

## Hammer Enters Plea

### In Nixon Fund Case

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WASHINGTON, Oct. 1—Armand Hammer, the millionaire oilman and art collector who pioneered in United States-Soviet trade, pleaded guilty in Federal District Court today to three misdemeanor charges of making illegal contributions in the names of other persons to the 1972 Nixon re-election campaign.

Dr. Hammer also admitted that he subsequently concealed the illegal contributions, which totaled \$54,000, by lying to the Senate Watergate committee and by agreeing to use yet another person as the "fictitious source" of the funds—an agreement that led to the execution of a "sham promissory note" to

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that person.

These acts were not essential elements of the three misdemeanors to which Dr. Hammer pleaded. However, the special Watergate prosecutor apparently insisted on Dr. Hammer's admission as a condition of the plea bargain.

In court this morning, Thomas F. McBride, the assistant special prosecutor handling the case called the judge's at-

tention to the portions of the information that described these acts.

"It was important for the Government, the prosecutor's office, that the admission be part of the proceedings" even though the acts were not "essential elements," Mr. McBride told Chief Judge William B. Jones of the United States District Court.

"In terms of the exercise of the court's discretion in further proceedings," Mr. McBride said, it was "important" for the court to know "exactly what Mr. Hammer did."

Dr. Hammer, who is 77 years old, is the president of the Occidental Petroleum Corporation and a doctor of medicine.

Judge Jones almost refused to accept the guilty plea, be-

cause of Dr. Hammer's failure, at first, to answer affirmatively when he was asked whether he understood that his plea might subject him to as much as three years in prison.

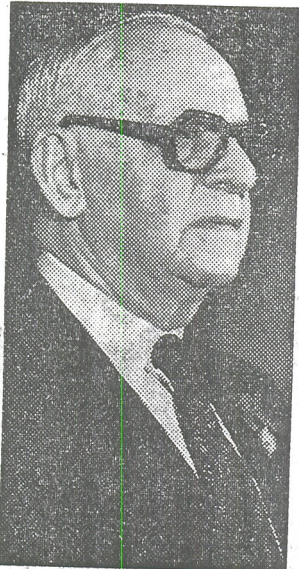
#### Maximum Penalty

The three charges against Dr. Hammer were each violations of the Federal provision that prohibits making a contribution in the name of another person, Section 440 of Title II of the United States Code. The next section, 441, specifies that the maximum penalty for each offense is one year in prison, a \$1,000 fine, or both.

Section 44 goes on to note that, in the case of a conviction where no prison sentence is imposed, the conviction shall be considered a misdemeanor.

The prosecution contends that this provision is irrelevant to a situation in which a prison sentence is imposed; some defense lawyers, however, contend that it means that, when someone is charged with a violation of Section 440 as a misdemeanor, he cannot be sentenced to prison.

The United States Court of Appeals for the District of Columbia is considering an appeal based on just this contention—brought by former Gov. Tim M. Babcock of Montana, who was sentenced to four months in prison last December after pleading guilty to a charge that he had illegally channeled the \$54,000 involved in today's case to the Nixon committee.



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Dr. Armand Hammer