. Liddy, a jaunty former prosecutor and ex-FBI agent, appeared to have lost considerable weight since he was imprisoned Jan. 30. He greeted Hunt with a snappy salute and gave his familiar wave—a gesture that became his trademark during the four-week trial—to the packed courtroom, but there was little other display of his buoyancy of

two months ago. Liddy has been held in the federal penitentiary at Danbury, Conn., most of the time since Jan. 30.

Sirica called Liddy and his lawyers first as the judge began pronouncing sentence. Liddy's lawyer, Peter L. Maroulis, told Sirica that "Mr. Liddy's life has been one of public service. It has been deeply involved with the law." Sirica then asked Liddy if he wished to speak. "I have nothing to say, your honor," Sirica asked Liddy a second time. "Nothing to say," Liddy replied.

Liddy could have received a maximum sentence of 35 years' imprisonment and a \$40,000 fine if Sirica had imposed consecutive sentences on all the counts within his authority to do so.

Instead, Sirica ordered some of the six counts under which Liddy was sentenced to run concurrently with others. As a result, Liddy will have to serve at least six years and eight months in prison and pay a \$40,000 fine before he is eligible for probation. Liddy has indicated he will appeal his conviction.

Prior to passing sentence, Sirica also asked Silbert if he wished to speak. The prosecutor said that what Liddy and the others had done were "not the most serious offenses known to the law" but that the crimes had resulted in "adverse effects . . . far more injurious to the public."

"What they have done," Silbert said, "is to generate a fear, whether valid or not, that this illegal activity—bugging, not that this illegal activity—bugging, and condoned." Liddy, Silbert said, "was the leader, the person with the money," and his background, education and station in life "make his conduct the most blameworthy."

Sirica said his sentence was designed as a deterrent against others, not for rehabilitation. At Maroulis' request, Sirica agreed to recommend that Liddy continue to be confined at Danbury, so that Maroulis, a lawyer in Poughkeepsie, N.Y., could visit him frequently. Liddy then said, "Thank you, your honor," and returned to his seat.

Sirica then called Hunt for sentencing. Hunt's lawyer, William O. Bittman, reviewed Hunt's 20-year CIA career, said he was "an unusual man" who had played a principal role in the "successful overthrow of the Communist regime in Guatemala in 1954" and later in the abortive Bay of Pigs operation in 1961.

Hunt, Bittman said, had "devoted his entire adult life to the service of his country" and was "specially trained by our government to perform tasks which were crucial to our country's national security. He accepted all of his assignments," Bittman said, "without questioning them."

Bittman said Hunt retired from the CIA because of pressing financial problems. "In 1971, Mr. Hunt was contacted by a member of the presidential

staff (special counsel to the President Charles W. Colson) and asked to contribute his background in two specific areas of great significance to our country: combatting the influx of foreign narcotics and the declassification of material of the highest national security significance."

Hunt, who had appeared natty in court after his indictment last September, looked haggard yesterday. His gray, pin-striped suit hung loosely from his shoulders. His face was wan and pale.

Speaking in a soft voice, Hunt told Sirica that "for 26 years I served my country honorably and with devotion," first in the armed forces, then in the CIA. Hunt referred to the death of his wife, Dorothy, in a plane crash in Chicago last December.

"Had my wife and I not lost our employment because of Watergate involvement, she would not have sought investment security for our family in Chicago," he said. "My children's knowledge of the reason for her death is ineradicable—as is mine. Four children without a mother. I ask that they not lose their father, as well.

"What I did was wrong, unquestionably wrong in the eyes of the law, and I can accept that," Hunt said. "For the last nine months I have suffered an ever-deepening consciousness of guilt, of responsibility for my acts, and of the drastic penalties they entail. I pray, however, that this court—and the American people—can accept my statement today that my motives were not evil.

"The real victims of the Watergate conspiracy, your honor, as it has turned out, are the conspirators themselves. But there are other prospective victims," Hunt said. "I say to you in all candor that my family desperately needs me at this time." Hunt used the word "mercy" four times in his statement.

Sirica then turned to the remaining four defendants, all from Miami—Bernard L. Barker, Frank Sturgis, Virgilio R. Gonzalez and Eugenio R. Martinez—captured with McCord inside the Democratic offices on June 17. None of the four made a statement. They all face possible maximum sentences of 40 years in jail and fines of \$50,000. Hunt faces a possible maximum sentence of 35 years in jail and a \$40,000 fine.

Making clear that in imposing the final sentence he would consider their conduct, Sirica told all five, "I recommend your full cooperation with the grand jury and the Senate Select Committee. You must understand that I hold out no promises or hopes of any kind to you in this matter, but I do say that should you decide to speak freely, I would have to weight that factor in appraising what sentence will be finally imposed in each case. Other factors will, of course, be considered, but I mention this one because it is one over which you have control."

Aspirator Charges Pr



James W. McCord is depicted as he sat in courtroom yesterday.



ALCH 74

A tight-lipped James W. McCord braves Pennsylvania Avenue throng after his court appearance yesterday. By Harry Natchayan—The Washington Post