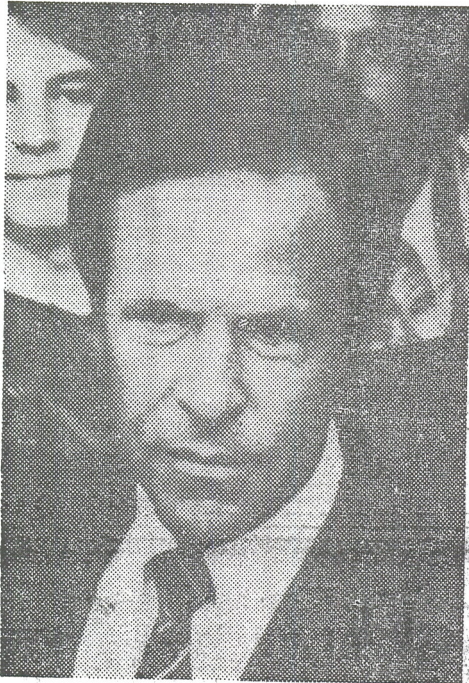
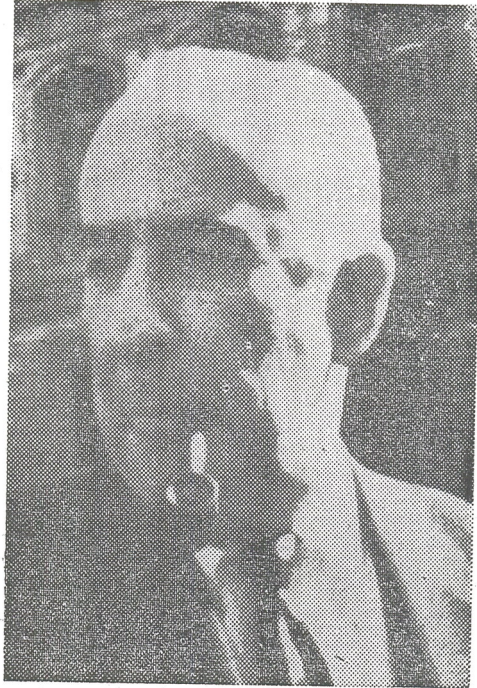
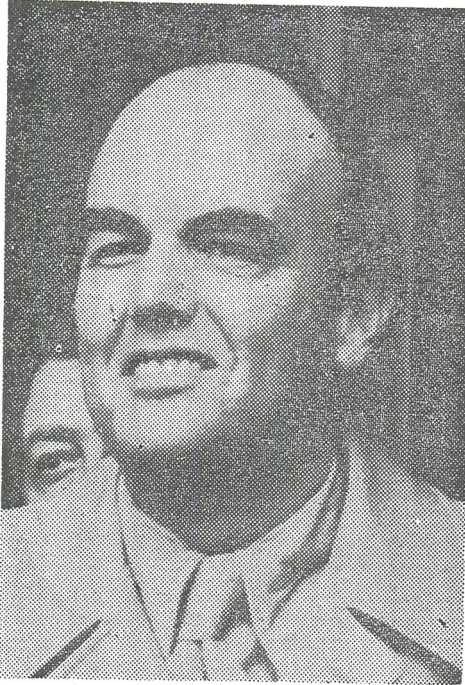


# MITCHELL, HALDEMAN, EHRLICHMAN ARE SENTENCED TO 2½ TO 8 YEARS, MARDIAN TO 10 MONTHS TO 3 YEARS



The New York Times, United Press International, ABC News and Associated Press

In Washington after being sentenced yesterday were, clockwise from top left, John D. Ehrlichman, John N. Mitchell, Robert C. Mardian and H. R. Haldeman.

## ALL WILL APPEAL

### Sirica Sets Penalties for 4 Convicted in Watergate Case

By LESLEY OELSNER  
Special to The New York Times

WASHINGTON, Feb. 21—John N. Mitchell, H. R. Haldeman and John D. Ehrlichman, three of the most powerful men in the nation during the Nixon Administration, were sentenced today to serve two and a half to eight years in prison for their roles in the Watergate cover-up.

Robert C. Mardian, a former Assistant Attorney General, who was convicted with the others last New Year's Day after a three-month trial, was sentenced to 10 months to three years.

Judge John J. Sirica of Federal District Court imposed the sentences at the United States Courthouse. He did so quietly and with little emotion, addressing the defendants one by one, in a brief, somber and tense proceeding.

The four men were convicted of conspiring to obstruct justice in the original Watergate investigation through such means as paying "hush money" to the Watergate burglars in return for their silence about the break-in of the Democratic National Committee headquarters at the Watergate office and apartment complex on June 17, 1972. All but Mr. Mardian had also been convicted of obstruction of justice as well, and in addition, various counts of lying under oath.

**'Serious Thought'**

"This Court has, for many

days now, given careful and serious thought to what the proper sentences to impose in this case should be," Judge Sirica said as he began to announce his decision.

"It is the intention of the Court that the defendant will serve not less than 30 months and not more than eight years," he said a few minutes later, talking to Mr. Mitchell, the former Attorney General. Then he said it again to Mr. Haldeman, the former White House chief of staff, and then to Mr. Ehrlichman, who was President Nixon's chief adviser for domestic affairs.

Maurice H. Sigler, chairman

of the Federal Parole Board, said the four men would be eligible for parole after serving the minimum sentence.

Mr. Mitchell and Mr. Haldeman faced a possible maximum sentence of 25 years because of their conviction on five counts—conspiracy, obstruction of justice and three counts of lying under oath.

Mr. Ehrlichman faced a possible maximum of 20 years for conviction of conspiracy, obstruction and two counts of lying under oath. Mr. Mardian faced a possible maximum sen-

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tence of five years because of his conviction on one conspiracy count.

All the defendants also faced possible fines, ranging from \$37,000 for Mr. Mitchell to \$10,000 for Mr. Mardian. Judge Sirica imposed no fines.

The sentencing does not mark the end of the Watergate affair, nor does it mean that the four men will enter prison once or even ever, because all four plan to appeal. The appellate process could take two years.

Judge Sirica told the defendants that they could remain free on "personal recognizance"—without providing a money bond—pending appeal.

Should the appeals be unsuccessful, the defendants can then apply to the court for reductions of sentence, or to the executive branch for Presidential pardons.

Yet the sentencing was historic, a further step in resolving the most extensive political scandal in the nation's history. The four men who stood before Judge Sirica this morning were the highest former officials to be convicted in the scandal, and their sentences—although less than the maximum possible—were substantially higher than most of the Watergate-related sentences to date.

The proceeding had the drama to match the occasion.

Among other things, the proceeding was marked by a statement by Mr. Haldeman's attorney, John J. Wilson, that "whatever Bob Haldeman did, so did Richard Nixon," by a request on behalf of Mr. Ehrlichman that he be ordered to help 6,000 Indians in northern New Mexico rather than be sentenced to prison, and by a



The New York Times/John Hart  
Men convicted in the Watergate cover-up case and their lawyers lining up as Judge John J. Sirica pronounced sentences

large crowd of spectators and would-be spectators who began to line up at the courthouse door late last night.

#### Judge Overheard

There were no outbursts from the defendants or their relatives. But there was a warning by Judge Sirica during a bench conference that Mrs. Mardian, the only one of the wives to attend the proceeding, should refrain today from the type of response she made on New Year's Day, when she gave a Bronx cheer after the verdict was announced.

Mr. Mitchell, the only one of the four to comment on the sentencing, told reporters on the elevator from the courtroom:

"It could have been a hell of a lot worse. They could have sentenced me to spend the rest of my life with Martha."

The sentencing was supposed to start at 9:30 A.M. By 9 o'clock, however, the various persons involved in the case began entering the courtroom — defendants, defense lawyers, prosecutors, reporters. Some greeted one another cheerfully,

the proceeding being something of a reunion between people who had been together almost daily for three months and had not seen one another for almost two months. Others, such as Henry S. Ruth Jr., the special Watergate prosecutor, were quiet and serious-looking.

At 9:29 by the courtroom clock, Judge Sirica entered. He called the lawyers to the bench and some of his remarks could be heard in the spectator section. He said of Mrs. Mardian, "She should be cautioned." And then, "That's not to happen again."

The bench conference over, one of Mr. Mardian's attorneys, Thomas C. Green, passed a note to Mrs. Mardian.

Judge Sirica asked the defendants and their counsel to stand before him. They did, forming a long line.

The judge began to read the short statement that he had prepared about the sentences he was to hand out. Then he caught himself, and stopped. In the traditional manner, he said that defendants and defense

counsel could make any state their views of the appropriate sentence.

Mr. Mitchell declined. William G. Hundley, who with Plato Cacheris represents the former Attorney General, said that he and Mr. Mitchell had provided all relevant material to the probation officer who prepared a presentence report for the judge.

#### 'A Difficult Time'

"Since sentencing is a difficult time not only for us but for the Court, and since I don't think there is anything to add to it that hasn't already been said, I would just as soon not prolong the difficulties and move on," Mr. Hundley said.

Mr. Haldeman was next in line. He declined to speak, but Mr. Wilson accepted the judge's offer.

Mr. Wilson said that he considered the opportunity a "meaningless one," in that judges generally have decided on the sentences before they walk into court on sentencing day. He was, he said, going to speak of what he "hoped"

Judge Sirica had done in reaching his decision.

Mr. Wilson noted that Mr. Haldeman had "never before" been in trouble. Then he turned to the relationship between Mr. Haldeman and Mr. Nixon, who was pardoned by President Ford last September, a month after resigning the Presidency, and thus escaped prosecution.

"I hope that Your Honor considers whatever Bob Haldeman did, he did not for himself but for the President of the United States; that the virtue of loyalty is not to be forgotten when evaluating all the attending circumstances; that he was caught up in a maelstrom that engulfed a lot of other good people," Mr. Wilson said.

He remarked that Judge Sirica had a power "not dissimilar from that of pardon, that whatever Bob Haldeman did, so did Richard Nixon."

"Nixon has been freed of judicial punishment. Yet Bob Haldeman has had to endure agony and punishment by the trial and conviction.

"This is not to say that Nixon has not suffered agony and punishment of a kind, but, while Bob Haldeman was not toppled from the highest office in the land, he was toppled from the highest office that he had achieved and, as a human being, he has suffered at least the equivalent of what Richard Nixon has suffered."

Judge Sirica did not comment on Mr. Wilson's remarks. He merely asked the prosecution whether it wished to reply, and Jill Wine Volner, an assistant special prosecutor, said that it was the prosecution's policy not to make recommendations regarding sentencing.

Next came the Ehrlichman defense. Mr. Ehrlichman, whose daughter, Jan, was in the spectator section, did not speak. But Ira M. Lowe, a local lawyer known for his interest in radical causes and who was recently retained by the defendant, did speak.

Mr. Lowe started by saying that he was "not making an appeal for leniency," nor asking that Mr. Ehrlichman "be

placed on probation." His client, Mr. Lowe said, "requests no less than a strict sentence for a period of time to be determined by Your Honor."

The sentence Mr. Ehrlichman requested, however, did not involve prison. Mr. Lowe proposed that Mr. Ehrlichman, who worked as a lawyer specializing in land use before going to the White House, be sentenced to help the 6,000 Indians in the "eight northern pueblos in the area of Espinola, New Mexico."

As Mr. Lowe described it, Mr. Ehrlichman had sought in recent weeks to determine "what he could do to comport with the old Hassidic command of a good deed for a bad."

Mr. Ehrlichman has met the chieftain of one of the pueblos, Mr. Lowe said, and has learned that the Indians needed help with legal problems involving such things as setting up a system of land ownership. Mr. Lowe said the Indians

could conceivably hire a law firm, but that was expensive and, in any event "it is not the same as being on the reservation."

One of the now-famous phrases of Watergate, heard over and over on the White House tapes that were played at the trial, was "keeping them on the reservation"—a phrase used by various participants in the cover-up when talking of the need to keep the Watergate burglars from telling the full truth about the burglary.

Thus, after Mr. Lowe's remark, there was some barely suppressed laughter and snickering in the spectator section.

Mr. Lowe said that the Indian chieftains were eager to have Mr. Ehrlichman and his expertise. He justified his request by pointing to the widely held view among many penologists that imprisonment was often it the appropriate sentence and that it could be damaging and unnecessary.