

NYTimes SEP 15 1973

# 4 Watergate Burglars Ask To Shift Plea to Not Guilty

By The Associated Press

WASHINGTON, Sept. 14—Four of the original seven Watergate defendants contended before a Federal judge today that they had been deceived into pleading guilty, and asked to change their pleas to not guilty.

In a petition filed with United States District Court Judge John J. Sirica, the four men said they had pleaded guilty to keep from exposing secret national security operations in which they took part.

They asked for a jury trial if Judge Sirica allows them to change their pleas.

They said they had been the victims of "a cruel fraud initially perpetrated on them to obtain their participation in the Watergate activities."

The four, who pleaded guilty last Jan. 15 and have been awaiting sentencing, are Bernard L. Barker, Frank A. Sturgis, Virgilio R. Gonzalez and Eugenio R. Martinez. They were arrested on June 17, 1972 inside the Democratic National Committee headquarters with James W. McCord Jr., who was convicted in the original trial.

Judge Sirica had sentenced the men provisionally to the maximum terms pending review.

The pleas were to charges

Continued on Page 17, Column 3

Continued From Page 1, Col. 6

of conspiracy, burglary and wiretapping carrying a maximum prison term of 55 years and fines of up to \$50,000.

On Jan. 15, the second week of their trial, the four men dismissed their original lawyer, Henry B. Rothblatt, who refused to let them plead guilty. The court assigned a lawyer to handle the guilty pleas and the four men later hired an attorney, Daniel Schultz, who filed today's motion.

### Close Questioning

At the time of the pleadings, Judge Sirica closely questioned each man about whether any promises had been made to induce the plea or whether anyone had threatened or coerced such a plea.

Each man answered no.

"I want to be very careful all of you know what you are doing," the judge said. "If I'm not convinced you are doing this knowingly, voluntarily and without coercion than I don't have to accept the plea."

In the end, he did accept it.

E. Howard Hunt Jr. had pleaded guilty a few days before the four men did. The other two defendants, G. Gordon Liddy and McCord, stood trial and were convicted by a jury.

Liddy has appealed his conviction to the United States Court of Appeals.