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Watergate Accused Ask Delay

Attorneys for three defendants in the Watergate cover-up trial asked the U.S. Court of Appeals yesterday for a further delay in the trial, now scheduled to begin Oct. 1, because of publicity about the pardon of former President Nixon.

Former White House aide John D. Ehrlichman's attorneys asked for a continuance "for such a period of time as necessary for the inflamed passions of the community to cool" while attorneys for former White House aide H.R. (Bob) Haldeman and former Attorney General John N. Mitchell jointly asked for a delay "until such time as the present inflammatory atmosphere of guilt subsides so as to permit a fair trial by a truly impartial jury."

Defense attorneys renewed their requests for delay on grounds of prejudicial publicity after President Ford's pardon of former President Nixon eight days ago, but the request was denied by U.S. District Court Judge John J. Sirica last Thursday after closed hearings. The attorneys are now asking the Court of Appeals to order Judge Sirica to grant a further delay.

The attorneys said that the resignation of Mr. Nixon and his subsequent pardon implied his guilt and thus that of other defendants in the cover-up case.

Meanwhile yesterday the Watergate special prosecutor's office asked that a subpoena from Ehrlichman to the White House for various documents be blocked because it was not properly issued.

The prosecutor's office, saying it was acting on behalf of the Secret Service, said that the pretrial subpoena had not been approved in advance by Judge Sirica and therefore should not be honored.