McCord Asks Vacated Conviction

Washington Post Staff Writer By Jules Witcover

gate defendants. money was paid to Waterhe had been failing a year ago to report Nixon tainted the case by cate McCord's conviction on Judge John J. Sirica to va-Jr. yesterday formally asked the ground that President U.S. District Court Chief spirator James W. McCórd Convicted Watergate contold hush

here, McCord requested an six others "to testify about be issued to Mr. Nixon and matter and that subpoenas tions of justice in this case." the various alleged obstrucevidentiary hearing on the in a detailed brief filed

the hush money had been containing conversations in-John W. Dean III told him then-White. House counsel March 21, 1973, discussion in which Mr. Nixon has said specific White House tapes subpoenas be issued for six key aides, including the volving the President and McCord also asked that

on the part of the court to been paid . . . there would have been as absolute duty land, that hush money had aware by the highest law enforcement offictr in the as of that date, and especialbreak-in defendants were ly had the court been made and the other Watergate Two days after that dis-

> ment," the motion said. vacate (McCord's) conviction

ment,"t'he motion said. or dismiss the and either order a new trial cate (McCord's) conviction scheduled for sentencing by the highest law enforce-"Had the court been aware the part of the court to vabeen an, absolute duty on that hush money had been ment officer in the land ... there would have incident-

quiet, not simply for their defense." purpose of keeping them ence that Dean told him on in his March 6 press conferto the defendants for the to the President's admission "payments had been made March 21, viction thrown out was the last week to draw attention McCord had made in the latest of a series of moves The bid to have his con-1973,

reporting that knowledge to constitutional duties in not proper authorities. lated federal law and on the grounds that he viomal petition to the House impeachment of Mr. Nixon Judiciary Committee for the On Monday, he sent a forhis

statement was a direct con-tradiction of what he said last Aug. 15 in a televised that it had been paid to profees and family support, not had been used for attorney's talk.Then he said he was "only told that the money The President's March 6



JAMES W. McCORD JR. . . . seeks subpoenas

ents." cure silence from the recipi-

crime, and obstruction of justice. amounted to tampering with scheduled sentencing a year he hush-money payments Watergate Mr. Nixon's failure to ago that he had been told of Judge Sirica prior to the McCord has charged that defendant, a defendants' federal

ick C. LaRue, former deputy to John N. Mitchell at the re-election committee, and William Bittman, lawyer for conchief of staff, H. R. (Bob) tion of the President, Frederand Paul O'Brien, lawyers for the Committee for the Re-elec-Haldeman, Kenneth Parkinson the court to subpoena are Dean, former White House The others McCord asked

E. Howard Hunt Jr. victed Watergate conspirator the second filed by McCord

asked for \$120,000. \$75,000 to Hunt, the Watergate cover-up, it is alleged that after the Nixon-Mitchell, who in turn called March 21, 1973, attended by Dean White House meeting of and five other Nixon aides in against Haldeman, Parkinson Haldeman, Haldeman phoned LaRue and told him to deliver In the March 1 indictment who had

seek a new trial.

March 1, that Hunt "was not a problem" any longer." Ehrlichman, next day Mitchell assured White House aide John D. That same night, the indictment alleges, LaRue delivered the money to Bittman, and the also indicted

a Nixon-Ehrlichman talk on silence the defendants, and concerning Ehrlichman's ason or about April 15, 1973 ical pressure was applied to McCord's celebrated letter signment to work on Waterto Sirica claiming that politwhich allegedly concerned and 23, 1973, the last of versations of March 17, 21 cover-up; Nixon-Dean conhas said they discussed the on Watergate matters; a the next day in which Dean dr. Nixon, Haldeman and Nixon-Dean conversation of Dean's assignment to work Feb. 27, 1973, concerning Ehrlichman on or about The other tapes sought in-

Yesterday's motion was

the motion said.

overturn his conviction or Watergate break-in team, to and wiretap expert on the Nixon re-election committee security officer for the

in prison. He is now free on bond pending appeal. tenced to one to five years a hearing last Nov. 7. Two motion was denied without days later McCord was sentice" had denied him use of "massive obstruction of jusoperation by high that he was enticed into the the enticement defense. The ment officials and then a Last June 8 he argued govern-

hearing, McCord said money had been paid a year form the court, warrant the ago and his failure to sion that he knew hush on's press conference admis-This, coupled with Mr. Nix-Watergate was dispensed to purchase jury in the March 1 indictment "that at least \$402,000 justice has come to light"— an allegation by the grand the silence of the original evidence of obstruction of the court yesterday, "new Since Nov. 7, McCord told defendants."

annals of American law," a struction of justice in the most flagrant example of obmemorandum Senate Watergate hearings, others detailed in last year's "constitute perhaps These developments, and