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**McCord Links Conviction  
To 'Crime' by President**

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WASHINGTON, March 8—James W. McCord Jr., the convicted Watergate conspirator, has accused President Nixon of having "fatally infected" his trial proceedings early last year by suppressing and concealing evidence of the Watergate cover-up.

In a three-page letter written yesterday and mailed to The New York Times and other

*Text of McCord statement is printed on Page 10.*

news organizations, Mr. McCord based his complaint on what he termed Mr. Nixon's "fantastic admission" during his news conference Wednesday night at John W. Dean 3d told him on March 21, 1973, that his money payments had been made to the original Watergate defendants.

Mr. McCord alleged that President Nixon had "deliberately concealed and suppressed for one year from me and the court the facts made known last night." That act, Mr. McCord said, was in violation of Federal laws requiring knowledge of the commission of a felony to be reported to the appropriate authorities.

His letter added: "President Nixon neither immediately made known to Judge [John J.] Sirica [of the United States District Court] nor to his Attorney General, nor to the director of the F.B.I., nor to the prosecutors, the obstruction of justice information given him by Dean on March 21."

In a subsequent telephone interview, Mr. McCord angrily declared that "if the justice system was working the way it should, Nixon and Dean should have walked over to Judge Sirica's office and told him there had been obstruction of justice because there had been money payments to keep the defendants quiet."

Mr. McCord, who has appealed his conviction, contended that the President's alleged failure to report the hush payments was relevant to his case because of a letter Mr. McCord wrote describing for the first time the broad scope of the cover-up. The letter was opened and read by Judge Sirica on March 20, the day before the Nixon-Dean meeting

and three days before Mr. McCord was to be sentenced.

Judge Sirica made the McCord letter public on March 23, a development that stunned the White House and, as subsequent Senate Watergate

**Continued on Page 10, Column 3**

**Continued From Page 1, Col. 7**

committee testimony revealed, served as a catalyst in unwrapping the cover-up. As a result of the letter, Judge Sirica delayed sentencing Mr. McCord and ordered him to begin testifying before the Watergate grand jury.

With his letter and interview, Mr. McCord acknowledged that he had deliberately violated Judge Sirica's order issued last September forbidding him to make speeches, write articles or in any other way to speak out on the case.

"I've got the right of self-defense," Mr. McCord said in the interview. "This is evidence of the President committing a crime which is drastically affecting my case. I'm boiling mad."

At his news conference Wednesday, President Nixon recalled the Dean meeting on March 21 and said, "For the first time he told me that payments had been made to defendants for the purpose of keeping them quiet, not simply for their defense."

That characterization of the session contrasted with what Mr. Nixon had said about the Dean meeting at a news conference last Aug. 15. At that time he said:

"I was told then that funds had been raised for payments to the defendants with the knowledge and approval of persons both on the White House staff and at the re-election committee. But I was only told that the money had been used for attorneys' fees and family support, not that it had been paid to procure silence from the recipients."

The discrepancy was brought to the attention of the White House yesterday during the routine morning news briefing, but officials there refused to comment.

#### Ellsberg Case Recalled

In his letter, Mr. McCord noted that a criminal case against Dr. Daniel Ellsberg was dismissed last May in Los Angeles after government wrongdoing had been disclosed. Mr.

McCord said that if the President had told the district court about the hush payments the original Watergate convictions "would have had to be thrown out on the same grounds as in the Ellsberg case."

Bernard Fensterwald, Mr. McCord's attorney, refused to comment on the letter, although he said that he had not been consulted in advance about it.

Neither the White House nor the special Watergate prosecutor's office had an official comment on Mr. McCord's accusation.

In his letter last March, Mr. McCord said that he had not cooperated in the investigation because he lacked confidence in the F.B.I., the Justice Department and the grand jury.

Mr. McCord now operates a private security concern in suburban Washington pending the outcome of his appeal.

Last May, he publicly charged in a memorandum sent to Federal and Senate investigators that pressure had been applied to him on two occasions to assert that he and his fellow Watergate conspirators had been working on a covert operation for the Central Intelligence Agency at the time of their arrest inside the Democratic headquarters in the Watergate complex on June 17, 1972.

The cover-up indictment returned by the Watergate grand jury last week accused high-level White House aides of attempting to force the C.I.A. to begin making the hush payments.

Mr. McCord served 20 years with the C.I.A. and, after his retirement in 1971, he joined the Republican re-election committee as chief of security. He was dismissed after the Watergate break-in.