

**M'CORD CONVICTION IS UPHELD BY COURT**

WASHINGTON, Dec. 13 (AP)

The United States Court of Appeals for the District of Columbia upheld Thursday the conviction of James W. McCord Jr., a Watergate burglar who contended that perjured testimony had prevented a fair trial.

The court also upheld United States District Judge John J. Sirica in suspending the execution of G. Gordon Liddy's Watergate sentence while he served a separate contempt sentence.

Mr. McCord contended that two Republican campaign officials, Jeb Stuart Magruder and

Herbert L. Porter, had admitted giving perjured testimony at Mr. McCord's trial, that L. Patrick Gray 3d, then acting director of the Federal Bureau of Investigation and others had destroyed evidence.

Mr. McCord also sought a new trial because of "other newly discovered evidence, largely on the various tape recordings of conversations between former President Nixon and his subordinates."

The court said the newly discovered evidence "is simply not relevant at all to the basic issues at his trial: did he or did he not break into the offices of the Democratic National Committee with the intent to install or remove wiretaps in connection with other individuals."