

Watergate Lawyer To Seek Rehearing

By Bob Woodward and Carl Bernstein

Washington Post Staff Writers

New York attorney Henry Rothblatt, formerly the lawyer for the four Watergate conspirators from Miami, plans to re-enter the case in the near future in hopes of showing that pressure was brought on his clients to plead guilty, according to informed sources.

Rothblatt intends to seek a court hearing to show that money and clemency were promised the four men who pleaded guilty, but whose final sentencing has been deferred by the Watergate trial judge to give them an opportunity to provide their "full cooperation" in the continuing investigation of the case. Rothblatt had no comment on his plans yesterday.

Rothblatt's intentions became known after U.S. District Judge John J. Sirica revealed an assertion by James W. McCord Jr. that "there was political pressure applied to the defendants to plead guilty and remain silent."

McCord and the four Miami men were the ones arrested inside the Watergate offices of the Democratic National Committee early last June 17.

McCord, the former security coordinator of the Committee for the Re-election of the President, said in a letter to the judge in the Watergate trial that persons as yet unnamed had knowledge of the conspiracy and that government witnesses in the trial committed perjury.

McCord and former White House aide G. Gordon Liddy were convicted by a jury after the four Miami men and E. Howard Hunt, another former White House aide, had pleaded guilty.

According to sources close to the case, Hunt visited Rothblatt's four clients at an Arlington apartment during the trial and induced them to join him in pleading guilty.

The sources reported yesterday that Rothblatt intends to

See WATERGATE, A8, Col. 1.

seek a post conviction hearing for the four men to show that Hunt offered them money and a promise of clemency if they would remain silent in the case.



HENRY B. ROTHBLATT
... lawyer for conspirators

To prove this, the sources said, Rothblatt plans to call Hunt and the four Miami men to the witness stand to testify about an alleged meeting at the Arlington Towers apartments in which the arrangements for pleading were reportedly finalized.

According to the sources, Hunt persuaded the men at the meeting to plead guilty and abandon a defense in which they had planned to take the witness stand during the trial and possibly name other persons who had knowledge of the Watergate conspiracy.

The object of a post-conviction hearing, according to the sources, would be to seek a new trial for Rothblatt's former clients on grounds that they pleaded guilty as a result of an obstruction of justice.

If such a hearing were to take place, it would have to be ordered by Judge Sirica, who on Friday made public McCord's letter that alleged such "political pressure" to plead guilty took place in the case.

During the trial in January, Hunt pleaded guilty immediately after the prosecution made its opening presentation in the case.

Several days later, the defendants from Miami—Bernard L. Barker, Frank Sturgis, Eugenio R. Martinez and Virgilio R. Gonzales—pleaded guilty after firing Rothblatt because he refused to agree to change their original pleas of not guilty.

According to sources close to the case, the Miami men had earlier planned to argue that their participation in the Watergate bugging was not illegal because they believed the operation had been countenanced by the White House and former presidential aides at the President's re-election committee.

The sources said that at least one of the Miami men who were recruited by Hunt to participate in the bugging operation and other undercover activities against the Democrats, was prepared to testify that they knew the names of present and former Nixon administration officials who had knowledge of the conspiracy.

The thrust of McCord's letter to Judge Sirica indicates that McCord, too, has such knowledge and is prepared to reveal it. Part of his letter said:

"Perjury 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 these testifying."

Other developments in the Watergate case:

• The federal grand jury that investigated the incident for three months last year will be reconvened on Monday. The first witness will be Liddy, who was sentenced last week to a minimum of six years and eight months in jail.

• Also on Monday the Senate Select Committee investigating the Watergate and related political espionage will meet to determine if all seven committee members can obtain access to the FBI's Watergate files. Currently, only the chairman, ranking minority member and the two top staff aides have access.

• On Friday, McCord will meet in camera with Judge Sirica to discuss McCord's charges that there was political pressure, perjury and other persons in the Watergate operation.

• The Senate Judiciary Committee confirmation hearings on L. Patrick Gray's nomination to become permanent FBI director will be postponed for at least a week. Republican sources in the Senate said there will be an attempt to determine if the White House still supports Gray. Sen. Edward J. Gurney (R-Fla.), a Judiciary Committee member,

told the Associated Press yesterday. "If we are going to seriously consider the nomination of Mr. Gray, then I think we should include consideration of calling Mr. McCord."

Gray's conduct in the Watergate investigation, including the distribution of FBI files to presidential counsel John W. Dean III, has become the focus of the confirmation hearings.

Meanwhile, a subpoena has been issued to California attorney Donald H. Segretti by the Senate's Select Committee. Sen. Lowell P. Weicker (R-Conn.), one of the Committee members, said yesterday that "the subpoena has been issued, but I don't (know) for what date for Segretti's appearance before the Committee."

At least 16 persons have publicly said they were approached or actually hired by Segretti to conduct political spying and sabotage on behalf of the President's re-election against the Democratic presidential contenders.

FBI files show that Segretti was hired and paid at least \$30,000 by Herbert W. Kalmbach, the President's personal attorney, and Dwight L. Chapin, the President's former appointments secretary.

Meanwhile, Senate Republican leader Hugh Scott (R-Pa.) said that President Nixon had personally assured him that "the White House has nothing to hide" in the Watergate case.

The subject came up last Tuesday at the regular weekly meeting the President has with Republican congressional leaders.

Scott quoted the President as saying, "Hugh, I have nothing to hide. The White House has nothing to hide. I repeat, we have nothing to hide and you are authorized to make that statement in my name."

Nixon Campaign Aide Denies Watergate Tie

Herbert L. Porter, an official of President Nixon's re-election campaign, yesterday denied allegations he was connected with the Watergate bugging incident.

A federal judge granted permission Friday for the addition of Porter's name and that of Jeb Stuart Magruder as defendants in the \$3.2 million

civil suit brought by the Democratic National Committee after the June 17 break-in and bugging of its offices in the Watergate building.

"I flatly and categorically deny that I was ever involved in any conspiracy in relation to the Watergate incident, or to any other alleged bugging attempts or incidents, and I

resent being named in this lawsuit," Porter said in a statement issued through the Committee for the Re-election of the President.

Porter said he had testified to the FBI, a grand jury and in federal court "that I had absolutely no prior knowledge of the Watergate bugging incident."

"I have every confidence that, as the facts become known, my name will be stricken from the complaint," he said. Magruder has previously denied any involvement in the Watergate bugging.

In addition to the broadening of the suit to include Porter and Magruder, U.S. District Judge Charles R. Richey also allowed the Democrats to reinstate five of the convicted Watergate defendants, including James W. McCord Jr.

The other four, all of Miami, also were defendants in the Watergate criminal case—Bernard L. Barker, Frank A. Sturgis, Virgilio H. Gonzalez and Eugenio R. Martinez.