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Court Frees Hunt, Barker For Appeal

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The U.S. Court of Appeals yesterday released convicted Watergate conspirator E. Howard Hunt and burglar Bernard L. Barker on personal bond pending the outcome of their appeals for a new trial.

In brief orders signed by clerk Hugh E. Kline, the Appeals Court ordered the men to report to the probation office of the U.S. District Court here to surrender to the U.S. marshal for the District "when properly called upon to do so" and to notify officials of changes of address or phone.

Hunt is the former White House aide sentenced on November to serve 2½ years for his role in the burglary and wiretapping of Democratic national headquarters at the Watergate. He was ordered to maintain his residence at 11120 River Rd., Potomac, Md.

Barker, a Miami resident who recruited three other

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Miami men for the Watergate bugging, was sentenced to serve 18 months to six years and stands to be eligible for parole in June. He was ordered to stay with his wife at their Miami residence.

Daniel Schultz, lawyer for Barker and the three other Cuban-Americans, said all four are being held in the federal penitentiary at Eglin Field, Fla. Schultz said he requested a delayed decision on motions for release pending appeal by the other three men because they are eligible for parole Jan. 7.

Intertwined with the legal actions yesterday was the family situation of Hunt, whose wife died in a plane crash Dec. 8, 1972, leaving four children to be reared by a father who was sentenced to prison last March 22.

"His family has just deteriorated so drastically, they need some adult," William A. Snyder, Jr., Hunt's lawyer, said yesterday.

Snyder said that Lisa, 22, and Howard St. John, 19, are renting an apartment in suburban Kensington, Md. He

said Kevan, 21, is a student at Smith College in Northampton, Mass., while David, 10, is in Miami with his godfather, Dr. Manuel Arttime, a leader of the abortive 1961 Bay of Pigs invasion.

Snyder did not anticipate any delay in Hunt's release. For Barker, release may not come until the end of next week at the earliest, according to David Schultz, his lawyer.

"He has to be transported to the District and processed up here," the attorney, Schultz, said. "There are also medical problems that

might delay transfer."

Barker, Schultz said, has experienced some "facial paralysis." "It could be a stroke. It could be anything," he said. "We don't know the reasons."

Schultz described Barker's family as "all very happy, very pleased (about the release). We didn't have much hope for Barker." The appeal by Barker, who has spent more than a year in prison, and the three other convicted burglars is from the refusal of U.S. District Court Chief Judge John J. Sirica to let them withdraw their guilty pleas and have a jury trial.

The men pleaded guilty last Jan. 15, Schultz said, "on the belief they had at that time that they couldn't disclose information or present their own defense for national security reasons."

Hunt's appeal is more complex. According to Snyder, his lawyer, it is based on what he considers a threat by Sirica of a harsh sentence unless Hunt cooperated with prosecutors, and on disclosures after the plea that some of Hunt's files had been destroyed by former White House aide John Dean III and by former FBI director L. Patrick Gray III.



By James K. W. Atherton—The Washington Post
E. HOWARD HUNT—Medical problem cited.