

McCord or Mitchell Committed Perjury

Washington

Watergate conspirator James W. McCord has testified under oath that he met or talked almost daily with former Attorney General John N. Mitchell in the spring of 1972, according to Senate sources.

The testimony directly contradicts Mitchell's own sworn statement that he met with McCord only once and had virtually no other contact with him.

McCord's testimony, delivered Wednesday to a Senate select committee investigating the Watergate, can only be interpreted as meaning that either McCord or Mitchell

has committed perjury, Senate sources said yesterday.

In a related development yesterday, co-conspirator G. Gordon Liddy refused to testify before a grand jury and faces contempt of court proceedings Monday. McCord, in his testimony before the Senate panel, said Liddy told him that Mitchell approved plans for the bugging of the Democrats.

TESTIMONY

The Senate sources reported that McCord, the former security coordinator of the Committee for the Re-election of the President, told the committee that he

was in contact with Mitchell "nearly every day," on security problems, either by telephone or in meetings at Mitchell's home and office.

Mitchell, who served as President Nixon's campaign manager and director of the re-election committee from early March to July 1, 1972, said in sworn testimony taken last September 5:

"During my stay at the committee, I met Mr. McCord once, in which he briefed me about the security of the building; and other

than passing him in the hall, that was my only contact with him."

Mitchell's testimony was taken in a deposition to lawyers for the Democratic Party in a civil suit stemming from the bugging.

According to reliable accounts of McCord's testimony, the former Nixon campaign security chief said he was in extensive contact with Mitchell, principally in regard to security arrangements for the former attorney general and his wife. McCord also said he was in frequent contact with Mrs. Mitchell, Senate sources reported.

DISCUSSIONS

On more than one occasion, McCord testified, he and Mitchell also discussed security arrangements for Nixon committee headquarters, the Republican national convention, surrogate candidates for the president and demonstration by radicals.

McCord's assertions were described yesterday as a "blatant falsehood" by DeVan L. Shumway, a spokesman for both Mitchell and the Committee for the re-election of the President. Shumway said Mitchell reaffirmed to him Thursday that he met only once with McCord. (29 MAR 73)

Senate sources said yesterday that they regarded McCord's testimony on his contact with Mitchell as particularly important in that it can be used as an index of the witness's credibility.

"Because we should be able to check some of those things out about the meetings with Mitchell," one source said, "we'll have an idea of how credible his other testimony is."

McCord in no way intimated that he ever discussed the bugging with Mitchell, the sources emphasized.

INVESTIGATION

Senator Birch Bayh (Dem-Ind.), a member of

the Judiciary Committee, asked the Justice Department last October to investigate whether Mitchell had committed perjury on another matter — his testimony on the nomination of Richard G. Kleindienst to succeed him as attorney general. Mitchell testified then that he was in no way involved in President Nixon's re-election campaign until he left his cabinet position in March, 1972.

The Washington Post reported last September that federal investigators said Mitchell, while still attorney general, was among those who controlled a secret campaign fund that financed the Watergate bugging.

"If the allegations in the Post are accurate, we are confronted with the unfortunate but inescapable fact that the attorney general of the U.S. committed perjury before a committee of the U.S. Senate," Bayh said.

Months before Bayh's statements, on June 27, 1972, the Senate Judiciary Committee unanimously requested that Justice examine the complete transcript of the Kleindienst hearings and "conduct a thorough investigation of conflicting testimony contained therein and take appropriate action where it is determined that perjury has been committed . . ."

Justice Department sources have told the Washington Post that the investigation has been stalled by inaction at the highest levels of the FBI and Justice Department.

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