

WXPost SEP 26 1974

# Haldeman Renews Trial Delay Bid

By George Lardner Jr.  
Washington Post Staff Writer

Former White House chief of staff H. R. (Bob) Haldeman moved again yesterday for postponement of the Watergate cover-up trial because of what he called "highly prejudicial" publicity on CBS-TV and in The Washington Post.

Haldeman took issue with news reports concerning an April, 1973, conversation he had with former President Nixon about the Watergate scandal.

The former President was quoted as saying that 1972 Nixon campaign deputy Jeb Stuart Magruder, who had started talking to government prosecutors at that point, was "supposed to lie like hell." Haldeman was reported to have replied, "Yeah, but I'm not sure he is now."

In a motion filed with U.S. District Court Judge John J. Sirica, Haldeman's lawyers called for dismissal of the cover-up indictment against him, or at least an indefinite continuance in the trial, which is scheduled to start Tuesday.

Haldeman said in an accompanying affidavit that some of the statements in the news reports were factually incorrect. He said some of the direct quotations had words omitted, others were "out of sequence or context," and others were attributed to wrong dates.

Asked to elaborate, one of Haldeman's lawyers, Frank H. Strickler, said he could not because of the blanket ban Judge Sirica imposed last spring on public statements about the case.

But another defense attorney in the cover-up case, who

declined to be identified, said that the reported exchange took place on April 26, 1973, rather than April 25 as first reported.

In their motion, Haldeman's lawyers protested that the reports were "highly prejudicial to him" in any event. They said that "the direct and indirect publicity he has received is continuing without letup during this crucial week before the trial."

Haldeman also complained of another article in yesterday's editions of The Washington Post about vice-presidential nominee Nelson A. Rockefeller's testimony at his Senate confirmation hearings Tuesday.

Rockefeller said that former President Nixon's acceptance of a pardon earlier this month for any federal crimes he may have committed in office was "tantamount to admitting guilt." At the same time, Rockefeller endorsed the pardon and declined to criticize President Ford for agreeing to let Mr. Nixon keep his White House papers.

In other developments, Sirica denied a long-standing demand by former White House aide John D. Ehrlichman for what Sirica called "a tremendous array of materials."

Making public a 12-page list of documents and transcripts of tape recordings that have already been made available to the defendants, Sirica held that Ehrlichman's request was too broad and that much of what he was seeking "would appear to be irrelevant."

Sirica said he had no doubt that Watergate prosecutors would supply defense lawyers with all that was required under court rules.

Meanwhile, technicians began preparing the judge's courtroom for the trial. Officials said the equipment will include earphones for jurors, defendants, lawyers, members of the press and spectators to use when the tapes of subpoenaed presidential conversations are played.