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FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
DELETED PAGE INFORMATION SHEET  
FOI/PA# 1289436-0

Total Deleted Page(s) = 6  
Page 36 ~ Referral/Direct;  
Page 37 ~ Referral/Direct;  
Page 39 ~ b6; b7C;  
Page 43 ~ Referral/Direct;  
Page 44 ~ Referral/Direct;  
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~~SECRET~~ - AIR COURIER

Date: April 5, 1952  
To: Legal Attache  
Havana, Cuba  
From: John Edgar Hoover, Director  
Federal Bureau of Investigation  
Subject: BERNARD LEON BARKER, JR.  
SPECIAL INQUIRY  
DEPARTMENT OF STATE

There are attached photostatic copies of Department of State documents concerning the citizenship case of Bernard Leon Barker, Jr., who is presently employed by the Cuban National Police, Havana, Cuba. As can be noted here, the question has arisen as to whether Barker had forfeited his American citizenship by seeking employment and/or taking an oath of office with the National Police of Cuba. As can be further noted from the attached material, there are two conflicting statements both made by police officials, either presently associated with, or formerly associated with the National Police; one claiming that only citizens of Cuba are employed, and the other stating that aliens are on numerous occasions employed. There is also attached a copy of a certificate supplying identifying data concerning Barker.

The Department of State has made an inquiry of the Bureau to determine from an appropriate authority of the National Police of Cuba the true facts in the case of the employment of Barker. Mrs. Ruth B. Shipley, Chief, Passport Division, is very much interested in the outcome of this case and desires to have the

- Tolson \_\_\_\_\_
- Ladd \_\_\_\_\_
- Nichols \_\_\_\_\_
- Belmont \_\_\_\_\_
- Clegg \_\_\_\_\_
- Glavin \_\_\_\_\_
- Harbo \_\_\_\_\_
- Rosen \_\_\_\_\_
- Tracy \_\_\_\_\_
- Mohr \_\_\_\_\_
- Tele. Rm. \_\_\_\_\_
- Nease \_\_\_\_\_
- Gandy \_\_\_\_\_

Enclosures (5)

RRR:lw

cc - Foreign Service Desk (Detached)

APR 9 - 1952  
COMM - FBI

*PK*

*WPK*

*013*

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EX-991

authenticity of the matter checked before passing judgment upon the matter of loss of citizenship. The Department of State desires that an authentic statement be obtained from an appropriate authority of the National Police correctly and fully setting forth the facts in the case of Barker. The Department of State also desires that this case not be mentioned or discussed with the Embassy, as the action requested of the Bureau is over and above that previously taken by the Passport Office at the Embassy.

A search of the Bureau's records failed to reveal any identifiable data concerning Barker.

In compliance with the Department of State inquiry, you are requested to make appropriate, discreet inquiry of appropriate authorities in the National Police and obtain if possible a statement from them regarding the employment of Barker. This statement should particularly relate to the matter of whether he, as an American alien, could be employed without losing his status as an American citizen or whether he must of necessity take an oath of allegiance to the Cuban Government.

This matter should be handled expeditiously and discreetly and under no circumstances should a representative of the Embassy be informed of the request received from the Department of State.

- Telephon \_\_\_\_\_
- Ladd \_\_\_\_\_
- Nichols \_\_\_\_\_
- Belmont \_\_\_\_\_
- Clegg \_\_\_\_\_
- Glavin \_\_\_\_\_
- Harbo \_\_\_\_\_
- Rosen \_\_\_\_\_
- Tracy \_\_\_\_\_
- Mohr \_\_\_\_\_
- Tele. Rm. \_\_\_\_\_
- Nease \_\_\_\_\_
- Gandy \_\_\_\_\_

# Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. D. M. LADD

DATE: April 4, 1952

FROM : A. H. Belmont

b6  
b7C

SUBJECT: BERNARD LEON BARKER, JR.  
SPECIAL INQUIRY  
DEPARTMENT OF STATE

- Jolson \_\_\_\_\_
- Ladd \_\_\_\_\_
- Clegg \_\_\_\_\_
- Glavin \_\_\_\_\_
- Nichols \_\_\_\_\_
- Rosen \_\_\_\_\_
- Tracy \_\_\_\_\_
- Harbo \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Nease \_\_\_\_\_
- Gandy \_\_\_\_\_

*Handwritten:* Bernardo Leon Barker Jr

There are attached copies of Department of State documents concerning the alleged expatriation of Bernard L. Barker, Jr., who was an American citizen residing in Havana, Cuba, and employed by the National Police of Cuba.

Mrs. Ruth B. Shipley, Chief, Passport Division, Department of State, contacted Mr. Roach and supplied the attached material with the request that the Bureau's representative in Havana make appropriate inquiry with his contacts in the National Police in Havana to determine whether under Cuban law and police regulations Barker must have renounced his American citizenship before obtaining employment with that organization. Mrs. Shipley stated that she desired to have the Bureau check this matter for her as a personal favor as she states that the information she has received from the American Embassy in Havana is rather confusing and does not believe it reflects the true facts in this case.

*Handwritten:* 67-369375

The attached documents reflect that Barker has been employed by the National Police of Cuba in Havana. One statement from a police official reflects that the National Police employ only Cuban citizens, while another document executed by an ex-Chief of the Judiciary Police of Cuba reflects that the police on numerous occasions hired aliens to do certain types of work and if this be the case, Barker would not have forfeited his American citizenship although employed by the National Police. There is also attached a copy of a certificate which allegedly shows the loss of American citizenship of Barker.

In a copy of a letter from Barker to an attorney in Havana, a copy of which is attached, Barker relates that he worked very closely as a member of the National Police with \_\_\_\_\_ the FBI. He also relates that in his work with the Cuban Police Department he worked on behalf of American interests.

b6  
b7C

A search of the Bureau's records failed to reveal any identifiable data concerning Barker.

Attachments (6)

*Handwritten:* RRR:lw

**RECORDED - 66**  
**SE 38**  
**INDEXED - 65**

*Handwritten:* 62-96936-1

APR 11 1952  
31

*Handwritten:* ROACH

As you know, Mrs. Shipley has been very helpful in handling matters of interest to the Bureau and as a matter of reciprocity, she desires that the Bureau's Legal Attache in Havana be requested to make appropriate inquiry at the National Police in Havana to determine whether, in fact, that department employs aliens as in the case of Barker, or whether it was necessary for Barker to renounce his American citizenship in order to obtain employment. Mrs. Shipley is desirous of having a statement from a competent member of the National Police on the question of whether aliens are employed, as in the case of Barker. Mrs. Shipley stated that she had a very personal interest in this case and would appreciate if the Bureau could be of assistance.

RECOMMENDATION:

In view of the very cooperative attitude that Mrs. Shipley has shown in matters of interest to the Bureau, it is suggested that we comply with her request and issue appropriate instructions to the Legal Attache in Havana to check on the matter in question. There is attached a proposed letter to the Legal Attache, which will be forwarded subject to your approval.

Mrs. Shipley

March 12, 1952

Mr. White

Citizenship case of Bernard Leon Barker

With reference to the comments of Mario Lazo concerning the case of Bernard Leon Barker, Jr.; I do not see how, upon the basis of the present record, we can disregard the certificate of the loss of the nationality of the United States which has been prepared in Mr. Barker's case under the provisions of Section 401(d) of the Nationality Act of 1940. You will note that the Embassy at Habana, prior to preparing the certificate, obtained a statement from the Headquarters of the Cuban National Police that under the laws of Cuba only Cuban nationals could occupy the post which Barker held. It is possible that the Cuban Foreign Office might have a different view on this matter. If Mr. Barker can establish through appropriate official channels that the position which he held with the Cuban Police Department was not one for which only Cuban nationals were eligible and that Cuban law permitted an exception to be made we would of course be pleased to give further consideration to his case. The statement which Mr. Lazo has submitted from Alfonso Luis Fors, ex-Chief of the Judiciary Police of Cuba and now apparently a private citizen, would not in my opinion suffice for this purpose.

LAZO Y CUBAS

OFICIOS 110

HABANA

Extra Copy

Ref. 12/9277  
February 27, 1944.

Mrs. Ruth Shipley  
Chief of Passport Division  
Department of State  
Washington, D. C.

Re: Capt. Bernard L. Barker, Jr.  
Alleged expatriation under  
Section 401 (a) of Chapter IV  
of Nationality Act of 1940.

Dear Mrs. Shipley:

I write regarding the very appealing case of Captain Barker which I discussed with you in Washington on September 26th last, - the case of a solid American citizen who has a really superlative war record and who was expatriated as a consequence of holding a position which permitted him to render exceedingly valuable services to the United States Government.

When you kindly afforded me the opportunity personally to discuss the case with you in Washington, you suggested that I submit the matter formally, mentioning that you might want to obtain Mr. Adrian Fischer's opinion with respect to it. You took the time to read the



rather lengthy communications which I now enclose, the first being a letter addressed to me by Captain Barker on September 22nd last, and the second a certificate issued by a former Chief of the Cuban Judicial Police. Your first impression when we talked was favorable to Captain Barker. You felt that perhaps the provisions governing expatriation had been too rigidly applied in his case. You were also kind enough to mention that in these "hardship cases" it is also sometimes possible to obtain a Congressional law restoring citizenship.

By way of introduction to Mr. Fischer, since he will naturally have to rely to some extent on my statement of the case, I am also enclosing a list of our principal American clients. In recent years the firm which I founded and of which I am the senior partner has done considerable work for various Departments and Agencies of your Government, including the Department of Justice, GSA, REC, the War Department and the State Department.

It would be impossible for anyone to review the circumstances of this case without feeling great

sympathy for Captain Barker. By inheritance and on his own record he has always been the finest type of citizen of the United States, - a great credit to his country. A man of modest means, thirty-four years of age, with an excellent personality, he was working effectively with the Cuban Police and with American FBI agents in anti-communist and anti-espionage activities at the time he is alleged to have expatriated himself. During World War II he received a number of decorations and citations as a member of the American Air Force. Whatever legal technicality may be involved, all of the merits are on Captain Barker's side.

1) Captain Barker was born in Havana, but of American parents. His father is dead, but his mother and a married sister reside in Glooxinburg, N.Y. The day her son went overseas in World War II the mother took a war job in a B-27 airplane factory, to which she devoted her best efforts until the day Captain Barker returned from Europe. One of Barker's brothers served in the U. S. Armed Division. A cousin was killed in an air raid over Wilhelmshaven in which Barker himself parti-

circated. Three other cousins served in the U. S. Army. All the remaining members of this fine family are patriotic Americans of excellent standing.

Captain Barker graduated from the Farmingdale High School on Long Island, worked in Maryland at the Bethlehem Steel plant, and later studied Civil Engineering at the University of Havana. After World War II he married a Cuban lady, who wishes to become an American citizen but has been unable to do so as yet because of lack of residence requirements. They have one child, a girl, born in 1947 at the U. S. Military Base at Vernam Field, in Jamaica. This daughter is registered as an American citizen at the Havana Embassy.

2) When the Japanese attacked Pearl Harbor, Barker dropped his studies and was the first American in Cuba to volunteer for military service. Entering the U. S. Army in March 1942 as a Private, he was eventually honorably discharged as a Captain of the Air Force. In the meantime he was shot down over Germany on his twelfth mission, was wounded and was a prisoner of war for sixteen months. He made three attempts to escape. During this

period he lost sixty pounds in weight. Among his various decorations and citations are the Purple Heart and the Air Medal with One Oak Leaf Cluster. On January 11, 1944 two American planes out of seven returned from a battle over Germany, and the crews, which included Barker, received a Presidential Citation. He holds the ETO Ribbon with Two Battle Stars, the ATO Ribbon, Good Conduct Ribbon, and was awarded the Victory Medal. He wore six overseas stripes and one wound stripe. When the Korean campaign started, Barker was again the first American in Cuba to offer his services to the U. S. Air Force, in which he holds a commission as Captain.

3) The circumstance which provoked Captain Barker's expatriation consisted of services which he and other non-Cubans rendered to the Cuban Police Force exclusively in connection with cases in which the U. S. Government was greatly interested. To my personal knowledge there were also a number of others of non-Cuban nationality, including twelve Spaniards, who rendered services to the Cuban Police Force. Because of his American background, however, Captain Barker specialized

on matters which were of special interest to the U. S. Government. His services had been enlisted by the Chief of the Cuban Police because of his known loyalty to the United States and because he was bilingual. For instance, he was placed in charge of a group of twelve plainclothes men whom he himself picked to guard Mrs. Truman and Margaret Truman when they visited Havana in 1950. He also guarded one of President Truman's Secretaries, and several U. S. Generals, when they visited Havana. He never wore the Cuban Police uniform. He took no oath of allegiance to Cuba, and of course never renounced his allegiance to the United States. He worked intimately with the American FBI on jobs for which he was particularly fitted because of his American nationality, such as an alleged violation of the U. S. Postal laws. On one occasion he apprehended a criminal who was wanted for smuggling drugs into the United States. On another occasion he apprehended a member of the Lucky Luciano gang who was also wanted in the United States for criminal activities. On still another occasion he rescued two United States sailors whose lives were being threatened

by a Cuban mob. He compiled data on the Communist Party in Cuba and helped prepare the basic communist files of the Cuban Bureau of Investigations. At all times he worked intimately with the American Embassy. These activities lasted over a period of a little less than one year.

4) This case was brought to my attention informally by a member of the U. S. Embassy staff in Havana. It was explained to me confidentially that the report on expatriation was made to the State Department by a youthful Vice-Consul in September 1950 who, because of his exclusively military training, was perhaps overly meticulous in reporting the case. He did not take the attenuating circumstances into account. He felt it was his duty rigidly to conform to the governing regulations as he interpreted them. Barker was popular and highly regarded at the Embassy, however, and his expatriation aroused some resentment there. I was then informally asked to help him.

5) As I read Section 50.4 of the Regulations governing the Nationality Act of 1940, it seems to me that the officer who reported Captain Barker's activities

was under the obligation to make a sincere effort to obtain an affidavit from Barker and that if this was "not possible", he then had the obligation to exercise real care in setting forth his statements. The fact is that although this Embassy officer knew Barker's address, and although the Embassy had his telephone number, which was listed with his address in the Havana telephone book, there is no indication that any effort whatsoever was made to communicate with Barker until the notice of expatriation was mailed to him at his regular listed address on January 23, 1951.

6) Finally I should like to explain that Alfonso Fors, who executes the enclosed affidavit and who is the founder and head of the leading private investigation agency in Cuba, is very highly regarded here. You will observe that Mr. Fors, a former Chief of our Judicial Police, makes the specific statement that the Cuban Police has, on many occasions, employed persons who are not citizens of the Republic of Cuba.

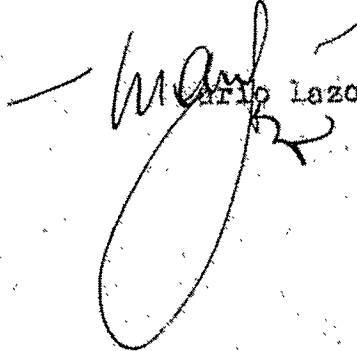
I am serving Captain Barker without charge but I should be glad to visit Washington in his behalf

- 3 -

if you consider it advisable that I do so.

Thanking you for your courtesy, and with  
kindest personal regards, I am

Sincerely,

  
Mario Lazo

Encl.





DIRECTOR:  
ALFONSO L. FORS

AGENCIA INFORMATIVA  
FORS

OF CMAS:  
BACARDI, 407 Y 408  
CABLE Y TELEGRAFOS, ALFORS  
TELEFONO: 4-6396



ALFONSO LUIS FORS Y REYES, EX-CHIEF OF THE JUDICIARY POLICE OF THE REPUBLIC OF CUBA, AND DIRECTOR-PROPRIETOR OF "AGENCIA INFORMATIVA FORS", WITH CENTRAL OFFICE IN THE BACARDI BUILDING, APARTMENTS NUMBERS FOUR HUNDRED AND SEVEN AND FOUR HUNDRED AND EIGHT, HAVANA, CUBA,

MAKES IT KNOWN: That I know Mister Bernardo León Barker y Terry, a son of Bernardo and of Alicia, at present thirty four years old, and who in nineteen hundred and forty five married a lady that I have known since her birth, named [REDACTED] [REDACTED] with whom he had a daughter, who now is four years old, named [REDACTED] [REDACTED] who was born in the Air Base of Vernam Field, Jamaica, when Mister Barker was an Officer of the Army of the United States of America and a citizen of the same country. The information that I have on Mister Barker -who I always regarded as an honest man of good conduct- is that as a member of the Air Forces of the United States of America, he rendered services in the European front, and was made a war prisoner, returning to North America after the Victory, and remaining in the American Army until the middle of nineteen hundred and forty six, when he was honorably discharged. After that he came to Cuba and was dedicated to various commercial acti-

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(OVER)



DIRECTOR.  
ALFONSO L. FORS

AGENCIA INFORMATIVA  
FORS

OFICINAS:  
BACARDI, 407 Y 408  
CABLE Y TELEGRAFO: ALFORS  
TELEFONO: H-9395



-2-

vities, until the time in nineteen hundred and forty eight, when being an American citizen, he accepted a post in the Cuban National Police, to give services in matters related to American citizens and interests of the United States of America, according to his knowledge of languages and his relations, remaining in that special post until about a year ago. The peculiar nature of these services and the fact that knowledge of foreign languages is essential, as the services included anti-spionage and anti-comunistic work, has made it necessary, on many occasions, that the Cuban National Police employ persons who, like Mister Barker, are not citizens of the Republic of Cuba.

AND IN ORDER THAT MISTER BERNARDO LEON BARKER Y TERRY MAY MAKE VALID THIS DOCUMENT WHERE CONVENIENT, I ISSUE IT IN HAVANA, CUBA, ON SEPTEMBER NINETEENTH NINETEEN HUNDRED AND FIFTY ONE.

AGENCIA INFORMATIVA
FORS
<b>SALIDA</b>
Fecha 19 SET 1951

REPUBLICA DE CUBA  
MINISTERIO DE DEFENSA NACIONAL  
POLICIA NACIONAL

S.P.y O.  
Rgto.No.5280-950.

EMBASSY OF THE UNITED STATES  
OF AMERICA  
SEP 27 1950  
HABANA

CIT

Jefatura de la Policía Nacional,  
"Departamento de Dirección",  
La Habana, 25 Sep. 1950.-

Sr. Paul J. Reveley,  
Cónsul General Americano,  
Embajada Americana,  
Ciudad.-

Señor:-

De orden del General de Brigada, Quirino Uría López, M.M. N. y P., Inspector General del Ejército, Jefe de la Policía Nacional, en relación con su escrito de fecha 14 del actual, le informo que visto el expediente personal de baja número 19926, correspondiente al ex-Sargento de Primera Categoría BERNARD LEON BARKER Y TERRY, que perteneció a la División Central de la Policía Nacional, aparece que el mismo ingresó en esta Institución, el día 26 de Octubre de 1948 y causó baja con fecha 5 de Octubre de 1949; y que visto el Certificado de Inscripción de Nacimiento que obra en el propio expediente, aparece que el interesado es natural de Cuba, La Habana, siendo requisito indispensable de acuerdo con los preceptos legales que rigen la materia, ser ciudadano cubano para ocupar el cargo de referencia.-

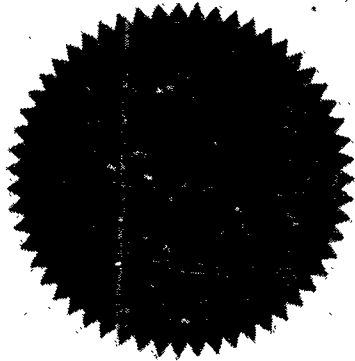
De usted respetuosamente,

J.M. Rego, M.M. y P.,  
Teniente Coronel del Ejército,  
JEFE DEL DEPARTAMENTO DE DIRECCION, P.O.S.-



Republic of Cuba }  
City and Province of Habana } SS:  
United States Embassy }

I, the undersigned, R.F. Washington, Vice Consul of the United States of America at Habana, Republic of Cuba, duly commissioned and qualified, do hereby certify that the within document bears the true seal and signature of Lieutenant Colonel, J.M. Rego, Chief of the Direction Department of the National Police of the Republic of Cuba, under the Ministry of Defense of the Republic of Cuba.



IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of this Embassy at Habana, Cuba, this 27th day of September 1950.

  
\_\_\_\_\_  
R.F. Washington  
Vice Consul of the United States of America.

FEE NIL.- OFFICIAL

DEPARTMENT OF STATE  
 OCT 15 1950  
 (Date)  
 CERTIFICATE  
 for the  
 Secretary of State  
 R. B. Shiley  
 Chief, Passport Division  
 By S. O. [Signature]

# CERTIFICATE OF THE LOSS OF THE NATIONALITY OF THE UNITED STATES

(This form has been prescribed by the Secretary of State pursuant to Section 501 of the Act of October 14, 1940, 54 Stat. 1361.)

Consulate: Embassy of the United States of  
America at Habana, Cuba

I, William D. Craig, hereby certify that, to the best of my knowledge and belief,

Bernard Leon BARKER, Jr. was born at Habana, Habana  
(Town or city) (Province or county)

Cuba, on March 17, 1917;  
(State or country) (Date)

That he resides at Loma 89, Marianao, Habana, Cuba;  
(Street) (City) (State)

That he last resided in the United States at unknown. He was in the United  
States Air Force from March 23, 1942 to July 8, 1947.  
(State) (City)

That he left the United States on unknown;  
(Precise date should be given)

That he acquired the nationality of the United States by virtue of his birth in Cuba  
(If a national by birth)  
of an American father. His father, Bernard Leon Barker, was born  
in the United States, at Columbia, Tenn., January 2, 1890.  
(State) (City) (Date)  
(and the date of such naturalization)

That he has expatriated himself under the provisions of Section 401(d) of Chapter IV of the  
Nationality Act of 1940 by accepting or performing the duties of an office,  
post or employment under the Government of Cuba, a foreign state,  
for which only nationals of Cuba are eligible.  
(State the reasons for expatriation should be set forth succinctly)

That the evidence of such action consists of the following: Certificate of J. M. Rego,  
Lieutenant Colonel of the Army, Chief of Headquarters Department,  
Headquarters of the National Police, dated September 25, 1950, certify-  
ing that Bernard Leon Barker y Terry was a member of the Central Division  
of the National Police from October 26, 1948 to October 5, 1949, and that  
in order to occupy that post he had to be a Cuban citizen. (See attached)

In testimony whereof, I have hereunto subscribed my name and affixed my office seal this 27th  
day of September, 1950.  
(Month)

[SEAL]

William D. Craig  
William D. Craig

Vice Consul of the United States of America  
(Title of office)

(OVER)

130-BARKER, BERNARD LEON

AK

Republic of Cuba  
Ministry of National Defense  
National Police

S. P. y O:  
Registry No. 5280-950

Headquarters of the National Police  
Headquarters - Division  
Habana, September 25, 1950

Mr. Paul J. Reveley,  
American Consul General,  
American Embassy,  
City.

Sir:

By order of Brigadier General Quirino Uria Lopez, M. M. N. and P., Inspector General of the Army, Chief of the National Police, and with reference to your letter of the 14th of this month, I inform you that after examination of the personal dossier of resignation No. 19926 corresponding to ex-Sergeant First Class Bernard Leon BARKER y Terry, who belonged to the Central Division of the National Police, it appears that he entered this Organization on October 26, 1948 and that he resigned on October 5, 1949, and that after examination of the birth certificate attached to the aforementioned dossier, it appears that the interested party (Barker) is a native of Habana, Cuba, it being an indispensable requisite of the pertinent laws to be a Cuban citizen in order to occupy the post under reference.

Respectfully yours,

s/s J. M. REGO

J. M. Rego, M. M. y P.,  
Lieutenant Colonel of the Army,  
Chief of the Headquarters Department, P. O. S.

Rubber Seal of  
the Headquarters  
Department of the  
National Police

I, William D. Craig, a competent translator, do certify that I have a perfect knowledge of both the Spanish and English languages, and that the above translation is a true translation from the Spanish language into the English language to the best of my knowledge and belief.

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 28th DAY OF September, A. D. 1950  
AT HABANA, CUBA

W. F. WASHINGTON  
VICE CONSUL OF THE UNITED STATES  
OF AMERICA

*William D. Craig*  
William D. Craig

Bernard L. Barker  
Loma 89, Marianao  
Habana, Cuba.

Sept. 22nd. 1951.

Dr. Mario Hazo,  
Bufete Lazo y Cubas,  
Oficios 110  
Habana, Cuba.

Dear Sir:

The other day I read a letter which General Carl Spaatz wrote you in 1948 to thank you for successfully defending a member of the Air Force of the U. S. against false homicide charges. From that letter it is clear that the man was in serious trouble, and also that you made no charge for the wonderful service you gave him. From the conversations I have had with you, I am sure you realize that I am also now in very serious trouble myself. I need your help. Nothing could be more important to me than to get my problem settled. My situation is just as serious to me as was the problem faced by the man whom General Spaatz wrote you about.

The writer is a World War II Veteran, Captain Bernard L. Barker, O-747944, formerly of the U. S. Air Forces.

The first I knew about any trouble was when I received, by ordinary mail, a notification from the American Embassy that I was no longer a citizen of the United States.

At the Embassy they said it was final. I could not at the time understand how anyone could be deprived of his citizenship without being given a chance to explain or fight such an action. You see, Sir, I have given my blood for my country and exposed my life for it. My American citizenship is not just my birthright, but something which I have earned my right to. It was a severe shock, as you can understand, and I can not help but be indignant because of the way they are trying to deprive me of it.

It would have been easy for members of the Embassy to have called me in at the time, as my phone and address are in the Directory. I was a frequent visitor at the Embassy, to see the employees there who signed me up as the first American volunteer on the Monday following Pearl Harbor, and who wrote me while I was a Prisoner of War in Germany.

The reason given for my loss of citizenship was that I joined the Cuban Police Department. I will explain to you my relation to the Department.

At the time President Prío took office, he appointed Coronel Caramés Chief of the Cuban Police. The Coronel called in a number of World War II Veterans (U.S. citizens) to do special jobs in the Department. Most of the work I did was related with Americans. Records of this are at the Embassy. I worked on the Parko narcotic and the Conway (sweepstakes) cases, in cooperation with [redacted] of the F.B.I. In cooperation with the U. S. Treasury Department, I caught a

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member of the Lucky Luciano gang. Records of this case are with Mr. Dillon at the Embassy. At the time of the unfortunate incident of the sailors and the Statue of Marti, another veteran and myself were personally commended by the U. S. Naval Attache for saving the lives of two American sailors. Our reports on this incident are records of the court martial of these sailors. In cooperation with a group of Spanish citizens, who also were associated with the Cuban Police Department, under a Spaniard by the name of Aubi, I helped compile the data on the Communist Party in Cuba, which is today the basis of the file of the Cuban Bureau of Investigation. But the assignment of which I am most proud, Dr. Lazo, was when I was assigned to protect Mrs. Truman and Miss Margaret Truman during their visit to Cuba. From the time they left the Presidential Yacht until their return, through squares and to the Country Club and Palace, a personally handpicked group of twelve plainclothesmen under my command, guarded them. You can well understand the pride which will always be mine for this responsibility and the duty performed.

As you know, Dr. Lazo, I am a man of very modest means. I have a wife and a daughter to support, and because of family responsibilities, I must, for a certain period of time, live in Cuba. I do not know how I can solve this problem of my citizenship, but if I will, if I have to borrow money from friends or mortgage myself.

My work with the Cuban Police Department provided me with an opportunity to be of service to the United States. I can say honestly that I have served my country in that Department, as much as I did when I bombed Germany, when I was stationed in England.

No doubt there is a technicality involved. I realize it now. Perhaps there are rules in the Cuban Police Department which state that only Cuban Nationals are allowed to perform services, but in practice that is not true. There are many instances of other Americans who have been employed and even during the time I worked with the Police Department, there were other Americans working there and there were also numerous other non-cubans.

You will recall that I took several of these people to your office, to prove that this situation not only existed in the past but that it actually exists today.

American citizens who have lived most of their lives outside of the United States and conserve their citizenships are perhaps more conscious of what it means to be an American than those who have spent their lives in the United States, who take their citizenship rights for granted.

I refer you again to my 201 file which is held at Mitchell Field. It contains the documentary proof of my military record. During the war I served my country to the best of my ability. I flew twelve missions over Germany. I starved in a Prisoner of War camp. I was decorated twice with the Air Medal (Oak Leaf Cluster), received a Unit Citation from President Roosevelt, and it says that I am a credit to myself and reflect great credit to my country. I have been decorated with the Purple Heart for wounds received in action. I was Honorably Discharged as a Captain of the Air Corps.

At the outbreak of the Korean War, I volunteered to return to active duty, through the Air Attache's office at the American Embassy, and filled out the form for overseas duty in my capacity as Bombardier.



I am willing to comply with all my moral and legal obligations to my country, as it takes more than a piece of paper from Washington to tell me that I am not an American citizen.

I appeal to you to help me in any way you can to fight this piece of paper. In the event that my citizenship cannot be returned, I will continue my allegiance and devotion to my country just the same, because no other nationality will ever be acceptable to me.

Sincerely yours,

*Bernard L. Barker*  
Bernard L. Barker.

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI  
FROM : Legal Attache, Havana, Cuba (64-194)

DATE: April 22, 1952  
Havana, Cuba

b6  
b7c

SUBJECT: BERNARD LEON BARKER, JR.  
SPECIAL INQUIRY  
DEPARTMENT OF STATE

*BERNARD LEON BARKER* / *TERRY*

Rebulet April 5, 1952 requesting inquiry be made of appropriate authorities in the National Police and from them obtain information regarding the employment of BARKER.

Due to certain conditions in existence at the present time, it was not deemed advisable to request a written statement; however, there is attached a blind memorandum containing translations of certain pertinent portions of laws and regulations pertaining to the National Police as well as the results of an interview with Lt. Col. HERNANDO HERNANDEZ HERNANDEZ, Inspector General of the Cuban National Police and a long time friend of the Bureau and of this office. This blind memorandum attached is submitted with the thought in mind that it may suffice to answer Mrs. SHIPLEY's question concerning the conditions under which BARKER was employed in the National Police.

For the Bureau's information, the balance of this memorandum is to advise of our acquaintance and contacts with subject BARKER and is not intended for further dissemination in this present form.

BARKER first came to the writer's attention in March 1948. BARKER had been in to consult with Mr. GEORGE VARRELMAN of the Commercial Section of the American Embassy about a personal problem and he was introduced to the writer by VARRELMAN.

BARKER's problem at that time was that he had invested around \$6,000.00 with an American by the name of BRYANT HARYZELL MAYNARD of Miami, Florida, for a share in the organization and operation of a doughnut manufacturing company. It developed that MAYNARD's checks in payment of amounts due to BARKER were sent back marked insufficient funds. BARKER filed an action in Havana courts and also complained to the Embassy Commercial Section and in turn on March 24, 1948 made known the substance of his problems to the writer.

This was not a problem which the Embassy could solve nor was there any angle in this case whereby we could help BARKER. We did sympathize with him due to the fact he explained that the money he lost in the investment was money he had saved as a prisoner of war in Germany for 16 months plus \$2,000.00 of his terminal leave pay.

Enclosure

WCS:JES

SE 46  
RECORDED-43

62-96936  
MAY 12 1952  
*File* *Roach*

EXPEDITE PROCESSING.  
MAY 1 1952

*Original of blind memorandum with enclosure given to Mrs. Shipley, Dept of State 5/5/52*

ENCL

61 MAY 28 1952

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20 5 DEC 2 1964

To: Director, FBI

Subject: BERNARD LEON BARKER, JR.  
SPECIAL INQUIRY  
DEPARTMENT OF STATE

April 22, 1952  
Havana, Cuba

This matter was discussed informally by the writer with Agents of the Cuban Bureau of Investigations, and apparently BARKER was later in contact with them. I was never informed as to how BARKER finally made out in this case.

Since this first meeting with BARKER in March 1948 the writer contacted BARKER now and then with the idea in mind of utilizing him as a source of information. In the course of these contacts BARKER told me that he was born in Cuba to an American citizen father and a Cuban citizen mother. He also told me briefly about his enlistment in the U. S. Armed Forces and that he rose to the rank of Captain and was a bombardier in the U. S. Air Forces and that he had spent several months as a prisoner of war in Germany.

On the morning of October 21, 1948 BARKER called on me to advise that he was a member of the Cuban Veterans of the World War II (U. S. Forces) and that this organization was well connected with Cuba's new President, CARLOS PRIO SOCARRAS, and that the Veterans' organization was to be given certain posts in the new government.

BARKER informed me at this time that he is the only member of this Veterans' group that held the rank of Captain in the United States Army. He said because of this he was to be selected for an appointment in the Cuban National Police as a Lieutenant or better. BARKER wanted to know if he accepted this position whether or not he would jeopardize his United States citizenship. BARKER was informed if any citizen accepts a position with a foreign government he thereby risks forfeiture of his U. S. citizenship.

BARKER stated that one of the last things he wanted to do was to lose his U. S. citizenship, but that due to his economic position he would probably go ahead and accept any position offered to him in the Cuban National Police. He said in the event he did become associated with the Cuban National Police that we could consider him as a completely trustworthy informant inside that organization.

The information about the 10-21-48 visit with BARKER was recorded in a memo for our files (64-0-136B).

On 10-25-48 BARKER stopped in to say that he had just called on the new Police Chief CARAMES and said he thought it looked like his appointment to the police would go through.

To: Director, FBI

Subject: BERNARD LEON BARKER, JR.  
SPECIAL INQUIRY  
DEPARTMENT OF STATE

April 22, 1952  
Havana, Cuba

In the course of these conversations with BARKER I told him that I had discussed his citizenship problem with Foreign Service officer ALONSO STANFORD assigned to the Citizenship desk of this Embassy. In the discussion with Consul STANFORD, BARKER's name was not mentioned, the situation being discussed hypothetically.

I recall that on at least two occasions I informed BARKER that the officer in Citizenship had informed me that if an American citizen accepts a position with the Cuban government which only can be filled by Cuban citizens that such American citizen forfeits his claim to U. S. citizenship. I am not informed as to whether or not BARKER ever did consult with anyone on the Embassy staff about his problem.

A few days later BARKER came in to say that he had been appointed as a Vigilante (Patrolman) in the Cuban National Police and that he was assigned on a special plainclothes squad maintained by the Chief in the National Police Headquarters. A short time later he had been promoted to Sergeant and we got the impression from BARKER and from headquarters officers that BARKER was more or less the head of this special squad of investigators that operated out of the Chief's office.

Right after BARKER was appointed to his position in the Cuban National Police he assured the writer that he (BARKER) wanted to be considered by us as a confidential source inside the Cuban Police organization and also that it was his desire to be ready to cooperate with us one hundred per cent at all times. He was told we appreciated his friendship and offers of cooperation.

BARKER did cooperate with us from time to time during the period he was with the Cuban National Police (10-26-48 to 10-5-49) on several occasions on matters of minor importance. He was not an indispensable contact and his assistance was not particularly valuable.

After BARKER's resignation from the Cuban National Police he continued to call at our offices from time to time. It is my recollection that sometime about the First of 1951 BARKER came in and announced that he had received a letter from the American Consul advising him that he had lost his United States citizenship. He was very depressed. He later told me that he had been informed by the Consul General that Vice Consul WILLIAM CRAIG had prepared a document dated 9-27-50 in which he sets out facts within his (Vice Consul WILLIAM CRAIG's) knowledge by which BARKER had expatriated himself. After learning this BARKER was very bitter in his expressed opinion of the American Embassy and of Consul WILLIAM CRAIG in particular.

To: Director, FBI

Subject: BERNARD LEON BARKER, JR.  
SPECIAL INQUIRY  
DEPARTMENT OF STATE

April 22, 1952  
Havana, Cuba

It may have been that BARKER and CRAIG had had a disagreement at some time in the recent past and CRAIG with knowledge of BARKER's background, citizenship and employment, might have felt it was necessary to prepare the expatriation document. At any rate, Mr. PAUL J. REVELEY, the Consul General at Havana, has voluntarily indicated to me that he is of the opinion that Vice Consul CRAIG was a bit hasty in his action and that he should at least have given BARKER a chance to come in and talk over the matter prior to his preparation of the expatriation document. Consul General REVELEY said that he is personally sympathetic to BARKER, but now that the expatriation document is a matter of record, BARKER would have to take special steps to regain his U. S. citizenship.

The above mentioned information from Consul General REVELEY came from him in casual conversations at about the time BARKER first heard of his being expatriated.

On the occasion of the calls from BARKER after his expatriation I reminded him that I cautioned him of the possible consequences of his act in accepting a position with the Cuban National Police. He was also informed that I had had nothing to do with the preparation of the expatriation document.

BARKER said at this time that he felt that he had not lost his citizenship by taking the job with the police because he did not take an oath of allegiance to Cuba. This is incorrect for you will note on the attached blind memorandum that it is a requirement for entrance into the Cuban National Police that the applicant be a Cuban citizen. Also as mentioned in the blind memorandum, Lt. Colonel HERNANDO HERNANDEZ HERNANDEZ, Inspector General of the Cuban National Police, made available to SA CLARK D. ANDERSON the personnel file of BERNARDO LEON BARKER y TERRY. This file reflected that BARKER entered the Cuban National Police on October 26, 1948, as a Vigilante (Patrolman) No. 1868. The file contains two oath forms, one for the National Police and one for the Military Reserve, identical in language with the attached sample forms. Both of these oath forms were signed by BARKER on October 26, 1948.

I informed BARKER that I was personally very sympathetic with him in his citizenship predicament but that I was not in a position where I could aid or counsel him in his campaign to regain his citizenship. I did suggest to him that he discuss his problem with the AIR ATTACHE of this Embassy. He later told me that he had talked over this matter with Col. E. E. GLENN, the then AIR ATTACHE. Colonel GLENN later informed me that he thought an injustice had been done and that he hoped to find some way of helping BARKER regain his U. S. citizenship.

To: Director, FBI

Subject: BERNARD LEON BARKER, JR.  
SPECIAL INQUIRY  
DEPARTMENT OF STATE

April 22, 1952  
Havana, Cuba

Sometime later, and it is our belief that it was early in the summer of 1951, Dr. MARIO LAZO (a personal friend of Col. GLENN), a very prominent lawyer in Havana of the law firm LAZO y CUBAS, told Special Agent CLARK D. ANDERSON of this office that he had been approached by BARKER to handle his appeal to regain his U. S. citizenship.

Dr. LAZO has subsequently informed Mr. ANDERSON and the writer that he is personally handling the BARKER case because he feels that BARKER has been badly treated in this instance. We have received the impression that Dr. LAZO is handling this matter without fee.

A short time ago Agent ANDERSON and the writer were informed by Dr. LAZO, in a very casual manner, that he had been discussing BARKER's case with U. S. Government officials in Washington, D. C. and that he believed the only solution to BARKER's desire to regain his U. S. citizenship was for someone in the U. S. Congress to introduce a bill to that effect. Dr. LAZO said that he had written a detailed letter to Mrs. SHIPLEY of the U. S. Department of State Passport Division (at her request) and that she had more or less promised him that she would look for someone to present the necessary bill in Congress to restore U. S. citizenship to BARKER.

A copy of Dr. LAZO's letter of 2-27-52 to Mrs. RUTH SHIPLEY re Capt. BERNARD L. BARKER, Jr., Alleged Expatriation Under Section 401 (d) of Chapter IV of Nationality Act of 1940, which was furnished with reference letter, sets out in enthusiastic words some rather expansive statements about how much BARKER cooperated or collaborated with "the American FBI on jobs for which he was particularly fitted because of his American nationality." the incidents of BARKER's cooperation are generally correct but with Sr LAZO appearing to over-emphasize these incidents in his letter.

As we have mentioned elsewhere in this memorandum, BARKER was a contact of this office and he did help us out on some matters of minor importance on several occasions.

BARKER is an affable and friendly sort of person and completely American in his language and actions. We continue to maintain contact with BARKER from time to time, and as mentioned earlier, I am sympathetic with BARKER in his citizenship problem and I have so told him.

In summary the BARKER citizenship problem is outlined as follows:

To: Director, FBI

April 22, 1952  
Havana, Cuba

Subject: BERNARD LEON BARKER, JR.  
SPECIAL INQUIRY  
DEPARTMENT OF STATE

1. BERNARD LEON BARKER, aka. Bernardo Leon Barker y Terry, was born at Havana, Cuba 3-17-17 to an American citizen father and a Cuban citizen mother and therefore has proper claims for either USA citizenship or Cuban citizenship.
2. BARKER fulfilled a U. S. citizen's obligations by serving as a volunteer - U. S. Air Force - where he held the rank of Captain (Bombardier) and was held a prisoner of war by Germany for about 16 months.
3. BARKER first contacted Legal Attache, Havana, 3-24-48, on a personal matter.
4. October 21, 1948 BARKER informed writer he had a chance for appointment to a position in the Cuban National Police. BARKER was advised at this time that if he took the job he would risk loss of U. S. citizenship.
5. BARKER entered Cuban National Police 10-26-48 in position only open to Cuban nationals. He left his position 10-5-49.
6. BARKER was the subject of a Certificate of The Loss of the Nationality of the United States dated 9-27-50 and executed by Vice Consul WILLIAM D. CRAIG of the Citizenship Unit of the American Embassy at Havana, Cuba. In this it is set out that BARKER has expatriated himself by accepting or performing the duties of an office post or employment under the Government of Cuba, a Foreign State, for which only nationals of Cuba are eligible.
7. When BARKER heard later on about his being expatriated he took up his citizenship problem with the U. S. Air Attache, American Embassy, Havana, who in turn apparently interested a prominent Cuban Attorney, Dr. MARIO LAZO, in BARKER's case to regain his U. S. citizenship.
8. LAZO has advised that the only solution appearing to him is for someone in the U. S. Congress to introduce a bill to restore U. S. citizenship to BARKER. LAZO has stated that he has been assured by Mrs. RUTH SHIPLEY, Chief, Passport Division, U. S. Department of State, that she will look for someone in Congress who would be interested in sponsoring such a bill.

MEMORANDUM

RE: BERNARD LEON BARKER, JR.,  
aka. Bernardo Leon Barker y Terry

The Organic Law of the National Police of The Republic of Cuba was promulgated in Law Decree No. 623, dated March 3, 1936. Chapter VIII of this Organic Law is titled "De Los Ingresos en el Cuerpo de la Policia Nacional" ("Of the Entrances in the Corps of the National Police"). The translation of the pertinent portion of Article 38 of this Chapter reads as follows:

"Article 38. - For entrance in the Corps of the National Police, it is required:

- a) To be a Cuban citizen, preferring those who may have belonged to the Armed Forces."

Six other requirements are listed in Article 38 but they are not quoted inasmuch as they do not appear pertinent. None of them makes any exception to the requirement of Cuban citizenship quoted above.

On April 15, 1942, President FULGENCIO BATISTA signed Decree No. 2127 and this Decree was subsequently published in the Official Gazette in a special edition dated August 4, 1942. This decree is titled "General Regulations for the Corps of the National Police" and it is stated in the enacting clause that the decree is drawn up in accordance with the provisions contained in the above mentioned Organic Law of 1936 which provided for Regulations to implement the Organic Law.

Chapter XV of the Regulations bears the same title as Chapter VIII of the Organic Law. Article 958, part (a) of Chapter XV of the regulations, as published on Page 110 of the referenced Official Gazette, is identical in language with Article 38, part (a) of Chapter VIII of the Organic Law, translation of which is set forth above. It provides that Cuban citizenship is a prerequisite to entrance in the National Police.

Article 959, Chapter XV of the Regulations, also published on Page 110 of the same Official Gazette, is translated below:

"Article 959. - Every individual, on entering the Corps of the National Police, will make and sign an oath on the corresponding form."

Enclosures

67-90751-1

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HEREIN IS UNCLASSIFIED  
DATE 01-26-2010 BY 60322 UC LP/PLJ/LCW

ENCLOSURE



On 4-18-52 Lt. Col. HERNANDO HERNANDEZ HERNANDEZ, Inspector General of the Cuban National Police, advised that there have been cases in the past where individuals with citizenship other than Cuban were named as members of the National Police, due to close friendship or political ties which these individuals had with whatever person who happened to be the Chief of the National Police at the time. He said that administrative regulations require that within 15 days of his entrance into the police, the new policeman must present a copy of his birth certificate and that non-citizens usually stall on presenting this during the entire time they are on the police force and are able to get away with this stalling due to friendship with the Chief.

He said that all new policemen are required to sign an oath in which among other things, they swear they are Cuban citizens and they swear to defend the Republic (of Cuba) and its Constitution against all foreign enemies and those within the country. He also said that at the time a new policeman is employed, the latter usually joins the Military Reserve and he signs a similar oath in this connection. Lt. Col. HERNANDEZ made available sample copies of these two forms containing the oath and they are attached.

Lt. Col. HERNANDEZ made available for examination the National Police personnel file of BERNARDO LEON BARKER y TERRY. This file reflected that BARKER entered the Cuban National Police on October 26, 1948, as Vigilante (Patrolman) No. 1868. The file contains two oath forms, one for the National Police and one for the Military Reserve, identical in language with the attached sample forms. Both of these oath forms were signed by BARKER on October 26, 1948. The file also contains a copy of BARKER's birth certificate which states he was born on March 17, 1917 at Havana, Cuba to an American citizen father and a Cuban citizen mother.

The file reflects that BARKER resigned from the National Police on October 5, 1949. His rank at the time of resignation was that of Sergeant.

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

FROM : Legal Attache, Havana, Cuba

SUBJECT: BERNARD LEON BARKER, JR.  
SPECIAL INQUIRY  
DEPARTMENT OF STATE

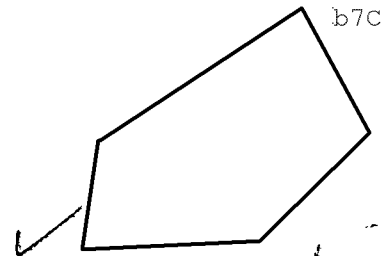
DATE: April 6, 1954  
Havana, Cuba

b6  
b7c

*WD*

*(10)*

*62-96936*



Rebulet April 5, 1952, which requested certain investigation of BARKER by this office. The request for investigation had been made by Mrs. RUTH B. SHIPLEY, Chief of the Passport Division, U. S. Department of State. Havana reply was dated April 22, 1952.

Since then BARKER has informed us that he has traveled to Washington and there discussed his case in detail with Mrs. SHIPLEY. He said that she had appeared sympathetic and was interested in his case.

*G. I. R. -1*

The developments to date are that BARKER, via his Cuban lawyer, Dr. MARIO LAZO, well and favorably known to the American Embassy at Havana, Cuba, has arranged for the introduction of a bill in Congress for relief of BARKER. This house bill is quoted as follows:

"83d CONGRESS  
2d Session

H. R. 8349

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HEREIN IS UNCLASSIFIED  
DATE 01-26-2010 BY 60322 UC LP/PLJ/LCW

IN THE HOUSE OF REPRESENTATIVES

March 10, 1954

Mr. Williams of New Jersey introduced the following bill; which was referred to the Committee on the Judiciary

*Roach*

A BILL  
For the relief of Bernard L. Barker.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 That Bernard L. Barker, who lost United States citizenship
- 4 under the provisions of section 401 (b) and (d) of the
- 5 Nationality Act of 1940, as amended, may be naturalized by
- 6 taking, prior to one year after the effective date of this Act,
- 7 before any court referred to in subsection (a) of section 310

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20 DEC 2 1964

5 5 APR 23 1954

RECORDED-21

*62-96936-3*

INDEXED - 21

12 APR 1954

WCS: JES

*FIVE*  
*Lizison*

To: Director, FBI

Subject: BERNARD LEON BARKER, JR.  
SPECIAL INQUIRY  
DEPARTMENT OF STATE

April 6, 1954  
Havana, Cuba

8 of the Immigration and Nationality Act or before any diplo-  
9 matic or consular officer of the United States, the oaths pre-  
10 scribed by section 337 of the said Act. From and after  
11 naturalization under the Act, the said Bernard L. Barker  
12 shall have the same citizenship status as that which existed  
13 immediately prior to its loss."

- - -

Consul THOMAS DICKSON, Citizenship Unit, American Embassy, in  
reply to a request from BARKER advised that the references in the above  
quoted bill are correct. He said that the section (b) refers to the taking  
of an oath of allegiance to a Foreign state, and the section (d) is relative  
to the acceptance of an office of a Foreign state for which office only  
nationals of such state are eligible.

This is being furnished for the Bureau's information.



~~SECRET~~

REC-3

4  
RECEIVED  
JAN 25 1960  
TO  
CIA  
SIP

Office Memorandum • UNITED STATES GOVERNMENT

TO : J. Edgar Hoover, Director  
Federal Bureau of Investigation

DATE: January 22, 1960

FROM : R. C. Haberstroh, Chief Intelligence Officer  
Immigration and Naturalization Service

*file*  
*Dawson*

SUBJECT: PROJECT ZENITH: SP-299, Bernard L. Barker

*foreign*  
The above alien, whose inspection was deferred under the immigration laws, was paroled into the United States at Miami, Florida on January 18, 1960, via special United States Air Force plane.

b6  
b7c

VIA LIAISON

101 XE

[Redacted box]

62-96936-4X  
~~62-953119-1061~~

REC-3

JAN 27 1960

[Redacted box]

[Redacted box]

~~SECRET~~

*23*  
*C*     *CS*  
62 FEB 1 1960

REC-52 62-96936-5

BY LIAISON

CIA HAS NO OBJECTION TO  
DECLASSIFICATION AND/OR,  
RELEASE OF CIA INFORMATION  
IN THIS DOCUMENT. GMB 9/22/15

- ① Yellow
- 2-Orig & 1
- 1-Belmont
- 1-Sullivan
- 1-Donahoe
- 1-Liaison Section
- 1-Papich

**Date:** October 25, 1961

**To:** Director  
Central Intelligence Agency

**Attention:** Director of Security

**From:** John Edgar Hoover, Director

*Handwritten:*  
to Harry Murphy  
10/26/61  
[Signature]

**Subject:** ~~BERNARD LEON BARKER~~

Reference is made to the request of Mr. Harry Murphy of your office concerning a relationship which allegedly existed between Barker and the Federal Bureau of Investigation.

For your information, this Bureau's Legal Attache in Havana, Cuba, did have occasional contacts with Barker during the period October 26, 1948, to October 5, 1949, when Barker was connected with the Cuban National Police.

Barker furnished assistance on some matters of minor importance on several occasions. He was never under the control of the FBI and at no time was employed in any capacity by this Bureau.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 8/22/15 BY SP6 SCD/CC  
(SFC)

1 - Foreign Liaison Unit (detached)

NOTE:

See memorandum L'Allier to Sullivan captioned "BERNARD LEON BARKER" SJP:sap:55

SA: 10/23/61  
VLS  
1801  
REC-SEC'D  
CC 10

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_ SJP:sap (9)
- DeLoach \_\_\_\_\_
- Evans \_\_\_\_\_
- Malone \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Ingram \_\_\_\_\_

56 OCT 31 1961

MAIL ROOM  TELETYPE UNIT

SEE REVERSE SIDE FOR  
ADD. DISSEMINATION.

UNITED STATES GOVERNMENT

# Memorandum

Tolson \_\_\_\_\_  
 Belmont \_\_\_\_\_  
 Mohr \_\_\_\_\_  
 Callahan \_\_\_\_\_  
 Conrad \_\_\_\_\_  
 DeLoach \_\_\_\_\_  
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 Trotter \_\_\_\_\_  
 Tele. Room \_\_\_\_\_  
 Ingram \_\_\_\_\_  
 Gandy \_\_\_\_\_

TO : MR. W. C. SULLIVAN *WCS*

FROM : R. O. L'ALLIER *L*

SUBJECT: BERNARD LEON BARKER  
 INTERNAL SECURITY - CUBA  
 62-96936

DATE: October 23, 1961

CIA HAS NO OBJECTION TO  
 DECLASSIFICATION AND/OR  
 RELEASE OF CIA INFORMATION  
 IN THIS DOCUMENT. *GMB 8/22/95*

On October 20, 1961, Harry Murphy, Office of Security, Central Intelligence Agency (CIA), advised the Liaison Agent that his agency was being pressured by various individuals to assist subject in regaining his U.S. citizenship. Murphy explained that Barker, born March 17, 1917, Havana, Cuba, acquired derivative U. S. citizenship from his American father. He served in the U.S. Army Air Corps during World War II, returned to Cuba, and joined the National Police. Subsequent to his enlistment in the Cuban police force, his U.S. citizenship was revoked. Since then he has unsuccessfully endeavored to regain his citizenship through private bills introduced in Congress.

Barker, who has been in contact with CIA, has stated that in the past he served as an "FBI informant." Murphy inquired if his agency could have information concerning the nature and extent of any relationship between the Bureau and Barker.

Information in Bureau files essentially substantiates the account of subject's loss of U.S. citizenship. He served in the Cuban National Police from October 26, 1948, until October 5, 1949. Since only Cuban Nationals were eligible to serve on the police force his citizenship was revoked in 1950.

Barker never was a controlled informant but while in the National Police did serve as a contact for our Legal Attache and he was cooperative on some matters of minor importance on several occasions.

ACTION:

If you approve, there is enclosed herewith <sup>ACI 27 1961</sup> a letter to CIA explaining Bureau relationship to subject.

- SJP:sap (6) Enclosure
- 1-Mr. Belmont
  - 1-Mr. Sullivan
  - 1-Mr. Donahoe
  - 1-Foreign Liaison Unit
  - 1-Liaison Section
  - 1-Mr. Papich

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 HEREIN IS UNCLASSIFIED  
 DATE 6/22/95 BY 5668 SEP/602  
 (JFK)

*REC-52 62-96936-5*

*EX-102*

*NOV 27 1961*

*5-1000*

*W.S.*

OPTIONAL FORM NO. 10  
5010-103

UNITED STATES GOVERNMENT

~~SECRET~~

*Rec'd 5/25/62  
gmt*

*Memorandum*

TO : Director  
Federal Bureau of Investigation

DATE: May 23, 1962

FROM : C. G. McCarthy, Acting Chief Intelligence Officer  
Immigration and Naturalization Service

~~REC 60~~  
[Redacted Box]

SUBJECT: PROJECT ZENITH: Bernard Leon BARKER y TERRY

*J Foreign*  
*oo* b6  
b7C

Attention: [Redacted Box]

The subject departed from the United States and subsequently returned in possession of an immigrant visa. He is therefore no longer considered to be under the Project Zenith Program.

*62-96936-6*

RE [Redacted Box] *82020 3413*

17 MAY 28 1962

VIA LIAISON

*C*  
*FIN 376*  
57 JUN 8 1962

~~SECRET~~

*105-86020*



# Helms Says Barker Fired for Gambling

United Press International

The Central Intelligence Agency fired convicted water-gate burglar Bernard L. Barker in the mid-1960s because he was involved with "gambling and criminal elements," according to former CIA director Richard Helms.

Barker is the man who worked for E. Howard Hunt Jr. during the Bay of Pigs invasion of Cuba. In the spring of 1971 he recruited, at Hunt's request, the burglary team that broke into the Los Angeles office of Daniel Ellsberg's psychiatrist and subsequently was caught in the 1972 Watergate break-in.

Barker and five others were indicted Thursday for allegedly conspiring to violate the civil rights of Dr. Lewis Fielding, Ellsberg's psychiatrist. He has served a year in all after pleading guilty in the June, 1972, break-in of Democratic National Committee headquarters at the Watergate complex.

Helms' testimony, given to the Senate Foreign Relations Committee behind closed doors on Feb. 7, 1973, was made public yesterday. The hearings were held on the nomination of Helms to be Ambassador to Iran.

Barker's attorney, Daniel E. Schultz, promptly denied Helms' description of why Barker was terminated by the CIA.

"Mr. Helms' testimony is inconsistent with official information we have received from the CIA. It is categorically denied by Mr. Barker and is simply not true," Schultz said.

Helms' statement on Barker appeared to conflict with Barker's account of his relations with the CIA given in sworn testimony before the Senate Watergate committee May 24, 1973, 3½ months after Helms testified at the Foreign Relations Committee.

Helms told the committee about Barker:

"During the Bay of Pigs he was one of the Cuban derivatives who was involved in that operation and it is my recollection that all lines with him on the part of the agency were eliminated some time in the middle '60s.

Barker, testifying to the Watergate committee, said he

left the CIA immediately after the end of the Bay of Pigs operation in April, 1961, and had no further connection with it until Hunt approached him 10 years later to set up the burglary team.

CIA spokesmen said it would be "difficult" to find out exactly when Barker left the agency or the circumstances.

## Helms Tells of Using Top U.S. Businessmen

Reuter

Richard Helms, former director of the Central Intelligence Agency, has told senators he had a policy of going right to the top of American business firms in trying to get their cooperation in gathering intelligence overseas.

Helms now is ambassador to Iran. During a closed-door hearing on his ambassadorial nomination, before the Senate Foreign Relations Committee in February, 1973, Helms said the CIA did not press businessmen or others to pass on potentially useful information they may have obtained while visiting the Soviet Union or other countries.

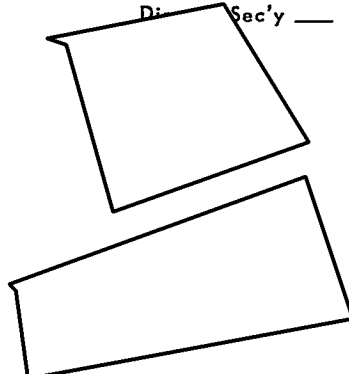
"There is no payment of money. There is no effort to twist anyone's arm. We simply are giving them an opportunity as patriotic Americans to say what they know about this."

Answering questions about contacts with American business firms abroad under CIA's Domestic Contact Service, he said: "It has been my own feeling that one should start with the chief executive officer normally because it is not fair to these companies to set up a relationship with somebody down the line that the chief executive officer does not know about or at least has not indicated that this other man is your point of contact."

An estimated 200 persons are operating as intelligence agents under the guise of businessmen, according to recent American press reports quoting an unnamed American official who apparently is familiar with the inner workings of the CIA.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 01-26-2010 BY 60322 UC LP/P J/LCW

- Assoc. Dir. \_\_\_\_\_
- Asst. Dir.: \_\_\_\_\_
- Admin. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
- Ext. Affairs \_\_\_\_\_
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- Legal Coun. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director Sec'y \_\_\_\_\_



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62-96936-17

- MAR 13 1974
- The Washington Post Times-Herald   A7
  - The Evening Star (Washington) \_\_\_\_\_
  - The Sunday Star (Washington) \_\_\_\_\_
  - Daily News (New York) \_\_\_\_\_
  - Sunday News (New York) \_\_\_\_\_
  - New York Post \_\_\_\_\_
  - The New York Times \_\_\_\_\_
  - The Daily World \_\_\_\_\_
  - The New Leader \_\_\_\_\_
  - The Wall Street Journal \_\_\_\_\_
  - The National Observer \_\_\_\_\_
  - People's World \_\_\_\_\_

Date 3/11/74

*[Handwritten signature and initials]*

*[Handwritten notes and scribbles]*

1 - Mr. E. S. Miller  
1 - Mr. R. E. Gebhardt  
1 - Mr. J. A. Mintz

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b7c

The Attorney General

August 23, 1973

Director, FBI

1 - Mr. F. S. Putman  
(Attention: )  
1 - Mr. V. H. Nasca

*EST*  
*EST*  
JAMES WALTER MC CORD, JR., AND OTHERS  
INTERCEPTION OF COMMUNICATIONS

Attached are a copy of a letter dated August 13, 1973, received from Daniel E. Schultz of Schultz and Overby, Washington, D. C., which firm is representing Bernard L. Barker, Eugenio Martinez, Frank A. Sturgis and Virgilio Gonzalez who are subjects in the captioned matter and a copy of our reply dated August 23, 1973.

Schultz in his letter requests that the files of this Bureau be searched for documentation, if it exists, of the past activities of his clients.

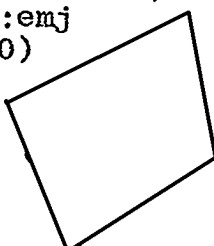
With reference to data sought by Schultz, FBI Headquarters files contain following:

FRANK A. STURGIS

Sturgis was involved in pro-Castro activities in the United States in 1958. After Castro's takeover of the Cuban Government in January, 1959, he accepted positions in the Castro regime. In June, 1959, he defected from the Castro regime; has since been periodically involved in militant and illegal anti-Castro activities in the United States; and is considered a soldier of fortune.

On March 31, 1962, Sturgis appeared at FBI Headquarters and advised he was a Captain in the Cuban Rebel Army. He stated he was on a confidential mission for the head of the Cuban Air Force who was concerned with the growing menace of communism in the Cuban Government.

VHN:emj  
(10)



MAILED 3  
AUG 24 1973  
FBI

SEE NOTE PAGE THREE

62-96936  
62-96939

NOT RECORDED

167 AUG 30 1973

REC 25 139-4089-2582

AUG 27 1973

- Assoc. Dir. \_\_\_\_\_
- Asst. Dir.:
- Admin. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
- Files & Com. \_\_\_\_\_
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- Telephone Rm. \_\_\_\_\_
- Director Sec'y \_\_\_\_\_

53 AUG 31 1973

MAIL ROOM

TELETYPE UNIT

ORIGINAL FILED IN 139-4089-2582

The Attorney General

He furnished information concerning members and leaders of the Cuban Government alleged to be communists or communist sympathizers and plans for potential revolutions in Caribbean countries. He requested aid in fighting communism in Cuba and offered his services as an "agent" for the United States Government in fighting communist infiltration of the Cuban Government. Due to the unofficial nature of the approach (it was unknown to Castro) and the unstable Cuban situation, no commitment was made to Sturgis for future cooperation. The pertinent data furnished by him was disseminated to the interested agencies on April 7, 1959.

BERNARD L. BARKER

Our Legal Attache in Havana, Cuba, had occasional contacts with Barker during the period October 26, 1948, to October 5, 1949, when Barker was connected with the Cuban National Police. Barker furnished assistance on some matters of minor importance but was never under FBI control.

Our files indicate that the Central Intelligence Agency may have information in its files relating to the Cuban activities of Barker.

No information pertinent to Schultz' request was located in our files with respect to Eugenio Martinez and Virgilio Gonzalez.

This is for your information. Special Prosecutor Archibald Cox is being separately advised.

Considerable information concerning Sturgis' involvement in militant and illegal pro-and anti-Castro activities has previously been furnished to the Department.

Enclosures - 2

- 1 - The Deputy Attorney General (Enclosures - 2)
- 1 - Assistant Attorney General (Enclosures - 2)  
Criminal Division

The Attorney General

NOTE:

See memorandum F. S. Putman to Mr. E. S. Miller, dated 8/22/73, captioned "James Walter Mc Cord, Jr., And Others, Interception of Communications," prepared by VHN:emj.

- 1 - Mr. E. S. Miller
- 1 - Mr. R. E. Gebhardt
- 1 - Mr. J. A. Mintz

Mr. Archibald Cox  
Special Prosecutor

August 23, 1973

BY COURIER SERVICE

Director, FBI

- 1 - Mr. F. S. Putman  
(Attention: )
- 1 - Mr. V. H. Nasca

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JAMES WALTER MC CORD, JR., AND OTHERS  
INTERCEPTION OF COMMUNICATIONS

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MAILED 3  
AUG 27 1973  
FBI

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- Assoc. Dir. \_\_\_\_\_
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- Comp. Syst. \_\_\_\_\_
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- Corr. & Cm. \_\_\_\_\_
- Research \_\_\_\_\_
- Press Off. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director Sec'y \_\_\_\_\_

139-4089

1 - Miami (Encls - 2, cc letter from Daniel E. Schultz dated 8/13/73 and Bulet to Schultz dated 8/23/73)

1 - WFO (Enclosures - 2, cc letter from Daniel E. Schultz dated 8/13/73 and Bulet to Schultz dated 8/23/73)

VHN:emj  
(10)

SEE NOTE PAGE THREE

53 SEP 7 1973

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ST-106 REC-14  
AUG 28 1973  
EMM  
WRTS  
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VHN

Mr. Archibald Cox  
Special Prosecutor

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No information pertinent to Schultz' request was located in our files with respect to Eugenio Martinez and Virgilio Gonzalez.

This is for your information. The Attorney General is being separately advised.

Enclosures - 2

Mr. Archibald Cox  
Special Prosecutor

NOTE:

See memorandum F. S. Putman to Mr. E. S. Miller,  
dated 8/22/73, captioned "James Walter Mc Cord, Jr., And  
Others, Interception of Communications," prepared by  
VHN:emj.

UNITED STATES GOVERNMENT

# Memorandum

- Assoc. Dir. \_\_\_\_\_
- Asst. Dir.: \_\_\_\_\_
- Adm. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
- Files & Com. \_\_\_\_\_
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- Press Off. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director Sec'y \_\_\_\_\_

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TO : Mr. E. S. Miller

DATE: 8/22/73

FROM : F. S. Putman

- 1 - Mr. E. S. Miller
- 1 - Mr. R. E. Gebhardt
- 1 - Mr. J. A. Mintz
- 1 - Mr. F. S. Putman  
(Attention: )
- 1 - Mr. V. H. Nasca

SUBJECT: JAMES WALTER MC CORD, JR., AND OTHERS  
INTERCEPTION OF COMMUNICATIONS

*OST*

Memorandum concerns letter from Attorneys representing Bernard L. Barker, Eugenio Martinez, Frank A. Sturgis and Virgilio Gonzalez who are subjects in captioned matter requesting information from our files and our proposed reply. Letters to Attorneys, to The Attorney General and to Special Prosecutor Archibald Cox attached.

By letter 8/13/73, Daniel E. Schultz, Schultz and Overby, Washington, D. C., advised they were representing the above individuals who are involved in the Watergate case and who are awaiting final sentencing before Judge John J. Sirica. It was understanding of Attorneys that their clients participated in Cuban underground against Fidel Castro and that either directly or indirectly through various contacts in the underground, information was made available to the U. S. Government through FBI concerning events in Cuba and plans of Castro regime to cause revolutionary upheavals and/or communist infiltration of other Latin American governments. Attorneys believe that FBI documentation of such roles, if it exists, of their clients would be factor Judge Sirica would take into consideration in determining sentences he would impose.

Attorneys requested FBI records at Headquarters and Miami Office be reviewed to determine whether they confirm their clients participation in Cuban underground, their cooperation with FBI and/or indicate they were the source of information helpful to the U. S. Government at that time. If affirmative, the Attorneys requested that the results of the review be furnished Judge Sirica and to them.

With reference to ~~Special Request~~, we feel that he should be advised that the files of the FBI are restricted from public inspection and that his request, therefore must be declined. The proposed reply has been coordinated with Inspector John A. Mintz, Office of Legal Counsel.

139-4089

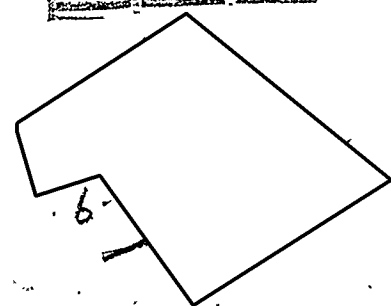
Enclosures - 3 - *sent 8-24-73*

VHN:emj

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CONTINUED - OVER

53 AUG 30 1973



ORIGINAL FILED IN REC-6 139-4089-2590



Memorandum F. S. Putman to Mr. E. S. Miller  
Re: James Walter Mc Cord, Jr., And Others  
Interception of Communications  
139-4089

With reference to data sought by Schultz, FBI Headquarters files contain following:

FRANK A. STURGIS

Sturgis was involved in pro-Castro activities in the U. S. in 1958. After Castro's takeover of the Cuban Government in January, 1959, he accepted positions in the Castro regime. In June, 1959, he defected from the Castro regime; has since been periodically involved in militant and illegal anti-Castro activities in the U. S.; and is considered a soldier of fortune.

On March 31, 1959, Sturgis appeared at FBI Headquarters and advised he was a Captain in the Cuban Rebel Army. He stated he was on a confidential mission for the head of the Cuban Air Force who was concerned with the growing menace of communism in the Cuban Government. He furnished information concerning members and leaders of the Cuban Government alleged to be communists or communist sympathizers and plans for potential revolutions in Caribbean countries. He requested aid in fighting communism in Cuba and offered his services as an "agent" for the U.S. Government in fighting communist infiltration of the Cuban Government. Due to the unofficial nature of the approach (it was unknown to Castro) and the unstable Cuban situation, no commitment was made to Sturgis for future cooperation. The pertinent data furnished by him was disseminated to the interested agencies on 4/7/59.

BERNARD L. BARKER

Our Legal Attache in Havana, Cuba, had occasional contacts with Barker during the period 10/26/48 to 10/5/49 when Barker was connected with the Cuban National Police. Barker furnished assistance on some matters of minor importance but was never under FBI control.

Memorandum F. S. Putman to Mr. E. S. Miller  
Re: James Walter Mc Cord, Jr., And Others  
Interception of Communications  
139-4089

Referral/Consult



EUGENIO MARTINEZ AND VIRGILIO GONZALEZ

No information pertinent to Schultz' request was located.

RECOMMENDATIONS:

1. That the attached letter be sent to Daniel E. Schultz, Schultz and Overby, Washington, D. C., dated 8/23/73 in line with the above.

2. That the attached letter be sent The Attorney General with copies to The Deputy Attorney General and Assistant Attorney General, Criminal Division, enclosing copies of Schultz' letter, our reply and summary of pertinent data set forth above.

3. That the attached letter be sent to Special Prosecutor Archibald Cox dated 8/23/73 enclosing copies of Schultz' letter, our reply and summary of pertinent data set forth above.

VHN

Hes

ETA

Airtel

- 1 - Mr. R. E. Gebhardt
- 1 - Mr. W. R. Wannall
- 1 - [redacted]

5/15/74

To: SACs, Miami (65-3264)  
 St. Louis (65-2765)  
 WFO (65-11613)

From: Director, FBI (65-74060) - 4704

DANIEL ELLSBERG; BURGLARY OF OFFICE  
 OF DR. LEWIS J. FIELDING

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Watergate Special Prosecution Force (WSPF) has advised that in conducting the prosecution of the case of United States v. John D. Ehrlichman, et al, which relates to the break in of the office of Dr. Lewis J. Fielding, they desire the following information concerning three of the defendants, Bernard Barker, Eugenio Rolando Martinez and [redacted]

1. Copies of the complete files in the Department of Immigration and Naturalization for each of the above-named defendants.
2. Copies of all English and Spanish speaking newspapers and periodicals in Bureau files published from 1960 to the present in the Miami area which relate or refer to any of the above-named defendants. Indexes, if available, of all such Miami publications should also be checked for any reference to the above-named defendants for the same time period.
3. Copies of the military records of Mr. Barker and [redacted] Mr. Barker was a Captain in the U. S. Air Force during World War II. [redacted]

MAILED 111  
 MAY 15 1974  
 FBI

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Admin. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
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- Director Sec'y \_\_\_\_\_

WWH:mjg  
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MAY 17 1974  
 SEE NOTE PAGE THREE

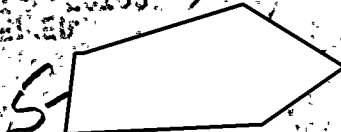
ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 4/20/80 BY SP-10/SM

RECEIVED

53 MAY 21 1974 TELETYPE UNIT



ADD/FSP

Airtel to Miami, et al  
Re: Daniel Ellsberg; Burglary of Office  
of Dr. Lewis J. Fielding  
65-74060

[REDACTED]

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4. Copies of the complete files in the appropriate Florida state agency relating to the real estate licenses held by [REDACTED] Mr. Martinez, and Mr. Barker."

According to Bureau files, Barker was born 3/17/17 at Havana, Cuba.

Eugenio Rolando Martinez is also known as Eugenio Rolanda Martinez Y Creaga. [REDACTED] Havana, Cuba, entered the U. S. in 1959 and was naturalized

[REDACTED]

WFO obtain copies of Immigration and Naturalization Service (INS) files of the above defendants. If files not located at Central Files, direct lead to appropriate office.

St. Louis obtain copies of military records of Barker [REDACTED]

Miami obtain copies of real estate licenses and any other information in files at appropriate Florida state agency. Miami should also review their indices and furnish Bureau copies of any newspaper articles contained in Miami files relative to these three defendants. Also, Miami should determine if any English or Spanish speaking newspapers in that area have morgue files and, thereafter, check for any reference to the above-named defendants as requested by WSPF in Item 2 above.

Airtel to Miami, et al  
Re: Daniel Ellsberg; Burglary of Office  
of Dr. Lewis J. Fielding  
65-74060

This matter should be handled on an expedite basis and results promptly submitted to the Bureau by cover letter-head memorandum (LHM).

NOTE:


Above investigation is being conducted in compliance with request of WSPF contained in WSPF memorandum to Director dated 5/2/74.

# Memorandum

ALL FBI INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 01-25-2010 BY 60322 UC LP/PLJ/LCW

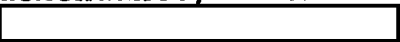
EXP  
to : Clarence M. Kelley  
Director  
Federal Bureau of Investigation

DATE: May 2, 1974



FROM :   
Deputy Special Prosecutor  
Watergate Special Prosecution Force

SUBJECT: FBI Request 

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b7c

This Office is presently conducting the prosecution of the case of United States v. John D. Ehrlichman, et al., Criminal No. 74-116 (D.D.C.), which relates to the break-in of the Office of Dr. Lewis J. Fielding in September of 1971. In order to prepare for the trial which is scheduled to commence June 17, 1974, this Office would appreciate it if the Bureau would furnish us with information relating to three of the defendants, Bernard Barker, Eugenio Rolando Martinez,  all residents of Miami, Florida.

Specifically, would the Bureau please obtain for this Office:

1. Copies of the complete files in the Department of Immigration and Naturalization for each of the above-named defendants.
2. Copies of all English and Spanish speaking newspapers and periodicals in Bureau files published from 1960 to the present in the Miami area which relate or refer to any of the above-named defendants. Indexes, if available, of all such Miami publications should also be checked for any reference to the above-named defendants for the same time period.
3. Copies of the military records of Mr. Barker and  Mr. Barker was a Captain in the U.S. Air Force during World War II. 

EXP. PROC.

37 MAY 3 1974

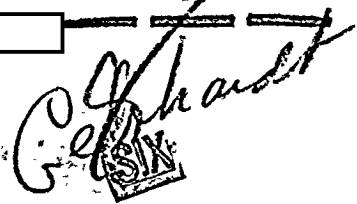
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REC-86

65-74060-4704

MAY 3 1974

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*G. J. ...*  


65-74060

Airtel to MM, SL, WFO  
5/15/74  
wwn/mjs



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4. Copies of the complete files in the appropriate Florida state agency relating to the real estate licenses held by  Mr. Martinez, and Mr. Barker.

Any questions concerning this request should be directed to Assistant Special Prosecutor Nathaniel H. Akerman.

F B I

Date: 5/23/74

W/WXP

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

TO: DIRECTOR, FBI (65-74060)  
(ATTENTION: INTD)

FROM: SAC, MIAMI (65-3264) (P)

SUBJECT: DANIEL ELLSBERG;  
BURGLARY OF OFFICE OF  
DR. LEWIS J. FIELDING

Re Buairtel 5/15/74 and WFO airtel 5/20/74.

On 5/23/74, JAMES B. SLUSSER, Acting Chief, Records, INS, Miami, Florida, advised that INS files regarding EUGENIO ROLANDO MARTINEZ, [redacted] were located at Federal Records Center, East Point, Georgia. These files are being requested by INS, Miami, and upon arrival at Miami, copies will be obtained and furnished WSPF as directed.

File regarding BERNARD BARKER, A10144090, is being reviewed at Miami and copies will be furnished as requested.

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EX-105

REC-67

65-74060-4709

MAY 25 1974

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/20/82 BY SP2TAM

3 - Bureau  
1 - Miami  
WWS:mrz  
(4)

Approved: \_\_\_\_\_  
84 JUN 12 1974 Special Agent in Charge

Sent \_\_\_\_\_ M. Per \_\_\_\_\_



FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
DELETED PAGE INFORMATION SHEET  
FOI/PA# 1289436-0

Total Deleted Page(s) = 175

Page 5 ~ Referral/Consult - Dept. of Veterans Affairs;

Page 6 ~ b6; b7C;

Page 7 ~ b6; b7C;

Page 8 ~ b6; b7C;

Page 9 ~ b6; b7C;

Page 10 ~ b6; b7C;

Page 11 ~ b6; b7C;

Page 12 ~ b6; b7C;

Page 13 ~ b6; b7C;

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FBI

Date: 5/20/74

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

TO : DIRECTOR, FBI (65-74060)  
FROM : SAC, ST. LOUIS (65-2765) RUC  
SUBJECT: DANIEL ELLSBERG  
BURGLARY OF OFFICE OF  
DR. LOUIS J. FIELDING  
ESPIONAGE

Re Bureau telephone call to St. Louis, 5/13/74.

Enclosed for the Bureau are six copies of an LHM regarding results of review of service records for [redacted] Service No. [redacted] SSAN: [redacted] and BERNARD LEON BARKER, JR., Service Numbers 14 093 629 and 0 747 944, conducted by SC [redacted] on 5/16/74, at the National Personnel Records Center, Military Branch, St. Louis, Mo.

Also enclosed for the information and reference of the Bureau, subject to restriction stamped thereon, are copies of self-explanatory documents from above individuals service files.

REC-42

65-74060-4710

EX-110

16 MAY 22 1974

2 - Bureau (Enc.)  
1 - St. Louis  
GTJ:kmf  
(3)

*ENCLOSURE*  
*2-cc enc to USPF 1-T-706 920*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/2/82 BY SP8/MLP

70 JUN 11 1974  
Approved: \_\_\_\_\_  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

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UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No.

St. Louis, Missouri  
May 20, 1974

[Redacted]

[Large Redacted Area]

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b7C

BERNARD LEON BARKER

[Redacted]

Referral/Consult Dept. of Veterans

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/20/92 BY SP2/MLH

This document contains neither  
recommendations nor conclusions of  
the FBI. It is the property of  
the FBI and is loaned to your agency;  
it and its contents are not to be  
distributed outside your agency.

65-74060-4710  
ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 20 1974

TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
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Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

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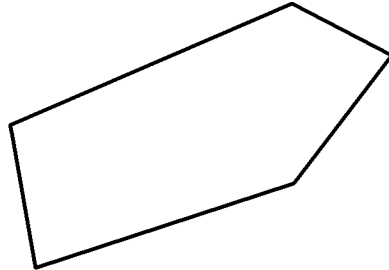
NR012 MM CODE

5:07 PM URGENT MAY 20, 1974 CLS

TO DIRECTOR 65-74060

TAMPA

FROM MIAMI 65-3264 4P



DANIEL ELLSBERG; BURGLARY OF OFFICE OF DR. LEWIS J. FIELDING.

REBUAIRTEL MAY 15, 1974.

FOR THE INFORMATION OF TAMPA, REFERENCED COMMUNICATION INDICATED THAT THE WATERGATE SPECIAL PROSECUTION FORCE (WSPF) HAD ADVISED THAT IN CONDUCTING THE PROSECUTION OF THE CASE OF THE U.S. VS. JOHN D. EHRLICHMAN, ET AL, WHICH RELATES TO THE BREAK-IN OF THE OFFICE OF DR. LEWIS J. FIELDING, THEY DESIRE VARIOUS ITEMS OF INFORMATION CONCERNING THREE OF THE DEFENDANTS, NAMELY, BERNARD L. BARKER, EUGENIO ROLANDO MARTINEZ, [REDACTED]



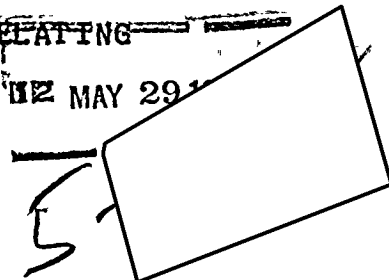
REC-86 65-74060-4712

INCLUDED ON THIS LISTING WAS COPIES OF THE COMPLETE FILES IN THE APPROPRIATE FLORIDA STATE AGENCIES RELATING

END PAGE ONE

MAY 29 1974

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2/DAG/ML



84 JUN 4 1974

NM 65-3264

PAGE TWO

TO THE [REDACTED] HELD BY MR. BARKER, MR. MARTINEZ,

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b7c

[REDACTED]  
MIAMI WAS DIRECTED TO OBTAIN COPIES OF [REDACTED]  
[REDACTED] AND ANY OTHER INFORMATION IN THE FILES OF THE  
APPROPRIATE FLORIDA STATE AGENCIES RELATING TO THE [REDACTED]  
[REDACTED] PROFESSION.

ATTENTION OF THE BUREAU AND TAMPA IS DIRECTED TO  
TAMPA TEL TO BUREAU JUNE 27, 1972, CAPTIONED, "JAMES  
WALTER MC CORD, JR.; ET AL, BURGLARY, DEMOCRATIC NATIONAL  
HEADQUARTERS, WASHINGTON D.C., JUNE 17, 1972, IOC,"  
(BUFILE 139-4089) (TP 139-182). THIS COMMUNICATION ADVISED  
THAT THE FILES OF [REDACTED]

[REDACTED] FLORIDA, ARE AVAILABLE ONLY  
THROUGH THE PROPER ISSUANCE OF A SUBPOENA DUCES TECUM DIRECTED  
TO [REDACTED] INASMUCH AS THEY ARE  
PROTECTED BY LAW.

IT WAS NOTED, HOWEVER, THAT [REDACTED] REQUESTED HIS  
IDENTITY BE CONCEALED, AND MADE INFORMATION AVAILABLE ON A  
CONFIDENTIAL BASIS ON JUNE 26, 1972, CONCERNING THE [REDACTED]  
[REDACTED] INFORMATION REGARDING

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END PAGE TWO

✓



MM 165-3264

PAGE THREE

BERNARD L. BARKER AND EUGENIO ROLANDO MARTINEZ. IT  
WAS [REDACTED] INFORMATION THAT COULD NOT BE UTILIZED  
IN A COURT OF LAW WITHOUT PROPER ISSUANCE OF A SUBPOENA  
DUECES TECUM. INFORMATION WAS FURTHER SET OUT IN A  
FD 302 DATED JUNE 26, 1972, AT WINTER PARK, FLORIDA,  
INCLUDED IN TAMPA REPORT OF SA [REDACTED] ON JUNE 28,  
1972, IN THE JAMES WALTER MC CORD, JR., MATTER.

b6  
b7c

IT IS NOT READILY KNOWN AT MIAMI WHETHER THESE RECORDS  
HAVE BEEN CHECKED CONCERNING [REDACTED]

[REDACTED] BORN [REDACTED] IN HAVANA, CUBA:

[REDACTED] IS A NATURALIZED U.S. CITIZEN AND HIS MILITARY

SERVICE NO. WAS [REDACTED]

TAMPA, AT WINTER PARK, FLORIDA, WILL MAKE APPROPRIATE  
ARRANGEMENTS TO OBTAIN THE COMPLETE FILES AND COPIES OF

[REDACTED] THE ABOVE NAMED INDIVIDUALS, INCLUDING

[REDACTED] AS REQUESTED BY WSPF.

REQUEST OF BUREAU.

BUREAU SHOULD CONTACT WSPF AND REQUEST THAT A SUBPOENA

END PAGE THREE

MM 65-3264

PAGE FOUR

DUCES TECUM BE ISSUED DIRECTED TO [REDACTED]

[REDACTED]

b6  
b7c

[REDACTED] FLORIDA, SO THAT THE APPROPRIATE  
RECORDS REGARDING BARKER, MARTINEZ, [REDACTED] MAY BE  
OBTAINED THROUGH THE TAMPA OFFICE.

END

PLS HOLD FOR FOUR MORE TKS

Time stamp

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 21 1974

*ru*  
TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
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Ident.	_____
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Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

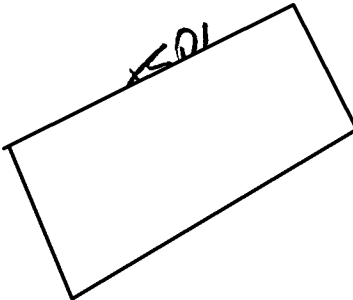
NR002 TP CODE

1:57PM URGENT MAY 21, 1974 JFD

TO DIRECTOR (65-74060)

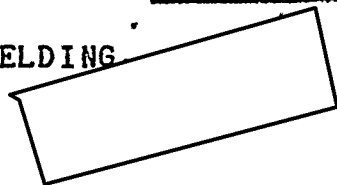
MIAMI (65-3264)

FROM TAMPA (65-402) (P)



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DANIEL ELLSBERG; BURGLARY OF OFFICE OF DR. LEWIS J. FIELDING



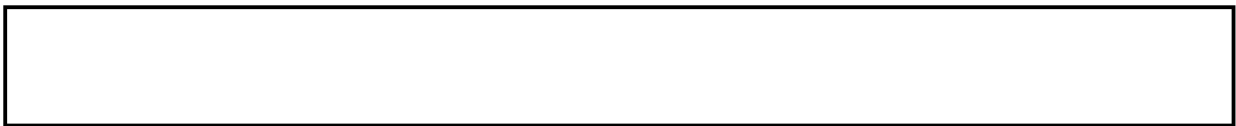
RE MIAMI TEL MAY 20, 1974.

INVESTIGATION AT



FLORIDA, ON MAY 21, 1974, DISCLOSED A FILE IS AVAILABLE

ON [REDACTED] DOB [REDACTED] WHO IS A REGISTERED



HAS RETIRED

AND ANY SUBPOENA DUCES TECUM TO BE ISSUED SHOULD BE DIRECTED

TO [REDACTED] FLORIDA REAL



FLORIDA 32789.

INFORMATION FROM [REDACTED] DISCLOSES

THAT RECORDS ON THREE NAMED INDIVIDUALS IN RETEL WILL BE

PRODUCED ON ISSUANCE OF A SUBPOENA.

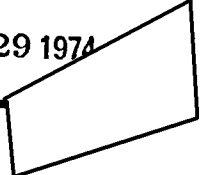
REC-86 65-74060-4713

END

KAC FBIHQ CLR

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 9/21/72 BY SP2TAP/PLJ

MAY 29 1974



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84 JUN 4 1974

F B I

Date: 5/20/74

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

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Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

TO: DIRECTOR, FBI (65-74060)

(ATTN: INTD)

FROM: SAC, WFO (65-11613) (C)

DANIEL ELLSBERG, BURGLARY OF  
OFFICE OF DR. LEWIS J. FIELDING

Re Bureau airtel, 5/15/74.

On 5/17/74, SC [redacted] was advised that INS  
file [redacted] and INS file [redacted]  
re EUGENIO ROLANDO MARTINEZ were charged to the Miami, Florida  
INS Office.

On 5/20/74, SC [redacted] was advised INS file  
A-10144080 re BERNARD BARKER was charged to the Miami INS  
Office.

LEAD

MIAMI

AT MIAMI, FLORIDA Will handle lead at INS, Miami  
as set forth in referenced communication for WFO.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP8/PLJ

- ② Bureau
- 2- Miami (65-2765)
- 1- WFO
- JHM:dah
- (5)

EX-105

REC-48

65-74060-4714

17 MAY 29 1974

Approved: [Signature]  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

b6  
b7c

1 - Mr. R. E. Gebhardt  
1 - Mr. W. R. Wannall

Special Prosecution Force  
U. S. Department of Justice

May 29, 1974

Director, FBI

BY COURIER SERVICE

1 - [Redacted]

b6  
b7c

UNITED STATES v. JOHN D. EHRLICHMAN, ET AL.,  
CRIMINAL NO. 74-116 (D. D. C.)

*McLEK*

Reference is made to your memorandum dated May 2, 1974, captioned "FBI Request" which, in part, sets forth requests for this Bureau to obtain certain information concerning Bernard Barker, Eugenio Rolando Martinez and [Redacted]. Two of the requests set forth in referenced memorandum read as follows:

"3. Copies of the military records of Mr. Barker [Redacted] Mr. Barker was a Captain in the U. S. Air Force during World War II. [Redacted]

"4. Copies of the complete files in the appropriate Florida state agency relating to the [Redacted] held by [Redacted] Mr. Martinez, and Mr. Barker."

Enclosed for your information are the original and one copy of a memorandum prepared at St. Louis, Missouri, summarizing information contained in military records of [Redacted]

[Redacted] Bernard Leon Barker, Jr. These records are maintained at the National Personnel Records Center, Military Branch, St. Louis, Missouri. For your further information, our St. Louis Office has advised that copies of military records furnished to this Bureau by the National Personnel Records Center cannot be disseminated outside of this

WVH:mjg/mjg  
(6)

BY COURIER SVC.  
MAY 31 P.M.  
FBI

EX-105 REC-14 65-74060-4716  
NRW/FSP  
SEE NOTE PAGE TWO  
AJD/FSP  
FSP

ALL INFORMATION CONTAINED  
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DATE 1/11/82 BY SP7/MLP/STP

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Admin. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
- Ext. Affairs \_\_\_\_\_
- Files & Com. \_\_\_\_\_
- Gen. Inv. \_\_\_\_\_
- Ident. \_\_\_\_\_
- Inspection \_\_\_\_\_
- Intell. \_\_\_\_\_
- Laboratory \_\_\_\_\_
- Plan. & Eval. \_\_\_\_\_
- Spec. Inv. \_\_\_\_\_
- Training \_\_\_\_\_
- Legal Coun. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director Sec'y \_\_\_\_\_

JUN 11 1974

MAIL ROOM

TELETYPE UNIT

RECORDED

Special Prosecution Force  
U. S. Department of Justice

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Bureau. To obtain copies, it will be necessary for your office to make a direct request to [redacted] National Personnel Records Center, Military Branch, 9700 Page Street, St. Louis, Missouri 63132. [redacted] may be contacted by telephone [redacted]

Regarding your request for copies of files relating [redacted] our Tampa Office has advised that a subpoena duces tecum must be issued for these records and this subpoena should be directed to [redacted]

[redacted] Florida 32789.

The above will confirm telephone conversation between Special Agent [redacted] of this Bureau and [redacted] of your office on May 23, 1974.

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Enclosures - 2

NOTE:

Above information being furnished to WSPF as result of investigation conducted in compliance with WSPF memorandum to the Director dated 5/2/74.

F B I

Date: 5/24/74

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL REGISTERED MAIL  
(Priority)

TO: DIRECTOR, FBI (65-74060)  
Attention: INTD  
FROM: SAC, MIAMI (65-3264) (P)  
SUBJECT: DANIEL ELLSBERG;  
BURGLARY OF OFFICE OF DR. LEWIS J. FIELDING

ReBuairtel, 5/15/74, and Washington Field airtel, 5/20/74.

Enclosed for the Bureau are five copies of an LHM dated and captioned as above.

One copy of the LHM is furnished to the office of origin, Los Angeles.

This communication contains the complete contents of the INS file of BERNARD L. BARKER located at INS, Miami, Florida.

- 2 - Bureau (Enc. 5) (RM)
- 1 - Los Angeles (Enc. 1) (105-27952) (Info) (RM)
- 1 - Miami
- WWS/al
- (4)

ENCLOSURE  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2TAP/ML

REC-85

65-74060-4717  
MAY 31 1974

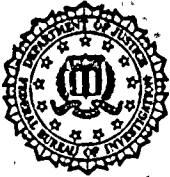
54 JUN 12 1974

Approved: \_\_\_\_\_  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

b6  
b7c

Let to WSPF  
6/4/74 WWS/al



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No. 65-3264

Miami, Florida  
May 24, 1974

RE: DANIEL ELLSBERG;  
BURGLARY OF OFFICE OF DR. LEWIS J. FIELDING

REGARDING BERNARD LEON BARKER, also known as  
Bernard Leon Barker y Terry

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2DAP/ML

This document contains neither recommendations nor conclusions  
of the FBI. It is the property of the FBI and is loaned to your  
agency; it and its contents are not to be distributed outside your  
agency.

65-74060-1717  
ENCLOSURE



- 1 - Mr. R. E. Gebhardt
- 1 - Mr. W. R. Wannall
- 1 -

June 4, 1974

Special Prosecution Force  
U. S. Department of Justice

Director, FBI

BY COURIER SERVICE

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b7c

*McKer*

UNITED STATES v. EHRLICHMAN, ET AL.,  
CASE NO. 74-116 - INITIAL INTERVIEWS OF  
DR. LEWIS J. FIELDING BY BUREAU

Reference is made to your memorandum dated May 2, 1974, captioned "FBI Request" which, in part, requested the Immigration and Naturalization Service (INS) file of Bernard Barker.

Enclosed, pursuant to your request, are two copies of a memorandum prepared at Miami, Florida, to which are attached copies of the contents of the INS file of Bernard Leon Barker.

Enclosures - 4

WWH:mjg  
(6)

NOTE:

WSPF being furnished INS file of Bernard Barker, defendant in the case of U. S. v. John Ehrlichman, et al, pursuant to request of WSPF to Director dated 5/2/74.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 4/21/82 BY SP8/ply

BY COURIER SVG.  
JUN 05 P.M.  
FBI

REC-73

ST-112

65-74860-4722

JUN 7 1974

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Admin. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
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- Files & Com. \_\_\_\_\_
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- Intell. \_\_\_\_\_
- Laboratory \_\_\_\_\_
- Plan. & Eval. \_\_\_\_\_
- Spec. Inv. \_\_\_\_\_
- Training \_\_\_\_\_
- Legal Coun. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director's Sec'y \_\_\_\_\_

F B I

Date: 5/31/74

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL REGISTERED MAIL  
(Priority)

TO: DIRECTOR, FBI (65-74060)  
(ATTENTION: INTD)  
FROM: SAC, MIAMI (65-3264) (P)  
RE: DANIEL ELLSBERG;  
BURGLARY OF OFFICE OF DR. LEWIS J. FIELDING

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2/MLH

ReBuairtel 5/15/74 and Miami airtel with LHM,  
5/24/74.

Enclosed for the Bureau are 5 copies of an LHM,  
dated and captioned as above. One copy is furnished to the  
office of origin Los Angeles.

This communication contains the results of a review  
of the files of all of the English and Spanish speaking  
newspapers and periodicals in the Miami area for articles  
relating to BERNARD L. BARKER.

- 2 - Bureau (Enc. 5) (RM)
  - 1 - Los Angeles (Enc. 1) (105-27952) (Info) (RM)
  - 1 - Miami
- WWS: jgm  
(4)

ENCLOSURE

2 WSPF

REC-13

65-7411-4730

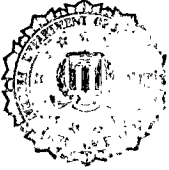
REC-82

JUN 6 1974

b6  
b7c

Approved: 1 1974  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_



FEDERAL BUREAU OF INVESTIGATION  
DEPARTMENT OF JUSTICE

In Reply, Please Refer to  
File No.

65-228

Orlando, Florida  
April 11, 1974

RE: BERNARD L. BACKER;  
OFFICE OF DR. LEWIS J. FIELDING

REGARDING BERNARD L. BACKER  
BERNARD L. BACKER

~~Backer~~ also known as  
~~Backer~~ BERNARD L. BACKER  
Backer  
FLA - 65

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2 [signature]

This document contains neither recommendations nor conclusions  
of the FBI. It is the property of the FBI and is loaned to your  
agency; it and its contents are not to be distributed outside your  
agency.

ENCLOSURE

65-74762-4130

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 5/20/74

[redacted] office secretary, Patricia  
Newspaper, Inc., a Spanish language newspaper published  
weekly for the Miami, Florida, area at 717 Ponce de Leon  
Boulevard, Coral Gables, advised that that newspaper did not  
maintain a morgue or such. The paper had no index or files  
prepared by individuals' names or subject matter concerning  
previously published articles.

b6  
b7c

The newspaper does maintain a library of past  
editions of the newspaper filed chronologically.

[redacted] advised that the newspaper had not done  
any special sort articles concerning MANUEL L. RAMON, [redacted]  
[redacted] All their news articles in this  
connection had been based on the service releases.

Eugenio R. Ramirez

} FL. DC

[redacted]

Interviewed on 5/21/74 at Miami, Florida File # Miami 65-3264

by SA [redacted] of [redacted] Date dictated 5/28/74

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription May 28, 1974

[redacted] of  
"Diario Las Americas," the only Spanish daily newspaper in the Miami area published at 2900 N.W. 39th Street, Miami, Florida, advised that that newspaper did not maintain a morgue as such. The paper had no index or files grouped by individuals' names or subject matter concerning previously published articles.

b6  
b7c

The newspaper does maintain a library of past editions of the newspaper filed chronologically.

[redacted] advised that the only special news article that paper had published concerning BERNARD L. BARKER and associates was in the October 7, 1973, edition of "Diario Las Americas." This article, which appeared on page 20, was captioned "Defense Attorney Reported on Cuban Watergate Prisoners" and was written by "Diario" reporter, EVARISTO E. SANCHEZ.

All other news articles printed by this paper concerning BERNARD L. BARKER had been based on the various wire service releases.

A copy of the above-mentioned news article with an English translation follows:

Interviewed on 5/24/74 at Miami, Florida File # Miami 65-3264  
by SA [redacted] al Date dictated 5/28/74

(Mount Clipping in Space Below)

# Informó el Defensor Sobre los Cubanos Presos del Watergate

Por EVARISTO R. SAVON

Para conocer un informe del abogado defensor en Washington de los cuatro cubanos presos acusados en el problema judicial del Watergate, se reunieron hace pocas horas, en el Centro Vasco de esta ciudad, los abogados defensores en esta localidad, las esposas de los implicados, los miembros del Comité de Ayuda y los representantes de la Prensa escrita, radiada y televisada.

Los congregados

Alrededor del doctor Daniel

Schurr -abogado principal y objetivo central del acto- se congregaron los familiares de los acusados: señora Celia González, esposa de Virgilio González; Clara Barker, esposa de Bernard Barker; Janet Sturgies, esposa de Frank Sturgies; y señorita Silvia Campos, prometida de Eugenio Martínez.

Los doctores Ellis Rubin y Jerge Cardet, defensores de dichos familiares en Miami ante el Fiscal y los tribunales de Justicia.

Por el Comité de Ayuda

el doctor Manuel Artime, Reinaldo Vergara, Padre Ramón O'Farrill, doctor Luis Conte Agüero, Manolo Villamañán, doctor Cristóbal González Mayo, Wifredo Alvarez del Real, Miguel Reyes, etc.

Por la Prensa Tomás García Fusté, de La Fabulosa; Max Lesnik, de Réplica; Humberto Estévez, del Canal 23 de Televisión; reporteros de las tres Cadenas de Televisión NBC, CBS y AEC; reporteros de The Miami Herald, The Miami News y The New York Times;

mes; y de las emisoras locales Canales 4, 7, 10 y 23.

## El objetivo

El objetivo de esta reunión fue escuchar y conocer un informe del abogado defensor en Washington de los acusados, doctor Daniel Schurr, sobre la situación actual de los acusados con el fin de intensificar las actividades legales y poderse llevar a cabo una mayor campaña en defensa de los cubanos González, Barker, Sturgies y Martínez para que sean puestos en libertad.

El informe del doctor Schurr fue amplio, minucioso y fuerte, en el cual atacó duramente a uno de los Fiscales del Caso Watergate, Cox, que tiene a su cargo la investigación del mismo. El doctor Schurr lo acusó "de emplear tácticas similares a las utilizadas por el Gestapo de Adolfo Hitler".

(Indicate page, name of newspaper, city and state.)

20

DIARIO LAS AMERICAS

MIAMI, FLORIDA

Date: 10/7/73

Edition:

Author:

Editor:

Title: CUBAN WATERGATE PRISONERS

Character:

or

Classification:

Submitting Office MIAMI, FLA.

Being Investigated

4.

Aclaró el abogado defensor "que al principio del proceso él no conocía a los acusados, pero que con el transcurso del mismo ya son amigos suyos". Reiteró "que no se conoce actualmente la situación de los acusados", pero presentó muchos ejemplos y recalcó "que no se concibe cómo es posible que disfruten de libertad otros muchos detenidos también acusados en este caso, y que sin embargo los únicos que están guardando prisión son los cuatro acusados cubanos".

Además recalcó el abogado defensor- estos cuatro cubanos no hicieron otra cosa que cumplir con órdenes superiores, siguiendo las instrucciones que recibieron como agentes del CIA.

#### La campaña

Además del abogado defensor usó de la palabra el doctor Manuel Artime, que fungió de maestro de ceremonias. Dio la bienvenida a los presentes y abundó en las mismas consideraciones acabadas de exponer por el abogado defensor, insistiendo en "que los cuatro cubanos presos deben ser puestos en libertad porque otros muchos acusados disfrutari de ese privilegio".

Habló también Reinaldo Vergara, quien comenzó dando las más expresivas gracias a toda la Prensa en general de la Comunidad por la valiosa cooperación que ha prestado en favor de los cuatro cubanos presos, desde el primer momento.

Vergara le dio también las gracias a los tres abogados defensores por la magnífica labor que han llevado a cabo y la que se proponen realizar en lo adelante hasta lograr la excarcelación de los cubanos.

Vergara dio a conocer los planes del Comité de Ayuda para intensificar la campaña de publicidad, defensa y recaudación, porque, según él: "El Comité le adeuda alrededor de 30 mil dólares a los abogados, y además se precisa dinero para continuar la defensa hasta el final."

Con este motivo -añadió Vergara- se acordó ~~activar~~ "la campaña del dólar" iniciada por un periódico cubano, para que cada órgano de publicidad e información coopere en ese sentido, dando a conocer que las donaciones pueden ser enviadas a esos medios de divulgación o al Watergate Relief Fund en The Bank of Miami, P.O. Box 1109, Miami, Florida, 33101.

Vamos a dar también una comida -añadió- a 50 dólares el cubierto, de lo cual informaremos oportunamente. Vamos a presentar un show con artistas cubanos y americanos de prestigio internacional, que ya daremos a conocer.

Y vamos a realizar colectas en las factorías -apuntó- "porque hace falta dinero para que no falte nunca la defensa legal de los acusados."

En el acto se hizo constar la generosa y gentil postura de los abogados, los cuales manifestaron a todos en general "que a los cuatro cubanos presos no les faltará nunca la defensa, aunque no haya dinero".



La foto de Gort capta el momento en que, reunidos en el Centro Vasco, se encontraban entre otras personas (de izquierda a derecha), el abogado Ruben Ellis; la señora

Janet Sturgies, la señorita Silvia Campos y las señoras Celia González y Clara Barker.



"DIARIO LAS AMERICAS"  
Miami, Florida  
October 7, 1973  
Page 20

DEFENSE ATTORNEY REPORTED ON CUBAN  
WATERGATE PRISONERS

by EVARISTO R. SAVON

A few hours ago, the local defense attorneys, the wives of the prisoners, the members of the Aid Committee, and representatives of newspapers, radio and tv stations met at the Centro Vasco, Miami to hear a report from the Watergate defense attorney for the four Cubans involved in the Watergate trial.

Attendance

Dr. DANIEL SCHURR, the principal lawyer and honored guest at the meeting, was surrounded by relatives of the accused: Mrs. CELIA GONZALEZ, wife of VIRGILIO GONZALEZ; CLARA BARKER, wife of BERNARD BARKER; JANET STURGIES, wife of FRANK STURGIES; and Miss SILVIA CAMPOS, fiancée of EUGENIO MARTINEZ.

Drs. ELLIS RUBIN and JORGE CARDET, defense attorneys for the relatives in Miami, representing them in the local courts.

The Aid Committee was represented by Dr. MANUEL ARTIME, REINALDO VERGARA, Father RAMON O'FARRILL, Dr. LUIS CONTE AGUERO, MANOLO VILLAMANAN, Dr. CRISTOBAL GONZALEZ MAYO, WIFREDO ALVAREZ DEL REAL, and MIGUEL REYES, etc.

The press was represented by TOMAS GARCIA FUSTE, of "La Fabulosa"; MAX LESNIK, of "Replica"; HUMBERTO ESTEVEZ, of Channel 23 TV; reporters from NBC, CBS and ABC; reporters from the "Miami Herald," the "Miami News", "New York Times", and local tv Channels 4, 7, 10 and 23.

2.

### Objective

The purpose of this meeting was to listen to a report by the Washington defense attorney for the accused, Dr. DANIEL SCHURR, on the present situation of the accused, in order to intensify legal activities and carry out a stronger campaign to defend the Cubans GONZALEZ, BARKER, STURGIES and MARTINEZ, to attain their freedom.

The report of Dr. SCHURR was full, detailed and strong. He harshly attacked one of the Watergate attorneys, COX, who is in charge of the investigation. Dr. SCHURR charged him with "using tactics similar to those of Adolf Hitler's Gestapo".

The defense attorney stated that at the beginning of the trial, he did not know the accused, but with the passage of time, they have become his friends. He reiterated that he did not know the present situation of the accused, but he gave many examples, and pointed out that it is inconceivable how many others, also charged in this case, are free, and the only ones in prison are the four Cubans.

The defense attorney also emphasized that these four merely obeyed orders from above, following the instructions they had received as CIA agents.

### Campaign

In addition to the defense attorney, Dr. MANUEL ARTIME, who acted as master of ceremonies, also spoke. He welcomed those present, and discussed the same matters mentioned by the defense attorney, insisting that the four Cubans should be set free, because many others who have been charged enjoy this privilege.

REINALDO VERGARA also spoke. He began by thanking the press and the community in general for their cooperation and the help given to the four imprisoned Cubans, from the first moment.

3.

VERGARA also thanked the three defense attorneys for their magnificent work already completed, and the work they propose to carry out in the future, until the Cubans are released from jail.

VERGARA stated that the Aid Committee plans to intensify the campaign for publicity, defense and collection, because, he said, "the Committee owes about thirty thousand dollars to the lawyers, and they also need money to continue the defense to the end."

For this reason, VERGARA added, they have decided to activate the "dollar campaign" begun by a Cuban newspaper. He wants all publicity and information organs to cooperate by advising that donations can be sent to these newspapers, or to the Watergate Relief Fund, Bank of Miami, P.O. Box 1109, Miami, Florida 33101.

"We will also hold a dinner," he added, "at \$50. a plate, and we will soon have information on this. We will have a show with Cuban and American artists who are famous internationally, and we will announce their names later."

"And we will take up collections in the factories," he added, "because we need money so that the defendants will not lack for proper legal defense."

Immediately, the lawyers stated that the four Cubans would never lack for defense, even if there were no money.

Caption below photograph

The Gort photograph shows, from left to right, Lawyer RUBEN ELLIS (sic); Mrs. JANET STURGIES; Miss SILVIA CAMPOS, and Mrs. CELIA GONZALEZ and CLARA BARKER.

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 28, 1974b6  
b7c

[redacted] "Miami Herald" and "Miami News" newspapers, the morning and evening daily newspapers published in Miami, Florida, at 1 Herald Plaza, advised that the morgue of that newspaper contained individual file folders by name and subject of all individuals who had been frequently mentioned in connection with the Watergate and related investigations.

Accordingly, he made available for copying the following articles which were prepared by the "Miami Herald" and the "Miami News" newspapers (exclusive of wire service releases) contained in the name file of BERNARD L. BARKER:

Interviewed on 5/23/74 at Miami, Florida File # Miami 65-3264  
 by SA [redacted] al Date dictated 5/28/74

(Mount Clipping in Space Below)

# 2 Spoke at Pro-Nixon Rally Of Exiles Here Last May

By **ARNOLD MARKOWITZ**  
And **RAUL RAMIREZ**  
Herald Staff Writers



**Frank Fiorini**  
... Miami adventurer

In 1959, he claimed to have made a propaganda leaflet raid by plane over Cuba, and that got him into trouble. Later, considerable doubt was raised as to whether that flight ever took place.

IN 1968, Fiorini, alias Sturgis, was jailed in British Honduras. He and 12 companions had been arrested in that country's waters during what Fiorini later claimed was a voyage to make a commando raid in Cuba.

The Mexican captain of the boat told British authorities that Fiorini and his friends had hijacked it.

Fiorini once was a close associate of Maj. Pedro Luis Diaz Lanz, once Castro's air force chief. Diaz Lanz also turned against Castro. Fiorini has not been in the news since 1968.

Martinez' neighbors in the Montego Apartments would not even come to their doors Saturday. It is a large building, fairly expensive-looking.

Gonzalez has worked nearly 12 years at the Missing Link Locksmiths at 221 NW Eighth Ave. Harry Collot, owner of the business, said Gonzalez "is not a stupid man. He's a very good locksmith. He's very expert with safes, at refinishing and rebuilding them.

"I'm not impressed with his lock-picking ability, though."

**GONZALEZ'** family, a wife, two daughters and a son, said he had gone to work Saturday morning. A young man who claimed to be Gonzalez' son-in-law said he had seen him at home the same morning. Gonzalez, Washington

(Indicate page, name of newspaper, city and state.)

14 A  
THE MIAMI  
HERALD  
MIAMI, FLA

Date:  
Edition:  
Author:

6/18/72

11

Two of the men caught with a load of electronic equipment in Democratic National Committee headquarters in Washington early Saturday attended a Cuban exile meeting at Miami in May and claimed to represent an organization of captive nations. The meeting, reported to The Herald by an exile source who asked to remain anonymous, followed President Richard M. Nixon's announcement of a blockade of North Vietnamese seaports.

According to the source, Frank A. Fiorini and Bernard L. Barker both spoke at the meeting, although they had not been invited. Its purpose was to organize a downtown demonstration in support of the blockade.

**FIORINI** later participated in the demonstration, the source said.

The source also said that some exile organizations do not trust Fiorini and Barker.

Barker, Fiorini and two more of the five men now being held as burglary suspects in Washington are Miami-ans.

Fiorini is the only one of the group about whom very much is publicly known. But how much of what is known about him is accurate is open to doubt. The stories he told to newspaper and magazine interviewers during the 1960s are rich with foreign intrigue, alliances with Fidel Castro and alliances against him.

Fiorini, who now calls himself Frank Albert Sturgis, is said to be about 48. Herald files contain many clippings about him, but none give his age.

Through many of the articles runs an undertone of

skepticism. Fiorini's address is listed as 2515 NW 122nd St., near the fourth green of Westview Country Club. The Miami-ans are:

○ Eugenio L. Martinez, about 50, of the Montego apartment building, 4044 Meridian Ave., Miami Beach, a native of Cuba who is believed to have fought for Castro against dictator Fulgencio Batista and turned against Castro.

○ Virgilio R. Gonzalez, about 46, of 930 NW 23rd Ave., Miami, a locksmith who did not show up for work Saturday.

○ Bernard L. Barker, about 55, of 5229 NW Fourth St., a U.S. Army veteran, a prisoner in Germany during World War II and a worker in the Buro de Investigaciones — the Cuban counterpart of the FBI. He is now a real estate salesman, his neighbors think.

Fiorini, born in Virginia, lost his U.S. citizenship in 1960 for serving in a foreign military force — Fidel Castro's — in 1959. In 1961, with the help of Sen. George Smathers of Miami, was restored.

Barker lives in half of a duplex house he owns at 5229 NW Fourth St. He rents the other half to a Cuban family. The neighborhood is largely Cuban.

Barker's wife Clara refused to open her door Saturday. She said she did not know anything about what had happened in Washington.

MANUEL Lama, who lives across the street, said he understands that Barker is in the real estate business.

"As far as I know, he is a nice person," Lama said. "He is on the fat side — about 200 pounds. About my height (five feet, nine inches). He speaks good Spanish, like a Cuban, without an accent."

"It's hard to believe this from the way he acts: A very nice person. Looks decent."

# Mitchell Links Security Man to Break-In

By ROBERTO FABRICIO

Special Staff Writer

An embarrassed John N. Mitchell, head of the Committee to Reelect the President, Sunday said that one of five men arrested for breaking into the Democratic National Committee offices is the security coordinator for the Nixon committee.

James McCord, the only one of the five not from Miami, was identified earlier Sunday by the Associated Press after going through lists of court-filed records of the Republican campaign.

Campaign finance records filed June 10 by the Committee to Reelect the President list James W. McCord Jr., of 7 Winder Ct., Rockville, Md., as receiving a take-home salary of \$1,209-a-month for his job as security coordinator.

Meanwhile, Democratic Chairman Lawrence F. O'Brien asked for a full FBI investigation, saying, "No mere statements of innocence by Mr. Nixon's campaign manager will dispel these questions."

He called off Mitchell's Cabinet successor Attorney

General Richard G. Kleindienst to pursue the investigation, "until we know beyond a doubt what organization or individuals were behind this incredible act of political espionage."

"The most searching professional investigation can determine to what extent, if any, the Committee for the Reelection of the President is involved in this attempt to spy on Democratic headquarters," O'Brien said.

McCord, who said at his arraignment that he is a re-

ired Central Intelligence Agency agent, identified himself during court proceedings as operator of a security consulting business, McCord Associates.

Former Attorney General Mitchell said in a statement from Los Angeles that McCord "was not operating either in our behalf or with our consent."

"I am surprised and dismayed at these reports," he said.

Committee expenses also list a \$1,001 payment to McCord Associates Inc. of 414

Huntesford Dr., Rockville, for security service, a \$915 payment to the same firm for equipment and purchases, a \$303 payment to James McCord at the Hungerford address for television cable and a \$330 payment to McCord for television equipment reimbursement.

McCord, 53, and four other men, two Cuban nationals and two Americans with a long history of involvement in Cuban politics, were arrested Saturday at the Democratic headquarters in the Elush Watergate Apartments

in Washington and charged with second-degree burglary.

POLICE SAID the men were carrying cameras that could have been used to photograph file materials and confidential documents.

Several of the offices in the headquarters had been ransacked, and paneling in a wall adjacent to O'Brien's office had been removed, ostensibly to place electronic hearing devices also found.

The Miami men, held on

\$50,000 bail are:

• Frank Fiorini, alias Frank Sturgis, of 2515 NW 122nd St., a former Castro ally who later turned against him and nearly lost his U.S. citizenship for his revolutionary endeavors.

• Eugenio R. Martinez, of 4044 Meridian Ave., Miami Beach, 50, who is believed to have fought for Castro and later against him.

• Virgilio R. Gonzalez, of 930 NW 23rd Ave., a locksmith who did not show up for work Saturday at the Missing Link Locksmiths at 221 NW Eighth Ave.

• Bernard L. Barker, of 5220 NW Fourth St., who allegedly worked for the Revolutionary Council that planned the Bay of Pigs invasion was identified by neighbors as a real estate agent, "who speaks Spanish without any accent."

According to police, the five were wearing rubber surgical gloves and had elec-

tronic equipment with them when they were surprised by plainclothes police alerted by security guards.

Police found lockpicks and door jimmies and almost \$3,500, most of it in \$100 bills with serial numbers in sequence.

The men also had a walkie-talkie, a shortwave receiver, 40 rolls of unexposed film and two 35 mm. cameras.

Mitchell said of McCord: "He has as we understand it a number of business clients and interests, and we have

no knowledge of those relationships."

(Indicate page, name of newspaper, city and state.)

LA

MIAMI HERALD

Date: 6-19-72

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office

Being Investigated

HE ADDED that the Nixon campaign committee has also been "experiencing our own security problems."

"Our problems are not as dramatic as the events of Saturday morning, but nonetheless of a serious nature to us. We do not know as of this moment whether our security problems are related to the events of Saturday morning at the Democratic headquarters or not," Mitchell added.

"There is no place in our campaign or in the electoral process for this type of activity and we will not permit or condone it," he added.

The Florida White House, where President Nixon has been staying since Saturday, referred all inquiries about McCord to the campaign headquarters.

NEIL BALL, of the President's staff, was at first unaware of McCord's link to

the Committee to Reelect the President and said he would wait for a statement from Ron Ziegler, the President's press secretary.

Ball later said however, "Call the Committee for the Reelection. We have nothing to add from here."

Speculation about the Cubans' involvement in the plot ran high among Miami's exile community Sunday.

Revolutionary groups identified Barker and Florini as having sought support recently for the President's

blockade of North Vietnamese ports.

Early in May both men took part in the planning and execution of a 200-truck parade throughout Miami of Cubans supporting the blockade. At that time they said they were representatives of captive anti-Communist nations.

An exile source active in revolutionary groups who refused to be identified, said Florini was, "distrusted by serious revolutionary groups."

"He is the kind of man who goes around telling you he can sell you weapons and provide men for an invasion," the source said. "But most of these times the weapons are later confiscated by police, so we don't deal with him."

THE HEAD of an exile revolutionary group, who also refused to be identified, said the two Cubans arrested were not known among revolutionary circles, but that the two Americans were.

"I believe the involvement of the Cubans in this situation was simply a mercenary selling of services for pay," said the man.

"I doubt whether there is any ideological involvement among our compatriots on the presidential campaign."

In 1960, at the peak of Florini's public involvement, his wife told The Miami Herald of his revolutionary ambitions:

"Ever since I've known him all he could talk about was joining a revolution. And I don't think it was adventure he was after — it was money.

"THAT'S ALL he ever talked about — making money, and making money fact. And revolutions — that was the quickest way."

Florini disputed his wife's allegations at the time and said his involvement in the Cuban revolution, which he joined and later defected from, was ideological.

In 1959 he claimed to have made a propaganda leaflet raid by plane over Cuba, and that got him into trouble. Later doubt was raised that the flight ever took place.

Barker was identified Sunday by exiles, as part of the Consejo Revolucionario Cubano that organized the Bay of Pigs invasion under CIA sponsorship. That has not been confirmed, however.

He alienated a number of the exiles with whom he tried to organize the blockade-support parade. They said he looked like a "bully," with "no manners" and had "too much to say."

AS LATE AS 1968 Florini identified himself as president of the International Anti-Communist Brigade. At several times he said he had between 100 and 7,000 men ready for anti-communist action in Cuba.

Florini's turn against Castro came in 1959 when Cuba's Chief of the Air Force, Maj. Pedro Luis Diaz Lanz fled, accusing Castro, then a democratic champion, of communism.

"I had to choose sides between Castro and Diaz Lanz and I went for Diaz Lanz," Florini said later. "I believe in anything that is American. I am a born anti-Communist fighter."

As late as 1970 Diaz Lanz was identified as being active among John Birch Society circles. In the mid-60s he was one of the society's speakers. Recently he recruited Cubans for John Birch meetings in Miami.

HE RECENTLY sold a service station he owned on West Flagler St.

Douglas Caddy, attorney for Barker, was identified Sunday by Group Research, a Washington group that follows activities of right wing groups, as being the first national executive director of the Young Americans for Freedom, a conservative organization.



~~Demo break-in 'leader'~~

# Once worked for the CIA

Combined Miami News Services

WASHINGTON — The apparent leader of five men, charged with breaking into the headquarters of the Democratic National Committee, has been identified as an af-

fluent Miami realtor with important Republican Party links in Florida.

He was also said to have been one of the top planners of the CIA's abortive invasion of Cuba in 1961.

Private and official sources who know the five suspects and their background said that the leader was Cuban-born Bernard L. Barker, who, under the code name of "Macho," acted for the CIA

in planning the Bay of Pigs operation.

Jose E. de la Torriente, leader of an anti-Castro organization that has sought support for an exile invasion of

Cuba, told The Miami News that Barker "used to work for the CIA here at the time of the Bay of Pigs invasion. That was public knowledge. It was no mystery. He was a sort of assistant to the man who was in charge here for the CIA, a man named Bender."

At the time of his arrest, Barker gave his address as 955 SW 1st St., Miami. That is the office of M. Guel A. Suarez, a Cuban-exile lawyer prominent in Republican politics in Florida. Suarez ran for Metro mayor in 1970 and finished fifth. According to his acquaintances, Barker is associated with Suarez in the sale of condominium apartments.

Robert Rosasco, Dade County GOP chairman, told The Miami News that if Barker had any political influence, it was "not with the Dade County organization." Rosasco said he had never heard of Barker.

According to Miami sources, Barker was politically active during the Bay of Pigs period, and was one of the principal links between the CIA headquarters and the Cuban exile army during the pre-invasion period.

Barker was said to have played a role in establishing the secret invasion bases in Guatemala and Nicaragua and to have served as one of the conduits for CIA money to the exile army.

Barker, now a U.S. citizen, is closely associated with Capt. Manuel Artime, the military leader of the invasion. Artime, who lives in Miami, is reported to have business connections with prominent Cuban exiles in Miami, who in turn have links to the Republican Party.

Barker held several jobs before establishing his own real-estate firm in Miami, a former employer of his told The Miami News. Robert E. Marx, a Miami realtor, said they met three or four years ago when Barker managed a store in the Central Shopping Plaza. Marx said Barker obtained a real-estate license, joined a local firm and later went to work for him.

"He worked for me about a year and a half as a real-estate salesman," said Marx. "He left eight or 10 months ago and I haven't seen him since." Marx said they argued about the way Barker handled a sales contract, and "I was about getting ready to let him go. He was causing such ill-feeling in the office, shooting off his mouth about the way I was treating him."

Barker then opened his own real estate office, Barker Associates Inc., at 2301 NW 7th St.

There was no evidence to indicate that Suarez or Artime were in any way connected with the Washington raid.

The third alleged raider, Fran Sturgis — also known as Frank Fiorini — was reported to have been involved

in the Bay of Pigs preparations in an active but lesser capacity than Barker. He is an American and a former marine.

In a letter to the editor of The Miami News, published March 30, 1960, Fiorini — he used that name rather than Sturgis — objected to previous letters from readers demanding better U.S.-Cuban relations.

In Cuba, he wrote, "we have seen on multiple occasions how human rights were violated, how representative democracy has been denied to the people, how the U.S. government has been accused of imperialism, our President and State Department officials ridiculed; and worst of all, how Castro has unfurled the Communist banner in America, trying to subvert our Western civilization . . ."

"I am an American citizen, and it was my love for democracy and personal liberty that led me to fight dictator Batista. But today I denounce Fidel Castro as a traitor to the Revolution and a traitor to America."

The two other alleged members of the raiding party — Eugenio R. Martinez and Virgilio R. Gonzales, both of Miami — were also reported to have been active in anti-Cuban movements.

Martinez is a real-estate agent and a Florida notary public. Gonzales is a locksmith.

(Indicate page, name of newspaper, city and State.)

EA

MIAMI NEWS

MIAMI, FLORIDA

Date: 6/19/72  
Edition:

(Mount Clipping in Space Below)

# Ex-White House aide reportedly met Barker

The New York Times News Service

WASHINGTON — A former consultant to a high White House official was reported to have met in Miami about two weeks ago with the apparent leader of the group that has been charged with attempting to bug the offices of the Democratic National Committee.

Cuban sources identified him as E. Howard Hunt, who became a consultant to Charles Colson, special counsel to President Nixon, and to other high White House officials, after retiring from the CIA two years ago.

Hunt, using the code name "Eduardo," was the CIA official in charge of the abortive Bay of Pigs invasion of Cuba in 1961.

He was the immediate superior of Bernard Barker in the preparations for the Cuban invasion. Barker, who at that time used the code name of "Machete" was one of the five men arrested at gunpoint early Saturday and charged with a break-in at the Democratic National Committee headquarters in Washington.

Cuban sources said that Hunt flew to Miami about two weeks ago to meet with Barker, now a wealthy realtor, and talked over his business calling card with his suburban Miami home telephone number penciled

on the back and gave him oral instructions to call if he ever needed him.

Ken Clawson, deputy director of communications for the executive branch, last night confirmed reports that Hunt indeed worked as a White House consultant on a part-time basis in the summer and fall of 1971 and again this year.

Last summer, Clawson said, Hunt was hired after President Nixon ordered a study on declassifying official documents following the publication of the Pentagon Papers.

Clawson said that Hunt, who was hired by the White House personnel office at Colson's suggestion, ceased his consulting work on March 29. But Clawson insisted that "we do not have any idea of his participation in the incident" involving the alleged break-in by former CIA employees at the Democratic committee's offices.

According to Clawson, "Neither Mr. Colson nor anyone else had any knowledge or participation in this deplorable incident."

Police sources here said that Hunt's name was found in the address book of Barker and one other suspect at the time of their arrest.

But aside from the reported meeting in Miami between Hunt and Barker and the report that Hunt's name was in the address books, there was no further evidence to link the former CIA official to the break-in.

The FBI entered the case in Miami after the Department of Justice announced a full-scale investigation and the availability of a federal grand jury here to receive the evidence.

In Miami, the FBI arranged to question Miguel Suarez, a business partner of Barker's and a leading Republican in Miami's Cuban-exile community. Four of the five men arrested in the committee headquarters Saturday morning are from Miami.

(Indicate page, name of newspaper, city and state.)

7-A

MIAMI NEWS

MIAMI, FLORIDA

Date: 6/20/72

Edition:

A.

# Barker an 'anti-Communist' — says business associate here

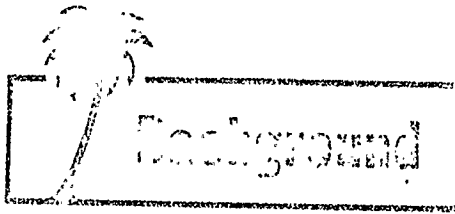
By MERWIN K. SIGALE  
Miami News-Latin America Writer

Bernard L. Barker, one of four Miamians arrested during the break-in at Democratic National Committee headquarters in Washington, is described by a close business associate as "anti-Communist" with "very strong democratic ideals."

Miguel A. Suarez, an attorney and unsuccessful candidate for Metro mayor in 1970, gave that assessment of Barker and also confirmed that the two men are associated in Barker's real estate firm and three condominium deals, in addition to having a lawyer-client relationship.

Suarez said he was surprised to learn of Barker's involvement in Saturday's break in.

"As far as I know, he has never been involved in politics, except that he helped me in my campaign," Suarez said. Other sources have



linked Barker with CIA planning of the 1961 Bay of Pigs invasion.

Suarez, 38, a Cuban-born U.S. citizen, denied that his association with Barker afforded the real-estate man an important link with the Republican Party, as a Washington news dispatch hinted yesterday. "I have no influence," he said.

"If I am the prominent link, all I have to say is that's a big laugh. I have no prominent links."

Suarez called himself a "Nixonian" Republican who pays \$25 a year in dues to the GOP National Committee — "and that's it."

He said that he acted "like a liaison" between Florida's Cuban community and GOP Gov. Claude R. Kirk Jr., but that role ended when Kirk was succeeded by Democrat Reubin Askew in 1971. He was also chairman of Cuban-Americans for Gurney in 1968, when Republican Edward Gurney was elected to the Senate.

He has never met President Nixon or Vice President Agnew but has met Nixon's friend C. G. (Bebe) Rebozo once, he said.

Suarez said he last saw Barker "either Thursday or Friday, here in this office." At 955 SW 1st St., a "Re-elect the President" sticker adorns the second-floor door to the Suarez and Carricarte law office.

"We were discussing this pamphlet . . . a do-it-yourself condominium kit," Suarez recalled.

Describing his business relationship with Barker, Suarez said, "I am his attorney. I have formed his (real-estate) corporation, Barker Associates Inc. He is associated with me and my cousin, Jose Garciga, in Dinitz Tower Inc., a 27-unit condominium on Normandy Rd., which we are now building and selling.

"His (Barker's) part is selling. My part is legal work. He is also related with me in another two condominiums we are now promoting, with 27 and 45 units."

By "promoting," Suarez said, he means that financing is being sought and no construction has started.

Suarez said that he is secretary and Barker president of Barker Associates, the real estate firm, with an office at 2301 NW 7th St.

Suarez said he also knew one of the other men arrested, Eugenio R. Martinez of Miami, whom he called "Rolando." Washington reports had identified Martinez as a real-estate agent. Suarez said Martinez joined Barker's real-estate firm as a salesman after working for the Keyes Co.

(Mount Clipping in Space Below)

# McCord Is Linked to Secret Service

By JAMES BUCHANAN  
And CLARK HOYT  
Herald Staff Writers

James W. McCord Jr., security chief for the Committee to Reelect the President, who was arrested after breaking into Democratic National Committee headquarters, may have been recommended for his post by the Secret Service, sources said Monday.

The Associated Press, which first discovered that the alleged burglar was an

employee of the committee, said McCord was given the \$1,200-a-month position in January, reportedly at the suggestion of Al Wong, head of the Secret Service Technical Security Division.

McCord, 53, a former employee of both the FBI and the CIA, operates a private security agency in Rockwell, Md., as well as serving as a "security expert" for former Attorney General John N. Mitchell, who now heads President Nixon's campaign forces.

NEITHER Wong nor an official spokesman for the Secret Service would confirm that the agent was acquainted with McCord or recommended him for the post.

Meanwhile, there were these other developments in the case, which saw the arrest of four Miamians as well as McCord in the Democrats' office on the sixth floor of the Watergate Office Building adjoining the plush Watergate Hotel:

① District of Columbia po-

lice said, "We've got things that point to a sixth man being involved," but admit they have no idea who it might be "if there was one at all."

② Lawrence O'Brien, chairman of the Democratic National Committee, said the party was considering court action against anyone it can find who may have violated the First Amendment or the party's civil rights.

③ The mystery continued as to where the five arrested

men obtained between \$5,000 and \$8,500 in crisp \$100 bills which they carried during the operation and which are in consecutive serial numbers.

④ A discovery that McCord had "recently" visited the Fontainebleau Hotel rooms to be occupied by the Republican National Committee in Miami Beach "to check on security" prompted the Democrats, who will use the

(Indicate page, name of newspaper, city and state.)

Page 1  
The Washington Post

The Washington Post  
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# Did Secret Service Pick

# McCord for Security Post

same rooms first, to order them electronically "swept" as a precaution against eavesdropping.

The five arrested Saturday carried burglar tools, according to Washington detectives, and "old fashioned" electronic gear which could have been hidden in the Democrats' office to transmit conversations there for a distance of some 150 feet.

That would have been

enough, officers said, to have reached the rooms in the adjoining Watergate Hotel, which the five suspects had rented under assumed names earlier in the week.

Police officials expressed amazement that the five arrested had been "so stupid" in their operation.

MAKING THEIR way from an outside entrance up to the sixth floor offices by way of a fire stairwell, the men had placed adhesive tape over each door latch so it would not lock and trap them in-

side.

A building security guard spotted the tape on two doors and removed it. On his next rounds, he found the same latches taped again and summoned police, who heard the men removing a wall panel in one of the main offices and made the arrests.

O'Brien, in announcing the Democrats' counsel was considering legal action, said, "There may have been other incidents before this."

Then, with a gibe at the Republicans, he added: "I

thought this was a law-and-order administration."

President Nixon has refused to comment on the break-in and referred questions to John N. Mitchell, his campaign chairman and former attorney general.

Mitchell, in turn, has said only that the five men arrested were "not operating either on our behalf or with our consent."

But at the Florida White House on Key Biscayne, the chief executive's press secretary, Ronald Ziegler, was

drawn into a discussion of the incident with reporters Monday.

"OBVIOUSLY we don't condone that kind of second-rate activity," Ziegler said.

When pressed further, the press secretary added, "I'm not going to comment from the White House on a third-rate burglary attempt. I'm not going to comment on a group of guys who put on surgical gloves and tried to go in and bug a place."

O'Brien has demanded a

full-scale investigation by the Justice Department, and a department spokesman said that the FBI already has begun a probe as a "routine matter."

The Associated Press revealed that one of the five arrested, James McCord, had been paid \$2,418 in April and May by the Committee to Reelect the President, which is headed by Mitchell.

A former security chief for the Central Intelligence Agency's headquarters near Washington, McCord is being held under \$30,000 bail.

The four Miamians, who like McCord were caught within the party quarters wearing surgical rubber gloves and removing part of the paneing in one office, included Frank Florini, who once was active in pro-Castro and then anti-Castro activities.

The others were Eugenio Martinez, V. F. Gonzalez Bernard L. Barker. All are being held under \$50,000 bail.

**MIGUEL SUAREZ**, a Miami attorney who ran unsuccessfully for Metro mayor in 1970 and who is Bernard Barker's business associate, said he last saw his partner Friday morning and they discussed real estate developments in Miami.

"I am the lawyer for Barker Associates," said Suarez. "He is always in my office. He is like a permanent fixture here, so that's I guess why he gave this address. He probably didn't want to implicate his wife."

At the time the five men were arraigned, Barker gave Suarez' address, 955 SW First St., as his.

"I know that he is an anti-Communist and a Democrat," said Suarez, "but I don't know much else of his political beliefs."

**SUAREZ SAID** Barker helped him during his bid for Metro mayor "by passing posters, passing out hand bills and generally being helpful around the office."

"I have not been in contact with Barker since Friday, but

I have had a call from his attorney, Douglas Childs, and we discussed private matters pertaining to this case."

Suarez has known Barker since 1963, but said he did not know if Barker was involved in the Bay of Pigs invasion planning as a CIA man, as has been suggested.

"We worked in a Cuban clinic together and we hit it off," said Suarez. "About two years ago we began working together in real estate deals."

**SUAREZ SAID** he didn't discuss politics with Barker often, implying they didn't see eye-to-eye politically.

He said that although he is a Republican, he was upset when high-ranking Mexican-Americans were on town recently for a fund-raising dinner among Dade's Spanish-speaking for the Committee for the Re-election of the President.

A Miami attorney who says he was a CIA employee during and after the Bay of Pigs invasion said he had worked with Barker on several clandestine operations. The man asked to remain anonymous.

"He was a doer at the time, and not a planner as has been implied. He was a very effective operator, a tactical executor of orders and well versed in plastic explosives and other subversive undercover operations, but at that time he didn't know a thing about electronic bugging or spying," said the source.

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(Mount Clipping in Space Below)

# Cash Seized at Demo HQ From Miami, FBI Finds

**ARNOLD MARKOWITZ**  
Herald Staff Writer

Some of the \$6,300 seized from five men arrested Saturday at Democratic Party headquarters in Washington has been traced to the Federal Reserve Bank in Miami by federal investigators trying to learn who else was involved in the burglary.

Police sources in Washington said Tuesday that the FBI was checking banks in both Miami and Philadelphia, where some of the cash was also believed to have been issued.

The investigators failed to find any bank that handled the money in Philadelphia.

**THE MIAMI MONEY** was traced by means of the consecutive serial numbers on the \$100 bills, still wrapped in paper bands when the men were captured on the sixth floor of the Watergate office building at 2600 Virginia Ave. NW.

But prospects were uncertain Tuesday that the money could be traced along its entire route after leaving the Federal Reserve office at 3770 SW Eighth St., Miami.

The Federal Reserve Banks are regional outlets of the U.S. treasury Department. In effect, they are banks for banks.

Presumably the money was distributed by Federal Reserve to a local commercial bank. But one banker told The Herald that a complete record of the money's movements may not be available if it went through other banks before coming into the possession of the five suspects, four of whom are from Greater Miami.

**IT ALSO IS** possible, one source said, that the money had moved through other cities.

But if it can be traced along its route, investigators may discover whether the money was withdrawn from a bank by one of the suspects or by another person. This aspect of the investigation would appear to offer the best chance to learn if anyone else was involved.

There were these other developments on Tuesday:

● It was revealed that diagrams of two ballrooms in the Doral Beach Hotel in Miami Beach were found among the belongings of the suspects. The rooms are being prepared for use by Sen. George McGovern during the Democratic National Convention next month.

● The New York Times reported that former CIA agent Howard E. Hunt, who helped direct the bay of Pigs invasion of Cuba in 1961, met with one of the suspects two weeks ago in Miami. Hunt, now an advertising writer, is a part-time consultant to White House special counsel Charles W. Colson.

● It was learned that one or more of the suspects apparently tried recently — for reasons that are not known — to make housing arrangements here for members of the Young Republicans.

**THE ROUGH** diagrams of the Regency and Mediterranean ballrooms at the Doral Beach Hotel, 4833 Collins Ave., were found in an address book owned by one of the suspects, The Washington Post reported.

On one of them the word "May" was written — an

apparent reference to the month of May and a possible indication that the two rooms were bugged with listening equipment then.

David Johnson, general sales manager of the hotel, was amused when he was told about the diagrams Tuesday night.

"The Nixon people, theoretically, have as much information on our facilities as the McGovern people do," he told The Herald. "We have the honor to be not only the McGovern headquarters, but also the Nixon headquarters."

**"THE SAME** rooms will be used by both parties."

Johnson said the Regency room would be used for caucuses by McGovern supporters (a spokesman for McGovern said meetings there would be open) and by Nixon for a staff mess hall. The Mediterranean Room will be used by both candidates as press headquarters.

"The Regency room has at least four doors and anybody could listen if they wanted to," Johnson said.

"I'm sure no one besides myself and a privileged few others know who's going to be sleeping in what rooms."

"They'd have to bug the whole damned hotel to find out any secret information."

**THE MEDITERRANEAN** room, the largest, is 183 feet long by 59 feet. It usually is divided into three rooms.

The Regency measures 86 by 36 feet. Both are lavishly decorated — the Mediterranean in light blue with fancy

(Indicate page, name of newspaper, city and state.)

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MIAMI HERALD

MIAMI, FLORIDA

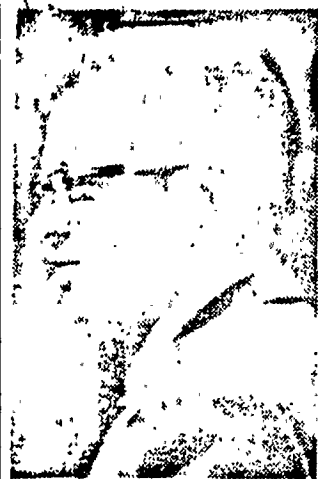
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Edition:

Author:

Editor:

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**Charles W. Colson**  
... White House aide

scrollwork in the carpets and drapes and the Regency in gold and dark green.

Meanwhile, more than 100 FBI agents were assigned to the case in Washington, where it has been given top priority. The FBI's Miami office also went to work on it, interviewing relatives, friends and business associates of the suspects in search of background information.

Two of the suspects — Bernard L. Barker, of 5220 NW Fourth St., and Eugenio Rolando Martinez, of 4044 Meridian Ave., Miami Beach, work out of a second floor real estate office at 2301 NW Seventh Street.

**BOTH HAVE** been active in undercover work for the U.S. Department of Defense and the CIA at different times.

They probably first met late in 1959, when both became part of the anti-Castro underground.

While Barker was helping people to escape from Cuba, Martinez operated a weapons shuttle into Cuba. Barker left Cuba in mid-1960 and began operating from Miami. Martinez ran guns to Cuba until shortly before the Bay of Pigs invasion.

**EXILE SOURCES** in Miami said Tuesday that once he reached the United States, Barker became a CIA agent linking the operations of the Consejo Revolucionario Cubano (Cuban Revolutionary Council) and working as

a courier for U.S. agencies planning the Bay of Pigs raid.

According to The Times, Howard E. Hunt helped direct the invasion. He used the code name "Eduardo." The Times said, and Barker was his chief aide.

For the past year, Martinez has worked for Barker in his condominium sales office at 2301 NW Seventh St. Both are said to be more idealistic than materialistic by Cuban exiles who know them.

About two weeks ago, a man named Eugenio R. Martinez went to the office of James Grimm, director of housing at the University of Miami.

**GRIMM SAID** Tuesday that the man handed him a real estate agent's calling card but did not say much. A companion, whose name Grimm could not remember, did most of the talking.

The other man identified himself as a representative of the Young Republicans and said he was seeking housing accommodations for 3,000 Young Republicans during the party's national convention in August.

"He said he was a member of some sort of board or arrangements committee," Grimm said.

Grimm said he turned down the request for housing facilities because there would be no time to prepare the dormitory rooms for students arriving in September.

**HE SUGGESTED** they try the Coral Gables Chamber of Commerce or the Lindsey Hopkins, a hotel operated as a training facility by Dade County School Board.

Mrs. Hal Mordaunt at the Chamber of Commerce and room clerk Vincent Tore at the Lindsey Hopkins said Tuesday that they had received telephone calls from a man seeking a large number of housing accommodations about two weeks ago. Both said they were unable to help him.

Frank Fiorini, who also calls himself Frank Sturgis, is the best known of the five suspects.

He was a publicity-seeking spokesman and battler for Cuban exile causes in the 1960s. Fiorini, a native of Virginia, lives at 2515 NW 122nd St., west of North Miami.

**AMONG FIORINI'S** last known Cuban exile associations was Cubanitos Unidos (United Cubans). The organization's claims, beyond its existence, are strongly doubted by established exile groups.

Fiorini and a man named Kaiser came to The Herald's Latin America desk about two years ago, claiming to have access to about \$40 million furnished by unnamed "international anti-Communist industrialists."

They also claimed to have an invasion force recruited, but they could offer no evidence to back their claims.

Kaiser claimed to have been an ex-paratrooper, former French Foreign Legionnaire and dedicated anti-Communist. Exile sources in Miami say the only Cubans known to be involved in Cubanitos Unidos are two brothers.

In Washington, Police Capt. Dudley Hunt, night supervisor of the Washington police detective bureau, said he had not heard Kaiser's name mentioned in the case.

## Democrats Tighten Beach Security

He said a report that one of five men arrested — James W. McCord Jr. — visited the Fontainebleau Hotel 10 days ago "raises considerable concern to us," since that is where the Democrats are setting up their convention offices.

"Key offices" would be "swept on a daily basis" by the telephone company and a private security firm to check for electronic "bugs" Murphy said.

He added that "special security" is being added to the party's offices, on three floors of the Fontainebleau. He did not elaborate.

Tightened security and daily searches for electronic surveillance equipment are being planned for next month's Democratic National

Convention after Saturday's break-in at the party's Washington offices.

Richard J. Murphy, manager of the July 10-13 convention, said Tuesday that the "outrageous attempt at political espionage in our office" had caused more elaborate security plans for the party's Miami Beach offices.

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(Mount Clipping in Space Below)

# Nixon Aide Linked To Demo HQ Bugging

By CLARK HOYT  
Herald Washington Bureau

WASHINGTON -- The trail of the bungled attempt to bug Democratic national headquarters led close to the White House Tuesday and prompted a new look at a month-old law office break-in that authorities say could be related.

Democratic national chairman Lawrence O'Brien said there is a "developing clear link to the White House," as FBI agents sought to question a part-time White House consultant whose name appeared in address books seized from suspects in the bugging attempt.

O'Brien Tuesday filed a \$1-million damage suit against President Nixon's reelection committee.

The suit named the committee as a co-conspirator along with five men, including the committee's security chief, arrested at gunpoint early Saturday morning in the offices of the Democratic National Committee.

THE CIVIL suit, filed in

*Part of the \$6,300 seized from five men at Democratic Party headquarters has been traced to the Federal Reserve Bank in Miami. See Page 21A.*

U.S. District Court, contends that the break-in was an invasion of privacy and that the Democrats' civil rights were violated.

O'Brien said also that the alleged attempts to plant bugging devices during the break-in was in violation of laws against wiretapping.

The suit asks for \$100,000 in compensation for damages to the committee's offices in the Waverly Hotel and to cover other expenses the party incurred because of the break-in. It asks for \$900,000 in punitive damages.

O'Brien said as far as he is concerned the break-in had a "clear line of direction to the Committee for the Re-election of the President" and there is a "developing clear line to the White House."

BUT HE DECLINED to say that the Republican National Committee was directly behind the break-in. He said the court suit would determine the facts.

Joseph A. Calitano Jr., the party's general counsel, told a news conference that criminal attorney Edward Bennett Wilham will represent the Democrats in their court case against what O'Brien called "the blatant act of political espionage," which he said was part of "a continuing, long-term activity."

Meanwhile, a police spokesman said that traces were being followed up

into a break-in last month at the law office of Max Kampelman, a top adviser to Hubert Humphrey.

Kampelman's firm also numbers among its partners Mrs. Patricia Roberts Harris, temporary chairman of the Democratic National Convention credentials committee.

Richard Berryman, another partner in the law firm, said the break-in, discovered on the morning of May 16, had seemed routine until a striking similarity with the party headquarters incident was noted.

IN BOTH CASES, Berryman said, the exit doors to the office buildings were

(Indicate page, name of newspaper, city and state.)

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taped to block automatic locks. Berryman quoted police as remarking at the time that the use of tape in that manner was unusual.

In May, he noted, there had been "a good bit of steam behind Humphrey's campaign for the Democratic presidential nomination."

Kampferon's law office is on the 10th floor of an office building in Washington's Watergate Complex, only two doors away from the building housing the Democratic Party headquarters.

It was the only office reported broken into that night.

Immediately after the break-in, Berryman said, he and his partners were largely unconcerned because they could find nothing missing and no signs that any files had been disturbed.

No check was made for electronic bugging devices, he added, although a search of the office may be conducted now.

**POLICE SAID** the five men arrested in the Democratic headquarters were carrying several transistorized microphones and cameras.

Sources close to the investigation have also disclosed that at least four of the suspects occupied rooms at the Watergate Hotel, just behind the Democratic headquarters, from May 26 through 29.

According to police records, an attempt was made on May 28 to tamper with a lock on a door at the party's offices.

Authorities confirmed that two of the suspects arrested Saturday had address books containing the name of Howard E. Hunt, together with the notations, "W.H." and "W. House."

Hunt, a part-time consultant to White House special counsel Charles W. Colson, is a writer at the advertising firm of Robert R. Mullen & Co., 1700 Pennsylvania Ave., a block from the White House.

**HE WAS NOT** in his office Tuesday, and a police source said FBI agents had been unable to find him at his home.

The Washington Post reported Tuesday that Robert E. Bennett, president of the Mullen firm, said Hunt was "a good friend" of the sus-

pects' first attorney, Douglas Caddy.

Hunt and Caddy once shared an office at the Mullen firm, according to Bennett. Caddy was not employed there but acted as liaison with General Foods Corp. where he was employed.

In Superior court here Saturday when the five suspects appeared for arraignment, Caddy stayed in the background, bringing in another attorney to represent the five men.

The New York Times reported Tuesday that Hunt, a former CIA man who helped direct the ill-fated Bay of Pigs invasion in 1961, met two weeks ago in Miami with one of the men arrested in connection with the Democratic headquarters break-in.

**THE TIMES** said Hunt flew to Miami to meet with Bernard L. Barker. Hunt handed Barker his business card with his suburban Maryland phone number penciled on the back and told him to call if Barker needed him, the newspaper said.

According to the account in the Times, Hunt used the code name, "Eduardo" during the Bay of Pigs invasion, and Barker, using the name "Macho," was his chief aide.

White House press secretary Ronald Ziegler said Tuesday that he had talked to Colson, and Colson "made it quite clear to me that he was in no way involved" in the bugging incident.

Asked if Colson had sent Hunt to Miami to meet Barker, Ziegler said, "I think I can say quite specifically that was not the case."

**ZIEGLER SAID** the President has "read with interest — as everyone has — about this case," but added: "This is something the President will not get personally involved in."

Ziegler said Nixon has not talked with Mitchell about it.

Ken Clawson, a White House aide, said Hunt last worked as a consultant to Colson on March 29.

He said Hunt had been given two main assignments involving intelligence material — narcotics addiction and declassification of Defense Department documents in the wake of the "Pentagon Papers" controversy last year.

**ACCORDING TO** Clawson, Hunt and Colson were friends. He said their friendship dated to 1966, when Colson was president and Hunt vice president of the Brown University Club of Washington.

Former Attorney General John Mitchell, now President Nixon's campaign manager, denounced the Democratic law suit as "another example of sheer demagoguery on the part of Mr. O'Brien."

Mitchell repeated that his Committee for the Re-election of the President "did not authorize and does not condone" the attempt to bug the Democratic offices.

The committee's security chief, James McCord, is one of the five suspects being held in the District of Columbia jail. The five face charges of second degree burglary.

**IN ADDITION**, authorities say an FBI investigation could lead to further charges involving violations of federal laws forbidding electronic eavesdropping.

McCord was fired by Nixon's re-election committee Monday, and he was also discharged from a similar post at the Republican National Committee.

Mitchell said: "In light of the investigation which is under way and the readiness of the U.S. attorney to proceed as evidence is developed, the law suit filed by Mr. O'Brien cannot be regarded as anything other than a political stunt."

(Mount Clipping in Space Below)

# FBI Seeks 4 More in Democratic HQ Break-In

By CLARK HOYT and JAMES SAVAGE  
Herald Staff Writers

Metropolitan police and the FBI in Washington Wednesday said they are seeking four new suspects, all listing themselves as members of a mysterious "Americitas" organization, in connection with the abortive wire-tap attempt to bug Democratic National headquarters.

In other developments:  
FBI agents have traced some of the \$4,300 in cash seized during the bungled raid last Saturday to a Miami bank, and they may soon learn if there was a secret sponsor for the operation.

E. Howard Hunt Jr., ex-CIA official and part-time White House consultant implicated in the affair, was suspended from his job with a Washington public relations firm after he has dropped from sight.

Democratic National Chairman Lawrence F. O'Brien said diagrams of his personal

offices and living quarters on the 15th and 16th floors of the Hotel Fontainebleau were found among the belongings of the arrested suspects.

Authorities in Washington said the four additional suspects were registered at the swank Watergate complex May 26-29 along with four of the five arrested in the Democratic headquarters. The Democratic offices are in the Watergate.

Police refused to divulge the names of the four but said two listed their homes as New York; a third was from Kansas and the fourth from Miami. One of the four has a Spanish surname.

ALL FOUR OF THOSE SOUGHT, as well as those arrested, identified themselves on hotel registration cards as representing a shadowy Americitas organization, a name that publicly surfaced for the first time Wednesday.

(Indicate page, name of newspaper, city and state.)

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MIAMI HERALD

MIAMI, FLORIDA

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day.

O'Brien said Tuesday in announcing a \$1-million damage suit against the Committee for the Re-election of the President, that "it's apparent to us now that there has been more than one incident."

He said the Democrats had information that as many as nine individuals, including some of the five arrested Saturday, stayed at the hotel during the May 26-29 period.

**WASHINGTON POLICE** sources said the four new suspects registered under fictitious names. They said that a woman they would not identify also stayed at the hotel with the group, but that she was not registered.

Those arrested Saturday included James W. McCord Jr., a former CIA employe and head of a security consulting firm in Rockville, Md. He was hired as a security officer by both the Committee for the Re-election of the President and the Republican National Committee.

The other four are Miami residents with previous links to either the CIA or the anti-Castro Cuban community in Florida.

Meanwhile, The Herald learned that serial numbers from some of the crisp, new currency found in possession of those arrested has led FBI agents to the Republic National Bank of Miami, 10 NW LeJeune Rd.

**ONE OF THE** five arrested Saturday, Bernard L. Barker, 54, of 5229 NW Fourth St., has accounts at the bank.

It is believed that the cash to pay participants in the bugging raid may have been withdrawn from Barker's account after he deposited a check.

It was not known Wednesday if all of the \$6,300 in cash, rather than some of it, found by Washington police after they broke up the bugging raid has been traced to the Republic National Bank.

Investigators apparently hope that Barker's bank records will show if some secret sponsor provided him with money for himself and the four other men arrested at gunpoint Saturday morning.

**FBI AGENTS** presented a subpoena for Barker's bank

that he would "give" him (Hunt) an opportunity to come back to work and justify his absence if he can."

Although Hunt's whereabouts is publicly unknown, informed sources said the FBI had managed to make contact with him Wednesday and he refused to answer any questions about his possible connection with the break-in at the Democratic offices.

### Bernard Barker ... bank accounts

records to Republic National Bank officials Wednesday and are scheduled to return to the bank to examine the records.

Bank Comptroller Russell H. C. Vining said the FBI agents gave him a subpoena "with a terrific long list of names on it."

The list apparently was designed to include everyone who has been named in the investigations who may have banked at Republic National, Vining said.

In Washington, Hunt, the key figure who dropped from sight, was suspended from the payroll of Robert R. Mullen and Co., where he worked as a writer.

Authorities have confirmed that two of the suspects arrested Saturday had address books containing Hunt's name, together with notations "W. H." and "White House."

Hunt, reportedly a major figure in the abortive 1961 Bay of Pigs invasion who retired from the CIA in 1970, also is a part-time consultant to White House special counsel Charles W. Colson and a spare-time spy novelist.

**PUBLISHED AND** undenied reports have said that Hunt met two weeks ago in Miami with Barker, believed to be the key figure among the four Florida men who were arrested in the Democratic headquarters.

Robert Bennett, president of the Mullen company and the son of GOP Sen. Wallace Bennett of Utah, Wednesday said he had suspended Hunt from the payroll because "as of now he is an employe absent without excuse," adding that he had failed to report for work Wednesday morning and would not be paid.

ed three references to Director Richard Helms, conservative columnist William F. Buckley and Colson.

Meanwhile, it was learned that investigators have traced the listening devices, which apparently were to be installed in the Democratic headquarters, to a Pennsylvania dealer who normally provides the equipment only to authorized law enforcement agencies. The dealer was not named.

It is a federal crime to install a listening device, to attempt to install a bug or to induce someone else to intercept conversations through the use of a secret microphone or a telephone wiretap.

The maximum sentence for those convicted under the federal anti-bugging law is five years in prison and a \$10,000 fine.

Washington police sources said the evidence indicated that the suspects were inside the Democrats' suite of rooms at least 20 minutes before they were arrested.

**WASHINGTON** columnist Jack Anderson, who apparently has interviewed one of the suspects arrested in the bugging case, injected the name of Key Biscayne financier C. G. (Bebe) Rebozo into the controversy Wednesday.

During a Washington radio program, Anderson said Rebozo has helped, "as a personal favor," both Barker and his real estate associate, Miguel A. Suarez, arrange for the financing of some of their real estate transactions.

Suarez, a business associate of Barker's in several condominium-building transactions, said:

"I have never asked him (Rebozo) for any favor and I don't expect any from him, not even a smile."

Rebozo, President Nixon's most publicized friend in Florida, could not be reached for comment.

**ANDERSON SAID** His information about Rebozo did not come from his jail interview with one of the accused

**THE SOURCES** said it was not certain whether Hunt would be subpoenaed to appear before a federal grand jury, which is expected to be convened shortly to hear evidence in the case.

Bennett said that the last time he saw Hunt was Monday afternoon and that he had asked him at the time about reports circulating about his possible link to the bugging incident.

Bennett quoted Hunt as telling him that "I was nowhere near that place on Saturday." Bennett said he then told Hunt that the job he was working on for the Mullen company "had a crisis and he (Hunt) said 'fine' and went on to other subjects."

Hunt went to New York Tuesday morning to oversee the editing of a television spot commercial he was handling for a client of the Mullen firm. Bennett refused to disclose the name of the client.

"Being in New York was very convenient for him to avoid any response to these people," said Bennett. He referred to scores of calls from reporters after Hunt's name was publicly linked to the bugging incident.

**BENNETT SAID** the last time he had any contact with Hunt was Tuesday afternoon when Hunt telephoned from New York. Bennett said he told Hunt that "You're going to have to be here Wednesday morning or I'm going to have to suspend you."

**HUNT WAS** hired by the Mullen company in 1970 after he retired from the CIA.

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raiders. And Anderson said the fact that Rebozo had helped Suarez and Bariker "is no reason to implicate Rebozo in the wire tapping incident."

Meanwhile, a Democratic National Committee spokesman said Anderson's claim on Tuesday about O'Brien's personal travel expenses could only have been written from information obtained from a file missing from the party headquarters.

The spokesman did not ac-

cuse Anderson of stealing the file, but party officials were quick to point out that one of the men now arrested was a good friend of Anderson's and was believed to be one of Anderson's sources.

Anderson said Wednesday that he has known Frank Fiorini, one of the suspects, for nearly 20 years. "He is a contact of mine inside the Cuban community," Anderson said.

HE SAID the informatior

about O'Brien's personal expenses had not come from Fiorini.

He also said the attempts to link him with the missing file are probably to discredit future columns he said he plans to write on the Democratic committee.

A check of Dade County records, meanwhile, showed that Fiorini and Eugenio Martinez are registered Democrats, while Bariker and Virgilio R. Gonzalez are registered Republicans.

(Mount Clipping in Space Below)

Fifth Kept at \$50,000

# Bonds Eased for Four In Demo HQ Break-In

'Ameritas' — It's a Realty Firm ..... 14A  
Convention Hall Keys Missing ..... 1B

By CLARK HOYT  
Herald Washington Bureau

WASHINGTON — Superior Court Judge James A. Belson Thursday eased bond requirements on all but one of the "Watergate 5," the men arrested in the alleged bungled attempt to bug Democratic national headquarters last week.

The five, dressed in dark business suits and open-collar sports shirts, seemed alert and relaxed while their attorney, Joseph A. Rafferty Jr., described them as solid citizens and prosecutor Earl Silbert portrayed them as frightened criminals who might try to escape justice if released.

The bail hearing was the first public appearance for Bernard L. Barker, Frank A. Sturgis (also known as Frank Fiorini), Eugenio R. Martinez and Virgilio R. Gonzales — all of Miami — and James W. McCord, of Rockville, Md., since their arrest at 2:30 a.m. Saturday in the Democratic offices which are located in the plush Watergate Hotel.

AFTER LISTENING to almost three hours of arguments, Belson agreed to ease the bond requirements for all of the defendants except Sturgis. At the same time, the judge said: "The weight of evidence is extremely strong for the government as it has been presented thus far."

Attorney Rafferty said he

(Indicate page, name of newspaper, city and state.)

L-A

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Expected the four to post bond and be released from the D.C. jail today.

Meanwhile, the government revealed new bits of evidence at the bail hearing.

One of the men, McCord, who was fired this week as security coordinator for President Nixon's reelection committee and the Republican National Committee, made recent trips to New Hampshire, Chicago and Miami, where he rented two apartments.

(Silbert, principal assistant U.S. attorney, offered no further details and no explanation for the trips. But he cited them in arguing against a reduction in the \$30,000 bond set for McCord.)

Sturgis, one of four Miami men arrested with McCord, was carrying a document apparently issued by the government of Mexico to Edward Hamilton, the alias Sturgis first gave police. Silbert questioned whether the document might be some sort of passport or travel visa and cited it as evidence that Sturgis might try to flee the country if set free before his trial.

Authorities are "investigating not only into this episode (the attempted bugging) but others perhaps related to it," Silbert said without elaboration.

Silbert told Belson that there was an "immediate prospect" that federal charges will be filed against the five. It was the first public indication of this, although it has been known that the FBI is investigating possible violations of federal anti-bugging laws in connection with the case.

For the moment, the men are charged only with second-degree burglary. Belson reduced bond for

Barker, Gonzales and Martinez from \$50,000 to \$40,000, with the provision that they could be freed upon posting 10 per cent, or \$4,000, with the court.

He said the three would have to remain in the Washington area until after a preliminary hearing set for next Thursday. After that, the judge said, the men can return to Miami, where they will be required to report in person four days a week — and by telephone the other three days — to the Dade County Pretrial Release Program.

BELSON ALSO stipulated that they could not enter the city of Miami Beach, where the Democratic National Convention will open next month.

McCord's bond remained at \$30,000, but the judge said he could be freed upon posting \$3,000 in cash with the court.

After Sturgis claimed he could not account for the Mexican document seized from him when he was arrested, Belson left his bond at \$50,000, all of which must be posted before Sturgis can be freed.

The judge said that before any of the men could be released, he would have to be satisfied as to the source of the cash they posted.

When they were arrested, police seized an estimated \$6,300, much of it in crisp \$100 bills. Some of it has been traced to the Republic National Bank in Miami, where Barker has an account.

DURING THE bail hearing, Barker, 54, a Miami real estate man who has been named as the ringleader of the group in some reports, smiled broadly at his daughter, Mrs. Maria Moffett, and embraced her briefly when she came forward as a character witness. They were quickly separated by U.S. marshals.

The slender, dark-haired Mrs. Moffett, 25, said she is a former secretary to U.S. Rep. Claude Pepper (D., Fla.) and now works as "a very prominent insurance agent" with the Prudential Life Insurance Co. in Bethesda, Md. She said that she has known Sturgis "ever since I was a child" and that he and his family used to come to her father's home to swim in the Barkers' pool and play pinocle.

But, under cross examination by Silbert, she conceded that she never knew how

Sturgis made his living. "My upbringing doesn't permit that kind of question," she explained.

Rafferty revealed that no commercial bail bondsmen in Washington had been willing to post bail for his clients.

SILBERT CONTENDED that bondsmen are "pretty good at evaluating risks."

He pictured McCord as "ruined, in effect," since his arrest. "This is a person allegedly a respected member of his community. How is he going to face his neighbors, the members of his church?" Silbert asked.

The four Miamians, the prosecutor charged, were mere "soldiers of fortune" likely to skip the country to Latin America, where they could fit comfortably in because of their Latin ties.

Barker's daughter disputed Silbert's descriptions. "They are all people that have resided in this country," she said of her father and his companions. "They are law-abiding citizens who love this country, and I do not think they would do anything to violate the orders of this court."

MEANWHILE, E. Howard Hunt Jr., the part-time White House consultant whose name has been linked to the episode, surfaced briefly Thursday through a cryptic midnight telephone call to his employer and then dropped from sight again.

The employer quoted Hunt as saying he wanted to get away from "press harassment."

Hunt, a retired CIA official and prolific spy novelist, first dropped from sight Tuesday after it was reported that his name — plus the notations

"W.H." and "W. House" was found in address books seized from two of the men arrested in the Democratic headquarters.

Robert Bennett, president of Robert R. Mullen and Co., a Washington public relations firm where Hunt works as a writer, suspended Hunt from the payroll when he failed to show up for work Wednesday morning.

Bennett said Thursday that he received a long-distance telephone call from Hunt shortly after midnight Thursday.

"HE CALLED me at home and told me that because of the effect of press harassment on his children, he felt he had to leave the city and remove himself from this atmosphere," Bennett said.

Meanwhile, Joseph E. Mohbat, press secretary for the Democratic National Committee, said that he and Party Chairman Lawrence F. O'Brien inadvertently had given out inaccurate information Wednesday.

Mohbat said that, contrary to what they had reported, a diagram of O'Brien's Miami headquarters was not found among the suspects' belongings and a file on O'Brien's personal and travel expenses was not missing.

(Mount Clipping in Space Below)

# Demo Break-In, Cash Transfer Linked

By CLARK HOYT  
Herald Washington Bureau

WASHINGTON — The attempted bugging of Democratic national headquarters followed a mysterious transfer of \$89,000 from Mexico City to the Miami bank account of one of five defendants in the case, the government said Friday.

Assistant U.S. Attorney Earl Silbert said part of the money, in the form of new \$100 bills, was seized by police when the five were arrested before dawn last Sat-

urday in the Democratic offices.

Silbert said Miami real estate man Bernard L. Barker withdrew the \$89,000 in cash on May 8 from the account of his real estate firm, Barker Associates, at the Republic National Bank at 10 NW LeJeune Rd. in Miami.

AT A BAIL hearing in Superior Court, the prosecutor said the money came from Banco Internacional of Mexico City and "may or may not tie in with" a Mexican visa found on one of Barker's co-

defendants, Frank A. Sturgis (also known as Frank Fiorini) of Miami.

The visa, issued to Edward J. Hamilton, the alias Sturgis used when arrested, was good for travel in and out of Mexico between Jan. 7 and April 6 of this year, Silbert said. He added that the \$89,000, in four checks, was deposited on April 24 in Barker's account.

Silbert did not reveal any information about the account or accounts on which the checks were drawn. But other federal sources indicated that the signatures on the checks were illegible.

Silbert brought out his intriguing new evidence in an attempt to persuade Judge James A. Belson that Barker, who has strong links to the anti-Castro Cuban movement, might try to flee the country rather than stand trial.

BELSON, apparently swayed by the prosecutor's argument, refused to release Barker on bond and said he



**Bernard Barker**  
... withdrew cash

(Indicate page, name of newspaper, city and state.)

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would rule Monday on a government motion to increase the bond to \$50,000 or even more.

"Any person with \$89,000 in cash has a high degree of mobility," Belson remarked.

Barker, appearing rumpled and unshaven in the same dark blue business suit in which he was arrested, slumped momentarily and hung his head before regaining his composure.

Only Thursday, the judge had reduced Barker's bond to \$40,000 and said he could be released upon posting a cash deposit of \$4,000. Barker's daughter, Mrs. Maria Moffett of Alexandria, Va., had come to the crowded courtroom with the \$4,000 expecting that she would be taking her father home with her until his pretrial hearing next Thursday.

The attorney for the five defendants, Joseph A. Rafferty, Jr., said the bail money had been raised from Mrs. Moffett's savings, and contributions from her father-in-law in Bethlehem, Pa., and

her grandfather, Dr. Miguel Alvarez of Miami.

MRS. MOFFETT, kept apart from her father by U.S. marshals, called out to him in Spanish to ask why he had not shaved.

He replied in English that his razor was dull but assured her with a smile, "Don't worry. I've got everything I want."

She then followed forlornly as Barker and the other four were led in handcuffs to a paddy wagon that took them back to the District of Columbia jail.

In other developments in the Democratic headquarters case:

● One of the defendants, James W. McCord, was ordered released by Belson after posting a \$3,000 cash deposit on his \$30,000 bond.

McCord, who was fired as security coordinator of President Nixon's reelection committee and the Republican National Committee after his arrest, raised the bail money from the bank account of his private security firm. The judge required him to remain in the Washington area and get a new job within 15 days.

## Reagan: No Dishonor In Political Spying

LOS ANGELES — (UPI) — Gov. Ronald Reagan said Friday that he knew from experience that "espionage is not considered dishonorable" in political campaigns.

The California Republican governor made the remark in answer to questions by newsmen about the recent arrest of five men with eavesdropping devices in the Democratic National Committee headquarters in Washington.

"Anyone who pretends that things of this kind are not part of politics hasn't taken into consideration the fact that the firm of one man, who has a business to guarantee security, had been hired by the Republican National Committee to provide security for their offices," he said.

"That would indicate that in politics people know that a certain amount of snooping goes on from both sides. I know from my own two campaigns that you are well aware that espionage is not considered dishonorable in political campaigns."

● Syndicated columnist Jack Anderson made an appearance in the case and offered to take custody of Sturgis, whom he described as a longtime friend. Despite Anderson's plea, however, the judge refused for the second day in a row to lower Sturgis' \$50,000 bond.

● Anderson told reporters outside the court room that,

he believes the ringleader of the abortive bugging attempt was E. Howard Hunt Jr.; a parttime White House confidante who had a minute conversation with Sturgis at the District of Columbia jail earlier this week. Sturgis is a former CIA official who has dropped from sight. Anderson had a 20-

● The remaining two defendants in the case — Virgi-

~~It is~~ ~~R. Gonzales~~ and Eugenio R. Martinez, both of Miami — were unable to raise money for bail and were returned to jail. Rafferty said they might be able to come up with enough cash — \$4,000 each — by Monday.

Anderson, speaking with newsmen before he took the stand, quoted Sturgis as saying he had been hired by Barker. Anderson said of Sturgis, also known as Frank Fiorini, "He's a soldier. He said he was working for Barker."

Anderson added: "The people who came up from Miami, except for Barker, didn't know the Washington people."

Anderson did not explain who he meant by "the Washington people." But, he added, "I think Hunt was the leader."

THE COLUMNIST smiled and declined comment when asked if Sturgis said he had seen Hunt on the trip to Washington for the bugging attempt.

In sworn testimony, Anderson said he bumped into Sturgis by chance at Wash-

ington National Airport last Thursday or Friday. Police have said Sturgis and the other Miamians arrived here late Friday afternoon.

Sturgis introduced Gonzales, Anderson said. He added that he was rushing to catch a plane to Cleveland and did not have a chance to talk with Sturgis.

Anderson's attempt to help Sturgis was doomed after prosecutor Silbert disclosed evidence suggesting that Sturgis had gone to some lengths to cloak himself with the false identity of Edward Joseph Hamilton of Attleboro, Mass.

Silbert produced these documents he said were seized from Sturgis: a birth certificate for Edward J. Hamilton, born Oct. 9, 1918, in Jersey City, N.J.; a Massachusetts driver's license for Hamilton; an international vaccination certificate, again for Hamilton; a Florida driver's license, a Social Security card, a Hertz rental car credit card and a membership card for the Racquet Club of Miami — all made out to Hamilton.

"We almost don't know who this man is," Silbert said, "We don't know where he goes, what he does. His activities are a total mystery."

Silbert said Belson would be taking "an unreasonable risk" to lower bond for Sturgis.

By **ARNOLD MARKOWITZ**  
Herald Staff Writer

Bernard L. Barker, a suspect in the attempted bugging of Democratic Party headquarters, tried last year to obtain architectural plans for the Miami Beach Convention Center, where the party's national convention will be held next month, according to a Miami architect.

When he failed to get the plans, said architect Leonard Glasser, Barker made another request — for architectural drawings of the center's air conditioning system.

Glasser said he has known Barker for about two years and has done business with him on real estate projects in which Barker, a broker, has been involved.

Why did Barker want ar-

chitectural plans of the Convention Center?

"HE SAID HE had some people who wanted to build a convention hall in Puerto Rico," Glasser said. "I lived in Puerto Rico for about seven years, so I indicated an interest, and he asked me if I could get a set of the plans of the Miami Beach Convention Hall."

Glasser said he thought at the time that Barker's requests were weird but eventually forgot about them.

After Barker and four other men were caught by police in the party offices, it was discovered that among their belongings were rough diagrams of two ballrooms at the Doral Beach Hotel in Miami Beach.

Those rooms are reserved for Sen. George McGovern during the Democratic National Convention. Reading news reports of the discovery, Glasser was reminded of the earlier conversations with Barker.

"I'M NOT SURE of the date, but it was about eight months ago," Glasser said. "The time is important, because at that time only the Democratic convention was scheduled here."

Glasser's connection with Barker is a result of coincidence: Glasser used to have offices on the second floor at 955 SW First St. Miguel Suarez, a lawyer with whom Barker has had real estate dealings, also occupied that floor, as he does now. The

law firm and the architectural firm shared a conference room, Glasser said.

A business relationship developed between Glasser and Barker, Glasser said. They worked together on a number of real estate development projects.

"I was doing a job, a parking garage, for the city of Miami Beach at the time," Glasser said.

"I have constant contact with the city. So I called over there and asked if they had a set of plans, and they said they did not. They said it was not available."

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(Mount Clipping in Space Below)

**Baffling Story Leaves Many Questions**

# The Watergate-Five Mystery Thriller Spins Web of Intrigue About Miami

By **DON BOHNING**  
Herald Staff Writer

Sherlock Holmes might have entitled it, "The Case of the Bungled Bug."

But eight days after the abortive attempt to bug the Democratic National Committee headquarters in Washington's swank Watergate complex, the solution is far from elementary, my dear Watson.

Instead, each new day brings a development more bizarre than the ones that preceded it in an ever-expanding plot that puts Holmes, Ellery Queen and Eric Ambler to collective shame.

By week's end, a tangled web of intrigue had emerged involving foreign bank accounts, soldiers of fortune, anti-Castro revolutionaries, phony identities, memories of the Bay of Pigs, former top-level CIA employes, the White House and a multitude of other baffling elements.

*The Herald team which contributed to this special report includes Washington correspondent Clark Hoyt and staff writers Roberto Fabricio, Arnold Markowitz, Raul Ramirez and James Savage.*

It all served to enhance the image of Miami, where much of the action unfolded, as the Casablanca of the Caribbean. But it did little to resolve the one basic and most perplexing question.

Why would anyone expend so much time, money and energy to bug the Democratic headquarters in the first place?

No state secrets are to be found there and neither, presumably, are the most closely held secrets of the Democratic Party thrashed out there. And even if they are, who could possibly find them valuable enough to make the risk worthwhile?

The unanswered questions presuppose, as the available evidence now seems to indicate, that more people are involved than the five arrested in the sixth floor of Democratic offices of the Watergate at 2:30 a.m. Saturday, June 17.

Police already have said they are seeking four additional unidentified persons who had registered at the Watergate two weeks earlier as part of a group that included four of the five arrested.

Of the four being sought say police, two are from New York, one from Kansas and one from Miami. One is said to have a Spanish surname.

Of the five arrested, four are from

(Indicate page, name of newspaper, city and state.)

L-A

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Miami and one, James W. McCord, is from Rockville, Md., a Washington Suburb.

The revelation that McCord, a former high-level CIA employe, was security coordinator for the Committee to Reelect President Nixon, was what spurred the frantic efforts to ferret out further details and fueled furious speculation, some of it as bizarre as the incident itself.

McCord was promptly fired by an embarrassed former Attorney General John N. Mitchell, now heading the President's reelection campaign, who declared that McCord "was not operating either in our behalf or with our consent. I am surprised and dismayed at these reports."

**THAT WAS** Sunday, a day after the aborted bugging.

By Monday, rumors already were circulating that E. Howard Hunt, writer for a public relations company, White House consultant, spy novelist and another one-time, top-level CIA employe, was also implicated.

Tuesday The New York Times reported that Hunt recently had flown to Miami to meet with Bernard Barker, a Cuban-born American citizen, local real estate man, and an ex-CIA operative known as Macho, who was especially active during the period leading up to the disastrous 1961 Bay of Pigs invasion. He also was among the now notorious Watergate Five arrested in the Democratic offices.

Hunt dropped from public view. He was suspended from the payroll of the Robert E. Mullen and Co. public relations firm where he had worked as a writer since 1970 "as an employe absent without excuse."

**EVENTS** — and non-events — began tumbling out on top of each other.

Among them:

● Democratic National Chairman Lawrence O'Brien filed a \$1-million damage suit against President Nixon's reelection committee.

● The FBI traced some of the \$6,300 cash — mostly in consecutively numbered \$100 bills — seized on the Watergate Five or in their hotel rooms to the Republic National Bank of Miami.

Later in the week it was disclosed that Barker recently had transferred \$89,000 from a Mexico City bank to his account at the same Republic National Bank. He withdrew the entire bundle, in cash, on May 8.

● Short-lived reports of a shadowy, right-wing, anti-Castro organization, called Ameritas, came to light when it was learned that those arrested said they represented Ameritas on hotel registration forms. Ameritas turned out to be a Florida real estate corporation formed in 1969 by Miguel Suarez, one-time unsuccessful candidate for Dade County mayor, staunch Nixon supporter and a Miami business associate of Barker. Suarez said the name Ameritas had been used without his knowledge in making reservations for the group at the Watergate and on hotel registration cards.

● Frank Sturgis, another of the arrested Watergate Five and better known in Miami as Frank Fiorini, long a familiar figure among the area's soldiers of fortune, turned up with a complete set of false identification papers and a Mexican visa in the name of Edward Joseph Hamilton.

● Muckraking syndicated columnist Jack Anderson showed up at a bail hearing Friday to vouch for Sturgis and unsuccessfully plead that his long-time friend be released in Anderson's custody.

Anderson, who had spoken with Sturgis in jail earlier in the week for 20 minutes, told newsmen he thought "Hunt was the leader."

● In Miami, it was discovered that sometime last year Barker had made an effort to obtain architectural plans for the Miami Beach Convention Center, where the Democrats will hold their national convention, beginning July 10.

When he failed to get the convention center plans, he made another effort; also unsuccessful, to obtain architectural drawings of the center's air-conditioning system, which at the same time would have provided him with the location of attic space.

● Numerous speculative reports appeared linking the whole affair to anti-Castro Cubans and others concerned that the Democrats, if they win the November elections, might decide it's time for a rapprochement with the Castro regime. At this stage, at least, the reports appear to be founded more in guesswork than gospel.

Yet, they only contributed to the mounting mystery that began shortly before 2 a.m. June 17 when Frank Wills, a 24-year-old security guard at the Watergate complex, noticed that a door connecting a stairwell with the hotel's basement garage had been taped so it would not lock.

**WILLS REMOVED** the tape, but when he passed by about 10 minutes later, a new piece had been put on. He called police.

Three scruffily dressed plainclothes officers, some of whom were described as having shoulder-length hair, from Washington's "Mod Squad," responded.

They discovered that from the basement to the sixth floor, every door leading from the stairway to a hallway had been taped to prevent it from locking.

At the sixth floor, where the stairwell door leads into the Democratic offices, they found the door had been jimmied.

They discovered, huddled around a secretary's desk in an anteroom just outside party chairman O'Brien's office, McCord, Barber, Sturgis and two Cuban-born Miamians, Eugenio Rolando Martinez and Virgilio Gonzalez.

**A DEMOCRATIC** Party official called to the scene shortly after the arrest quoted police as saying the five men were terrified when first caught, and had jumped up yelling, "Don't shoot. Don't shoot." They were said to have appeared relieved when they discovered it was the police, leading to speculation they might have thought it was some other group breaking into the offices.

All five men were wearing surgical gloves. They were all unarmed except for teargas pens.

Police said they had with them at least two devices capable of picking up and transmitting oral and telephone conversations. In addition, police found lockpicks and door jimmies and almost \$2,300 cash. The five also had with them walkie-talkies, a shortwave receiver, 40 rolls of unexposed film and two 35 mm cameras.

Several of the party offices had been ransacked, and paneling in a wall adjacent to O'Brien's office had been removed, ostensibly to place electronic hearing devices, or to remove them as one theory had it.

**BY ONE ACCOUNT**, the five were in the offices at least 20 minutes before police surprised them.

But what and who brought them there is as baffling now as it was then.

Fewer than 24 hours before they were caught, it was pretty much business as usual for the four Miamians involved.

Sturgis checked in Friday morning, June 16, at the Pan American Aluminum Corp., where he worked as a commission salesman.

Gonzalez, who was born in Cuba but came to Miami 20 years ago, went to work the same morning at the Missing Link Inc., 221 NW 8th Ave., where he worked as a locksmith. He told the dispatcher, however, that he would be

quitting at noon rather than at the normal 5 p.m.

**BARKER**, whose real estate firm Barker and Associates Inc., is located at 2301 NW Seventh St., dropped by sometime Friday morning to see his attorney and associate Miguel Suarez at Suarez's law office on SW First Street.

Barker, says Suarez, came in to discuss several real estate ventures the two are involved in.

"It was all very casual," said Suarez. "He came in like every day. He talked for a while and then took off."

Martinez, who works for Barker and who recently separated from his wife, showed up in Circuit Court at 11:45 Friday morning, June 16, for a divorce hearing. The hearing broke up about 12:15.

Police say Sturgis, Baker, Gonzalez and Martinez arrived at Washington National Airport that afternoon.

There they picked up a black Chrysler with Virginia plates renting at \$18 a day and 17 cents a mile and leased in the name of Bernard L. Barker from the Avis Car Rental agency.

**LATER THE** same day they were to register at the Watergate Hotel under fictitious names. Police sources say the same quartet also had stayed at the Watergate May 26-29 as part of a group that included the four other people police now are seeking and perhaps one woman who was not registered. Coincidentally, an attempt was made May 28 to unscrew a lock on the door of the Democratic National Committee offices.

While the motivation of the Watergate Five remains a mystery, their backgrounds, plus that of Hunt, become increasingly exposed to public scrutiny.

It seems likely that the paths of all six, with the possible exception of Gonzalez, may have crossed in Miami during those swashbuckling, anything-goes, revolutionary days of the late 1950s and early 1960s when the U.S. government was actively engaged in trying to oust Fidel Castro.

**HUNT, WHO** retired from the CIA in April 1970 has been described as one of the top CIA figures involved in the Bay of Pigs invasion and who used the code name of Eduardo.

McCord, who also retired in 1970 after 19 years' service with the CIA and prior service with the FBI, also is said to have been involved in the Bay of Pigs operation.

It is widely acknowledged in Miami's Cuban community that both Barker and Martinez were involved in activities leading up to the Bay of Pigs, with the Cuban-born Barker apparently play-

ing at least a middle-level role as the liaison with Manuel Artime, the invasion brigade's civilian leader.

And Sturgis, if not directly involved in Bay of Pigs activities, long has been involved in South Florida's revolutionary subculture.

Only in the case of Gonzalez is there no public indication of a past involvement in revolutionary activities.

**FRIENDS**, acquaintances, co-workers and neighbors see all six from varying perspectives, with Hunt emerging as the most puzzling character in the cast, and McCord and Gonzalez the most unlikely.

Hunt, 54, was hired by the Mullen company in 1970, shortly after he retired from the CIA "in good standing."

He listed three references on his job application. They were: Richard Helms, the CIA director; conservative columnist William F. Buckley and White House special counsel Charles W. Colson who also recommended Hunt for the White House consultant's job.

White House assistant Kenneth Clawson says Hunt was employed as a \$100-a-day consultant beginning July 6, 1971. He worked 63 days in 1971 and 24 days this year, the last of which was March 29, according to Clawson. He is still considered a White House consultant until the fiscal year ends.

**HUNT HAD**, according to Clawson, two White House assignments, both of which he completed. The first was to assist in declassifying Defense Department material after the Pentagon papers scandal. The second was to evaluate intelligence on drug traffic coming in from various departments.

Hunt apparently joined the CIA in 1949, a year after he entered government service as an attache at the U.S. embassy in Paris.

He lists himself in the 1969 edition of Who's Who as retiring from government service in 1965 to join the business of Littauer and Wilkinson, 500 5th Ave., New York City.

But the New York telephone company has no listing for a Littauer and Wilkinson, and it is known that Hunt did not leave the CIA until April of 1970.

**ONE OF THE** more interesting aspects of Hunt's nonprofessional career is the proliferation of pulp novels he turned out, 45 of them, running the gamut from near pornography to spy thrillers, adventure tales, war stories and science fiction.

Some were written under the name of Howard Hunt, others under pen names, one of which was John Baxter.

His last book entered in the Library of Congress file is "Gift for Gomala," the tale of a small, imaginary African nation, written in 1952 under the name of John Baxter.

In a remarkable coincidence, several of the aliases used by suspects in the bugging case come close to names of characters in Hunt's novels.

**THE HERO** of "Bimini Run," an adventure story published in 1949, is an ex-Marine drifter-gambler named Hank Sturgis.

In "Stranger in Town," a book written in 1948, one of the characters is a French Resistance girl named Jeanne and another is a woman named Mathilde Valdes.

Martinez, one of the five men arrested in the Democratic offices, first gave police the phony name of Jene Valdes.

In "Maelstrom," a Hunt adventure story written in 1948, the central character uses the alias of Martin in fleeing from the United States to Mexico to escape a Senate investigation. When McCord was arrested, he first gave his name as Edward Martin.

Hunt, who lives with his family in the affluent Washington suburb of Potomac, Md., is described by one acquaintance as the perfect spy.

**"HE'S EXACTLY** the kind you'd pick for a spy because nobody'd ever look at him twice. If you tried to describe the man you couldn't do it."

It is borne out in practice.

A co-worker described him as about six feet tall, medium build, light brown and greying hair and a conservative dresser who wore mostly white shirts mixed with an occasional blue.

"Really nondescript. Just an ordinary guy."

Another acquaintance described him as being of slight build, about five foot, six inches tall with sandy, thinning hair.

A resident of the estate area of Potomac where the Hunt family lives in a one-story, red brick, rambler-style home on a two-acre plot dubbed "Witch's Island," says of the Hunts:

"I don't think anybody in the neighborhood know them well. They are very stand-offish. They studiously have avoided the neighbors."

**DURING THE** four years the Hunts have lived in Potomac, they have employed a series of Spanish speaking maids. Mrs. Hunt reportedly works as an English language translator for the Embassy of a Spanish speaking country.

Robert Bennett, Hunt's boss at the Mullen company, says Hunt is a Republican but one he couldn't categorize as either a conservative, a moderate or a liberal.

Not far away, in suburban Rockville, Md., lived James W. McCord, the GOP security man arrested in the Democratic offices and who, until two years ago, had been one of the CIA's highest ranking security officials.

Friends, co-workers and former associates all express shock and amazement at the 53-year-old McCord's involvement in the bizarre episode.

"Usually you can spot fellows who will have trouble in the future," a former security official who worked with McCord at the CIA, told a reporter last week.

"This guy moved up the ranks to higher and higher responsibility. He had good fitness reports, he was not a wheeler-dealer, he always made a nice appearance. People had a lot of confidence in him and he was liked and respected."

**THE IMAGE** of McCord projected by friends, neighbors and co-workers was that of a sensible, rational, calm individual, congenial and approachable, sensitive to local neighborhood issues and a man who devoted a great deal of time to his children and civic activities.

Although he is said to have had a broad background in the security field with the CIA, his primary concern reportedly was protection of the CIA plant.

McCord, a native of Texas, graduated from Baylor University in Waco as did his wife, Sarah. A son, Michael, is enrolled in the U.S. Air Force Academy, and a daughter, Carol Anne, will be a sophomore next year at Madison College in Harrisonburg, Va.

The couple also has a slightly retarded 14-year-old daughter with whom neighbors says McCord spends hours playing and helping her to read and write.

McCord retired from the CIA, in 1970 to set up his own security consulting firm, McCord Associates Inc., with offices in Rockville. He was hired as security coordinator for the Nixon campaign beginning Jan. 1 of this year at a take home salary of \$1,209 a month. He had recently been in Miami to check out security for the Republican convention to be held in August. It was disclosed in court Thursday that he has rented two apartments in Miami although their addresses were not given.

**ANOTHER UNLIKELY** character in the cast is Virgilio Gonzalez, 45, the locksmith from Miami who came to the United States to make his permanent home in 1962, well before the influx of

either anti-Batista or anti-Castro refugees began arriving.

With him came his wife, Celia, daughter Maria, then nine months old, and his wife's son, by a previous marriage. The couple now has another daughter, Iliana, 13. They have lived at their present NW 23rd Street residence for more than 13 years.

Gonzalez has worked at Missing Link since the 1950s except for a four-year period in the early 1960s when he was lent to the Florida Safe Service.

His wife, Celia, says he left for work as usual about 8 a.m. the morning of June 16. She has not seen him since.

When he arrived at work, he told the dispatcher that he would be quitting at noon and, according to the dispatcher, he did, although she is not certain what time he left.

**ALTHOUGH GONZALEZ** was due at work Saturday morning, his boss Harry Collot says he didn't call him because Saturdays are slow days and he wasn't needed badly. Collot did find it unusual that he hadn't called in.

Gonzalez is described by friends and relatives as a quiet, unassuming man who seldom talks politics and seemed, as one neighbor phrased it, "the last person in the world that would get involved in something like this."

"You couldn't ask for a better person," says Harry Ehrlich, who lives in a duplex next door to the Gonzalez' pink, two-bedroom home.

Ehrlich, who has known Gonzalez since moving in next door 13 years ago, was a witness for Gonzalez when he obtained his American citizenship last year.

Mrs. Gonzalez, Collot and other friends and neighbors say they had never heard Gonzalez mention any of the men arrested with him.

Collot describes Gonzalez as a "very, very, good worker. He has a very natural mechanical attitude and is very capable."

**HE SAID** Gonzalez' job is "primarily that of a safe mechanic" and his most important function with the Missing Link company is rebuilding burglarized safes.

Gonzalez' safe-opening skills, said Collot, are "maybe average, maybe not even that." Neither, said Collot, is Gonzalez particularly adept at picking locks.

Collot said he never discussed politics with Gonzalez but, "I feel he's hawkish, in a way a typically Cuban-American . . . he's pro-American, pro anything that the administration does fighting against communism, and anti-Castro."

Bernard L. Barker's participation in whatever it is he was participating in is much easier to understand.

Barker, like Sturgis and Martin, has been immersed for more than a decade in the atmosphere of intrigue that has been as much a part of South Florida as palm trees and coconuts.

The 54-year-old Barker was born in Cuba of American parents and, before Castro, had spent much of his life on the island.

**DURING** World War II, however, he joined the U.S. Army where he reached the rank of captain. He was a prisoner of war of the Germans for at least the last year of the war. It was during this period, says one long-time acquaintance, that Barker became a super patriot.

He returned to Cuba after the war, where he reportedly became a member of the Buro de Investigaciones or the Cuban Bureau of Investigation under the Batista government.

After Castro took over, Barker apparently set up his own underground railroad, helping political refugees escape the Castro regime. Among the escapees was Artime, the civilian leader of the Bay of Pigs for whom Barker was later to become a liaison man with the American intelligence community.

**BARKER**, it is believed, was a frequent visitor to the Bay of Pigs invasion force training camps in Guatemala and, at the same time, was active in clandestine missions directed at Cuba. Presumably during this period he gained at least a middle-level position with the CIA.

By 1963, when the exile activity, subsided, Barker was making a living as a clerk in a Cuban clinic in Miami. It is there where he first met Miguel Suarez, a Cuban refugee fresh out of the University of Miami law school who was working in an administrative capacity at the clinic.

Suarez said the two hit it off and have been friends since.

Between 1964 and 1970, Suarez said he saw Barker off and on, with Barker holding a variety of jobs. In 1969 Barker obtained his real estate license and early in 1971 formed his own company.

**AT THE SAME TIME**, he formed an association with Suarez who became the attorney for Barker Associates, collecting legal fees from closings by Barker Associates.

In addition to the routine home and small apartment sales, the Barker-Suarez combination has collaborated in several major transactions, including the Biarritz Towers, a 27-unit building in Normandy Isles and The Sixty One, a 16-unit apartment building on Collins Avenue in Miami Beach. They also are developing a 45-unit building in Hialeah and a 27-unit building in North Miami.

Most, but not all, of Barker's friends and acquaintances describe him as a staunch anti-Communist with idealistic motives.

At the same time, he is described by some as "a Lord of the Manor" type who shoves his weight around.

**LOCAL EXILE GROUPS** say Barker and Sturgis had actively sought support in the community for President Nixon's decision to mine North Vietnamese ports.

They helped organize a 200-truck parade through Miami of Cubans supporting the blockade. At the time they said they were representing a captive nations organization.

Barker generated some antagonism among the exiles by what one Cuban activist leader described as his "lack of manners" and the fact that he had "too much to say."

Barker's friendship with Sturgis apparently dates to the pre-Castro period.

His daughter, Mrs. Maria Moffett, 25, a former secretary of Florida Congressman Claude Pepper and now a resident of Bethesda, Md., said at bail hearing last week that she had known Sturgis "ever since I was a child."

**OF THE FOUR** Miamians involved in the bugging incident, it is Sturgis who is best known publicly, but under his former name of Fiorini.

His name has been in local news columns as an adventurer for nearly two decades. There is some suspicion that not all the exploits he has been associated with actually have taken place.

Sturgis is believed to be about 48 years old and has given his hometown as Norfolk, Va.

He has said he became involved in revolutionary activities when he traveled with his bride to Miami from Norfolk for a honeymoon and attended a rally by Fidel Castro who was then drumming up support to overthrow the Batista government.

**HE WAS**, said Sturgis, impressed by what he heard and eventually joined the Castro movement as a pilot. He broke with Castro in mid-1959, about six months after Batista's fall.

Since joining the anti-Castro effort in mid-1959, Sturgis has been involved in a variety of revolutionary activities but is not known to have been active with any of the major Cuban exile groups.

Presumably, he did at one time have at least some tenuous associations with the CIA but even that is uncertain.

In 1960 Fiorini, as he still called himself, was stripped of his U.S. citizenship and ordered to leave the country for his role as an active participant in the Castro revolution and his later anti-Castro efforts, including a leaflet drop over Havana in July 1959.

**WITH FORMER** Florida Sen. George Smathers and others coming to his assistance, citizenship was restored and Fiorini legally changed his name to Sturgis.

Whether as Fiorini or Sturgis, he has continued to be a would-be full-time revolutionary and part-time employe at a variety of jobs that have ranged from selling used cars to, most recently, selling aluminum windows.

In the early 1960s, Sturgis organized the International Anti-Communist Brigade, which, at one point in 1963, he claimed had 5,000 members of which 700 were actively training to combat communism "wherever it exists."

His most recent revolutionary escapade of note came in 1968 when a dozen others were seized by British Honduras authorities and held for 11 days.

**THE SEIZURE**, Sturgis claimed, thwarted what was to have been a commando attack on Cuba.

One long-time acquaintance of Sturgis calls him "a nice person, a fine person but he never got over being up in the hills fighting in Cuba . . . that's what he wants to keep doing."

Others aren't so charitable, including one Cuban exile active in the local revolutionary movement who says that Sturgis "is distrusted by serious revolutionary groups."

For the past 18 months or so, Sturgis, in between whatever else he is involved in, has worked as a commission salesman for the Pan American Aluminum Corp.

William J. Keefe, in charge of the company's Miami sales, said that Fiorini had been in Friday morning, June 16, "and we went over some orders that he had taken."

Keefe declined to discuss Sturgis personally but said that he was not "one of our better salesman."

**HE COULD NOT**, on what he sold for Pan American, make a decent living, said Keefe.

As a commission salesman, Sturgis could do as much or as little as he liked and his time was his own.

When he registered as a Democrat in 1962, after his citizenship was restored, he gave his address as 2515 NW 122nd Ave. in Miami, and Sturgis and his family continue to live there, in the slightly run-down white house with its unkept yard at the edge of the Westview Golf Course and Country Club.

A teenage girl who answered when a reporter knocked on the door last week, acknowledged that it was the home of Frank Sturgis "but we don't know anything about it . . . you'll have to talk to my mother."

At television Cannel 23, where she works, Mrs. Sturgis declined to discuss her husband's case

**THE LAST OF** the Miamians is Eugenio Rolando Martinez, 51, who once was active in the anti-Batista underground in Cuba. Later he turned against Castro and fled to the United States. For a while, according to local exile sources, he ran a weapons shuttle, presumably under U.S. sponsorship, back to anti-Castro elements on the island by mid-1960.

One exile activist calls Martinez "one of the most valiant and courageous men in this fight, and as the other true heroes he is mostly not known."

Another calls Martinez "an idealist . . . he is not the kind of guy to do something for the money in it and the charge that he may be a mercenary is wrong."

Martinez' recent history remains somewhat obscure but it is known he obtained his real estate license in 1970 and has been working for Barker for the past year.

He has been living with a married daughter since he recently separated from his American-born wife of five years.

Hunt. McCord. Gonzalez. Barker. Sturgis-Fiorini. Martinez.

The Watergate Five plus one, but they add up to far more than six. Just how much more nobody yet knows.



(Mount Clipping in Space Below)

# Bond Is Raised to \$40,000 For Miamian in Demo Raid

By CLARK HOYT and  
ROBERTO FABRICIO  
Herald Staff Writers

WASHINGTON — Superior Court Judge James A. Belson at a Monday hearing substantially raised the bond that Bernard L. Barker — Miami real estate agent and one of the "Watergate Five" — will have to post before he can leave jail.

Judge Belson said that Barker's attorney had failed to prove that \$89,000 trans-

ferred to Barker's bank account from Mexico City was related to his real estate business in Miami.

Barker is one of five men — four of them from Miami — charged with second-degree burglary in the June 17 break-in into the Democratic National Committee offices at the Watergate Hotel complex in Washington.

**THE JUDGE** had been ready to release Barker Friday on a \$4,000 cash deposit. But Monday Belson said Barker would have to post a \$40,000 surety bond in cash to be released.

In another development in the case Monday, Edward Bennett Williams, attorney for the Democratic National Committee in the \$1-million civil suit against the Watergate Five and the Committee To Reelect the President, said, "There is strong indication," that the Democratic offices had been bugged long before the June 17 break-in.

In a Federal District Court hearing, Williams asked U.S. District Judge Charles Richey, a Nixon appointee, for an injunction to block the use of any information learned through the alleged bugging. But Williams did not reveal the evidence on which he was basing his contention.

**THE HEARING** then broke down into bitter exchange of charges between Williams

and the attorney for the Nixon committee, Kenneth W. Parkinson.

Parkinson said the Democratic suit, "has as its only purpose . . . to destroy the chances" for Nixon's reelection.

Judge Richey warned both attorneys that, "You all jolly well understand," that he would not permit the suit to degenerate into a "political trial."

Williams asked for a speed-up order to permit him to take testimony from the

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Watergate Five and others on an "accelerated basis," while Parkinson asked for a 45-day delay.

Richey took both requests under advisement.

After hearing evidence from Assistant U.S. Attorney Earl J. Silvert that \$89,000 was transferred to Barker's account and then withdrawn in cash shortly before the alleged bugging attempt on the Democratic National Headquarters, Judge Belson raised the bond.

Judge Belson said he would make it harder for Barker to post bond, "since the ultimate source of such funds has not been shown to be untainted by irresponsible interests."

At a Friday hearing Barker's attorney, Joseph A. Rafferty Jr., said after a whispered consultation with his client that the \$89,000 was placed in an escrow account to cover a real estate contract written by Barker but that the contract fell through and Barker refunded the money.

**BUT RAFFERTY** was unable to explain why his client withdrew the \$89,000 in cash.

The government said that \$10,000 of that amount was withdrawn in \$100 bills and that part of that was the money found on Barker and his associates when they were arrested at the Watergate on June 17. The bills were traced by the FBI to the

Republic National Bank of Miami, 10 LeJeune Rd., where Barker has his account.

IN THE Superior Court bond hearing, Judge Belson took under advisement a request that bond be increased for Miami real estate man Eugenio R. Martinez — one of the five held on the break-in — after the government claimed that Martinez had not told the truth at Friday's hearing.

Assistant U.S. attorney Silvert said Martinez lied when saying he had used his U.S. passport only as a reference and an identification and that he had never intended to use it.

Silvert said that on his

(Martinez') application for a passport Martinez said last June 4, 1971, that he intended to make trips to the Dominican Republic and to another "undisclosed country."

The discrepancy between the passport records and Martinez's statement, "constitute additional persuasive evidence of his lack of truthworthiness and reliability," the prosecutor said.

**THE PASSPORT** issue became important when Judge Belson asked to require the surrender of passports as a condition to release the five men. Martinez protested, implying that whether he kept his passport or not was not important because he never intended to use it.

Martinez had also said he took out a passport immediately after becoming a U.S. citizen on July 8, 1970. But Silvert said records show he applied for the passport almost a year after that, on June 4, 1971.

Meanwhile, the remaining members of the Watergate Five — James W. McCord, security chief for the Committee to Reelect the President until last week when he was fired, and Miami residents Frank (Fiorini) Sturgis and Virgilio Gonzalez — remained in jail in Washington pending posting of their bonds.

(Mount Clipping in Space Below)

# \$495,000 Loan to Start Luxury Apartment Project

By CHARLES KIMBALL  
Herald Special Writer

Great American Mortgage Investors has advanced a loan of \$495,000 for an apartment project to be built in Miami Beach.

One of the stockholders in the firm constructing the apartments is faced by a lawsuit which seeks damages in connection with the alleged burglary of the Democratic Party headquarters in Washington in June. The suit places a claim against his real estate interests.

THE FUNDS from the Great American Mortgage Investors trust will be used to construct a five-story, 27 unit luxury building at 2000 Biarritz Dr., Normandy Isle. Interest on the loan is 4½ per cent over prime.

In addition to the first mortgage, an additional advance of \$49,000 was made for the apartments by the Chicago Title Insurance Co. Developing the new apartments is Biarritz Tower Inc.

The construction loan was endorsed by three stockholders in this firm who signed as individuals on the note. They were Miguel Suarez, Jose Garcia, and Bernard L. Barker.

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BIARRITZ TOWER Inc., bought the land for the new building from Abram Wasserstein and Isak Lesnick a year ago for \$29,000 cash. Contractor for the job is Hiram Gonzalez.

Courthouse records here show that a lis pendens has been filed against one of the three principals in the new apartment project. Barker is

named in a complaint filed by the Democratic National Committee.

THE CLAIM placed in the official records of Dade County is against any and all real estate interests in the area which may be owned by Barker. The lis pendens springs from a lawsuit for damages that was filed as a

result of Barker's involvement in an incident involving an alleged burglary of offices in the Democratic Party in Washington.

Thomas W. McAliley, an attorney, has been retained to handle any local litigation that may be initiated by the Democratic Party in the matter.

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Date: 7-20-72

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Classification:

Submitting Office

Being Investigated

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# Break-In, GOP Group Are Linked

## N.Y. Times Cites Campaign Ties

By Herald Wire Services

NEW YORK — A Miamiian alleged to have led the break-in at Democratic National Committee offices earlier placed at least 15 telephone calls to President Nixon's campaign organization, The New York Times said today.

In a copyrighted story from Washington, The Times said that records of the calls from phones in the name of Bernard L. Barker were made available to it by sources involved in the investigation.

The break-in occurred June 17, apparently in an attempt to place bugging devices in the Democratic headquarters.

THE RECORD of calls suggest "more direct and extensive links between the incident and the Committee for the Re-election of the President than previously reported," The Times said.

The Times said the telephone conversations were conducted as early as March 15 from the Miami home and office of Barker.

Barker, a former employe of the Central Intelligence Agency, was arrested in the break-in. He was allegedly the leader of a group of men arrested in the Democrat offices.

"More than half the calls went to an unlisted number in the offices of the committee's lawyers," The Times said.

One of those lawyers, G. Gordon Liddy, was dismissed last month for refusing to answer questions by the FBI.

THE OTHERS calls, The Times reported, went to a number that since has been disconnected. The newspaper said calls to that number now are referred to a number in the committee's offices.

One of the men arrested inside Democratic offices during the break-in was James W. McCord Jr., identified as the "security coordinator" for the committee. McCord was immediately dismissed.

Aside from his known connection with McCord, Barker was not known to have had any direct contact with the committee.

The Times reported that the telephone traffic between Barker's Miami home and office and the committee included nine calls to the legal offices and six to the disconnected number.

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# Nixon Campaign Aide Denies Knowing Of Calls by Demo Break-In Suspect

The general counsel of President Nixon's reelection committee said Tuesday that he knows nothing about telephone calls made to his office by one of five burglary suspects caught June 17 in Democratic Party headquarters.

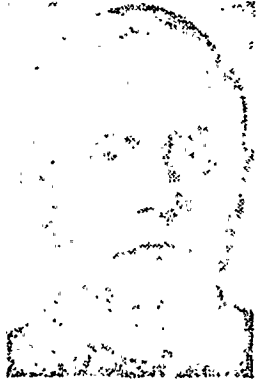
Glenn J. Sedam Jr. said he had never heard of Miamian Bernard Barker or of any of the other four men captured with him until they were arrested.

Federal agencies refused to confirm or deny the existence of a list of calls that The New York Times reported were made from Barker's home and real estate office to the campaign committee's offices.

**THE CALLS,** The Times said, were made to lines once shared by Sedam and former general counsel G. Gordon Liddy. Liddy was fired last month after he refused to answer FBI questions.

Sedam, interviewed by telephone in his Washington office, said Tuesday that he had not been questioned by the FBI and had no reason to believe he would be.

"If we accept for the sake of argument that those calls



**Bernard Barker**  
... implicated

were made, I don't know anything about them," Sedam said. The Times reported that its sources said there was no evidence to connect Sedam with the break-in.

In the weeks immediately following the capture of the five men, Liddy was asked questions by the FBI — of which he is a former agent — but refused to answer them. He was fired by former U.S. Attorney General John Mitchell, who then was chairman of the campaign committee.

**SEDAM SAID** that when he and Liddy occupied adja-

cent offices in campaign headquarters, calls to both of them were made on telephones that shared four sequential lines.

Late in March, Liddy changed offices to work in the finance department of the campaign committee, and Sedam became general counsel. Liddy also got a new phone number, Sedam said.

However, according to The Times, three calls from Barker still came in on the telephones previously shared by Sedam and Liddy.

"I THINK it was just a coincidence, because we happened to share the same phone," Sedam said. "I think that probably whoever was calling, if they were calling for Liddy, probably didn't know he had shifted phone numbers.

"He had not left the committee at that point. He had only left that phone. Any calls for him there could have been transferred to him (at his new number).

"I have no reason to believe that I'd be associated in any way with any of those calls or any of those people."

**SEDAM SAID** that although he was listed as Lid-

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dy's assistant, he did not actually work for him.

"I really didn't have a lot of association with Liddy," Sedam said. "I just happened to be in an adjoining office and shared that phone with him. During the whole period when I was his assistant in name, I was in fact working on other projects in the primary campaign."

A connection between the Committee for the Reelection of the President and the burglary of Democratic headquarters was established when it was learned that one suspect, James W. McCord, was the reelection committee's security coordinator. McCord was fired immediate-

(Mount Clipping in Space Below)

# FBI found check after 'break-in'

By **VERNE O. WILLIAMS**  
Miami News Reporter

The suddenly famous \$25,000 GOP campaign check that wound up involved in the bugging of Democratic Party headquarters was apparently secretly uncovered by the FBI in Miami within days of the original June 17 break-in incident in Washington.

FBI agents located the bank account of Bernard Barker, Miami realtor and ex-CIA operative, in a Miami bank only four days later following a clue found in a car parked at Miami International Airport.

The \$25,000 cashier's check drawn by Kenneth Dahlberg, Nixon's Midwest campaign finance chairman, had landed in Barker's account at the Republic National Bank, 10 NW Le Jeune Rd., just two months earlier.

Barker was one of the five men now known as the "Watergate Five" who were arrested in the sixth floor offices of the Democratic headquarters at 2:30 a.m. with burglary tools and bugging equipment.

The \$25,000 check that Dahlberg says he bought at a Boca Raton bank on April 10

and gave personally next day to Maurice Stans, Nixon finance chief, in Washington remained a well kept secret until this week.

But a hitherto undisclosed search warrant on file at federal court here discloses that on June 21 the FBI requested a search warrant for a 1972 green Dodge Dart owned by Eugenio Rolando Martinez.

Martinez, 51, an anti-Castro Cuban exile, worked for Barker in his Miami real estate office and lived at 4044 Meridian Ave., Miami Beach.

FBI agents Wayne F. Stiles and Douglas R. Knight located the green Dodge Dart parked in garage No. 1 at Miami International Airport. They searched it and found a number of interesting items including a "deposit slip for the Republic National Bank, Miami, Florida, dated April 21, 1972," according to court records.

This is within a day to the April 20 date given for Barker's deposit of the \$25,000 Dahlberg check in the same account.

An inventory of items found in the green Dodge Dart runs to 37 items. It ranges from a "Page-A-Day" calendar notebook to an

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MIAMI, FLA.

Date: 8/3/72  
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"Aqualung knife and scabbard."

There was an intriguing mention of a "notebook containing various names and telephone numbers" but unfortunately the description ended there. Another line cited "three semi-transparent map overlays with coordinates and locations."

There was an international flavor with CIA atmosphere to some of the items such as the Cuban liberation pamphlet with an M-16 rifle on the cover. There were keys, a March, 1972 "receipt" from the Bragada de Asalto 2506, rolls of film, recording cassettes, a Cuban passport, and a "seven-inch stainless steel knife and scabbard manufactured by Gerber, Portland, Oregon."

The court form issuing the search warrant on June 21 says the FBI believed "there is now being concealed certain papers, documents, memoranda, letters and a gun" in the car parked at the airport. No gun turned up.

An affidavit given by FBI special agent Robert L. Wilson, to federal court on June 21 in order to get the warrant sets forth in crisp language the trail of the investigation from the Watergate

building in Washington to Miami International Airport.

It relates the arrest of five men "in the act of burglarizing" the offices of the Democratic National Committee at 2600 Virginia Avenue NW on June 17. They were "in possession of numerous lock-picking devices" and other items, Wilson went on.

It related that "these associates are considering ways of removing the car from the airport." For all these reasons, the affidavit concluded, the FBI requested immediate issuance of the search warrant for the car. It was issued by U.S. Magistrate Michael Osman the same day.

At the Republic National Bank, a spokesman yesterday confirmed that the FBI had visited the bank and scrutinized microfilm records of transactions passing through Barker's account.

The \$25,000 Dahlbert cashier's check was handled in an odd way, he confirmed. No one other than Dahlberg had endorsed it on the back. In other words, Barker had somehow deposited it in his "Barker Associates Trust Account" without signing or endorsing it himself.



(Mount Clipping in Space Below)

# MacGregor: Miamian Cashed Check, Gave Money to Stans for Campaign

WASHINGTON — Republican campaign director Clark MacGregor said Thursday that the proceeds of a \$25,000 check that ended in the bank account of a suspect in the bugging of Democratic headquarters was used in the GOP campaign and properly accounted for in official reports.

MacGregor said at the National Press Club that it was his information that Bernard Barker, a Miami real estate man, was given the check by Republican Finance Chairman Maurice Stans to cash and that the money was returned to Stans and spent in the campaign. He said details of the expenditure had been reported to the General Accounting Office as required by law.

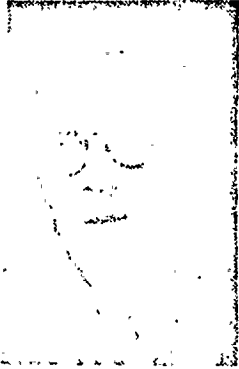
Last week, The Washington Post disclosed that the \$25,000 check was written by Kennedy H. Dahlberg, President Nixon's chief fund-raiser in the Midwest and had been traced to Barker's account.

THE POST also said that GAO investigators had discovered no record that the \$25,000 had been spent in the Nixon campaign.

But MacGregor, campaign director of the Committee to Respect the President, said he had no information on an additional \$50,000 reported by The Washington Star-News Thursday to have passed through the committee into the Barker account.

The Star-News said that the \$50,000 — reported previously as having been deposited in Barker's Miami account by a Mexican banker — "did pass through the President's campaign committee."

The Star-News reported that sources close to the in-



Clark MacGregor  
... no information

vestigation said the money apparently was given as legitimate campaign contribution. The Star-News also said the Republicans had established a special "security fund" to thwart demonstrations at their convention, scheduled to start in Miami Beach Aug. 21.

CALLING the episode in which Barker and four other men were arrested with electronic gear in the offices of the Democratic National Committee June 17 "idiotic, absolutely unauthorized and bizarre," MacGregor said that both GAO and federal investigations were continuing.

He declined to respond further to questions in order, he said, to avoid jeopardizing the rights of persons who might be questioned "or even

indicted" in the case.

Earlier, MacGregor launched into an attack on Democratic presidential candidate George McGovern, accusing the South Dakotan of feeding Americans "a steady diet of abusive rhetoric."

He said the Democratic nominee's attacks on Nixon's economic policy had been "overblown and ill-tempered."

Putting a Republican twist to McGovern's "Come Home, America" campaign call, MacGregor declared: "Come home, George, and level with the people about what your give-away programs would do to the tax bill of the average citizen."

(Indicate page, name of newspaper, city and state.)

22-A

MIAMI HERALD

MIAMI, FLA.

Date: 8/11/72

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(Mount Clipping in Space Below)

# McGovern Blames 'Break-In Indirectly' on President

By Herald Wire Services

YOUNGSTOWN, Ohio — Sen. George McGovern said Tuesday that he thinks President Nixon is "at least indi-

rectly" responsible for the June 17 break-in at Democratic National Committee headquarters in Washington.

"What is to prevent an administration that cooperates with that kind of thing from wiretapping your house or your union hall or something else they want to get?" the Democratic presidential candidate said at a union gathering here.

"Now this is the kind of thing that you expect from a person like Hitler. You would not expect it from a country like this, that is supposed to be a free society."

THE DEMOCRATIC presidential nominee's statement was his strongest to date on the incident in which five men — some with links to the Nixon campaign organization — were caught with electronic eavesdropping gear inside the Democratic offices in Washington's Watergate Hotel.

Since then, a \$25,000 campaign check has been traced to the bank account of one of the arrested men, Bernard Barker of Miami.

At a news conference on the first day of a planned four-day Midwest campaign swing, McGovern referred to "wiretapping like Mr. Nixon's crew did."

Asked if that meant he held the President responsible for the break-in, he replied, "I say it is at least indirectly."

NIXON AND Republican Party officials have denied knowledge of the break-in.

McGovern said the \$25,000 campaign check linked the arrested men "about as close as you can get to the Nixon management."

He said he believes it is "an open question" whether former Attorney General John Mitchell quit as Nixon's campaign director because he requested it, as Mitchell said, or because of the bugging incident.

McGovern also told news- men that former Attorney General Ramsey Clark might have made a "tactical error" and a mistake in "judgment and taste" by criticizing American policy while he was visiting recently in North Vietnam.

BUT HE said it was "silly" of Mitchell to call Clark a "dupe" of the Communists, and he still felt Clark was the kind of man he would like to have in his Cabinet.

In another development, McGovern's scheduled meeting today with Richard Daley was postponed by the Chicago mayor.

Daley said "urgent city business" would prevent him from meeting McGovern on "Democratic Day" at the Illinois State Fair in Springfield.

Daley said, however, that he would meet with McGovern in Chicago next Wednesday when McGovern is scheduled to address the national convention of the American Legion.

McGovern kicked off his Midwest tour with an hour-long trip along Youngstown's Market Street, a four-lane thoroughfare, though a crowd estimated at 2,000. The shirt-sleeved crowd grew steadily during his walk, spilling off the sidewalks.

(Indicate page, name of newspaper, city and state.)

14A

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(Mount Clipping in Space Below)

## Gerstein Also Making A Probe

State Attorney Richard Gerstein has been investigating the possibility that a conspiracy involving the alleged bugging attempt of the Democratic National Headquarters was hatched in Miami, his office said Thursday.

Gerstein is also "cooperating with a federal agency involved in the case" said Martin Dardis, a Gerstein investigator.

Dardis said that his office issued subpoenas July 6 for documents from the Republic National Bank of Miami, at 10 NW LeJeune Rd., and then for individuals "after one thing led to another."

Five persons were arrested in June and charged with breaking into the Watergate Tower suite of the Democratic National Committee in Washington.

Four of them were Miami-ans. One, Bernard L. Barker, had a local bank account which has had prominence in the federal probe.

Gerstein's investigation — and that of the federal government — involves the movement of \$89,000 in four cashier's checks from a Mexican bank to Barker's account at Republic National.

Another \$25,000 check deposited in Barker's account also has been linked to the Committee for the Reelection of the President, bringing denials from former Attorney General John N. Mitchell, ex-chairman of the committee, that the committee had anything to do with any political spying.

Dardis said that while Gerstein's investigation involves the possibility that Florida law has been broken, he has passed on certain information to federal authorities.

(Indicate page, name of newspaper, city and state.)

13-A

MIAMI HERALD

MIAMI, FLA.

8/18/72

(Mount Clipping in Space Below)

# Bugging Report Promised Late Next Week, MacGregor Says

By Herald Wire Services

WASHINGTON — The head of President Nixon's reelection committee said Thursday that a government report on several aspects of the break-in and attempted bugging of Democratic National Headquarters would be released by late next week.

Clark MacGregor, chairman of the Committee to Reelect the President, said the General Accounting Office (GAO) would report on its study of the flow of campaign money involved in the case of five men arrested inside Democratic headquarters the night of June 16.

MacGregor discussed the matter at a press conference.

\$25,000 of Republican campaign funds have been traced to the Miami Bank account of one of the men arrested, Bernard L. Barker.

AFTER THE GAO reports Maurice Stans, GOP finance chairman, will make "a detailed report" covering all he knows about the matters, MacGregor said. So far, Stans has refused to discuss the details of the case publicly.

This will be followed by federal grand jury action. MacGregor said he had heard — "and I surely hope it is so" — that the grand jury would finish in three weeks. The grand jury has been receiving results of an FBI investigation that he has been told was the most intensive ever laid on by the FBI except perhaps in some kidnaping cases.

MacGregor acknowledged that the incident has "already embarrassed" the Nixon campaign but predicted "it will diminish as an issue" in the future as more facts become known.

MacGregor was asked why the Nixon committee sought to postpone the Democrats \$1-million civil suit stemming from the break-in incident.

THE COMMITTEE had unsuccessfully contended in district court here that any hearing prior to the November election could cause "incalculable" damage to the Nixon campaign.

"I did not ask it to be put off until after the election," said MacGregor. "The lawyers did it without consulting us, and it was an error on their part. They are very able lawyers, but they did not consult us on the political implications."

MacGregor disclosed that G. Gordon Liddy, a former campaign official already linked to the bugging incident, sent campaign money on his own initiative to determine how radicals planned to disrupt the Republican National Convention.

Liddy is the person who allegedly gave the \$25,000 in campaign money to Barker.

(Indicate page, name of newspaper, city and state.)

13-A

MIAMI HERALD

MIAMI, FLA.

8/18/72

(Mount Clipping in Space Below)

# Gerstein credited with role in probe of Demo break-in, Nixon fund check

By VERNE O. WILLIAMS  
Miami News Reporter

A new angle to the famous Watergate caper developed today as State Attorney Richard Gerstein confirmed that he has been independently investigating the Washington bugging affair since early July.

It was apparently Gerstein's solo probe, conducted independently of the massive effort of the FBI, that brought public disclosure of the \$25,000 cashier's check that wandered from the Nixon campaign warehouse to the Miami account of Bernard Barker.

Barker, an ex-CIA operative who is now a realtor, was arrested with four other men after allegedly breaking into the headquarters of the Democratic National Committee in the plush Watergate Apartments in Washington, D.C.

A subpoena in court records here shows that Gerstein went hunting for Barker's

bank accounts at the Republic National Bank of Miami last July 6.

This called for "any and all bank accounts, ledger sheets and canceled checks" of Bernard L. Barker or Baker and Associates Inc.

On the bank's microfilm of Barker's trust account was the \$25,000 cashier's check that Kenneth H. Dahlberg, Nixon campaign chairman for the Midwest, purchased and later gave to Maurice Stans, chief fundraiser for the Nixon campaign.

The story of that check's subsequent journeys has yet to be fully told, but the implications have rocked Washington and embarrassed the top GOP party brass.

The check's existence was disclosed on Aug. 1 by The Washington Post — apparently as a direct result of Gerstein's probe. The FBI seems to blame Gerstein for spilling the Watergate beans, but the state attorney smilingly denies it.

The fact is, somebody did, and it wasn't the FBI or the

Department of Justice. Gerstein himself admits he thinks "investigative pressure" by his office somehow brought the disclosure of the Dahlberg check.

Gerstein also denies that anyone on the Democratic National Committee ever asked his office to check up on the FBI's efforts. Gerstein is a Democrat.

Gerstein says he is checking on possible violations of the laws of state of Florida including those relating to banking matters.

He is apparently concerned about some peculiar aspects of the \$25,000 Dahlberg check.

It can be disclosed here for the first time that the microfilm of the Dahlberg check at the Republic bank and that at the First Bank & Trust of Boca Raton do not agree.

The check apparently deposited in Miami by Barker on April 20 bore the signature of Kenneth Dahlberg on the back — but no other endorsement.

(Indicate page, name of newspaper, city and state.)

3-A

MIAMI NEWS

MIAMI, FLORIDA

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But when the check came back to the First National bank where Dahlberg purchased it on April 10, it acquired something additional on the back.

That is, the signature and stamp of a notary public attesting to the Dahlberg signature. The notary was none other than Bernard Barker, the man involved in the Watergate affair. "Sworn to and subscribed to before me this 14th day of April, State of Florida, County of Dade," it reads.

But Dahlberg has been

quoted as saying he handed the check to Stans in Washington the day after he bought it, that is, on April 11. Further, it remains a mystery to local probers why

Barker would have needed to notarize the signature.

As a result of the Dahlberg check, the Government Accounting Office, an arm of Congress independent of the

White House, has started an investigative audit of the funds of the Committee to Re-elect the President. Two of its auditors recently visited Miami.

# Richard Gerstein And a Card Join Watergate Affair

By GENE MILLER  
Herald Staff Writer

And what was Frank Sturgis, the tubby Miami adventurer, doing in the Democratic national headquarters at the Watergate Towers that night?

"I was, looking for the men's room. I lost my way," Sturgis explained Friday, grinning foolishly.

Try to talk to Bernard Barker, the former CIA agent, who was embarrassed at the Watergate on June 17.

"All you media guys want to ask just one question: 'Am I on the White House payroll?'" He, too, grins a lot.

And like Old Man River, the Watergate Affair just keeps rolling along.

IT HAPPENED Friday afternoon in McGovern headquarters, of all places.

A dumpy, middle-aged clerk was at work, taking files from an old battered cardboard box just moved over from the Watergate.

From a file marked, "The Federal Intelligence Establishment," a calling card fluttered to the floor.

The name: "Robert R. Mullen and Company."

Mullen is an important Republican. How his calling card got left in the Democratic files is anybody's guess.

Mullen lives at 200 W. Galen Dr., Key Biscayne, a neighborhood fit for a president. He runs a public relations firm in Washington, supposedly with CIA connections.

HOWARD HUNT, spy, novelist and former presidential consultant, used to work for Mullen. After Watergate, Mullen fired him.

At McGovern headquarters Friday somebody called the FBI. It has been called before.

The FBI these days is getting a little competition on its case.

Dade's own state's attorney, Richard E. Gerstein, not an unopportunist Democrat at election time, has already done precisely what the local FBI did:

Examined the bank records and telephone tolls of all the principals, including the four Miamians — Sturgis and Barker, among them — caught with their surgical gloves, bugging equipment, and \$5,300 in crisp new \$100 bills.

The banking habits of Barker, a real estate salesman, are fairly well established. Checks for \$114,000, traceable to the Committee for the Re-election of the President, went through his account at the Republic National Bank.

GERSTEIN'S investigators even wanted to look at Republic's bank-robber films.

Some banks have ceiling cameras that take photographs constantly — the front door, the lobby, teller one, teller two — then start over again.

Gerstein's investigators wanted to subpoena the film. Just exactly who deposited that money?

But the bank had the wrong type of cameras. Republic's cameras are activated only when triggered — not during a robbery. No one robbed the bank.

So the investigators finally interviewed Hector Reynaldo, a banker who took a vacation after the Watergate incident.

Reynaldo remembers well the \$23,000 cashier's check of Kenneth H. Dahlberg, the President's chief fund-raiser in the Midwest.

BARKER himself brought it to the bank April 14. He wanted it cashed "right now," Reynaldo said. Reynaldo told him it couldn't be done that way.

Barker insisted that the check was good and asked Reynaldo to make telephone calls to check its authenticity at a Boca Raton bank.

Reynaldo xeroxed the check, called Boca Raton and found that such a check had been issued, but he told Barker he still couldn't cash it without Barker's endorsement.

Barker didn't want to. "What if the Dahlberg signature proved false?" the banker asked.

Barker left in a huff. But he came back later with the same check. The back side had been notarized that the Dahlberg signature was indeed genuine.

AND WHO had notarized it? Barker himself.

Four checks amounting to \$89,000 also went through Barker's account. Where did they come from? Gerstein doesn't say.

In acknowledging his investigation though, Gerstein mentioned that "perhaps four" so-called "prominent persons may be involved."

"They aren't local," Gerstein said.

The state attorney says his interest is solely the violation of state laws, such as banking procedures, if any, and the possible purchase here of equipment used in a possible felony — such as walkie-talkies, bugs and surgical gloves.

Among the Republicans who will gather in force here next week are some who quietly suggest that the Watergate bugging might be the skullduggery of a double-agent working for the Democrats to embarrass the Republicans.

Gerstein disagrees. "I think we can expect to see a lot of stories being put out trying to pooh-poo the whole thing. It won't work."

(Indicate page, name of newspaper, city and state.)

10A

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53.

(Mount Clipping in Space Below)

# Watergate Testimony to Be Kept Secret

By Herald Wire Services

WASHINGTON — U.S. District Judge Charles R. Richey held Tuesday that all pretrial testimony in the Democrats' bugging suit must be kept under seal and withheld from the public.

The ruling makes it improbable that the sworn statements to be taken from Nixon Administration and campaign officials — including former Attorney General John N. Mitchell and campaign finance director Maurice Stans — will be made public until after the Nov. 6 presidential election.

RICHEY SAID he felt the secrecy was necessary to protect the constitutional rights of persons who are or

someone's constitutional rights," the judge said.

A federal grand jury has been investigating the breaking in of Democratic headquarters since shortly after the incident occurred, and it is expected to return indictments soon.

RICHEY SAID Tuesday that he thinks it is possible that some of the persons not yet charged in the case will be indicted by the grand jury. For that reason, he said, he decided to keep all testimony in the Democrats \$1-million suit against the five break-in suspects under seal until after the grand jury completes its investigation.

Afterward, he said, he will be willing to make public the testimony of those persons who are not criminally charged "as long as it has no bearing on the criminal investigation."

However, the lawyer for the five persons arrested inside the Watergate, Betty Thompson, argued that this would be impossible, since whatever testimony is taken in the civil suit "would be so intertwined with the whole (criminal) case."

RICHEY'S RULING amounted to a shift in position from a ruling only 11 days ago. On Aug 11, while ruling against requests to delay the civil suit until after the November election, the judge held that the statements of eight specific persons (including the five who were arrested) be kept under seal.

Tuesday's ruling applies to everyone, including Mitchell and Stans.

Neither Mitchell nor Stans nor anyone else ever formally asked Richey to seal all the testimony in the case. Instead, the judge ruled on his own accord in a response to a motion by the Democrats regarding the appointment of court reporters.

IN A RELATED matter, President Nixon's reelection committee issued a statement denying a report in Tuesday's editions of The Washington Post about alleged law violations by the Nixon committee in handling nearly \$500,000 of campaign funds.

The article quoted reliable sources as saying that the General Accounting Office, the investigative arm of Congress, has discovered violations in reporting of Nixon campaign contributions and expenditures.

In denying such violations, Paul E. Barrick, treasurer of the Nixon committee, said the committee has "sought diligently to comply with each requirement" of the new campaign disclosure act.

He said all reports have been filed correctly and completely. "This committee has never been advised that any irregularities have been alleged by government officials," Barrick said.

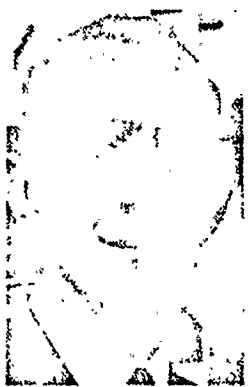
(Indicate page, name of newspaper, city and state.)

5-A

MIAMI HERALD

MIAMI, FLORIDA

Date: 8/23/72



Judge Richey  
... 'to protect rights'

may later be charged in criminal proceedings involving the June 17 incident at the Watergate apartment complex here.

"I don't intend to keep the seal for one minute longer than necessary to protect

54.



THE GAO accounting office was still preparing its report Tuesday on the audit, which was ordered after disclosure that a \$25,000 Nixon campaign check was deposited in the Miami bank account of Bernard Barker, one of the five men arrested in the Watergate incident.

The auditors have been investigating separate \$25,000 and \$89,000 deposits and withdrawals from the bank account of Barker, a real estate dealer and ex-CIA operative. The money allegedly passed through the Committee to Reelect the President before reaching Barker's bank.

PHILIP HUGHES, who is directing the audit, refused to comment on whether the White House had asked him to delay the report.

Hughes said he has been in touch with Stans, in connection with the report. Stans is said to be anxious to release his own version of the way the \$114,000 got into Barker's bank account.

Although Hughes refused to confirm or deny whether he had been in contact Tuesday with Stans, his reaction to a question on the matter indicated strongly that he had. Twice he purposefully ignored the question and tried to walk away from reporters when they asked if Stans had contacted him Tuesday.

This fed speculation that Stans asked Hughes to hold

back on releasing the audit until after the GOP convention. Hughes is under no compulsion to do so.

HUGHES ALSO discounted the Post's report that the audit had found irregularities amounting to \$500,000.

The Post's figures, Hughes said, "are not the same figures that we will use in our report." He said he did not know where The Post got its story, although he said he had spoken with a Post reporter who wrote it.

"I didn't use such figures," Hughes said, "although I was asked about them."

Hughes did say his report will "deal with the \$25,000 and \$89,000."

THE \$89,000, Hughes has said, apparently passed from the bank account of a wealthy

Mexican lawyer, Manuel Ogarrio Daguerre, into Barker's hands. There is one unconfirmed report that the money — in the form of four checks — passed through the Committee to Reelect the President.

Hughes said he has not been in touch with Ogarrio, whose clients include Gulf Resources & Chemical Corp. of Houston, Tex. Gulf's board chairman is Robert H. Allen, Nixon's chief Texas fundraiser.

(Mount Clipping in Space Below)

# Auditors Tell Case To Stans Meet Secretly On GAO File

By DAVID HESS  
Herald Washington Bureau

WASHINGTON — The government official directing the audit of the Committee to Reelect the President met secretly Wednesday in Miami with the committee's finance chairman, Maurice Stans, to go over the investigation's findings before they are made public.

The meeting, at the request of Stans, was designed to allow the committee to respond to charges that it has mishandled certain campaign donations.

Philip S. Hughes, director of the Office of Federal Elections in the General Accounting Office (GAO), flew to Miami late Tuesday and returned to Washington late Wednesday.

Hughes and his investigators have been trying to determine how \$114,000 in campaign donations to President Nixon got into the bank account of Bernard J. Barker, a Miami real estate broker who was among five men arrested last June 17 during a break-in at Democratic National Headquarters in the Watergate Apartment complex here. *la*

HUGHES had been promising to report that a

ready for the report Tuesday afternoon. Then, at the last minute, Hughes delayed release of the report, he said, because "it's not complete."

Upon learning of the meeting in Miami, Lawrence F. O'Brien, national campaign chairman for Democratic presidential nominee George S. McGovern, charged that "Mr. Nixon's agents . . . are doing everything in their power to promote the most outrageous conspiracy of suppression that I've witnessed in a generation of political activity."

SOURCES here said that Stans called GAO Comptroller General Elmer Staats, Hughes' boss, and pleaded for a chance to respond to any allegations made in Hughes' report.

Hughes conferred with Staats at least twice Tuesday, then pulled back the report and left town. Neither

GAO information officers nor Hughes' wife would say where he had gone.

But reporters learned Wednesday that Hughes had flown to Miami to confer with Stans and other CRP officials. Hughes was accompanied by auditor Robert Higgins, one of his top field investigators.

GAO officials at first refused to confirm Hughes' whereabouts, then relented when it became obvious that the secret was out.

O'BRIEN, who has filed a \$1-million suit against the five suspects in the break-in case and will take sworn statements from Stans and other high Republican officials, charged that Stans is trying to delay the GAO report.

"This is just another example of the frantic Republican effort to conceal, lock up or otherwise submerge a growing scandal that reaches into the White House itself."

It is the agency's policy to show the results of its in-

vestigations to the persons or organizations audited before releasing any reports to the public.

"It is logical to assume," the officer said, "that this was done in this case."

A SOURCE in the GAO also confirmed that the original eight-page report on the committee's campaign funds "would probably undergo some revisions" as a result of Hughes' trip to Miami.

This does not necessarily mean, the source said, that GAO would alter any of its allegations. It does mean that

Stans and other committee officials would be given a chance to respond to the points raised in GAO's report, the source explained.

If GAO feels the new campaign-fund disclosure law, which went into effect April 7, has been violated, it could turn over its findings to the Justice Department. Justice would then have to decide whether or not to prosecute the committee.

THE INVESTIGATION stems from Hughes' efforts to trace the route of a \$25,000 check — an accumu-

lation of contributions to President Nixon's campaign — through the committee and into Barker's Miami bank.

Hughes said earlier he could find no evidence that the \$25,000 had been reported by the committee, as required by law. Republicans claim that since the money was actually collected before the April 7 deadline, it did not have to be reported.

IN THE course of pursuing that case, Hughes' auditors turned up other information that the committee included in disclosure reports.

(Indicate page, name of newspaper, city and state.)

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Some \$89,000 in the form of four checks were deposited in Barker's bank account. Drawn from the Mexican bank of a wealthy Mexico City lawyer with ties to a fund raiser for President Nixon in Texas, this money, GAO believes, also filtered through the committee.

Some checks collected before the April 7 effective date of the new reporting law were not deposited until after that date. Some of these checks apparently bounced, and the donations were resolicited. By the time all this had been done, the April 7 deadline passed. But the committee, sources say, carried these donations on its pre-April 7 books and therefore doesn't feel it has to report the money.

The Washington Post reported that as much as \$500,000 in receipts and expenditures were not — but should have been — reported by the committee. The Post said GAO's report would document these apparent violations of the reporting law.

On Tuesday, however, Hughes disclaimed The Post's figures and said his report would deal mainly with the \$25,000 and \$89,000 transactions.

Stans, interviewed Wednesday night at Miami Beach Convention Hall, said the check had been in his hands for three minutes, then passed along to aides. He declined to say how the check got into the bank account because a grand jury is still investigating, saying he "may be a witness against others" in any charges growing out of the period of investigation of the Democratic break-in.

Stans said Hughes came to Miami to question him and other campaign officials and examine records. "We answered all the questions."

Committee treasurer Paul E. Barrick has denied that the committee has done anything wrong and said it has "sought diligently to comply with each requirement" of the law.

ALSO in Washington, Rep. Wright Patman (D., Tex.), charged that the GAO is failing to cooperate in an investigation he ordered into the break-in of Democratic headquarters.

Patman who heads the House Banking and Currency Committee, also protested Hughes' trip to Miami.

Patman said he had been told that neither he, the committee, nor the staff "would be given any information or cooperation on the case." He noted that GAO spokesmen had broken an appointment with a committee staff investigator Wednesday.

Meanwhile, sources close to the investigation said they believe that the \$89,000 de-

posited in Barker's bank account represents campaign contributions raised in Texas and possibly other Southwestern states.

Among those questioned by the FBI are Robert H. Allen and Emmett E. Moore, chairman and treasurer respectively of the Texas Finance Committee to Reelect the President.

Allen is the president of the Gulf Resources and Chemical Co. of Houston, which is represented in Mexico by a lawyer whose bank drafts for \$89,000 were deposited in Barker's account.

The lawyer, Manuel Ogarrío Daguerre, has represented Gulf Resources and Chemical "for at least 10 years," according to Ogarrío's former partner, Juis J. Creel Jr.

ALLEN DECLINED to discuss his relationship with Ogarrío, who has been unavailable for comment since he was publicly linked to the case.

Moore said the FBI asked him when Allen had joined the campaign and who recruited him.

"They also questioned me about how money was transmitted to Mexico," said Moore, adding that the allegations were that the money was "transferred from Washington to Mexico."

Moore said he told the FBI that Allen had been recruited by William Liedtke and Roy Winchester, two Houston oil executives whom he identified as Southwestern finance cochairmen of the Nixon campaign.

LIEDTKE is the president of Pennzoil United Co., of which Winchester is vice president for public affairs. Neither was available for comment.

According to Moore, the \$89,000 in Barker's account could not have been funneled through the Texas committee because it was not formed until May 30 — almost two months after the Mexican break-in.

Earl Mac N. said Moore, Nixon campaign contributions from Texas were handled by Liedtke, Winchester and the national CRP. Many contributions, he said, were forwarded directly to Washington.

(Mount Clipping in Space Below)

## The Watergate affair

# Stans cornered by CBS newsmen

By KEN HEINRICH

Miami News Amusements Editor

In the final hours of the Republican National Convention, when there was little hard news to report inside the hall, CBS News scored an exclusive in the controversial Watergate affairs.

Correspondent Mike Wallace cornered Maurice Stans, finance chairman of the committee for the re-election of the President, and elicited a lengthy statement from the hitherto "unavailable" GOP official.

How Wallace achieved it is almost as interesting as the answers he got on the record.

Stans said at the outset he would not discuss the case because to do so might hamper the investigation in progress. But that didn't stop Wallace.

He charged to the attack.

"Well," said Wallace, "Kenneth Dahlberg, who is Midwest chairman of the finance committee, says that he gave you a \$25,000 check. That money eventually wound up in the bank account of Bernard Barker, one of the men arrested at the Democratic national headquarters."

Stans replied, "Mike, I'm not going to try to answer that. I'll just say that I had the check in my hands for about three minutes and

passed it on to my treasurer, who certainly passed it on elsewhere, and I cannot account for why it went into the Barker bank account."

Stans again tried to halt the interview, carried in its entirety by CBS News, but Wallace wouldn't let him off the hook.

"Well," Wallace said, "Gordon Liddy, the committee's counsel, was fired from his job. Why?"

He was fired, Stans shot back, because he didn't answer questions put to him by the FBI.

That gave Wallace another opening.

"Have you answered questions put to you by the FBI?"

Stans never hesitated. He said:

"I have answered all questions put to me and made it quite clear that I never knew Barker, that I have had nothing to do with the Watergate affair. That is absolutely my position and when the Grand Jury concludes its case, that'll be made very evident."

At that point, Wallace had the interview rolling in high gear, and never let up.

"And the indictments that are said to be on the way from the Grand Jury proceedings will not involve Maurice Stans — you are certain of that?"

Countered Stans, "Most certainly not. I may be a witness against others."

Wallace tried to get him to name them, but Stans held firm. He did get Stans to confirm that he had been visited the same day by an investigator from the General Accounting Office in Washington.

The finance chairman said he answered all his questions and presented him with all the information for which he asked.

Wallace then attempted to get Stans to comment on the possible link between the committee and the arrests at the Democratic headquarters. Stans again cited the current investigation.

There was more to the interview, but Wallace already had what he wanted.

He had put Stans on record on a score of important points, quite an achievement considering the "unavailability" of the finance chairman for many weeks.

(Indicate page, name of newspaper, city and state.)

14-A

MIAMI NEWS

MIAMI, FLORIDA

Date: 8/24/72

Edition:

Author:

(Mount Clipping in Space Below)

# Watergate Caper Cash Linked To HHH Backer, Miami Meeting

By ARNOLD MARKOWITZ  
Herald Staff Writer

A \$25,000 contribution that helped finance the attempted bugging of Democratic Party headquarters in Washington has been traced to a Minneapolis soybean oil tycoon who is Hubert H. Humphrey's biggest financial backer, according to testimony given to the Dade County state attorney's office.

State Attorney Richard

Gerstein Thursday night confirmed a report by columnist Jack Anderson that President Nixon's top Midwestern fundraiser, Kenneth H. Dahlberg, had given sworn testimony in Miami Wednesday about the transfer of cash in Miami April 9.

Gerstein, who is investigating the incident for possible violations of Florida law, said: "I have no reason to think he (Dahlberg) would tell us anything but the truth. I'm confident he told us the truth."

GERSTEIN said Dahlberg was interviewed by his chief investigator, Martin Dardis. He said also that a summons had been issued for Maurice Stans, former secretary of commerce who is chief fundraiser for Nixon's reelection campaign.

Dahlberg testified that Dwayne Andreas, a Minneapolis millionaire who made his money in soybean oil, gave him the \$25,000 in cash on April 9.

Dahlberg said he flew to Miami the ~~previous~~ day and met Andreas in the suite he

keeps at the Sea View Hotel in Bal Harbour.

Dahlberg said Andreas could not get access to the hotel's safe until the next morning, April 9, when he

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI HERALD

MIAMI, FLORIDA

Date: 8/25/72  
Edition:

withdrew the money and gave it to Dahlberg.

A federal law requiring a public accounting of political contributions had gone into effect on April 7, but the \$25,000 contribution never was reported by the Nixon committee.

The failure to report it is expected to be listed as a violation in a federal General Accounting Office audit report scheduled for release this week.

Dahlberg said that the next day he exchanged the money for a cashier's check drawn on the First Bank and Trust Co. of Boca Raton and on April 11 gave the check to Stans during a Republican meeting at the Washington Hilton Hotel.

The check was deposited on April 20 in the Miami bank account of Bernard L. Barker, a Miami real estate broker who was one of five men caught with hugging equipment on June 17 in the Democratic Party offices in the Watergate apartment complex in Washington.

They also had \$5,300 in crisp new \$100 bills, which later were traced to Barker's bank, the Republic National Bank at 10 NW LeJeune Rd.

DAHLBERG'S testimony in Miami conflicts with what he said on Aug. 1, when The Washington Post interviewed him. At that time, he explained the check this way:

"In the process of fund-raising, I had accumulated some cash . . . so I recall making a cash deposit while I was in Florida and getting a cashier's check made out to myself. I didn't want to carry all that cash into Washington."

According to a federal investigator, Dahlberg told government auditors that he collected the money from a variety of sources — and that he did it before the campaign contribution reporting law took effect.

**BUT ANSWERING** questions here under oath, Dahlberg said that Andreas gave him the cash — and that he did it two days after the law took effect.

Investigator Dardis, reached at midnight, said he spoke to Stans for 10 or 15 minutes on Thursday. Dardis said Stans told him of turning over the \$25,000 check to Hugh W. Sloan Jr., former treasurer of the Nixon campaign. Dardis said he will now seek an interview with Sloan in an effort to discover how the money got into Barker's bank account.

"THE ONLY purpose of talking to Stans was to confirm Dahlberg's story," Dardis said. "He said he didn't know Barker and never has communicated with Barker."

Dardis said he does not need to speak to Andreas.

"I'm not interested in violations of the federal election law," he said. "I'm interested in violations of the laws of Florida. Whether Andreas did or did not give Dahlberg the money has no bearing on our case."

Dardis said he also had asked some questions of the Texas Republican finance chairman, Robert Allen, through Allen's lawyer. The reason for that, he said, was that he had information indicating that Allen knew something about four other checks, totaling \$89,000, that went through Barker's bank account. They were drawn on the account of a wealthy Mexico City lawyer, one of whose clients is Allen.

"I POSED some questions to his attorney, and his attorney satisfied me. He said Allen would be available at a later date. Dardis said. "The answers were useful, but I didn't feel it was necessary to take his testimony under oath."

Gerstein confirmed Anderson's report that Dahlberg said it was his (Dahlberg's) opinion that Andreas did not know how the money was used. Efforts to reach Dahl-

berg and Andreas Thursday night were unsuccessful. The Sea View Hotel here said Andreas is had checked out Wednesday.

Andreas is chairman of the First InterOceanic Corp. of Minneapolis, a private investment company.

He tries to stay out of the spotlight but has been a close confidant of Humphrey since the mid-1940's, when Humphrey was mayor of Minneapolis. Andreas in those days had a strong Republican background.

IN HUMPHREY'S unsuccessful attempt to win the Democratic presidential nomination this year, Andreas contributed \$75,000.

Asked in a 1968 Herald interview about his relationship with Humphrey, he described it this way:

"I act mainly as his extra pair of eyes and ears and a friend he can test his ideas on."

IN WASHINGTON, meanwhile, U.S. District Judge Charles Richey indicated that he may begin the civil trial in the break-in before the Nov. 7 presidential election — to "ensure the right of the public to know and the right of the press."

Expressing "grave and substantial concern" about his own ruling to require secrecy in all pretrial testimony in the case, Richey also indicated that he is seeking ways to amend the decision.

In a hearing Thursday, the judge alluded to suggestions that details of the break-in purposely are being withheld until after the presidential election, and said:

"I think there is also a suggestion implicit in all this that if something is not done by this court to bring this matter to a head one way or the other . . . the integrity of the courts may become subject to question. The integrity of the entire governmental process may become subject to question.

"This judge is not going to be a party to any such criticism, if I can possibly avoid

it, unless the interests of justice compel me to do otherwise."

RICHEY, himself a Republican who came to the federal bench on the recommendation of Vice President Spiro Agnew, then asked attorneys for the Democrats to help him find a legal precedent for expediting a civil trial in the case.

"It may be that, so far as the public is concerned, their interest might be better served by having a civil trial before the election," he told surprised attorneys who had entered the courtroom for what was to be a routine procedural hearing.

Tuesday, Richey ruled that all pretrial depositions taken in the Democrats' \$1-million civil suit against the Watergate suspects must be sealed to protect the rights of potential defendants in criminal actions stemming from the incident.

THURSDAY, however, he asked the Democrats' attorneys to provide him with legal citations that would enable him to amend his order for pretrial secrecy — while still insuring the rights of potential criminal defendants.

"There must be some way to reconcile the rights of the accused to a fair trial . . . and the rights of the public to know by virtue of the First Amendment providing for free speech and a free press in a free society," Richey observed.

Furthermore, he said, "the very lack of knowledge about the fact of the case, whatever they may be, is going to generate an even greater amount of publicity" than would their prompt disclosure.

In hinting that he would like to expedite the civil trial, Richey noted that a grand jury is investigating the criminal aspects of the break-in and that civil trials rarely precede criminal trials in related matters.

"DO YOU know" of any cases where a civil matter such as this has ever been allowed to go forward to trial before a criminal case, which is akin to the same subject matter?" Richey asked the Democrats' attorneys. "If you can find them, I want them . . . at the very earliest moment."

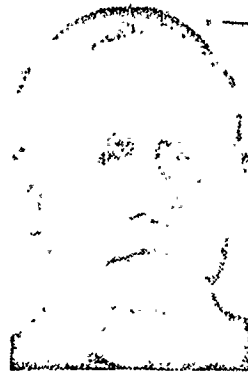
Earlier, Richey had mentioned a television appearance Wednesday night by Maurice Stans, finance chairman of the Nixon campaign. Stans said, "The public ought to be prepared to wait for the findings of the grand jury" before expecting Republicans to discuss the matter.

Thursday, Richey said that Stans' remarks on television raised a problem "of substantial importance I had not considered until I listened to the television screen last night."

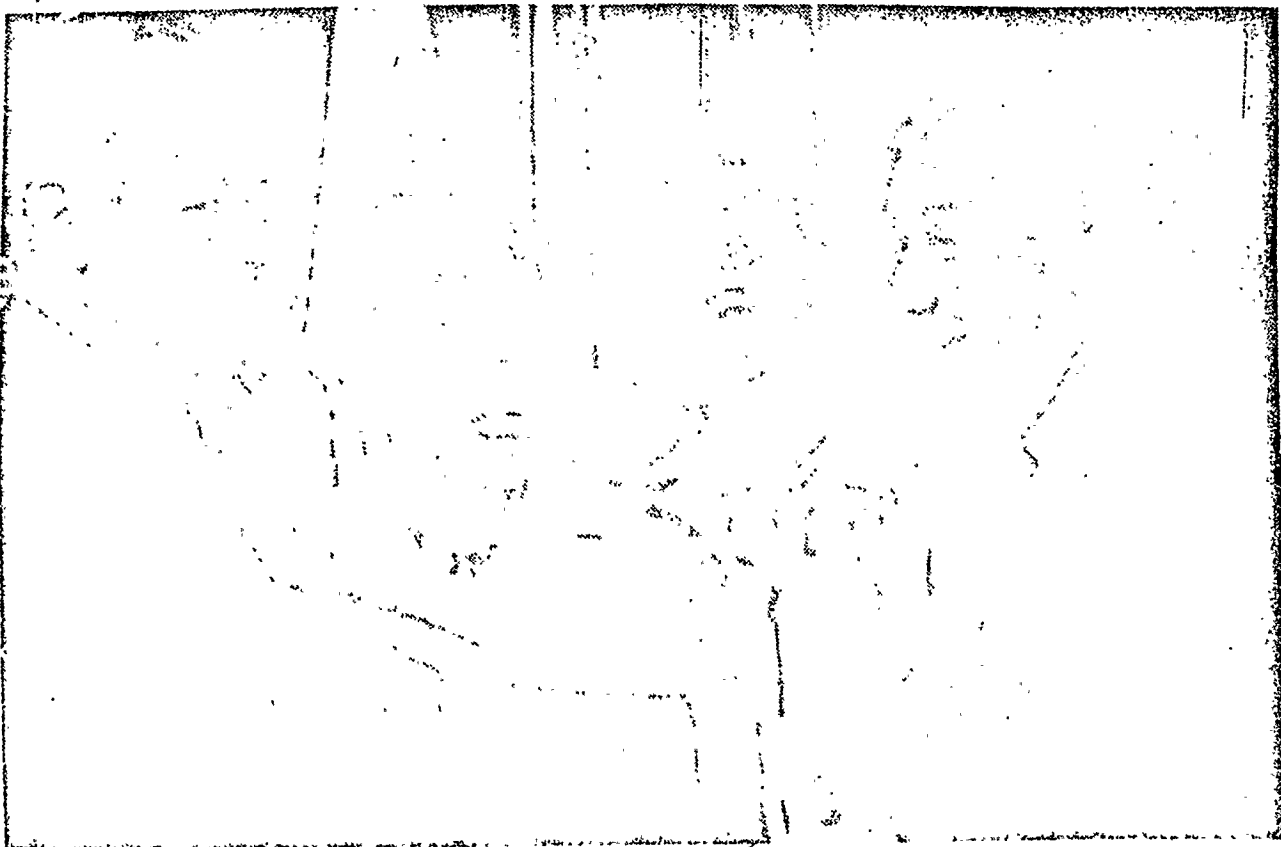
The judge then made his suggestion that the public "might be better served by having a civil trial before the election."



**Dwayne Andreas**  
*... Humphrey pal*



**Bernard Barker**  
*... got the money*



61.  
**Hubert Humphrey, Left, and Kenneth H. Dahlberg in 1967 Meeting in P.C. . . .**  
*... with them were Dahlberg's daughter Nancy, and Dahlberg's wife*

(Mount Clipping in Space Below)

# Watergate Funds Came From Texas Demos

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI HERALD

MIAMI, FLA.

Date: 8/26/72

By GENE MILLER  
Herald Staff Writer

View Hotel in Bal Harbour where Humphrey usually stays when here.

The Gerstein investigation has produced an exact sequence of events on the \$25,000 — which first exchanged hands as cash at the Indian Creek County Club April 9.

And for the first time Friday, it also became apparent that the other \$89,000 is traceable.

Besides Gerstein, four other agencies are deep into the case.

**AMONG INVESTIGATORS**, the belief is prevalent that the four Texans and other Democrats in Texas, not wanting to be identified, gave numerous checks to Republicans for Nixon's reelection campaign.

The amount probably was far in excess of the \$89,000 that turned up eventually in Barker's bank account at the Republic National Bank, 10 NW LeJeune Rd.

Last June, 17 police in Washington, D.C., caught Barker, James W. McCord Jr., then security coordinator

for the Committee for the reelection of the President, as well as three other Miami-ans, inside the Democratic national headquarters in the Watergate complex.

They had bugging equipment, walkie-talkies, and surgical gloves. Barker, a Miami real estate salesman, is an ex-CIA agent.

**IT NOW** appears that Republicans in Texas sent a courier to Mexico City with checks collected from Democrats.

There, a wealthy Mexican lawyer, Manuel Orarrio Daguerra, ran them through his account at the Banco Internacional, converting them to cashier's checks on specific banks in the United States. That made them easily negotiable.

This was April 4 — three days before a new law requiring full disclosure of campaign donations became effective.

**IT HAS** not been disclosed whether the Texans — as yet unidentified — knew what

The \$89,000 from Mexico that went into the Miami bank account of Bernard Barker, the accused Watergate burglar, came from four rich Texas Democrats, The Herald learned Friday.

Maurice Stans and Kenneth Dahlberg, the Republican fund-raisers who handled another \$25,000 check used in financing the bugging of Democrat national headquarters, both insist they had no knowledge of the Texas money — nor how it went through a Mexican bank.

In a sworn statement to an investigator for Dade State Attorney Richard E. Gerstein, Stans, a former secretary of commerce, outlined his role in the Watergate affair — an issue still politically explosive.

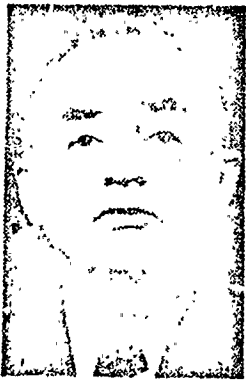
**DAHLBERG ALSO** gave a sworn statement, acknowledging that he accepted a \$25,000 campaign donation from Dwayne O. Andreas, a Libyan oil tycoon and close friend of Sen. Hubert Humphrey. Andreas owns the Sea



their donations were to be used for. Nor is the total amount of Orario-processed checks known publicly.

It is certain, though, that someone, possibly G. Gordon Liddy, funneled four of those checks to Barker. Liddy used to be legal counsel for financing on the Nixon reelection committee. He since has been fired for refusing to answer FBI questions.

In any event, Barker deposited four Mexican-processed checks totaling



**Maurice Stans**

*... sworn statement*

\$89,000, to his account, April 20. They were:

● \$15,000, Continental Illinois National Bank and Trust Co. of Chicago.

● \$24,000, Bank of America, San Francisco.

● \$18,000, First National City Bank, New York.

● \$32,000, Chase Manhattan Bank of New York.

Including the \$25,000 check Dahlberg had issued to himself — the money that came from Andreas — Barker thus enriched his account by a total of \$114,000.

In other developments, two Republican fund-raisers from Texas, William Liedtke and Roy L. Winchester, testified before a federal grand jury in Washington Thursday.

In Houston Friday, Albert Bell Fay, a yachtsman with extensive oil and investment interests, said he had no idea who donated the money. He now is the GOP chairman there for special gifts.

He long has been a member of the Republican National Finance Committee.

**RECENTLY**, Fay lost a primary runoff election for governor. "I haven't collected a cent for Nixon. I have no time to do anything but fool with my own campaign," he said.

Through a lawyer, Robert Allen, Texas Republican financial chairman, has also declared he had no direct knowledge of the Texas money. He did not contribute, he said, and he did not receive the money.

Much of this, however, is not pertinent to any possible Gerstein prosecution.

Gerstein said Friday: "We are investigating the violation of Florida banking laws and the illegal use of a notary public seal, which in Florida is a felony."

It is quite probable that Barker may be in trouble on that. On the back of the Dahlberg \$25,000 check, a notary public attested that he personally knew Dahlberg.

**BARKER WAS** the notary. Dahlberg testified this week he has never met Barker.

Gerstein candidly acknowledged the "obvious political ramifications" of his investigation. He noted that his investigation had aroused other agencies.

Besides the federal grand jury in Washington, a U.S. House Committee on Banking and Commerce is investigating, as well as Phillip S. Hughes, director of the Office of Federal Elections in the General Accounting Office.

"If as a further benefit, the violators of federal campaign spending laws are prosecuted, then we have accomplished something very constructive," Gerstein said.

**GERSTEIN** acknowledged that Martin Dardis, his chief investigator, had taken statements from both Dahlberg and Stans during the Republican National Convention.

Dahlberg saw Dardis in his office Wednesday.

At noon Thursday, the day of Nixon's acceptance speech, Dardis met Stans in suite 4-0 at the Doral Beach Hotel.

Stans came well represented legally. Besides Republican National Committee lawyers Kenneth Parkinson and

John O'Brien, two Miami lawyers, William Frates and Robert Floyd, appeared.

Dardis took along a court stenographer.

This time sequence emerged:

● April 5, Wednesday — Dwayne Andreas, owner of a financial empire known as First Interoceanic Corp, telephones Dahlberg in Minnesota from the Sea View Hotel in Bal Harbour.

Andreas tells him that he wants to give the Republicans a donation in cash and that he is putting money in a safety deposit box.

Dahlberg says he will fly to Miami in two days, April 7.

At this time, Andreas is perhaps Humphrey's biggest financial backer. At this date, Humphrey was believed far ahead of Sen. George McGovern. Humphrey had just placed second in the Florida primary.

Andreas has long been closely identified with Humphrey.

In years past, Humphrey has cruised on Andreas' luxury yacht to the Virgin Islands. Andreas, in turn, accompanied Humphrey on every trip he made to Europe between 1956 and 1967. During Humphrey's recent unsuccessful campaign, Andreas gave him \$75,000.

● April 7, Friday — Dahlberg arrives in Miami. This is the date the disclosure law becomes effective.

● April 8, Saturday — Either by telephone or person, Dahlberg and Andreas converse. Apparently, they make plans to play golf.

● April 9, Sunday — Dahlberg and his wife drive to the Andreas-owned Sea View Towers. They remain seated in the car as Andreas goes in.

Dahlberg testified that Andreas told him he wanted to get some money from a safe deposit box.

Later that same day at the Indian Creek Country Club, Andreas gives Dahlberg \$25,000 in cash.

● April 9, Monday — Dahlberg goes to the First National Bank and Trust Co. in Boca Raton and exchanges the money for a cashier's

check in his name.

Much later, he explains publicly: "I happened to be in Florida and was going to Washington the next day. I did not want to go into beautiful downtown Washington at night with that much money."

● April 11, Tuesday — Dahlberg and Stans both attend a meeting of 50 state chairmen of the Committee for the Reelection of the President at the Washington Hilton.

At some time during the meeting, Dahlberg approaches Stans and gives him the check. Dahlberg is now uncertain whether he endorsed the check in Stans' presence or shortly before.

This is the last time he sees the check until Dardis shows him a photostatic copy Aug. 23.

Dahlberg verifies that the signature is, in fact, his.

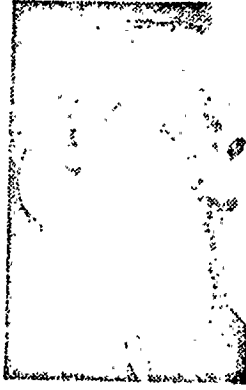
(This week, Stans also identified the check. He said he didn't recall whether he saw Dahlberg endorse it. He said there was no other signature on the check.)

In the same room that April 7, no more than four or five minutes later, Stans gives the check to Hugh Sloan Jr., then treasurer of the Nixon campaign. He has since resigned for "personal reasons."

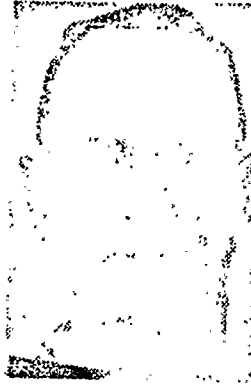
Stans informed Dardis Thursday that he had learned from a "report" that Sloan had in turn given the check to G. Gordon Liddy. He volunteered the information. Stans, too, said he did not know Barker.

Dardis' telephone rang constantly Friday. Other agencies wanted specifics. For instance, how had Dahlberg arrived at the Sea View Hotel?

An exasperated Dardis replied, "Ask him yourself. Maybe he arrived on water skis on the Intracoastal Waterway."



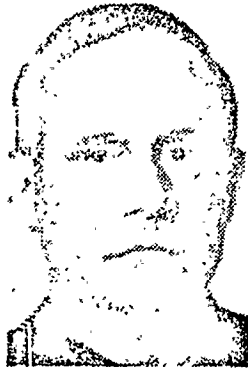
**Dwayne O. Andreas**  
... pal of HHH



**James W. McCord Jr.**  
... one of five



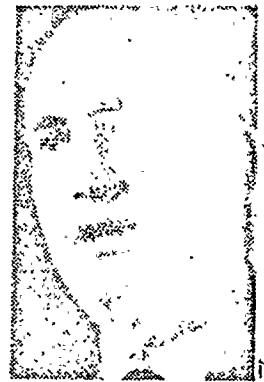
**Kenneth Dahlberg**  
... handled check



**Bernard Barker**  
... one of accused



**G. Gordon Liddy**  
... resigned



**Richard Gerstein**  
... deep in probe

(Mount Clipping in Space Below)

# GAO Charges Nixon Panel 'Possibly' Violated Vote Law

## 8 Sections Questioned By Probers

By DAVID HESS  
Herald Washington Bureau

WASHINGTON — The General Accounting Office charged Saturday that President Nixon's campaign committee has possibly violated eight sections of the new Campaign Finance Reporting Act.

At the same time, GAO said it had discovered in the course of its investigation that the Committee to Re-elect President Nixon maintained a special cash fund of \$350,000 for which all records apparently were destroyed.

A COMMITTEE spokesman Saturday afternoon called the GAO report "inaccurate and incomplete."

At San Clemente, Calif., a White House spokesman had a terse "no comment" on the GAO decision.

And when deputy press Secretary Gerald L. Warren was asked whether the President was "concerned" about the report, he again said "no comment."

In a cautiously worded report issued after four weeks of touchy probing into the President's political funds, GAO found that:

● A \$25,000 contribution to the committee was "not completed until after the (April 7) effective date of the act and is subject to the reporting and recording requirements" of the new law. Because the \$25,000 was not reported, GAO said, the law was broken.

Fund-raiser Maurice H. Stans, former secretary of Commerce, claims the donation was made before April 7 and is therefore not subject to the law.

● Transactions involving \$89,000 in contributions to the President were not documented. Though the contributions could have been made before April 7, GAO said, the fact that the committee did not keep a "detailed and exact account" of the money is an apparent violation of the law.

Both the \$25,000 and the

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI HERALD

MIAMI, FLA:

Date: 8/27/72

\$89,000 donations have been linked to Miami real estate broker Bernard L. Barker, a former CIA operative who was among five men arrested last June 17 during a break-in at the Democratic national headquarters here.

⊙ The committee kept a \$350,000 fund, in cash, for the ostensible purpose of meeting certain media expenses. However, GAO says, Stans told investigators that records of how this money was collected and spent "were destroyed."

"WE CONCLUDE," GAO said, "that part of (this fund), in addition to the \$25,000 contribution . . . may have been received April 7 . . . or thereafter."

This possibility, along with the committee's failure to keep an accurate accounting of the fund, are apparent violations of the law, GAO says.

The GAO report did not say how any of the money got into Barker's account in a Miami bank.

Acting Controller General Robert F. Keller — pinch-hitting for Elmer B. Staats who is attending an overseas conference — said GAO's finds will be turned over to the Justice Department.

John W. Hushen, Justice's chief information officer, said the findings will be referred to the criminal division as soon as the report reaches the department.

(Mount Clipping in Space Below)

Miami:

# Photographer says suspects brought film

The mysterious entry of a law office in Washington's Watergate complex a full month before the arrest of five men accused of bugging Democratic National Headquarters there appeared solved today with new Miami developments.

A Miami commercial photographer has disclosed, according to State Attorney Richard Gerstein, that on June 10 — just a week before the five were arrested in the Watergate caper — two Miamians brought rolls of film to him for developing.

He identified the men as Bernard L. Barker and Frank Fiorini — also known as Frank Sturgis — who were among the five arrested in the June 17 Watergate raid.

Although Gerstein did not

make any conjectures, it appeared from the nature of the films, which the photographer said he developed, that they were copies of documents photographed in the law offices of a firm in which Patricia Roberts Harris, credentials chairman of the recent Democratic National Convention, is a member.

The commercial photographer, Michael Richardson, 29, who assists his father in operation of Rich Photos, 1600 W. Flagler St., said he developed two rolls of 35-mm film for Fiorini and Barker and a third man, and made enlarged prints or "blow ups." He said he could not identify the third man.

Richardson said he did not keep copies of the prints and was unable to describe the



**BERNARD BARKER**

subjects of the photographs precisely, but that "basically, most of it was memos back and forth between different (Democratic Party) personnel. The actual contents I didn't have time to stop and read or anything like that."

However, Richardson recalled, according to his statement, that either Sen. Edward Kennedy or his brother, Robert, was named in another of the documents, and that these were a number of let-

Continued on 4A, Col. 1

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI NEWS

MIAMI, FLA.

Date: 9/1/72

Edition:

fers between Lawrence O'Brien, former chairman of the Democratic National Committee, and now campaign chairman, and other persons.

Another letter, Richardson said, was to "Pat Harris or something like that." This may have been addressed to Patricia Roberts Harris, the convention credentials chairman.

After the arrest of the five men at the Watergate Democratic campaign headquarters, a member of the law firm of which Mrs. Harris is a member — Freed, Frank, Harris, Shriver and Kampelman — reported that on the night of May 15 or the early morning of May 16 the suite appeared to have been entered.

Nothing was removed, he said, but if, indeed the photos were of correspondence in this office, it would explain why nothing was missing.

Another possible explanation lies in belief expressed by Democratic Party officials that raids earlier than the June 17 incident were made on their sixth floor Watergate headquarters.

Richardson said that after the arrest of five suspects in the Watergate June 17 break-in, he recognized the men identified as Fiorini-Sturgis and Barker as two of the men who brought him the film June 10.

He said he went to the FBI and told them the story. Richardson said most of the documents appeared to be held in place for copying by hands wearing rubber gloves.

The men arrested during the June 17 break-in wore rubber gloves and carried cameras.

Richardson said the unidentified third man had returned with Barker and Fiorini when they picked up the prints and that he appeared eager to examine them.

Richardson also said he had studied pictures of all five men arrested on June 17, and that the third man was none of them. He described him as being blond, reddish-faced and tall.

The two men came to his shop at about noon on June 10, Richardson said, and it was explained to them that since the establishment was about to close there would be a \$40 charge for processing the film that day.

He said that Barker went to a telephone, placed a local call to an unidentified party and then told Richardson to go ahead with the job.

Barker handed over, two rolls of Tri-x, 36-exposure



FRANK FIORINI

film, Richardson said, and explained that the pictures involved documents and that the exposures had been made by natural light.

As a consequence, Richardson said, he thought that the film should be somewhat underexposed and hence overdeveloped it to provide better contrast. Actually, he said, it appeared that the light had come from a flash-gun.

Richardson said that Barker and Sturgis went to a restaurant across the street from Rich Photos and made repeated calls to the shop urging the processor to hurry. Richardson said that he told them he would never finish if they kept bothering him.

The work was completed at about 3 p.m., he said, and Barker, Sturgis, and the unidentified third man came to the back door of the establishment to collect the nega-

tives and 38 prints. A 10-by-7-inch print had been made from each shot.

With the \$40 surcharge and the regular fee, Richardson said, the men paid just under \$100 for the pictures. Authorities here said that the processor had turned over a cashregister tape recording such a transaction.

Gerstein said that at his request Richardson had undergone and passed a polygraph examination administered by Warren Holmes, widely known specialist in the field.

Richardson was unable to describe the documents with precision. He explained that the work had been done in a hurry and that he was being pressed by Barker and Fiorini from across the street.

Also visible in the pictures, the photo processor said, was what he described as a "shag rug." A Democratic spokesman said today that the party headquarters, so far as he knew, were furnished only with short-pile carpeting.

Richardson said that at first he had not thought too much about the pictures. Later, however, he said, he saw pictures of Barker and Sturgis after their arrest and recognized them as his customers.

Barker, a Miami real estate agent, and Sturgis, a self-described soldier of fortune, have had past connections with the Central Intelligence Agency. Both took part in the Bay of Pigs invasion in 1961.

An account controlled by Barker in the Republic National Bank of Miami received \$114,000 in checks that had been previously sent as contributions to President Nixon's political organization.

Barker deposited the checks on April 20 and withdrew the \$114,000 in three stages in late April and early May. When he was arrested, he had in his possession \$5,300 in cash that has been traced to the withdrawals.

Barker has also been linked to the Republicans through numerous calls from

68.

his telephone in Miami to numbers used by G. Gordon Liddy, former general counsel of the finance committee to re-elect the president.

Liddy was dismissed on June 28 by former Attorney General John Mitchell for refusing to answer questions about the case. Mitchell resigned a few days later as head of the Nixon campaign.

A Treasury Department source confirmed today that Liddy had been invited to find another job after he made a speech to the National Rifle Association that seemed to clash with the department's position on gun controls.

Liddy "had his own blinders on" when it came to gun controls, the informant said, and his speech was the last in a series of incidents in which "a staff man . . . kept trying to set policy."

The source said that the Treasury Department had not been consulted when Liddy was then hired by the White House. He worked part of the time with Hunt on international narcotics problems.

Liddy, a onetime assistant district attorney in New York State's Dutchess County who ran for Congress in the Republican primary against Rep. Hamilton Fish in 1968, was moved to the re-election committee on Dec. 11, 1971, and finally to the finance arm of the organization.

The Los Angeles Times published a report yesterday saying that Liddy, while in the White House, had approached Justice Department attorneys during the Pentagon Papers controversy and suggested bugging the offices of The New York Times.

(Mount Clipping in Space Below)

# Miamian: I Devetoped Demo Break-In Film

By GENE MILLER  
Herald Staff Writer

A commercial Miami photo firm processed secret Watergate "espionage film" seven days before police caught five men inside the Democratic National Headquarters, State Attorney Richard E. Gerstein disclosed Thursday.

According to a "just-discovered" witness, ex-CIA agent Bernard L. Barker paid \$93.30 for a "special rush job" on 38 enlarged photographs — apparently of the private correspondence of Lawrence O'Brien, chairman of the Democratic National Committee.

Barker is one of the five accused of the June 17 Watergate break-in. Last April 20 he deposited to his Miami bank account \$114,000 in Republican campaign funds diverted from the Committee for the Reelection of the President.

UNDER SUBPENA and under oath, Michael Richardson, the commercial photographer, said he developed and printed two rolls of 35 mm film for Barker, Frank Sturgis-Fiorini, another accused burglar, and a third, still-unidentified "photographer."

From the blow-up prints, Richardson said he read "first name" only correspondence, written in longhand and signed "Larry," on Democratic National Headquarters stationery.

He believed at first he saw "deformed hands" in the photographs, holding "bundles" of "onion-skin" copies of documents on a shag rug.

Later, he said, he realized the deformed hands were ill-fitting surgical gloves, floppy and wrinkled.

AN IMPATIENT Barker, he said, kept interrupting the processing by telephone, wanting to know when the prints would be ready.

After three hours, Barker, Sturgis and the "photographer" left his film store, certain that "somebody is going to be happy to see them."

If accurate, Richardson's testimony clearly establishes an earlier burglary at Watergate — before the June 17 arrest.

The political reverberations are still considerable. President Nixon this week declared, "We're doing all we can do to investigate this incident, not cover it up."

O'BRIEN, REACHED at his office in Washington Thursday, said:

"This would appear to be another piece of evidence that suggests the seriousness of the scope of this entire espionage operation."

"Professionals like these were not simply Nixon volunteers. They had to be paid considerable sums of money and this points to the absolute importance of finding out all the facts about the \$114,000 sent by the Committee to reelect the President to Bernard Barker's bank account."

TWICE within the past week, Gerstein's investigation has upstaged other federal inquiries. During the Republican National Convention, he took sworn

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statements from Maurice Stans, a former secretary of Commerce, and Kenneth A. Dahlberg, a regional chairman for Nixon's campaign, tracing a \$25,000 cash campaign gift to Barker.

Gerstein's additional information about the \$25,000 led to a hurried revision of a report by the General Accounting Office in Washington which found "apparent violations" of election campaign laws.

Gerstein said Thursday: "This dramatic disclosure shows the extent to which this conspiracy has been put into action.

"Certainly there is a need for immediate response at the federal level to thoroughly investigate the situation and prosecute the wrongdoers. This type of activity totally corrupts our democratic system. It makes a farce of election laws."

GERSTEIN, a Democrat, is not un-mindful of his own political status. He is up for reelection Sept. 12.

RICHARDSON, 29, a native Miami-an, told The Herald Thursday that he suspected "some sort of hanky-panky" as he made the prints.

"But I thought it might be legal. I didn't know. Our policy is to give the best possible quality for the money. And I didn't know. I thought those guys might be Mafia or something, I thought,

"It was really weird. A whole week went by, and I was awful busy. Then, on June 19, I saw their pictures in the paper.

"AND WHAM! That's when everything jibed together. I ran my fanny right down to the FBI. When I saw something wrong, I did something about it."

Richardson said he gave the Miami FBI a full account. "They told me I might be called to testify before a grand jury in Washington."

He gave them the prints and get out. The jury has been taking testimony for more than two months. Richardson said he had not been called to testify.

At Gerstein's instructions, Richardson was taken Thursday afternoon to the office of polygraph expert Warren D. Holmes at 5210 W. Flagler St.

GERSTEIN SAID afterwards, "Richardson passed the lie-detector test with flying colors."

The Herald apprised Barker of Richardson's story Thursday at Barker's second-floor real estate office in the La Habana Vieja shopping center at 2301 NW Seventh St.

"I have no comment," said Barker. "Nothing personal. Just no comment."

Here is Richardson's account: Richardson said Barker arrived at his father's firm, Rich Photos, 1600 W. Flagler St., at about 12:10 p.m. on June 10, a Saturday.

He said he was certain of the date. "We close at 1 p.m. I play golf every Saturday," he said. He was eager to get away. "It is a madhouse at closing time."

The Rich firm frequently processes film used in surveillance and undercover work. Law-enforcement agencies sometimes use Rich's services.

BARKER FIRST approached another clerk, ~~Henri Papp~~, Richardson said, explaining that he had a "special rush job."

"They called me over to the side," Richardson said, and Barker introduced himself, using his own name.

He did not recognize him as a customer. Richardson said he had never met the man before.

Richardson said he didn't realize who Barker was until June 19, the day The Herald published a photograph of Barker walking down the steps of a Washington, D.C., courthouse after his arrest at the Watergate. That was nine days later.

"That's when I knew I was sitting on a bomb and went to the FBI."

ON JUNE 10 Barker at first wanted only "black and white contacts, a proof sheet," said Richardson. He told him he would charge \$10 and that it would take it would take only half an hour.

Richardson said Barker gave him a \$20 deposit for the job and two rolls of 35mm Tri-X film, Eastman Kodak.

Barker excused himself and "made a local telephone call," Richardson said.

"He turned around and came back." He wanted 8-by-10 blow-ups, and Richardson reportedly told him there would be a \$40 service charge. "And he said, 'I'll have to double check.'"

THIS TIME he returned with Frank Sturgis, an oft-publicized Miami "soldier of fortune." In the early 1960s columnist Jack Anderson wrote two articles about Sturgis' Castro-Cuban adventures for Parade magazine.

Richardson said he didn't become aware of Sturgis' identity until he also saw his picture in the newspaper.

"That's him. Same hair style. He had glasses on and off, on the top of his head."

"I told them \$40. They didn't blink an eye."

THE TWO men described the photographs as "legal documents and notes, stuff like that. They gave me the impression they had been taken with available light," Richardson said.

Richardson, nonetheless, said he overdeveloped the film to add contrast.

Barker and Sturgis had left to wait across the street at the La Domingo Restaurant. They took the Rich Photos telephone number before they left, Richardson said.

In the darkroom, Richardson went to work. He began printing 7-by-10 photography on 8-by-10 paper cropping out or framing the prints for maximum readability.

He said he noticed immediately "the official letterhead" — "across the top was 'chairman, and under, 'Democratic National Committee.'"

THE PHOTOGRAPHS had not been taken with available light, but by electrical flash, he decided.

He noticed that someone had held the documents "in bundles. They had on surgical gloves. At first I thought the guy had deformed fingers because the gloves didn't fit. He didn't have them pulled tight."

At the time, Richardson said, "I figured it was none of my business — or official Democratic business."

Richardson said he could also see that documents were lying on a "deep shag rug."

IN WASHINGTON Thursday, Stanley Greigg, an O'Brien deputy, said he knew of no shag rugs in the Democratic headquarters.

He said the FBI had asked him about shag rugs months ago and he had no idea why it asked. He speculated that documents had been stolen, photographed and then returned.

Watergate Hotel records show that Barker was registered there May 26-29. Democrats believe that their office was burglarized May 26.

Martin Dardis, Gerstein's chief investigator, asked Richardson if he could remember any of the names he read.

"O'Brien, Kennedy. There was a woman's name in two of the copied documents. It was the head of the woman's part of the Hubert Humphrey campaign." He did not recall her name.

Patricia Roberts Harris, then co-chairman of the Democratic Party, supported Humphrey. She is former envoy to Luxembourg and was chairman of the Credentials Committee for the Democratic Convention.

"THERE WAS practically a complete dossier, what she had been doing for the last year, a woman," said Richardson.

When The Herald mentioned Patricia Harris' name, Richardson responded, "Yes. That's the name. I hadn't remembered it until now. The dossier was about how good she was.

"I didn't try to memorize the names," he said.

Investigator Dardis asked if he could remember other names.

"No. It seems like it was O'Neal or something like that," Richardson said.

Dardis asked him if he had seen O'Brien's signature on anything.

"HIS FIRST name," replied Richardson. He said the correspondence started "Dear Phil" and ended up with "Larry."

Richardson said about 90 per cent of the documents were handwritten, "primarily correspondence; evidently be-

tween Mr. O'Brien and different parties. All were signed with first names."

Most letters were on paper "a bit heavier than onion skin. You could look through and actually see the writing beneath the one photographed."

Richardson felt that the photographer had used a "good lens" and that he was "no amateur. They knew what they were doing."

IN THE first roll, only 34 frames had been exposed. A "greedy" photographer, Richardson said, might make use of 38 pictures.

On a second roll, only four pictures had been taken.

"These people definitely didn't want the two rolls of film to get damaged or ripped. So they got only 34 exposures and changed to the other roll to make sure."

Richardson detected a reflection and glare in the upper left-hand corner of the photographs. He attributed it to the position of the electrical strobe lighting.

"THERE WAS a third party in the room," he said. "There were two different sets of hands holding the documents. There may have been a fourth party. I don't know. More than likely, the photographer was holding the strobe light."

During the approximate 2½ hours Richardson needed to develop and print the film, Barker telephoned him "at least three times. He kept interrupting, wanting to know when the prints would be done."

"He kept asking, 'are they ready yet?' 'Are they ready yet?'"

"I told him, 'If you don't bug me any more, they'll be ready soon.'"

It was about 3:10 or 3:15 p.m. when he finished, he said. He delivered the 38 prints and negatives in two envelopes "because it gets messy all in one."

HE SAID he did not keep any negatives or prints.

Barker came inside, he said. But Sturgis and a third man stayed outside. "I walked out the back door with the prints to their car. I wasn't going to let them all in. I didn't want to get deeply involved," he said.

The third man, he assumed, was the photographer. "He was the most anxious to see the prints. The man who wants to see the photos the baddest is the photographer. If he has made a boo-boo, he wants to see it before someone else does."

Investigator Dardis acknowledged that he showed Richardson photographs of three other men caught inside the Watergate June 17 — James W. McCord, former White House consultant and then-security director for the Committee to Reelect the President; Virgilio R. Gonzalez, a Miami locksmith, and Eugenio L. Martinez, an employe of Barker's real estate firm, Barker Associates Inc.

RICHARDSON said none was the third man.

He described him as probably Cuban, 33-to-35 years old; 5-foot-8 to 5-foot-10, lanky and wiry, 150-to-160 pounds — and with distinct strawberry blonde hair, "curly, almost kinky-type hair."

"All three were speaking Spanish and English combined right outside the back of the shop," said Richardson, who does not speak Spanish fluently. "I understand quite a few words," he said. "Habla poco."

Dardis asked: "Do you know what they were saying?"

"They were happy with the results of the pictures. Seems like they said somebody was going to be happy to see them," Richardson said.

"DO YOU know who it was?" Dardis asked.

"No," said Richardson.

RICHARDSON said he gave the "photographer" a few helpful hints on his work. "I told him that he did a good job on this, but he could have used a white piece of board to lay underneath the onion skin."

"He said it was a good idea. I'll keep that in mind."

Richardson said Barker paid him \$40 as the service charge plus 85 cents a print, which was \$32.30 for 38 prints, and a dollar for the development. "And he gave me a \$10 tip."

BOTH MEN forgot about the \$20 deposit paid earlier. So the total bill was \$93.30. It rounded off at \$94, "and he said to forget the odd amount. We had to figure the tax on that, too."

The trio departed in a late-model green Chevrolet, Richardson said, with "Sturgis driving, Barker riding shotgun and the other man in the back seat."

He has never seen them since, he said.

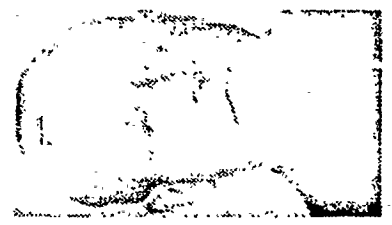
Late Thursday afternoon Dardis subpoenaed the Rich Photos cash register records. "I verified the sale," he said.

Richardson did not volunteer the information. Gerstein's office learned of his role through a tip from a third party, according to Dardis, then subpoenaed him and took a statement last Tuesday in the Metropolitan Justice Building.

Without any direction from Washington, the Miami office of the FBI ran a full investigation in the early stages of the case.

Agents here immediately traced Barker's bank records and telephone calls. Presumably the information went to a federal grand jury in Washington.

But in July, the Justice Department in Washington cooled the Miami FBI investigation, assigning leads to be pursued on a request basis only.



—Herald-Staff Photo by ROY BARTLEY

Investigator Dardis, Left, Richardson Chat ... 'tip' led state attorney's office to Miamitan

Gerstein ... tipped off

Barker ... no comment

(Mount Clipping in Space Below)

# Didn't See Watergate Figures, Miami Photo Shop Clerk Says

By GENE MILLER  
Herald Staff Writer

A Cuban clerk for Rich Photos said Friday that his boss had to be "confused" about who brought him "espionage film" from the Watergate burglaries of the Democratic national headquarters.

Jenaro Perez said he knew well Bernard L. Barker and Frank Sturgis-Fiorini, suspects in the case.

He knows them because he used to be a CIA agent himself, Perez said. He said he never saw them inside the store.

"I KNOW FRANK, and he is pretty smart, believe me," Perez said. "Too smart to do it."

And sure, Perez added, he would be glad to take a lie detector test — if his lawyer will let him.

"The CIA taught (sic) me how to beat the lie detector."

How? "Don't worry. I know how to do it."

Martin Dardis, chief investigator for State Attorney Richard E. Gerstein, questioned Perez Friday and requested the examination.

THE DAY before, Perez's boss, Michael Richardson, testified that Barker and Sturgis, along with a still-unknown, kinky red-haired "photographer," came to the photo shop at 1600 W. Flagler St. for a "special rush job" on June 10 — seven days before police caught five men inside the Democratic national headquarters.

Richardson, 29, son of the photo shop owner, said he processed two rolls of 35mm film of the personal correspondence of Larry O'Brien,

former chairman of the Democratic Party. He said the film showed four hands, all wearing surgical gloves, holding the documents.

Richardson also said that Perez was present when Barker and Sturgis arrived at the shop near closing time June 10. He said Barker first approached Perez.

PEREZ, interviewed in a corridor outside Dardis' office, said that he was there that day but that he didn't see Barker.

He knew him, he said, because he had often heard him making anti-Castro speeches "for the government."

He knew Sturgis-Fiorini, too, Perez said, and only last Sunday ran into him at the Midway Mall shopping center.

Was he saying that Richardson is lying?

"Oh, no. I am saying Mr. Richardson is maybe wrong. He is confused. Persons look like someone else."

PEREZ, a deceptively youthful 37 years old, said that he had worked for the CIA in 1964 and 1965 "giving information" and that he was "part of the training camps in Nicaragua."

For the Bay of Pigs invasion? "Oh, no. I was a private then."

Investigator Dardis wanted to know what rank Perez now holds in what revolutionary organizations.

"I take the Fifth (Amendment)," replied Perez, grinning broadly.

He said he attended assorted anti-Castro political meetings at a shopping center balcony at 2301 N.W. Seventh

St., but he "didn't know" that Barker had an office next door. "Oh? He does?" said Perez.

LAST APRIL 20 Barker deposited \$114,000 to his bank account from funds diverted from the Republican Party's Committee for the Re-election of the President. He is a former CIA operative.

Sometime last May 3 or 4, The Herald learned Friday, a group of Cubans, Barker included, created a mild ruckus on the Capitol grounds in Washington while the body of J. Edgar Hoover lay in state.

There was an argument between Cubans and a protesting group of some sort. Washington police quickly interceded.

PEREZ SAID Friday he hasn't been to Washington during the last six months.

Speaking freely, he said he belonged to the P.R.C. Autentico and the Jovenes Cubanos Revolucionarios organizations here.

The Havana-born Perez also said he hoped he wouldn't be fired from his job.

Dardis indicated he was not satisfied with Perez's answers under oath and would indeed like him to submit to polygraph testing.

Perez's lawyer, Alford G. Duran, said his client hadn't contacted him.

(Indicate page, name of newspaper, city and state.)

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MIAMI HERALD

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(Mount Clipping in Space Below)

# Democrats Charge GOP 'Espionage'

By SAUL FRIEDMAN  
Herald Washington Bureau

WASHINGTON — Democratic Party attorneys, with the aid of an informant from Republican ranks, leveled new charges Monday that officials of the Committee for the Reelection of the President (CRP) "organized a political espionage squad" which burglarized and bugged Democratic headquarters.

"It was part of the conspiracy," the Democrats charged, "that substantial sums of money" contributed to President Nixon's campaign "would not be accounted for" and would instead "be diverted into a separate fund to defray the costs of the planned political espionage."

"It was further part of the said conspiracy to organize a squad of operatives having political espionage experience to operate under close control of trusted members of the President's reelection team."

**THE CHARGES** were included in a new, more detailed petition filed in U.S. District Court here as part of a \$1-million damage suit for the burglary-bugging of the Democratic National Committee offices at the Watergate. The amended complaint upped the demand for damages to \$3 million.

The U.S. District Court clerk refused to accept the Democrats' amended complaint on technical grounds that it was not accompanied by a procedural motion asking permission to file it. The required form was filled out,

and lawyers for the party planned to file the new charges formally this morning.

The burglary and bugging were discovered June 17 when five men, including James W. McCord, security chief for the reelection committee, were captured by police inside party headquarters. Subsequent investigation showed that at least \$114,000 contributed to the President's campaign was routed to the Miami bank account of one of the alleged burglars, Bernard Barker.

**THE AMENDED** complaint, for the first time, named among the defendants: Maurice H. Stans, former secretary of Commerce and the President's chief campaign fund-raiser; former reelection committee treasurer Hugh W. Sloan Jr., who was fired after it became known that he had handled some of the \$114,000; G. Gordon Liddy, former reelection committee counsel, who also handled the money; and E. Howard Hunt Jr., a former CIA operative who worked for the White House and for a Republican public relations firm.

Also named were McCord, Barker, and three other men — all from Miami — who were arrested at the Watergate.

Stans denounced the charges Monday as a "scurrilous pack of lies," and Clark MacGregor, the President's campaign manager, announced he would sue the Democrats for "political libel and slander."

**THE BASIS** for some of the charges apparently came from depositions taken from Republican campaign officials by attorneys for former Democratic National Chairman Lawrence F. O'Brien.

But the amended suit included details of the bugging operations which Democratic sources said came from an informant who claims he helped man a "listening post" at the Howard Johnson's motel across the street from the Watergate, which is at the edge of downtown Washington.

The name of the informant was not revealed. But it was learned independently that he was a member of the "security" force at CRP, the reelection committee, and that he worked as a driver and bodyguard for former Attorney General John Mitchell, who lived at the Watergate.

**MITCHELL**, who left the Justice Department to run the reelection committee, quit the campaign post after June 17, ostensibly because his wife wanted him to. The security man left the committee at about the same time. A committee spokesman said he resigned "under friendly circumstances," but could give no reason.

According to the Democrats' new complaint, the informant, and the four Miami men, whom the suit described as "paid secret agents of CRP," were organized into "a political espionage squad around March 1972."

(Indicate page, name of newspaper, city and state.)

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The squad, the complaint said, was "under the over-all command" of Liddy and Hunt, "the services of both of whom were diverted, for that purpose, from the White House staff."

**THE COMPLAINT** added that the "squad" was under the subcommand of James W. McCord who was "recruited for that purpose with the aid of members of the White House staff."

As part of the conspiracy, the complaint said, Stans and Sloan delivered to Liddy \$114,000 of unreported funds . . . for the purposes of financing the activities of the espionage squad."

Stans and Sloan have acknowledged giving the money to Liddy. However, Stans has said he does not know what happened to it after that.

Stans has said that the money has been accounted for, that it was part of \$350,000 in cash kept in an office safe and that records of the \$350,000 no longer exist.

**THE COMPLAINT** charged that the records had been "destroyed" and that the finance committee had refused to disclose an accounting of the \$350,000.

The complaint added that the reelection committee spent "many thousands of dollars in the purchase of electronic equipment to be used in the wiretapping and eavesdropping activities of the espionage squad."

And apparently drawing on statements from the informant, the complaint said the Howard Johnson listening post "was manned by one or more members of the political espionage squad during all regular business hours and at all other times when lights in the Democratic National Committee windows indicated that there might be something to be overheard."

**WHOEVER WAS** on duty at the listening post kept a log of all conversations overheard, the complaint said. One tap was on O'Brien's telephone, "The Democrats claimed.

"From time to time . . . Liddy, Hunt and McCord . . . visited the listening post to check up on the squad's progress," the complaint said.

The informant reportedly told Democratic attorneys that memos, based on the logs, were sent to various persons, including, perhaps, White House aides. Names were not disclosed.

However, attorneys have summoned several White House assistants for their depositions, including John Ehrlichman, Erqil (Bud) Krough and William E. Timmons.

**THE COMPLAINT** said that Liddy, Hunt and the five men who were later captured "illegally entered the Watergate . . . for the purpose of servicing their earlier-installed wiretapping and eavesdropping devices . . ."

When the police arrived, the complaint said, the intruders were warned via walkie-talkie radio by the man at the listening post. Apparently, he became the Democratic informant.

Because they were warned, the complaint said, Liddy and Hunt "managed to escape." Hunt, it was alleged, went to the listening post, where he contacted an attorney, and removed some equipment.

**THIS WOULD** explain how a lawyer, Douglas Caddy, a friend of Hunt's, managed to appear at the police station when the alleged burglars were being booked.

It would also explain why a walkie-talkie, part of a bugging device and a layout of the Watergate were found, days later, in Hunt's desk at the Executive Office Building, adjoining the White House. It is presumed that Hunt dropped them off there rather than carry incriminating evidence with him on the way home that night.

In addition to the civil suit filed by O'Brien, a grand jury is expected to return criminal

indictments this week. It is not expected that the grand jury will implicate present reelection committee officials.

But Democrats, with help from congressional investigations, if necessary, intend to press attempts to place the responsibility for the burglary-bugging on Stans, Mitchell and, perhaps the White House.



**Maurice Stans**  
... named in complaint



**Bernard Barker**  
... Miami bank account

(Mount Clipping in Space Below)

# Watergate Break-In Suspect Faces Trial in Miami

By GLENN MILLER  
Herald Staff Writer

Richard Barker, who says he thinks "as a cop" and finds it "very repulsive" to be himself described as an "alleged burglar," may be tried in Miami on a five-year felony charge before a Watergate trial in Washington, D.C.

Dade State Attorney Richard L. Gerstein said he says that he had delayed filing against Barker here because he did not want his campaign opponents to misconstrue a pre-election-day charge.

Gerstein said he believes he can prove that Barker fraudulently misused his notary public seal here April 30 when he deposited a \$25,000 check into his bank account from Republican fund-raiser Kenneth A. Dahlberg.

AS A NOTARY, Barker swore he knew Dahlberg. Dahlberg denies it.

If convicted, Barker could go to Raiford Prison for five years. He is also charged with burglary in Washington.

In his first public statement since his capture inside Democratic National Headquarters at the Watergate complex in Washington on June 17, Barker admitted his role in the break-in to The New York Times and said he would endure a long prison term rather than implicate others.

"JUST BECAUSE I get in trouble, I don't want nobody else to get in trouble," he told The Times in an interview published Tuesday.

"I'm 55 years old. I'm old enough to know what I'm doing, and I have always stood up to all my responsibilities. And when the time comes, I will face up to whatever responsibility I have, and I won't cry in my beer. And that will be the end of it.

"And, like I said, if I have to go to jail and so forth — well, I did 16 months in a German prison camp, and that sure as hell isn't going to be as bad as that"

WITH HIS lawyer, Henry B. Rothblatt, at his side, Barker, an ex-CIA agent, said he had "always dealt with the paramilitary, the intelligence movement, the people who live by their word."

He refused to answer questions about who hired him or the purpose of the burglary.

One theory, not pertinent to the Dade-Gerstein investigation, suggests that Barker, three other Miami men, and James W. McCord, the former security director for the Committee for the Re-election of the President, were searching for specific documents involving Vice President Spiro Agnew.

SUPPOSEDLY, Democrats

had come into possession of certain papers concerning Agnew's role in zoning deals when he lived in Maryland, before his election as vice president.

In The Times interview, Barker, a registered Republican, said he had little interest in politics. "I don't even trust the politicians, to be quite frank," he said.

He praised E. Howard Hunt Jr., the ex-White House consultant alleged to have had walkie-talkie communications with the raiders at the time of the break-in.

(Indicate page, name of newspaper, city and state.)

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MIAMI HERALD

MIAMI, FLA.

Date: 9/13/72

(Mount Clipping in Space Below)

# Watergate: Notary Seal

By MIKE SANTER  
101-26-246-1-106

State Attorney Richard E. Gerstein Thursday charged Donald Barker, accused in the Watergate break-in with felonious misusing his notary seal for a \$25,000 Republican campaign contribution.

"We expect to make every effort to bring this case to trial before the November presidential election," Gerstein said. "I think it is in the public interest for the facts to come out and not to be dealt and swept under the rug."

He said Barker's attorney, Henry B. Rotblatt of New York, promised to surrender his client to Gerstein at 10 a.m. today.

BARKER WAS accused of "falsely and fraudulently" after their arrest in the Democratic National Committee offices in the Watergate complex on the night of June 17.

Gerstein waited until after 5 p.m. on Tuesday to file charges in Florida notary law on April 20 at the Republic National Bank, 10 NW Le-June Rd.

If convicted, he could be sentenced to five years in prison.

The Miami real estate broker and his wife also face charges in Washington the charges against Barker.

The \$25,000 check cashed by Barker was part of at least \$114,000 that has been traced from Republican politi-

cal funds to Barker's Miami bank account.

"I THINK the use to which these funds have been put is rather apparent," Gerstein said on Thursday.

He said Barker "falsely and fraudulently swore that Kenneth Dahlberg had signed the check in Barker's presence, when in truth and in fact this is not true and Barker had never met and had not seen Kenneth Dahlberg."

Dahlberg, a prominent Republican fund-raiser, earlier had told Gerstein's investigator, Martin Dardis, that he received the \$25,000 in cash on April 9 from Minneapolis soybean millionaire Dwayne Andreas, long a financial backer of Hubert Humphrey.

Dahlberg exchanged the money for a cashier's check on April 10 at the First Bank and Trust Co. of Boca Raton.

THE NEXT DAY he surrendered the check to Maurice Stans, President Nixon's chief fund-raiser.

The contribution was never reported publicly despite new Federal legislation requiring an accounting of all contributions made after April 7.

Barker attempted to cash the check April 19 at the Republic National Bank. Bank officials asked him to wait until the next day for the check to clear, Dardis said.

Barker returned on April 20. Bank officials then questioned the authenticity of Dahlberg's signature.

Barker left, taking the check. He returned later that day. This time the check had been notarized by Barker, who swore that Dahlberg signed the check in his presence.

DAHLBERG LATER said he had never met Barker.

Gerstein said Thursday he will call as state witnesses against Barker a Republic Bank official, Ettore Reynaldo of 743 NE S2nd St., Stans and Dahlberg, who lives in rural Waggata, Minn.

He is also expected to call Thoms P. Monahan, vice president of the Boca Raton bank, and a handwriting witness to verify Barker's signature.

Gerstein declined comment when asked if he expected the arrest of others in his local investigation of the Watergate case.

He said his investigation will continue "to determine if there are any other violations of Florida law."

Gerstein said he did not immediately recall if his office had previously prosecuted cases involving the misuse of notary public seals.

"It may be an infrequent violation," he said, "but this is an infrequent case."

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI HERALD

MIAMI, FLA.

Date: 9/15/72

Edition:

(Mount Clipping in Space Below)

SEARCHED INDEXED SERIALIZED FILED

SEP 15 1972

By **VERNE O. WILLIAMS**  
Miami News Reporter

Bernard L. Barker, a key figure in the Watergate bugging caper, surrendered here today to State Attorney Richard Gerstein on charges of fraudulently notarizing an endorsement on a \$25,000 cashier's check deposited in a Miami bank.

Barker was then taken before Judge Paul Baker in Criminal Court, where his attorney entered a plea of not guilty. Baker set bond at \$1,000 and scheduled trial for Oct. 30.

Fraudulent use of a notary public seal in Florida is a felony punishable by a prison term of up to five years.

The \$25,000 cashier's check deposited by Barker April 20 in the Republic National Bank here was the first major link established between the Watergate break-in at Democratic Party headquarters and the Republican Committee to Re-Elect the President.

The check had been purchased April 10 at a Boxy Padon Bank by Kenneth Dahlberg, Midwest friend of President Nixon, for \$25,000. It was cashed in Miami on the day Barker turned the check to Gerstein, former secretary of the Nixon and Nixon's chief fundraiser.

Barker, a man who still remains a mystery, Barker came into possession of the check and used it here after allegedly notarizing

Dahlberg's signature himself. Dahlberg swears that he never met Barker.

Florida law says that a notary public "shall require a reasonable proof" of the identity of any person whose signature he notarizes, and that such person must be in his presence at the time.

Barker is one of five men arrested by Washington police inside Democratic national headquarters with bugging equipment. He appeared today, wearing a dark blue suit with a Miami Realtor's Association pin in his lapel,

A former CIA operative in Latin America, Barker is now running a real estate business at 2301 NW 7th St.

All the talking today was done by his attorney, Henry Rothblatt, a noted New York defense counsel. Rothblatt smilingly chatted with a crowd of TV, radio and news reporters on the steps of the Metro Justice building.

Rothblatt said his client would have nothing to say and would "try the case in court." But, the attorney said, Barker was not likely to implicate other persons as a means of defending himself in the Watergate incident.

"If he gets into trouble, he takes his own medicine," Rothblatt said. The attorney added he might have some ideas of his own about "higher levels" in the Watergate affair, but he didn't expect to see any big names coming out in future court appearances.

Rothblatt said he would be surprised if the notary seal case was tried before the November elections, because "there are a lot of legal problems."

In Gerstein's office, Rothblatt pointedly instructed Barker to "confine any conversation to booking procedures." He waived the offer of Martin Dardis, Gerstein's chief investigator, to read to Barker a list of his constitutional rights.

During the prior investigation of Barker's deposits in the Republic National Bank, Gerstein also found another \$89,000 in Mexican cashier's checks dropped in Barker's account the same day, April 20.

The total of \$114,000, Democrats charge, was used to set up the entry of five or more men with burglary tools and bugging devices that night at the Watergate office-apartment complex in Washington.

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI NEWS

MIAMI, FLA.

Date: 9/15/72

Edition:



(Mount Clipping in Space Below)

# Who's Who of 4 Miamians Among the Seven Indicted

**BERNARD L. BARKER**, 55, 5229 NW Fourth St., an ex-CIA agent involved in the Bay of Pigs invasion.

Born of American parents in Cuba, Barker fought with the U.S. Air Force in World War II as a bombardier in a B17. He was shot down and spent 16 months in a Nazi prison camp.

Before Watergate, his real estate office, Barker Associates Inc., employed 10 salesmen, he says. Now he has five.

**EUGENIO L. MARTINEZ**, about 50, of 4044 Meridian Ave., Miami Beach. Martinez parked his car at Miami International Airport the day he flew to Washington allegedly to take part in the Watergate raid. From it, FBI agents found much evidence which aided their investigation into the Watergate affair.

Martinez, slight of build, graying, works for Barker's real estate firm.

Reportedly, he is more idealistic than

materialistic. He supposedly ran weapons into Cuba for anti-Castro forces. He became a U.S. citizen July 8, 1970.

**VIRGILIO R. GONZALEZ**, 45, of 930 NW 23rd Ave., is a Cuban who migrated to Miami in 1952, long before Castro took power.

He is a locksmith, an employe of the Missing Link Locksmiths, 221 NW Eighth St.

**FRANK STURGIS**, about 48, alias Ficri- ni, of 2515 NW 122nd St., North Miami, is an ex-Marine, ex-choir boy, ex-barroom bouncer, now employed as a salesman for the Pan American Aluminum Corp.

Newspaper columnist Jack Anderson established Sturgis' public reputation as an adventurer and "soldier of fortune" in Parade Magazine in the early 1960s reporting on his anti-Castro exploits.

Sturgis describes himself as a "born anti-Communist fighter."

(Indicate page, name of newspaper, city and state.)

25-A

MIAMI HERALD

MIAMI, FLA.

Date: 9/16/72

# U.S. Indicts Seven In Break-In Caper At Democrats' HQ

## Wiretaps, Burglary Charged

By Herald Wire Services

WASHINGTON — Two former White House aides and five other men were indicted by a federal grand jury Friday on charges of breaking into the Democratic national headquarters to steal documents and install bugging devices to intercept telephone and oral communications.

The eight-count indictment was returned in U.S. District Court here against the seven men in connection with the June 17 break-in at the Watergate Apartment complex.

Named in the indictment were:

● E. Howard Hunt, 54, a former \$100-a-day White House consultant to Charles W. Colson, special counsel to President Nixon.

● G. Gordon Liddy, 42, an ex-FBI agent and Treasury Department official and a

White House consultant who was fired as counsel to the finance committee for the Committee to Reelect the President when he refused to answer questions about the break-in. The indictment described Liddy as a friend and associate of Hunt.

● James W. McCord, 53, president of McCord Associates and security coordinator for the Committee to Reelect the President until his arrest in the Watergate.

● Bernard Barker, 55, a Cuban-born American and former CIA agent who is now a real estate broker in Miami. He was arrested in the Watergate.

● Frank Sturgis, 37, an associate of Barker and an ex-Marine who reportedly once smuggled guns for Cuban rebels, then switched sides to oppose Fidel Castro. He was arrested in the Watergate.

● Eugenio R. Martinez, 49, a former CIA operative and an employe of Barker's firm who was arrested inside Democratic headquarters.

● Virgilio R. Gonzalez, a Cuban-born locksmith and Miami associate of Barker who was the fifth man arrested in the Watergate.

The defendants were ordered to surrender at 10 a.m. Tuesday at U.S. District Court for setting of bond.

All seven defendants were charged in one count with conspiring from May 1 to June 17 to use illegal means to obtain information from Democratic headquarters.

When the five men were arrested inside the offices of the Democratic National Committee, Liddy and Hunt fled across the street to a Howard Johnson's motel. The motel was called the monitoring headquarters for the political espionage operation.

The indictments charged the men placed wiretaps and other electronic surveillance devices in the Democrats' headquarters and conversations were transmitted to a room in the motel.

**THEY WERE** also charged with stealing certain documents and papers and photographing others.

All seven were charged in a second count with entering the Democratic offices with the intent to steal property and in a third count with intent to illegally intercept telephone and oral conversations.

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MIAMI HERALD

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Author:

Editor:

Two other counts charged all the men with trying to intercept telephone and oral communications coming from inside Democratic headquarters.

Liddy, Hunt and McCord were charged in one count with actually intercepting telephone conversations, primarily from the offices of R. Spencer Oliver and Ida M. Wells, his secretary. Oliver is executive director of the Democratic State Chairmans Associations.

**THE INTERCEPTIONS** occurred during a three-week period from May 25 to June 16, the indictment said.

All of the defendants except Liddy and Hunt were charged in two counts with illegally possessing listening devices, one of which was said to have transmitted all conversations but was made up to resemble fire detection equipment and labeled "Ari Smoke Detector." The other was a telephone wiretap.



**Richard Kleindienst**  
...probe 'extensive'



**L. Patrick Gray**  
... 'running leads'

In releasing the indictment, Attorney General Richard G. Kleindienst said the

three-month investigation was "one of the most intensive, objective and thorough investigations in many years, reaching out to cities all across the United States as well as into foreign countries."

**HOWEVER**, acting FBI Director L. Patrick Gray III said Thursday that his agents were still "running leads" in the case.

It could not be immediately determined if the return of the indictments meant the federal investigation into the Watergate incident is complete.

The Democrats, who have used the Watergate incident as a campaign issue, have said the investigation must be pursued. The Republicans, on the other hand, called on the Democrats to apologize for charging other White House and Nixon campaign officials with involvement.

Lawrence F. O'Brien, campaign manager for Sen. George S. McGovern, charged in June that "there is developing a clear line to the White House" in the case.

John W. Hushen, chief spokesman for the Justice Department, said that there "was absolutely no evidence" that the men were acting under instructions from the White House.

He said further that there was no evidence "to indicate that any other person should be charged."

**REACTING TO** the indictment Friday, O'Brien said in a prepared statement that "we can only assume that the investigation will continue since the indictment handed down today reflects only the most narrow construction of the crime that was committed."

"In particular," O'Brien continued, "we will continue to press for a far more thorough examination of the funding of the crime."

O'Brien was referring to \$114,000 of Nixon campaign checks that were deposited in Barker's Miami bank account.

The exact reason for the transfer of the checks from the Nixon campaign treasury has not been fully explained, though both the General Ac-

counting Office and the House Banking and Currency Committee have made lengthy reports on the matter.

Liddy was the last Nixon campaign official to have the checks in his possession, according to the Aug. 26 report by GAO, the investigative arm of Congress.

**FRIDAY'S** indictment made no reference to campaign funds.

Clark MacGregor, the President's campaign manager, reacted to the indictments Friday by calling for public apologies from "those who have recklessly sought to connect others with the case."

In an obvious reference to the Democrats, MacGregor added: "We now appeal to all those who have sought political benefit from this case to discontinue saying or doing anything that will interfere with a full and fair trial."

When the indictments were formally returned Friday in district court, principal Assistant U.S. Attorney Earl J. Silbert asked Chief



**Lawrence O'Brien**  
... to press more

Judge John J. Sirica to specially choose a judge for the case, rather than allowing the usual random selection of a judge.

**SILBERT**, who directed the grand jury investigation, noted that the trial is expected to be "protracted, difficult and widely publicized" — the criteria for which the U.S. Judicial Conference has recommended the appointment of the "best available."

"judge" to handle exceptional cases.

Meanwhile, U.S. Attorney Harold A. Titus Jr. said he did not know when the government would be ready to begin prosecution of the seven defendants.

Four of the eight counts — those charging burglary and possession of intercepting devices — were brought under the District of Columbia criminal code.

The penalty for burglary is two to 15 years in prison on each count. For possession of intercepting devices, the maximum penalty per count is five years in prison and a \$10,000 fine.

The other four counts allege violations of the federal criminal code.

**MAXIMUM PENALTY** for interception and disclosure of wire or oral communications is five years in prison and a \$10,000 fine. The maximum penalty for conspiracy is the same.

The indictment listed 20 overt acts said to have been performed by the defendants to further the conspiracy. The listing included:

- McCord's purchase — for \$3,500 — of an electronic device capable of receiving intercepted conversations.

- The purchase by Martinez and Sturgis of surgical gloves.

- The purchase by Martinez of film and other photographic equipment.

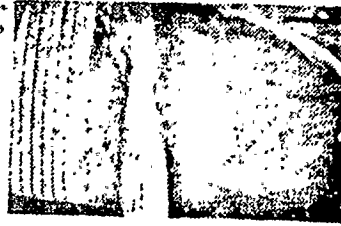
- The transfer of \$1,600 in cash from Liddy to McCord.

- The theft by McCord of documents and papers belonging to the committee.

- The reconnoitering of Sen. George McGovern's headquarters in Washington by Liddy, Hunt and McCord, McGovern is the Democratic presidential candidate.

The grand jury said the men scouted McGovern's headquarters about May 27, several weeks before the Watergate break-in.

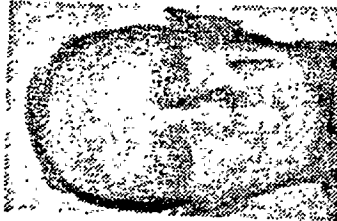
# The Seven Indicted in Watergate Affair



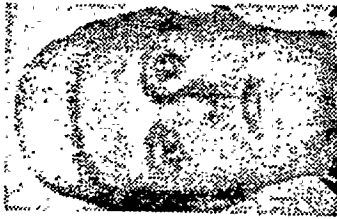
Hunt



Liddy



McCord



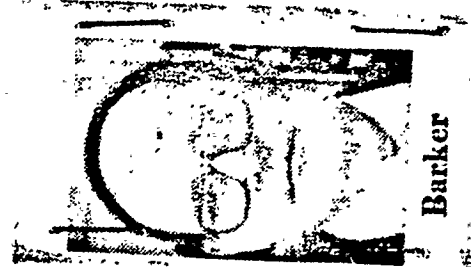
Sturgis



Martinez



Gonzalez



Barker

82.

(Mount Clipping in Space Below)

# Barker Surrenders; Bond Set at \$1,000

By GENE MILLER  
Herald Staff Writer

A bifocal notary public, better known as an admitted Watergate prowler, surrendered to the state of Florida Friday before the TV networks, 20 newsmen, and a bouquet of microphones.

"I have great faith in the American judicial process," professed Bernard L. Barker after an hour and five minutes in the Dade County Jail, his "keelitor" lapel pin gleaming in the sun.

Barker, 55, is accused of the fraudulent use of a notary public seal in cashing a \$25,000 check, a Republican campaign contribution.

CRIMINAL COURT JUDGE Paul Baker, allowing the defense 20 days to file motions, set trial for Oct. 30 — 8 days before the presidential election.

"We're running a court here, not a railroad," Baker said. He set bond at \$1,000.

Barker's lawyer, Henry Rothblatt, a noted Manhattan criminal attorney, spoke for his client at an arraignment.

"Not guilty, of course," said Rothblatt.

LATER OUTSIDE THE JAIL, while he waited for the booking, Rothblatt depicted his client as a "great heroic soldier," his "nonbusiness life motivated by patriotism, love of country, and love of freedom for the Cuban people."

People are "absolutely wrong" to believe that \$114,000 in Republican campaign funds went into Barker's Miami bank account to finance the Watergate break-in, Rothblatt declared.

Police caught Barker, three Miami compatriots, and James W. McCord, onetime security director of the Committee to Reelect the President, inside the Democratic national headquarters last June 17.

"They are men of great courage and guts. They were not motivated by money. Money had nothing at all to do with it," said Rothblatt.

BUT HE doubted that any trial, either in Miami or Washington, would bring out the true motive.

He said his clients had been pilloried in the press. "They are not a bunch of burglars, hijackers or a bunch of criminals or liars," Rothblatt said. "I represent very decent human beings."

AND DO you believe it is patriotic to be caught inside

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI HERALD

MIAMI, FLA.

Date: 9/16/72

for Democratic national  
candidate. "I'm not a man  
with a conscience," he said.

With a doctored that  
later on. Rothblatt went  
on to deny Barker as a man  
proud of his role as a father,  
husband, and businessman in  
the community.

"I've never been ashamed  
of anything I've done," Barker  
said softly.

Before Barker, Rothblatt  
suggested that the felony  
charge should be a misdemeanor,  
"a technical charge  
at best," because, he implied,  
the case was so trivial.

"We are willing to let the  
jury decide the facts," State  
Attorney Richard L. Gerstein  
replied softly.

Rothblatt doubted that any  
trial could be set prior to the  
Nov. 7 election because of  
civil litigation in Washing-  
ton, as well as criminal  
charges there.

BAKER disagreed. "I'll set  
a date," he said. He set two.  
The first was for arguments  
on pretrial motions, Friday,  
Oct. 13.

The trial here "may be  
moot, for all I know," he  
said.

Outside in the sunshine,  
Rothblatt said he doubted  
that the Watergate case  
would ever go any higher  
into Republican ranks than  
Gordon Liddy and Howard  
Hunt, the two former White  
House consultants, both in-  
dicted later Friday in Wash-  
ington.

ROTHBLATT said the Re-  
publicans were not paying  
his fee.

"I wish they would. They  
have plenty of money. All  
contributions are welcome."

—Times Staff File by JOHN PINEDA

## Bernard L. Barker, Center, Gives Self Up ... Gerstein, left, attorney Rothblatt

(Mount Clipping in Space Below)

# 7 Plead Not Guilty Of Break-In

## Judge Sets Bond In Watergate Case

BY Herald Wire Services

WASHINGTON — Two former White House aides and five other men pleaded innocent Tuesday to charges of breaking into and bugging the Democratic National Headquarters.

U.S. District Judge John J. Sirica set bond at \$10,000 each for G. Gordon Liddy, who was fired as financial counsel for President Nixon's reelection committee after he refused to answer FBI questions about the bugging, and Howard E. Hunt, a former CIA operative who worked part-time as a White House consultant. Sirica stipulated that Liddy and Hunt need post only 10 per cent of the bond in cash, but he limited their travel.

Also pleading innocent were Bernard L. Barker, a Miami real estate man; James W. McCord Jr., former security chief for the Nixon reelection committee; Eugenio R. Martinez, an employe of Barker; Frank A. Sturgis, an associate of Barker, and Virgilio R. Gonzalez, a Miami locksmith.

THEY WERE arrested during the break-in June 17 and were released on bail already posted on charges stemming directly from the break-in. Sirica, however, eased travel restrictions to permit the men to conduct their business pending trial.

Bail for the five ranged from \$50,000 for Sturgis, to a low of \$30,000 for McCord. The remaining three defendants are free on \$40,000 bail.

Both Liddy and Hunt were

restricted at the government's request to the metropolitan area of the District of Columbia, although each may travel on business and family activities if he seeks permission in advance. Both must report by telephone once a week to the D. C. Bail Agency. Both were ordered to surrender their passports in two days.

Government prosecutor Earl Silbert opposed the request of the two men that they be released on their own recognizance, calling charges against them "a very serious, heinous offense."

SIRICA gave each side 15 days to file motions and 10 more days to file responses. He denied defense lawyers' requests for more time, indicating that the case probably would be tried promptly.

Sirica, in a brief order, announced that he would strictly enforce U.S. District Court rules involving a widely publicized or sensational case.

They state that the court may issue special orders governing extrajudicial statements by anyone involved in the case and the seating in the courtroom of reporters, plus anything else the court deems appropriate.

Liddy, Hunt and the five others pleaded innocent when charges were formally read against them.

THE SEVEN were indicted Friday by a federal grand jury on charges of stealing documents, planting telephone taps, and secreting eavesdropping devices in

Democratic National headquarters in the Watergate Hotel.

The indictment said that conversations overheard were transmitted across the street to a room in the Howard Johnson Hotel, where they were overheard by the defendants.

Silbert did not ask for a change in bond set previously for the five other men.

Hunt was represented by William O. Bittman, who in the 1950s was the chief government prosecutor against former Teamsters' President James R. Hoffa. Bittman is in private practice.

The government has asked that Hunt and Liddy each be held on \$10,000 bond and be required to make personal appearances before bond officers twice a week and telephone them daily.

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI HERALD

MIAMI, FLA.

Date: 9/20/72

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(Mount Clipping in Space Below)

# Gerstein Check Probe

## Shifts to Boca Raton

16A

State Attorney Richard E. Gerstein's investigation of the Watergate affair took a slight turn north Tuesday toward Boca Raton — where Kenneth Dahlberg, Republican fund raiser, converted \$25,000 in cash into a cashier's check.

The check eventually went into the bank account of ex-CIA agent Bernard Barker, one of five men caught inside the Democratic National Headquarters at the Watergate complex on June 17.

Martin Dardis, Gerstein's chief investigator, acknowledged Tuesday that he was tracing reports that Dahlberg met with Republicans there April 11, the day after Dwayne Andreas, a Humbert Humphrey supporter and soybean oil tycoon, gave him the \$25,000.

Vice President Spiro Agnew had vacationed in Boca Raton the week before at the home of Harry A. Dundore. Agnew had left for Palo Alto, Calif., before Dahlberg arrived.

Singer Frank Sinatra, a friend of Agnew's, apparently had checked into the Boca Raton Club and Hotel the previous week also.

There was another report — unverified — that a "J. Mitchell" was there. At that time John Mitchell, former attorney general, was President Nixon's campaign manager.

Investigator Dardis was uncertain of the identity of the Mitchell. The former attorney general, as well as Dahlberg, has denied any knowledge of the break-in at Watergate two months later.

Mitchell could not be reached for comment Tuesday.

The Gerstein investigation is focused on possible violation of Florida banking laws.

AUG 30 1972

(Indicate page, name of newspaper, city and state.)

p16A

MIAMI HERALD

Date: 8-30-72

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Author:

Editor:

Title:

Character:

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Classification:

Submitting Office

 Being Investigated



(Mount Clipping in Space Below)

## Kleindienst: FBI Traced Checks

LOS ANGELES — Attorney General Richard G. Kleindienst said Tuesday that the FBI investigation of Democratic National Headquarters bugging "encompassed the flow" of \$80,000 into one suspect's bank account and the details "possibly" will be disclosed at the trial.

His remarks marked the first official acknowledgement that the investigation had traced four checks emanating from Republican sources into the Miami bank account of Bernard L. Barker, one of seven men facing prosecution. 82

One of the principal defendants was fired as chief of security for the committee to Reelect the President after five of those indicted were arrested in the Democratic offices at the Watergate complex in Washington.

"I can say categorically no one of responsibility in the White House or in the campaign committee had any knowledge" of the Watergate bugging, Kleindienst said, adding: "You can't get career FBI agents to dust something like this under the rug."

Outlining Justice Department procedures for national security electronic surveillances, Kleindienst denounced as "reprehensible" any action by "one citizen to impose electronic surveillance on another citizen." It is an invasion of privacy and is illegal, he said.

But, he said, he believes there is "quite a bit" of private surveillance activity going on and "the best deterrent to it is prosecution."

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MIAMI HERALD

Date: 9-27-72

Edition:

Author:

Editor:

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Classification:

Submitting Office

Being Investigated

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(Mount Clipping in Space Below)

# House Inquiry Into 'Wandering Money' Is Delayed by Backstage Maneuvering

By SAUL FRIEDMAN  
Herald Washington Bureau

WASHINGTON — An intense backstage battle is underway to prevent the House Banking and Currency Committee from turning the lights, the camera and the action on "the case of the wandering money."

The money in question — about \$700,000 contributed to President Nixon's campaign — traveled from Texas to Mexico to Washington to Florida and some of it wound up in possession of the people who allegedly burglarized and bypassed the offices of the Democratic National Committee.

THE HOUSE committee, headed by Minority Party's crusading Texas Democrat, wants to air on the puzzling about the Watergate affair in public for the first time.

The committee is scheduled to vote Tuesday on whether hearings will be held

The effort against the hearing has been spearheaded by Rep. Garry E. Brown of Michigan, a member of the committee.

Brown confirmed that he believes he has the necessary votes to block the inquiry on the grounds that it would prejudice the rights of the seven men indicted in the incident.

He said all the Republican members of the committee will vote against an investigation at this time, and, "I think there'll be some Democrats who will vote to postpone it or won't be there to vote," he said.

(Indicate page, name of newspaper, city and state.)

31-A

MIAMI HERALD

MIAMI, FLA.

Date: 10/1/72

## White House

BROWN SAID he hasn't been any White House director to stop the probe, although he said he talks with White House aides almost daily about many matters, including the Watergate episode.

Only last week, Patman expressed confidence that the hearings would be held. Friday he said he understood that a White House effort to stop the inquiry has been coordinated by Richard K. Cook, deputy assistant to the President.

If Patman succeeds, much of what has been hidden so far in grand jury rooms, lawyers' offices and FBI files will be produced for the television cameras and reporters' notebooks.

Stans, a former secretary of commerce, and Mitchell, former attorney general, are no longer in government and hence cannot invoke executive privilege to refuse to testify.

If Patman fails to get his investigation, there is little hope that the facts surrounding the Watergate mystery will be learned before the Nov. 7 election, if ever.

Patman called for hearings as a result of a thick, confidential, preliminary staff investigation into what he called "the wandering of Republican campaign funds."

THE FUNDS, Patman's staff concluded, "may well have been used to further the

commission of felonies in the United States—the burglary and electronic bugging of the Democratic headquarters in the Watergate."

The case of the wandering money, as it is told in the staff report, provides not only a glimpse into the Watergate case. It also sheds light on one of the darker corners of politics—how money is handled and "laundered" so that it appears to be "clean."

## How Money Was Laundered

In this case, the "laundering" money was done in a way that allowed it to be traced in a number of places — in Miami, in St. Louis, in Dallas.

Yet Stans, in negotiations with the committee staff, strained the lips of Patman and others with claims that he knew little about where the \$700,000 came from, how it was used, and where it went.

And Mitchell, who at the time was chairman of Nixon's campaign Committee, also strained credibility when he insisted he knew nothing about "the finance end" because it was handled by Stans' finance committee in the same suite of offices.

Patman's investigators set out on the trail of the wandering money soon after June 17, when five men — including an employee of Mitchell's committee — were arrested inside the office of the Democratic National Committee at the Watergate.

THE TRIAL began with \$25,000. And then it grew to \$114,000, \$350,000 and finally, \$700,000.

One of the men arrested, Bernard Barker, had with him \$5,300 in new \$100 bills, which were traced to the Re-

public National Bank of Miami.

It was discovered that on April 3, 1972, Barker had deposited to his account at that bank a \$25,000 check, which had been contributed to the Democratic National Committee. It was claimed that four days after Barker's deposit, one deposited in Barker's name on April 20. They totaled \$50,000.

The first check, it turned out, had come from a "finance" office in Dallas. Andrew, who gave \$50,000 in cash to Kenneth Dahlberg, also of Miami, on a Miami golf course.

Andrew, a Democrat, who sits on the same bank board as Dahlberg and who has profited from recent gains, wanted his gift to remain anonymous. Dahlberg "laundered" the money by converting it to a cashier's check in his name. And that's the form the money was in when it went into Barker's account.

THE OTHER four checks which made up Barker's \$114,000 deposit were drawn on a Mexico City bank, and were written and endorsed by the same man, Manuel Ogarrio Daguerre, a Mexican citizen.

Patman's investigators were told by Republican campaign officials that the \$59,000 had come from Texas donors who wished to remain anonymous and therefore sent the money through Mexico and Ogarrio Daguerre.

"Contrary to the statements that have been issued by the Republican finance officials," the committee investigators said, "at least \$100,000 — not just \$89,000 — reached the finance committee from Mexico in early April."

About that time, the investigators said, William Liedtke, president of Pennzoil Corp., put together a committee of wealthy Texans for a one-shot gathering of funds for the President's campaign.

One of the group, Robert Allen, who became chairman of the Texas finance committee for the President, told Liedtke he could raise "U.S. money in Mexico." And Liedtke told the investigators he checked with Stans for legal approval. And on April 3, Liedtke said, Stans said it was "okay" to bring the money to Washington.

On the afternoon of April 5 — two days before the effective date of a new law requiring full disclosure of contributors — a young Texan arrived at Pennzoil's Miami offices in Houston carrying what was described as "a large pouch."

WHILE LIEDTKE and his public relations man, Roy Winchester, were in the pouch was opened and the \$89,000 in checks and 110 one-hundred-dollar bills (\$11,000) were dropped on Liedtke's polished desk.

Some of the \$100 notes were new, others were not. So investigators concluded they were not part of the \$3-300 found on Barker two months later.

The investigators asked Liedtke and Winchester if they had given the young Mexican courier a receipt.

"In the fund-raising business you don't deal in receipts," Liedtke said.

"At this point," the investigators said, "the suit is destined for the Republican campaign start growing dramatically. By this time the Pennzoil offices had obviously become a major collection point for Republican contributions from Texas, Mexico and surrounding areas."

In all, the investigators found that Liedtke and his friends raised about \$700,000, of which about \$150,000 was in cash. The money was stuffed in a suitcase, and with a Pennzoil employee "riding shotgun," Winchester took it to Washington aboard a Pennzoil plane and delivered it to Stans' treasurer, Hugh Bloom, at 10 p.m., April 5, in time to beat the deadline for the new disclosure law.

## Real Donors

### Still Unknown

WINCHESTER did not ask for a receipt, although he gave one of the his secretaries a partial list of the donors. That list was destroyed after the Watergate burglary case broke, when the General Accounting Office began investigating the wandering funds.

Although Winchester and Liedtke told Patman's investigators that they were certain that Ogario Daquerre, by writing and endorsing his own checks, had masked the real donors of the \$100,000 that arrived in the pouch, they would not say who the real donors were.

In any case, during that first week in April, Stans' office safe was choked with more than \$700,000 — half in cash and the rest in checks, and negotiable securities. But by April 20, the five checks worth \$114,000 of it were in Barker's account.

How did it get there? And why?

Stans insisted he had no idea. And he said he did not even know money was coming from Mexico, although Liedtke later told investigators about the April 3 call for Stans' approval.

INVESTIGATORS for Patman and the GAO learned that Sloan had turned over the \$25,000 Dallas check and the \$9,000 in Mexican checks to G. Gordon Liddy, the lawyer for Stans' committee.

Liddy, who has been indicted in the break-in bug-ging, apparently advised that the checks had "laundered," that is, turned into cash.

Sloan, who resigned as finance treasurer, reportedly because he did not like the shenanigans, said Liddy ultimately returned the \$114,000 — minus about \$2,500. Liddy, the government has charged, used committee money, apparently from Stans' safe, to help finance the Watergate operation.

Although Sloan says most of the money was returned, others have told GAO and was not until May 25 that the wandering money was deposited into one of the campaign's bank accounts.

Until then, approximately \$359,000 in cash lay in Stans' safe, and if any accounting of it was kept, the GAO says it has been destroyed.

WHAT WAS it used for?

The Washington Post reports that it was used for special "security" operations,

and that Mitchell L. Lauthgar, a top official, and top officials drew from it.

## Pending Cases

### Hold the Key

Campaign spokesmen deny this and say it was used for legitimate expenses. Mitchell denies knowing anything about the money at all.

But is that much cash needed for "legitimate" expenses? And is it possible that Mitchell knew nothing about so much money in a campaign he ran?

As for the \$114,000 which wound up in Barker's account, Patman's investigators said, "We have a picture of funds . . . wandering across the country for four to six weeks . . . It is reasonable to assume that Mr. Stans had responsibility to know where sums as large as \$114,000 were going and more particularly to know if that much money was missing."

The preliminary investigation found no answers to such questions as: Why was the \$114,000 allowed to wander? Why did it end up in Barker's account? What was

done with it before . . . 20 . . . by 25 . . . coming to the . . . . . is the bureau . . . . . of the hearing . . . . . be and? To what . . . . . the \$39,000 . . . . .

is also . . . . . 25 from Ogario . . . . . It is a violation of the . . . . . in campaign . . . . . from foreigners.

is an effort to . . . . . questions and other . . . . . is expected to ask his . . . . . to appear . . . . . the hearings. . . . . to subpoena witnesses by . . . . . Because civil and criminal cases are pending, however, key members of Patman's committee may not support his request.

Rep. Patman  
... pushes probe

Bernard Barker  
... Miami angle

Maurice Stans  
... 'knew little'

John Mitchell  
... 'knew nothing'

(Mount Clipping in Space Below)

**RADIO ACTIVITY:** So widely broadcast is every tidbit of news on the Watergate Caper that Henry Rothblatt, a New York lawyer defending Miami real estate man Bernard L. Barker, is expected to seek transfer of a local offshoot charge out of the Dade-



BARKER



DOWLING



ELIAS

OCT 8 1972

Broward area. That's believed to be the reason he has issued summonses to virtually every radio and television station in both counties. The summonses order the owners, managers or custodians of each station's records to appear at a hearing next Friday before scheduled for trial Oct. 30 on a charge that he misused his Florida notary public's seal in connection with the Watergate case.

(Indicate page, name of newspaper, city and state.)

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or

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Being Investigated

(Mount Clipping in Space Below)

# Made Seeks Nixon Men To Testify

House Probe . . . . . 8A

By GENE MILLER  
Herald Staff Writer

Criminal Court Judge Paul Baker signed extradition orders Thursday for three of President Nixon's top money men — Kenneth H. Dahlberg, Maurice Stans and Hugh W. Sloan.

They are needed here as material witnesses, Judge Baker ruled, for the Oct. 30 trial of Bernard L. Barker for the alleged misuse of a notary public seal on a \$25,000 check.

The Miami charge is a spin-off from the Watergate political espionage case — and the only case to come to trial before election day Nov. 7.

A 1 1/2-day, two-13th pre-trial hearing is set for 9 a.m. today, Baker said earlier this week. It is hoped it will not create too much public attention.

He has also subpoenaed witnesses from 33 radio stations and television stations. Presumably, they want

(Indicate page, name of newspaper, city and state.)

1-A & 2-A

MIAMI HERALD

MIAMI, FLA.

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9/1

# 3-Original To Appear In Watergate Spin-Off

a check of some of the news coverage.

Judge Baker's extradition orders noted that the appearance of the three Republican fund raisers could "not be secured voluntarily."

Powell Moore, a press spokesman for the Committee to Reelect the President, said late Thursday the committee legal counsel Ronald Parkinson wouldn't have any comment until he had the opportunity to read the extradition order.

Stans is now Nixon's chief campaign fundraiser. Sloan was once treasurer for the committee. Dahlberg was the committee's Midwest finance chairman.

The Baker orders for Dahlberg went out: "To Any Court of Record of the State of Minnesota. Greetings."

Dahlberg lives at Ridge Gate, Deep Haven, Wayzata, Minn.

Stans, former secretary of the committee, lives at 2560 Virginia Ave., N.W., Washington, D.C., and Sloan at 70-2 Alicent Ct., McLean, Va.

COURTS in Minnesota, Washington, D.C., and Virginia will have to rule on the extradition orders if the Republican refuse to sign in.

Baker's orders called for the Republicans to appear by 9 a.m. Oct. 26 for a pre-trial conference.

"They will be needed for approximately 12 days unless sooner discharged by the court," Baker wrote.

The 12 days would end Nov. 7 — the day the Committee for the Re-election of the President thinks President Nixon will win his second term.

THE CUBAN-BORN Barker, 55, an ex-CIA operative, is accused of using his notary public seal to fraudulently

knowledge Dahlberg's signature on a \$25,000 cashier's check.

The money, part of \$114,000, went through Barker's bank account at the Republic National Bank of Miami, 10 NW LeJeune Rd., prior to the time police in Washington, D.C., caught him inside the Democratic National Headquarters in the Watergate complex. The money had been given to the Committee for the Re-election of the President.

Assistant State Attorney Bernard L. Registro traced the \$25,000 check in a formal request to Judge Baker for the extradition orders.

"On or about April 10, 1972," the prosecutor said, "Dahlberg purchased a cashier's check in the amount of \$25,000 at the First Bank and Trust Co. of Boca Raton. Mr. Dahlberg then personally can testify as to the appearance of the check before and after the transaction. He can further testify that when he handed Maurice Stans the check there was nothing on the back of it except Mr. Dahlberg's signature. He will testify that he does not personally know or have any contact with Bernard L. Barker and that when he last saw the original check there was no notary seal affixed to the back of it."

THE PROSECUTOR went

on: "On or about April 11, 1972, Mr. Stans received the check. He will also state that when he received the check it bore only the signature of Kenneth Dahlberg. Mr. Stans will state that he handed the check to Hugh W. Sloan Jr. The witness will also testify that when he handled the check it had no notary seal on it and that he had no personal contact or communications with a person known as Bernard Barker."

Prosecutor Registro then went on to Sloan.

"He was, in fact, the treasurer of the Committee to Reelect the President. That on April 11, 1972, he received the \$25,000 Dahlberg check personally from Maurice Stans and that subsequently he gave the check to G. Gordon Liddy, who was general counsel for the Committee to Re-Elect the President."

Liddy has since been indicted for conspiracy in the Watergate case. The Florida prosecution did not subpoena him.

IT DID SUBPENA for the Oct. 30 trial Ettore Reynaldo, the Miami banker who says he first declined to cash the \$25,000 check for Barker without proof of Dahlberg's signature, and Robert Vollmer, a Miami expert on documents and signatures.

For the Friday hearing, Barker's lawyers, Henry Rothsblatt, of New York, and Arthur Deckelman, of Miami issued a list of subpoenas.

He wants testimony from station managers for: ABC, WOCN Radio, WSRF-AM, WSHF-FM, WJAX, WAUS, WBUS, WFRD, WEXY, WFAB, WFTL, WFUN, WGBS, WGMA, WHNS FM, WTNZ, WIOD, WKAT, WIOD, WLTO, WIYF-FM, WMBM, WMCD, WMTR-FM, WMYQ-FM, WSAM, WQBA, WRBO, WRIZ, WRSD, WSHF-FM, WTMH-FM, WYCC, WYOK, and television channels 3, 10, 23, 51, 6 and 7.

Bernard Barker  
... the suspect  
92.

(Mount Clipping in Space Below)

# Dede's Seal Not a Check Is Rejected

## Notary Seal Case Still Set Oct. 30

By GENE MILLER  
Herald Staff Writer

In defense of Bernard L. Barker, the notary public, a criminal lawyer argued loudly Friday for no trial, an indefinite postponement, and a public opinion poll.

"Just because my hair is long and covers my ears doesn't mean I am deaf," said Paul Baker, a mod-coiffured Criminal Court judge.

"I meant no offense, Mr. Gerstein," he hurriedly added for benefit of Dede's bald-headed state attorney.

BUT IT WAS Richard E. Gerstein who eventually walked from the courtroom untouched legally. The judge denied all the crucial defense motions.

And Barker, certified realtor, registered Republican, admitted Watergate prowler,

### Bernard Barker ... motions denied

and ex-spy, is still scheduled for trial Oct. 30 — for the alleged misuse of his notary public seal on a \$25,000 check endorsed by President Nixon's fund raiser Kenneth Dahlberg.

Defense attorney Henry Rothblatt accused Gerstein of "poisoning the atmosphere" by out-of-court statements.

Gerstein, equally loud, snapped back, "It was Mr. Rothblatt who conducted a press conference outside this courtroom and sold what great patriots he represented."

ROTHBLATT wanted the charge dismissed because of "prejudicial publicity." He lost.

He wanted the charge dismissed because he hadn't received a copy of the \$25,000 check. He lost that, too. Judge Baker ordered the prosecution to give him a photostatic copy.

Rothblatt argued that Dede's seal was no crime because the check was good, "a valid instrument," "a valid endorsement."

"The issue is the fraudulent use of a notary seal," Judge Baker said.

Then Rothblatt said, "We want to take a public opinion poll."

"YOU ARE making this into a circus," shouted Assistant State Attorney David Goodhart.

"I have heard from a lot of people who hired public opinion polls and lost elections," deadpanned Judge Baker. "The next step would be to conduct a poll — guilty or not guilty."

Baker noted that he had issued extradition orders for Nixon money men Dahlberg, Maurice Stans, and Hugh W. Sloan in courts in Minnesota, Washington, D.C., and Virginia.

"But I don't know at what speed those courts will honor these," he said.

ROTHBLATT suggested at some length that all such future motions should be sealed.

"May Mr. Goodhart and I be excused from this lecture on what the court should have done?" Gerstein asked huffily.

Judge Baker allowed Rothblatt to put into the record testimony about Watergate news coverage from the newspapers, UPI, six television stations and 33 radio stations.

"We'll get around to the country and western stations in a minute," said Baker, apologizing for the time.

(Indicate page, name of newspaper, city and state.)

3-A

MIAMI HERALD

MIAMI, FLA.

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(Mount Clipping in Space Below)

# Watergate case set here before election

By **VERNE O. WILLIAMS**  
*Miami News Reporter*

The only pre-election court airing of details of the Watergate break-in apparently will be held in Miami when one of the principals in the political espionage case goes on trial here Oct. 30 on a state charge.

Criminal Court Judge Paul Baker made the date firm yesterday in denying a motion to dismiss charges of fraudulent use of a notary

public's seal against Bernard Barker.

Barker and four other men are accused in Washington of breaking into Democratic National Headquarters in the Watergate apartment complex as part of a political bugging scheme. Criminal and civil actions there have been delayed beyond the Nov. 7 election.

Baker is accused of fraudulently using his notary seal to witness the endorsement of a \$25,000 check in Republican campaign funds which showed up in his bank account here. Democrats charge the Watergate bugging was financed with GOP campaign money.

Judge Baker has issued state subpoenas for Kenneth Dahlberg, GOP midwest finance chairman whose endorsement was on the check; Hugh Sloan Jr., treasurer of President Nixon's finance committee at the time of the

Watergate incident, and Maurice Stans, former cabinet member and now a Nixon fund raiser.

State Attorney Richard Gerstein said "I think it definitely is in the public interest for the trial to start before the election." Gerstein is a Democrat and won his own re-election in the recent primaries.

Barker's attorney, Henry Rothblatt, claimed that the state had failed to charge a crime properly by neglecting to attach a copy of the instrument it said was falsely notarized.

Gerstein said that Florida law did not require the attachment of a copy. He said Rothblatt had failed to file his motion to dismiss the charges within the same time period required of the state attorney to file motions.

Judge Baker agreed that Rothblatt had been slow to

file his motion and Rothblatt then attacked pre-trial publicity surrounding the case. He said that it was Gerstein's office that released information about the notarized check and "this check has been on the front page of almost every newspaper."

Judge Baker also denied the motion to dismiss the case on those grounds without listening to radio and TV recordings Rothblatt had subpoenaed.



**BERNARD BARKER**

**3-A**

**MIAMI NEWS**

**MIAMI, FLA.**

Date: **10/14/72**

(Mount Clipping in Space Below)

# H. W. Sloan, Nixon Aide To Testify

## Dade's Spin-Off In Bugging Caper

From Herald Wire Services

Hugh W. Sloan Jr., former treasurer of President Nixon's reelection campaign committee, Tuesday was ordered extradited to Miami to testify in a trial connected with the bugging of the Democratic headquarters in the Watergate apartment complex.

Fairfax, Va. Circuit Judge Barnard F. Jennings issued the order, but excused Sloan from appearing in Dade Criminal Court Oct. 26 for a pre-trial conference on the ground that he is still looking for a job after resigning from Nixon's campaign organization and because he didn't want to be away from his wife and their three-week old child.

Sloan was one of three top Nixon fund-raisers subpoenaed to testify here as material witnesses in the case of Bernard L. Barker, who is accused of using his Notary Public seal to illegally acknowledge Kenneth Dahlberg's signature of a \$25,000 cashier's check.

DAHLBERG, the President's Midwest finance chairman, has indicated he will be in Miami for the Oct. 26 pre-trial hearing.

The third witness sought for extradition is Maurice H. Stans, former secretary of commerce.

In Washington, meanwhile, chief U.S. District Judge John J. Sirica, brushing aside objections of defense lawyers, ordered Tuesday that the trial of the seven men charged with the Watergate bugging incident begin Nov. 15.

Lawyers for the defendants indicated after the two-hour hearing that they would seek a postponement from the higher court. Sirica also said he intends to sequester the jury for the duration of the trial.

DURING the Virginia extradition hearing, Sloan said he had never known Barker and had never talked with him.

He said he knew of a \$25,000 check that passed from Dahlberg through Stans to former White House consultant G. Gordon Liddy, who was fired as counsel to the Nixon finance committee after he refused to discuss the break-in with the FBI.

Sloan said he had no way of knowing if the \$25,000 check was the same one which was part of \$114,000 deposited in Barker's Miami bank account prior to the Watergate affair.

(Indicate page, name of newspaper, city and state.)

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MIAMI HERALD

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95.

(Mount Clipping in Space Below)

## Judge Overrules Order For Extradition of Stans

A judge in Washington, D.C., has ruled that Maurice M. Stans, finance director for President Nixon's reelection campaign, does not have to appear in Miami for the Bernard L. Barker trial.

OCT 22 1972  
Barker, an admitted Watergate prowler, is scheduled for trial Oct. 30. He is charged with fraudulently notarizing a \$25,000 Nixon campaign contribution check that went through Stans' hands.

2 a  
Last week Criminal Court Judge Paul Baker ordered in Miami that Stans be extradited to appear at the trial. Stans argued Friday that "my presence isn't necessary in the case" and said that it would work a hardship on him because his wife is hospitalized with a blood disorder.

Stans said later, "The extradition order was merely a political ploy on the part of the state attorney down there."

Dade State Attorney Richard E. Gerstein said, "Maurice Stans would go to Siberia before he would testify here."

Two other Republican fund-raisers, Kenneth Dahlberg and Hugh W. Sloan Jr., have been ordered to appear.

(Indicate page, name of newspaper, city and state.)

p. 2A

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**Suarez Begins Condominium**

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MIGUEL A. SUAREZ, real estate investment partner of Bernard Barker, figure in the recent alleged Democratic headquarters break-in, has started a new condominium building. Officials besides Suarez in the corporation, Almond Condominium Inc., include Angel M. Moreno. Site selected for the project is at 13655 NW Third Ct., North Miami. Land there was recently purchased for \$90,000 or about \$3.61 a square foot. Financing for the new building is a \$350,000 construction loan with the Second National Bank of North Miami. Suarez was a principal in a condominium completed in Miami Beach last year and along with Barker and others is currently completing a large apartment building on Normandy Isle.

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p234

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(Mount Clipping in Space Below)

# Gerstein Faces \$2-Million Watergate Suit

By GENE MILLER  
Miami Staff Writer

The former treasurer of President Nixon's reelection committee says he feared that \$114,000 in checks linked to the Watergate case were illegal — and that's why they weren't deposited in the committee's bank account.

The comments by Hugh W. Sloan Jr. mark the first time any official of the Nixon committee has acknowledged that they knew the contributions might be legally questionable.

**SLOAN WAS** interviewed last week at his home in McLean, Va., by Martin Dardis, chief investigator for Dade State Attorney Richard E. Gerstein. Dardis is preparing for the trial Monday in Miami of Bernard L. Barker, who is accused of fraudulently notarizing the signature of prominent Republican fund-raiser so he could cash one of the checks in the amount of \$25,000.

Barker apparently was given the check by G. Gordon Liddy, a former White House aide who, like Barker, is one of seven defendants in the bugging of Democratic National Headquarters at the Watergate complex in Washington.

Dardis asked Sloan what he did with the \$25,000 check.

"I gave it to G. Gordon



Hugh Sloan  
... ex-treasurer

Liddy," Sloan responded.

"WHY?" Dardis asked.

"I thought it might be illegal," Sloan said because it was dated April 9, two days after the effective date of a new law requiring the reporting of all large contributions. Sloan said the \$25,000 had not been reported.

Sloan, an unusually candid man, in the opinion of Dardis, said he had also given Liddy four other checks totaling \$89,000. They had been purchased April 4, before the new law took effect, and eventually went into Barker's Miami bank account also.

Sloan said a Texas GOP fund-raiser, Roy Winchester, gave him the checks. They had been handled by an attorney in Mexico City.

Dardis asked Sloan why he

gave those checks to Liddy.

"There was a foreign national," Sloan replied, referring to the Mexican transaction.

Federal law prohibits accepting contributions from foreign nationals to presidential campaigns.

"Who instructed you to give the checks to Liddy?" Dardis asked.

"NO ONE," Sloan said. "I was the treasurer, and I felt I should."

Sloan quoted Liddy as saying he would "take care" of the \$114,000 in checks, Dardis said.

A General Accounting Office report earlier had quoted Sloan as saying that he gave the checks to Liddy, who had them cashed. Liddy then gave the proceeds to the committee, Sloan told the GAO.

**THE GAO** report said all five of the checks wound up in Barker's bank account at the Republic National Bank of Miami. Fifty-three \$100 bills found on Barker and four other suspects at the time of their arrest in the Watergate on June 17 were traced to the same bank.

Following the arrests and the controversy over the campaign checks, Sloan resigned from the reelection committee for "personal reasons." The committee fired Liddy after he refused to answer questions by FBI agents investigating the bugging attempt.

Earlier this week, Gerstein telegraphed U.S. Attorney

(Indicate page, name of newspaper, city and state.)

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MIAMI HERALD

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DEMOCRATIC PRESS

98

Harold Titus of Washington asking him to appeal a decision denying extradition of former Secretary of Commerce, Maurice Stans as a witness in the Miami trial.

STANS is the financial director of the Committee to reelect the President. Stans has admitted he handed the \$25,000 cashier's check, endorsed by Kenneth Dahlberg, another GOP fund-raiser, to Sloan.

This is the Barker-notarized check that Barker deposited in his Miami bank account, Gerstein contends.

On Friday, Superior Court Judge Paul McArdle ruled that Stans didn't have to appear at the Miami trial. Gerstein said Tuesday that the decision was "contrary to the facts and the law" and should be appealed.

MEANWHILE, Barker's attorney said he would sue Gerstein, Titus and another federal prosecutor for \$2 million. Henry Rothblatt said Barker is the victim of a conspiracy between the Dade and Washington prosecutors to thwart defense preparation for the Miami trial Monday and the Watergate trial Nov. 15.

Rothblatt said he will ask the U.S. District Court in Miami for an injunction to halt the "frivolous" trial here, saying the trial will force Barker to divulge his Watergate defense in Miami and violate his privilege against self-incrimination.

Gerstein, he said, brought

the case "only to secure his renomination." Now he has to justify what he did in a political campaign."

Said Gerstein: "If he is going to sue me, he'll have to stand in line."

"I RECOGNIZE that they (the defense) will do anything from standing on their heads to going to Siberia to keep this case from going to trial."

(Mount Clipping in Space Below)

# U.S. Judge won't block Barker trial

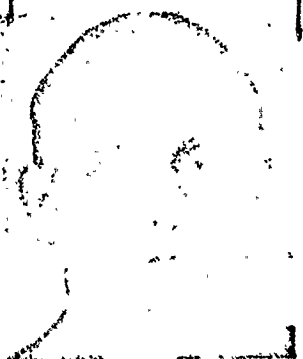
By **VERNE O. WILLIAMS**  
*Miami News Reporter*

U.S. District Court Judge Peter Fay today refused to block the trial — scheduled here on Monday — of Water-gate figure **Bernard Barker**.

Barker is to be tried on a notary fraud charge brought by State Attorney Richard Gerstein.

Defense attorney Henry Rothblatt asked Fay to intervene in the state court case on grounds that Barker's civil rights were being violated by excessive publicity and rush handling of the notary case.

Judge Fay indicated that he was concerned but



**BERNARD BARKER**

...told the defense attorney he should first ask Dade Criminal Court Judge Paul Baker for a continuance if he had proper grounds.

"Federal courts should keep hands off until state courts have shown clearly they are not going to protect the rights of the individual," Fay said.

At Rothblatt's insistence, Fay agreed to hear a report at 5 p.m. today on how the defense attorney fared with Judge Baker.

Barker is charged with falsely notarizing the endorsement of Kenneth Dahlberg, a Nixon Campaign finance official, on the back of a \$25,000 cashier's check. Barker deposited the check in his Miami bank account.

Rothblatt argued before Judge Fay that the notary charge was filed by Gerstein to embarrass the Republicans.

"They were going to show the FBI and the Department of Justice that this couldn't be swept under the rug," Rothblatt said.

(Indicate page, name of newspaper, city and state.)

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(Mount Clipping in Space Below)

# Barker, 3 Others Sue to Block Prosecution

By CAROLYN JAY WRIGHT  
Herald Staff Writer

Four of the five men arrested inside the Democratic National Headquarters in the Watergate complex June 17 filed suit in Miami Federal Court Thursday seeking to prohibit federal and state criminal prosecutions against them.

Bernard L. Barker, who is scheduled to go on trial in Dade's Criminal Court Monday on charges of fraudulently notarizing a \$25,000 Nixon campaign check, said it is impossible for him to receive a fair trial in either case.

The case was assigned to U.S. District Court Judge Peter Fay, a Republican and recent Nixon appointee. Fay has scheduled a hearing for 9 a.m. today.

In their complaint, which also asks for \$2 million in damages, Barker, Virgilio Gonzalez, Eugenio Martinez and Frank Sturgis claim that they are the victims of a conspiracy to obstruct justice and deny them equal protection of the law.

Barker charges that State Attorney Richard E. Gerstein, a Democrat, initiated an investigation against him during his campaign for reelection and "manipulated the communications media" to make it the "major issue of his renomination and reelection campaigns."

Barker charges that Gerstein and chief investigator Martin Dardis released or caused to be released to the

mass communications media, reports, photostats and details" accusing him of being guilty of the federal charges.

In addition to Gerstein, Harold H. Titus Jr., U.S. attorney for the District of Columbia, and Earl J. Silbert, his assistant are defendants in the suit.

Titus and Silbert attempted to interfere with the group's right to have counsel of their own choosing, the suit says.

(Indicate page, name of newspaper, city and state.)

21-A

MIAMI HERALD

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(Mount Clipping in Space Below)

# They've Faced Before At Gunpoint

By GENE MILLER  
Miami Staff Writer

Kenneth Dahlberg, the Republican fund-raiser in the Watergate affair, once almost shot to death Martin Dardis, chief investigator for the Dade County state attorney.

Both men agreed Thursday on the essential facts.

THE FACTS, though, are either 27 or 28 years old. Their story is believe-it-or-not Bob Ripley vintage — in the finer truth-is-stranger-than-sense.

During the Republican Convention in August, Dardis took a statement from Dahlberg about a \$25,000 check that went into the bank account of Bernard L. Barker, one of those charged with the Watergate prowling.

Afterward, walking to



DAHLBERG DARDIS

Dahlberg's car, Dardis made polite conversation.

"I understand you were an ace in the war," he said, referring to World War II. Dahlberg was a triple ace. He shot down 15 Nazi planes.

"I flew 51s and 47s," Dahlberg said.

"WE PICKED up fighters," Dardis said. "I remember one 47 that came down at the Battle of the Bulge. The son

of a bitch pulled a .45 on me.

"I had to yell, 'We aren't Germans! Don't shoot.'"

Said Dahlberg Thursday, "As he told that story I just stood there in complete awe. It couldn't have been coincidence."

Dahlberg said nothing about it at the time. But a week later he telephoned Dardis from Minneapolis. They compared memories more closely:

LATE DECEMBER 1944 or early January 1945; the last great German army breakthrough in Belgium; bad weather finally breaking and the P47 Thunderbolt support; Pfc. Dardis' Fourth Armored Battalion; the long overcoats the GIs wore that looked German; a snowskid crash; the .45 from the shoulder holster; and the Jeep ride to safety.

At that time U.S. tanks, commanded by an obscure lieutenant colonel named Creighton W. Abrams (now Army chief of staff), used colored panels for aircraft identification.

"But the American and German tanks kept switching panels," the onetime Capt. Dahlberg recalled Thursday.

From a squadron of 12, Dahlberg dove on the "German pink" tanks, then suddenly realized, almost too late, that they were American tanks.

"THE TRUTH is the Americans shot out my engine," said Dahlberg. Then it was his canopy. "I was too low to bail out."

He flew as far west as he could before crashlanding, believing he still was behind German lines.

"This fellow came at me.

In a one-on-one situation, you shoot first and ask questions later. I almost shot him. He yelled, "Hold it! I'm an American."

Dahlberg, the Republican, and Dardis, the Watergate investigator, both are convinced that they have met before.

"Maybe I should have shot," Dahlberg laughed, much happier to tell war stories than talk about Watergate.

Watergate? "Isn't that a reservoir?" he asked.

(Indicate page, name of newspaper, city and state.)

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MIAMI HERALD

MIAMI, FLA.

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(Mount Clipping in Space Below)

# Halt Denied in Watergate Defendant's Trial

By **GENE MILLER**  
Herald Staff Writer

U.S. District Court Judge Peter T. Fay Friday refused to stop the Florida trial of Watergate defendant Bernard L. Barker.

The case, involving the alleged fraudulent use of a notary public seal on a \$25,000 Nixon campaign check, ping-ponged from the federal court to the state court to the federal court.

Monday, it goes back to the state court — not for trial, but for more pretrial motions.

THEN, THE federal judge indicated, he would think about, it again. "I'll hold



**Judge Peter Fay**  
... of district court

everything in abeyance," Fay said late Friday.

Criminal Court Judge Paul Baker postponed the trial two days to Wednesday.

Defense lawyer Henry Rothblatt Friday blamed the prosecution for "bad faith," "evil motives," "poisoning the fountains of justice," and "malicious and political harassment" — all in a "minor, insignificant, frivolous case with obvious no legal merit."

State Attorney Richard E. Gerstein, appearing in the state, but not the federal court, denounced Rothblatt as an "unmitigated liar," "a fool," and said that before his office went to work on the case "they described it (Watergate) as a prank in the White House. They called it a joke in Washington."

**WATERGATE** was a "nefarious scheme," Gerstein said, "that disgusts most thinking people" — and the "state of Florida didn't invite Mr. Barker to use the Florida banks for it."

"They wanted to try the case before election day," Rothblatt cried. "The purpose is political. There is not one reason for urgency."

Both lawyers accused each other of holding press conferences.

Rothblatt complained bitterly that he couldn't defend his client properly in the Watergate bugging case set in Washington, D.C., for Nov. 15 because of the Miami case. "They are boxing me in," he said.

"The trial date here was set before he was even indicted in Washington," Assistant State Attorney David Goodhart replied.

**ROTHBLATT** described the charge as a mere "technicality," never before enforced. "It is probably being violated every day, maybe even in my office," he said.

Federal Judge Fay took the

case when Barker sued Gerstein for \$2 million and asked for a federal injunction against the Florida trial.

"Federal courts should not get involved or inject themselves when the state courts haven't had the opportunity to rule," said Fay, telling the defense it hadn't exhausted its "state remedies." This was Friday morning.

So back to the state court went all the lawyers.

Rothblatt, however, neglected to file a formal written charge for dismissal.

"**THERE IS** no motion before. Therefore I can't rule," Judge Baker said.

So after prolonged argument, the lawyers returned to Fay's courtroom. This was late Friday. "I defer," said Fay.

They go back to Judge Baker Monday, then, presumably, back to Fay. Fay did not dismiss the injunction.

Rothblatt said that for a while his client thought about having himself locked up in a jail in Washington so that he wouldn't have to go to trial in Miami. They decided against it.

(Indicate page, name of newspaper, city and state.)

18-A

MIAMI HERALD

MIAMI, FLA.

Date: 10/28/72

103.

(Mount Clipping in Space Below)

# Barker case hinges on notary seal use

The Florida phase of the Watergate investigation — if it reaches trial — will be confined to the single issue of whether the state notary seal laws have been violated, Criminal Court Judge Paul Baker indicated today.

Baker yesterday postponed the trial of one of the "Watergate Five," Bernard L. Barker, from Monday to Wednesday. Barker's attorney is seeking to stall the case in both federal and state courts at least until after the Nov. 7 election on the grounds it has been made a political issue.

Judge Baker said "this case is getting blown a little

out of proportion. This isn't the Watergate case. It's a very simple case alleging the illegal use of a notary seal.

U.S. District Judge Peter Fay was awaiting further action by Baker's court before ruling on Attorney Henry Rothblatt's motion to stop the trial.

Barker and four other men are accused in Washington of bugging National Democratic Committee headquarters in the Watergate apartments. In Florida, Barker was charged with illegally notarizing the endorsement of a \$25,000 check allegedly used to finance the Watergate venture.

(Indicate page, name of newspaper, city and state.)

2-A

MIAMI NEWS

MIAMI, FLA.

Date: 10/28/72

(Mount Clipping in Space Below)

**Prosecution, Defense in Shouting Match**

**Barker Case Bounces Court to Court**

OCT 28 1972

By GENE MILLER  
Herald Staff Writer

The Barker "notary public" case ping-ponged from federal to state to federal court Friday in a defense attempt to stop the trial.

Criminal Court Judge Paul Baker finally set it back two days — from Monday to Wednesday.

DEFENSE lawyer Henry Rothblatt blamed the prosecution for "bad faith," "evil motives," and "political harassment," in a "frivolous case with obviously no legal merit."

State Attorney Richard E. Gerstein called Rothblatt an "unmitigated liar" and a "fool," and said that before his office went to work on

the Florida case the White House called the Watergate case a "prank." They called it a joke in Washington," he said.

Barker, an admitted Watergate prowler, is charged here with the fraudulent use of a notary public seal on a \$25,000 Nixon campaign check. The charge is a felony, punishable by five years imprisonment.

THE CASE went first Friday to U.S. District Court Judge Peter Fay, where Rothblatt wanted him to halt the case.

Rothblatt accused Gerstein of bringing the charge only because he was running for re-election.

"There has been not been a single prosecution under this statute in the eight years since the Legislature enacted the law," Rothblatt said.

Judge Fay refused to grant an injunction after a two-hour and 20-minute morning session, saying the defense had not exhausted its state remedies. "Try that first," he said.

THAT'S WHEN the case went back to Baker, the state judge — for a replay.

Rothblatt said the federal judge wanted him to argue for a summary judgment to throw the case out.

But Rothblatt hadn't filed such a motion.

"I can only hear the motions before me," said Baker.

Rothblatt complained bitterly that he couldn't defend

his client properly in the Watergate bugging case set in Washington, D.C., for Nov. 15 if he had to try the local case here next week.

"They've boxed me in," he said. The Miami case would deny his client his constitutional right against self-incrimination, he said. "They haven't shown one reason for the urgency," said Rothblatt.

He said Gerstein's office deliberately filed the charge Sept. 16 to "beat" the federal indictment on the Watergate political espionage case that same day.

GERSTEIN then exploded over the "nefarious (Watergate) scheme that certainly disgusts most thinking people."

"The State of Florida didn't invite Mr. Barker to use the Florida banks for this scheme," he shouted. "This case is ready to go trial — and the defense stands on its head to keep it from going to trial."

At 5 p.m. Friday the case went ping-ponging back to Federal Judge Fay, the defense plea for an injunction to stop the trial unresolved.

(Indicate page, name of newspaper, city and state.)

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Being Investigated

10.5.

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**ONE OF A KIND** — When State Attorney Richard Gerstein filed charges of misusing a notary public seal against admitted Watergate prowl~~er~~ Bernard Barker, court watchers wondered how many similar charges they'd ever seen on a court calendar. Gerstein set out to answer the question himself and ordered a dozen secretaries to scan criminal court records back to 1954 and, excluding Baker, count how many persons have been charged with that crime. The total count, secretaries reported: none.

OCT 29 1972

**MY WORTH (OUCH) OPPONENT:** Tampa legislator Guy Spicola's scrapbook was fattened last week by a four-column newspaper ad paid for by Al Lombardi, his unsuccessful opponent in last month's Democratic primary. The ad is Lombardi's "public apology to Rep. Guy Spicola and his family." Why? Well, The Tampa Times on April 4 reported that the Spicolas were trying to control Hillsborough County government to obtain favorable zoning for land they own. Then the evidence proved phony, and The Times retracted on April 29. Lombardi, apparently missing the retraction, saved the non-scandal for the closing days of the campaign and then used it in literature and speeches. The Spicolas sued for libel and slander. Lombardi had to eat his words and issue these: "I made several false and misleading accusations against my opponent . . . I wish him continued success in service to the people of our community." Spicola, by the way, won the primary.

(Indicate page, name of newspaper, city and state.)

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 Being Investigated

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# Barker waives jury trial here

By **VERNE O. WILLIAMS**  
Miami News Reporter

Attorneys for Watergate bugging figure Bernard Barker today waived a jury trial on the charge that Barker falsely notarized the endorsement on a \$25,000 GOP campaign check.

Criminal Court Judge Paul Baker will hear the case without a jury at 9:30 a.m. Wednesday.

Waiver of a jury came after Judge Baker denied a motion to dismiss the case by defense attorney Henry Rothblatt. In a surprise move, Rothblatt admitted that the facts of the case as cited by the state were true.

But Rothblatt said, there was no crime involved because the notarization in question was not required by any law and was therefore immaterial.

The prosecution charges that Barker was refused when he presented the \$25,000 check for cashing at the Republic National Bank in Miami. Barker then went outside the bank, notarized the endorsement of GOP fund-raiser Kenneth Dahlberg that was already on the back of the check, and took it back into the bank.

Assistant State Attorney David Goodhart said the state would prove Barker had never met Dahlberg, did not have the check signed in his presence as required for notarization, and therefore had made a false and fraudulent notarization.

But Rothblatt, told Judge Baker that while "the facts are not in dispute" he differed completely on the prop-

er interpretation of the notarization statute.

Rothblatt said check endorsements are not one of the instruments on which notarizations are required by law such as a deed or mortgage, and that therefore such a notarization has no legal standing.

"The notarization is not an act required by law and by no stretch of the imagination is it a violation of the law," Rothblatt argued. "We are prepared to stand and fall on the insufficiency of this charge."

Goodhart argued that when a vice president of the Republic National Bank told Barker that he would have to have some proof that the signature was genuine, the notarization then became a requirement.

"It had to be notarized once the officer of the bank said, 'This has to be notarized or I can't cash it,'" Goodhart said.

Judge Baker said he was denying Rothblatt's motion as to the insufficiency of the charge, but would reserve ruling on a technical argument that the state's charge was filed under the wrong section of the law.

Rothblatt had previously asked a federal judge in Miami to order a postponement of the check notarization case on grounds that he couldn't be ready for both it

and a Nov. 15 trial in Washington, D.C.

That trial involves the burglary and bugging of Democratic national headquarters at the Watergate complex.

U.S. District Court Judge Peter Fay declined to order the postponement but has kept the motion under advisement. Meantime, over the weekend, a Washington judge postponed the burglary and bugging trial there until Jan. 8.

(Indicate page, name of newspaper, city and state.)

8-A

MIAMI NEWS

MIAMI, FLA.

Date: 10/30/72

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(Mount Clipping in Space Below)

# Barker Admits Notarizing Check Despite Absence of the GOP Signer

By CAROLYN JAY WRIGHT  
and JUNE KRONHOLZ  
Herald Staff Writers

Admitted Watergate prowler Bernard Barker conceded in Criminal Court Monday that he notarized a \$25,000 check — earmarked to pay five men for bugging Democratic national headquarters — without the presence of the signer, Kenneth Dahlberg, a member of the Committee to Reelect the President.

It's a violation of Florida law to notarize a document if the signer isn't present.

**BUT BARKER**, through his attorney, argued that the check was perfectly valid without being notarized and would not have been notarized had not a bank teller insisted on it.

He was unsuccessful in persuading Judge Paul Baker to dismiss charges that Barker fraudulently misused a notary seal.

Barker said that when he presented the check at a Miami bank, teller Ectore Reynaldo demanded that Dahlberg's signature be notarized before he would cash the check.

Barker said he then went outside the bank, notarized the check without meeting with Dahlberg, and returned it to the bank where it was cashed without further question.

**UNDER FLORIDA** law, a signature can be notarized only when the signer is present.

Henry Rothblatt, defense attorney for Barker and three other defendants in the Watergate incident, argued that no law requires

check endorsements to be notarized. So, he argued, although Barker concedes most of the facts alleged by the prosecution in the case, no law has been broken.

"THE NOTARIZATION is not an act required by law, and by no stretch of the imagination is it a violation of the law," Rothblatt said.

Contending that Barker's statements left "no material facts in dispute," and that the undisputed facts do not constitute any violation of the law, Rothblatt urged Baker to dismiss the charges as "frivolous."

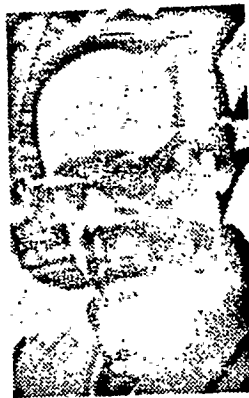
Baker, calling Rothblatt's argument a "misrepresentation" of the Florida law involved, refused the motion and ordered Barker to stand trial Wednesday. Rothblatt then waived his client's right to a jury trial.

Later Monday, in a 15-minute hearing before District Court Judge Peter Fay, Rothblatt told the judge he was withdrawing his request for an emergency order halting Barker's trial because his client's circumstances have changed drastically over the weekend.

Rothblatt said the "pressure is off" his clients now because U.S. District Judge John J. Sirica of Washington, D.C., has postponed the Watergate Seven's trial until Jan. 8. The judge said a pinched nerve in his left leg caused him to delay the trial.

Thus, Rothblatt said, his clients no longer are "pressured on two sides."

Barker, along with Frank Fiorino Sturgis, Eugenio Martinez and Virgilio Gonzalez, claim that pre-trial publicity focused on their alleged involvement with political espionage has made it impossible for them to receive a fair trial.



Bernard Barker  
... trial on

**STURGIS SAID** the four, who are suing Dade and federal investigators and prosecutors in U.S. District Court in Miami for \$2 million for alleged violation of their civil rights, said the Watergate defense was concerned about court proceedings in Miami harming their case in the Washington court.

Rothblatt, representing plaintiffs in the suit, said "this case, commonly called 'the Watergate case,' or 'Watergate Affair,' has been the subject of overwhelming national publicity and has become a major issue of the ongoing campaign for the presidency of the United States."

In a lighter moment during the day Monday, Barker, the defendant, got the unusual chance to watch the defense attorney, Rothblatt, have his fingerprints taken. The fingerprinting was done because Rothblatt is applying for membership into the Florida Bar.

(Indicate page, name of newspaper, city and state.)

8-A

MIAMI HERALD

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108

(Mount Clipping in Space Below)

# Watergate figure's trial will feature parade of witnesses

By **VERNE O. WILLIAMS**  
Miami News Reporter

State Attorney Richard Gerstein is expected to put on a full-dress prosecution with a long parade of witnesses when Watergate bugging figure Bernard L. Barker goes to trial here tomorrow.

He is charged with falsely notarizing a \$25,000 GOP campaign check which was then deposited in the Republic National Bank, Miami.

Conscious that the eyes of the nation may be on this pre-election airing of one aspect of the Watergate affair, Gerstein and co-prosecutor David Goodhart undoubtedly plan to dig as deep into the case as Criminal Court Judge Paul Baker will allow.

Defense attorney Henry



**BERNARD BARKER**

Rothblatt has already indicated this is the last thing he wants. He told the court the facts of the case are not in dispute and offered to accept the testimony of the prosecution witnesses without them appearing in Court.

"This could be a 15-minute trial," Rothblatt said.

Gerstein has refused to accept the stipulation and listed a string of 10 witnesses for the state. "I want the judge to hear the witnesses," he says.

Rothblatt argues that there was no violation of the notary statute because there is no legal requirement that the check endorsements by Kenneth Dahlbert, a Nixon fundraiser from Minnesota, be notarized.

Gerstein maintains and will set out to prove that Barker violated the statute by failing to have Dahlberg sign in his presence and neglecting to confirm his identity.

Violation of the notary statute is a felony and carries up to five years on conviction.

(Indicate page, name of newspaper, city and state.)

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**MIAMI NEWS**

**MIAMI, FLA.**

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109.



(Mount Clipping in Space Below)

# Watergate figure guilty; gets sus- pended sentence

By **VERNE O. WILLIAMS**  
Miami News Reporter

would tell the court that Barker was an honorable man with a reputation for honor and courage who served his country in World War II.

The parade of witnesses was headed by Hugh W. Sloan Jr., former treasurer of the Committee to Re-Elect the President. Sloan testified that he received the check in question from none other than Maurice Stans, former secretary of the Department of Commerce and Nixon's finance chairman.

Gerstein attempted to trace the path of the cashier's check from Boca Raton to Washington and back to the mysterious Barker, defense attorney Henry Rothblatt objected vigorously to every implication that might lead to the Watergate affair.

Assistant State Attorney David Goodhart, handling most of the prosecution's quizzing of witnesses, first established the basic outline of the case. He showed that Barker held a valid notary public seal in Florida last April 19, when the check was presented for deposit at the Republic National Bank in Miami by Barker.

Goodhart introduced the check itself through the testimony of FBI agent John Cloherty, who said he obtained it at the Boca Raton bank on July 7 as evidence for the Justice Department. As the check was produced in court, it turned out that "processing" by FBI lab technicians had faded the signatures almost to the point of illegibility.

"This signature has been changed, hasn't it?" demanded Rothblatt of the FBI agent.

"Due to processing, yes sir," Cloherty said. Judge Baker, however, admitted the check into evidence.

Kenneth H. Dahlberg, a sandy-haired man in a tan suit took the stand. He said he was Nixon's Minnesota state finance chairman last April when he picked up a donation of \$27,000 in cash at a Bal Harbour golf course. Dahlberg said he then brought the cashier's check in the same amount on April 10 at a Boca Raton bank.

Goodhart attempted to find out who Dahlberg had received the cash from. Roth-

(Indicate page, name of newspaper, city and state.)

1-A

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blatt objected strenuously.

"This is all very interesting, but I don't see any relevancy," Rothblatt objected. Baker sustained the objection.

Dahlberg said he gave the check to Stans at the Washington Hilton on April 11. He said he endorsed it on the back, but that he knew nothing of any notarization of his signature by Barker.

Sloan took the stand and said he received the check from Stans that night at the Washington Hilton. The testimony then returned to the events close to the bugging of Democratic National headquarters last June at the Watergate.

Sloan said he turned over the check to Committee Finance Counsel G. Gordon Liddy — one of seven men later indicted by federal authorities for the Watergate bugging caper.

"Did you ever see the proceeds of the check again?" Goodhart asked Sloan.

"Yes sir," Sloan said. He was interrupted by a vigorous objection from his personal lawyer, also present in the courtroom.

This produced an uproar as Gerstein immediately told Baker that Sloan's personal lawyer from Washington had no standing to enter any objection in this case.

Rothblatt then jumped in with the objection that the question and answer were "irrelevant" to the case. Baker sustained him.

Gerstein appeared discomfited when he was unable to pursue Sloan's answer. To the best of anyone's previous knowledge, Sloan has never before admitted that the proceeds or cash returned to Washington after Barker deposited the check in his own Miami account.

Goodhart and Rothblatt then fenced like two duelists over a succession of questions about Sloan's handling of the financial records of the Committee to Re-Elect the President. Judge Baker finally allowed Sloan to answer the simple question

about what record he made of the \$25,000 check.

"Only the name of the donor and the amount," Sloan said.

The trial moved rapidly despite the frequent arguments over objections and it appeared likely that Judge Baker, hearing the case without a jury, would be able to reach a verdict later today.



Barker, center, interviewed by reporters with Rothblatt at his side

(Mount Clipping in Space Below)

# Barker Gets 60 Days Suspended, Loses Seal

By GENE MILLER  
Herald Staff Writer

The news media of the land assembled in Criminal Court here Wednesday to bear witness to a moment of high political drama.

Bernard L. Barker, the confessed Watergate prowler, had come to justice.

"A scheming hired burglar," cried the prosecutor, a "nefarious" no-good who should go to jail.

A "courageous, honorable and great American," asserted his defense lawyer.

"SIXTY DAYS, suspended," said the judge.

And Barker, the bifocaled sometime notary public, won't be able to use his seal again.

Judge Paul Baker told him he had to give it back to the governor.

Barker, 55, yet to be tried in Washington for burglary in the political espionage Watergate case there, left the courtroom smiling.

"I'M GLAD he suspended the sentence," said Barker, his Realtor pin glittering on his lapel in the TV lights. His waiting jail bondsman walked off, unneeded.

For Barker, though, it was a long morning, two hours, 22 minutes. Everyone played it straight.

He went to trial charged with a felony -- the fraudulent use of a notary public seal. He used on the seal on a \$25,000 Nixon campaign check given to the Commit-

tee to Reelect the President.

Judge Baker, garbed in a fire-engine red shirt under a black robe, heard 11 witnesses without a jury. He found Barker guilty of a misdemeanor. Barker didn't testify.

The intensive news coverage had few limits. Television cameras even followed Barker to the men's room.

NOT SINCE the murder trial of Candy Mossler had the networks assigned sketch artists to a trial here.

And reporters from The New York Times, The Los Angeles Times, The Washington Post and the Washington Star-News, among others, gathered in the false hope of Watergate enlightenment from Republican witnesses Kenneth H. Dahlberg and Hugh W. Sloan.

Dahlberg, brown-suited and white-shoed, fidgeting with half-frame spectacles, testified that as a regional finance chairman for the Committee to Reelect the President he obtained a \$25,000 cashier's check from the First Bank and Trust Co. of Boca Raton last April 10.

He said he turned it over to Maurice Stans, Nixon's chief fund-raiser, at the Washington Hilton.

"WAS BERNARD L. Barker present?" asked Assistant State Attorney David Goodhart.

"Not to my knowledge," said Dahlberg, a Minnesota industrialist. "There were a lot of people around."

"Did you ever give anyone

permission to put a certificate of notarization under your signature?" Goodhart asked.

"No," said Dahlberg.

"Was this check intended for Bernard L. Barker?"

BARKER'S lawyer, Henry Rothblatt, leaped from his chair. "Objection!"

"My job was just to raise the money," Dahlberg said, still fidgeting. "I had no knowledge of the expenditure of the money."

Hugh W. Sloan Jr., once a White House aide, testified that Stans gave the \$25,000 check to him. Sloan was then treasurer of the finance committee of the Committee to Reelect the President.

Wiry, slight, dark and youthful, Sloan kept his arms folded and answered questions directly.

"Was Bernard L. Barker present when you received the check?" Goodhart asked.

"NO, SIR," Sloan replied. He said he gave the check to G. Gordon Liddy, an ex-White House lawyer -- now under indictment in the Watergate case.

"Why did you give the check to Mr. Liddy?" Goodhart asked.

"Objection! It is not relevant," Rothblatt interjected. Judge Baker agreed.

Sloan was the only witness to take the stand twice. The second time, State Attorney Richard E. Gerstein wanted him to explain his answer on how the committee listed the check in its books and records.

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI HERALD

MIAMI, FLA.

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**SAID SLOAN:** "The contribution in the amount of \$25,000, as was our procedure in handling campaign contributions. . . We had an obligation to contributors to handle these contributions in such a way that they would not incur a gift tax liability. This involved spreading a contribution in a sum of that amount in various, different committees.

"The point I was making was that this contribution to the Finance Committee to Reelect the President, it was to committees that existed prior to April 7."

A new federal law demanding disclosure of campaign donations went into effect April 7. The check was dated April 10.

But even under the old law, money contributed in excess of \$3,000 by a single donor to a campaign committee is subject to a gift tax. Fund-raisers of both parties have helped large contributors escape such taxes by creating numerous campaign committees and doing the necessary paperwork to show contributions of no more than \$3,000 dollars to any one committee.

On April 19, the check went into Barker's bank account at the Republic National Bank, 10 NW LeJeune Rd., along with four other checks routed through Mexico for \$89,000.

Ettore Reynaldo, a vice president at Republic, told about that.

"I TOLD him (Barker) I would cash it if he would get Mr. Dahlberg in and have him sign the check again — or have it notarized."

Barker brought the check back the following day.

"I told him he had notarized it himself," said Reynaldo.

"And what did he say?" Goodhart asked.

"There was no law against notarizing it himself."

Other than the final argument, the only time the Watergate case became an issue was when Enrique Valledor testified that he notarized Barker's notary public application in 1969.

"**AND YOU** still consider him a person of good moral character?" asked Rothblatt. He said yes.

Gerstein wanted to know if Barker had been caught taping phones and bugging the headquarters of the Democratic National Headquarters would he still be of good moral character?

"My opinion would have to change," said Valledor, and from the Cuban delegation among the spectators there was a low moan.

John Dent, an FBI man with a moustache, long sideburns, and zip-up tan boots, brought the check to the courtroom, and Robert Vollmer, an examiner of questioned documents, said Barker's signature was on the check.

**IT WAS** Gerstein who said Barker should go to jail, denouncing the "scheming by hired professional burglars.

"Those funds were used to carry out that bugging scheme," said Gerstein.

Rothblatt said there's no crime at all . . . a "technicality" at best.



—Herald Staff Photo by DAVE DIDIO

**Lawyer Rothblatt, Bifocaled Barker**

*... long morning for the suspect*

(Mount Clipping in Space Below)

# Watergate suspect starts his probation

By **VERNE O. WILLIAMS**  
*Miami News Reporter*

Bernard Barker, Watergate bugging figure and former CIA operative, appeared today at local offices of the Florida Parole Commission to begin his 60 days' probation.

Barker was found guilty yesterday of illegally notarizing a \$25,000 GOP campaign check and given a 60-day suspended jail sentence with probation for the same period.

Criminal Court Judge Paul Baker made it a condition of the probation that Barker surrender his notary seal, and that caused a minor problem.

"We're trying to figure out how to handle the notary seal," said Phillip Ware, district parole supervisor. "There is some question about the court's authority to revoke a notary seal issued by the governor."

Ware said Barker agreed not to use the notary seal until the matter was worked out. "He said he'd be glad to turn it over," Ware added. "It won't be a problem once we work out the technical points."

Ware said Barker was asked to provide the usual background information on himself, as is customary in any other probation case. Barker will be required also to submit once-a-month written reports in accordance with usual procedures.

"His parole officer may, of course, have other contacts with him at home or at

work," Ware said. "He'll be handled like any other case. But 60 days is a short time."

Ware said that once Barker's attorneys file their appeal his probation will be stayed until the appeal is settled. Defense attorney Henry Rothblatt said Barker would appeal right up to the U.S. Supreme Court if necessary.

Since Barker was convicted of a misdemeanor, the first stage of his appeal normally would be to Dade Circuit Court. He has 30 days to file.

Meantime, officials at the Florida Real Estate Commission said in Orlando that Barker's state license as a real estate broker was under scrutiny.

"We began our investigation when this matter first was reported," said M. M. Smith, executive secretary to the commission. "We have a file on it and it will eventually be placed before the board. We won't take action while there is an appeal."

Smith said that conviction of a misdemeanor, if affirmed by higher courts, was not automatically grounds for revocation of a broker's license.

"It will be determined on the facts and circumstances," Smith said.

Barker, who has an office at 2301 NW 7th St., has troubles awaiting him also in Washington, D.C. With six other defendants, he faces trial there Jan. 8 for allegedly burglarizing and bugging Democratic National Headquarters in the Watergate complex last June.

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10-A

MIAMI NEWS

MIAMI, FLA.

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# Barker is ordered

NOV 6 1972

## to testify in suit against Gerstein

By MORTON LUCOFF

Miami News Reporter

Bernard Barker, one of the men arrested in the Watergate bugging incident, was ordered today to give testimony on Nov. 15 in a \$2 million suit Barker has filed against State Attorney Richard Gerstein.

Assistant County Attorney Jon Gordon, who is representing Gerstein, today served notice to Barker ordering him to appear at 10 a.m. Nov. 15 in the county attorney's office to give a statement in the case.

Gordon has ordered Barker to bring to the deposition hearing any records, letters, books or other written or printed material relating to the Watergate affair, plus Barker's income tax returns and earnings records from 1968 through this year.

Barker was found guilty last week of falsely notarizing a \$25,000 check to President Nixon's campaign committee and given a 60-day suspended sentence with probation.

He is obliged to come in to give testimony, Gordon said.

If Barker does not appear, Gordon said, a court order could be sought to bring him in, or the court might be asked to dismiss the suit.

Barker, along with three of the four other defendants in the Watergate affair filed the \$2 million civil suit against Gerstein; his chief investigator, Martin Dardis; Harold Titus Jr., U.S. attorney for the District of Columbia; and Earl Silbert, Titus' assistant.

Watergate defendants Virgilio Gonzalez, Eugenio Martinez and Frank Sturgis, along with Barker, claim in the suit that they are victims of a conspiracy to obstruct justice and deny them equal protection of the law.

The suit charges that Gerstein and Dardis "released or caused to be released to the mass communications media, reports, photostats and details" accusing the complainant of being guilty of the bugging of Democratic headquarters.

The suit says also that Titus and Silbert tried to interfere with the complainant's right to have lawyers of their own choice.

(Indicate page, name of newspaper, city and state.)

MIAMI NEWS

Date: 11-6-72

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office

Being Investigated

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(Mount Clipping in Space Below)

# *Barker Subpenaed In Gerstein Suit*

Criminal Court Judge Paul Baker refused to grant a new trial to admitted Watergate prowler Bernard Barker Monday and ordered that the suspended 60-day sentence he handed Barker last week for illegal use of a notary seal stand.

Barker, whose notary license also was suspended after the conviction, did not appear in court for the brief hearing.

Also Monday, Barker was served with subpoena papers ordering him to testify on Nov. 15 in a \$2 million suit he had filed against State Attorney Richard Gerstein and his chief investigator, Martin Dardis.

The suit charges that Gerstein and Dardis "released or caused to be released to the mass communications media reports, photostats and details" of the Watergate affair as part of a conspiracy to obstruct justice and deny Barker equal protection under the law.

In the subpoena, Assistant County Attorney Jon Gordon, Gerstein's lawyer for the suit, ordered Barker to bring to the deposition any records, letters or other written material dealing with the Watergate affair.

(Indicate page, name of newspaper, city and state.)

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MIAMI HERALD

MIAMI, FLA.

Date: 11/7/72

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NOV 19 1972

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**BARKER IS BACK:** Bernard Barker, arrested inside the Democratic National Committee's Watergate headquarters, is trying to have his Dade Criminal Court conviction overturned in Circuit Court. Barker convicted Nov. 1 of fraudulently using his notary seal was given a 60-day suspended sentence by Judge Paul Baker.

\* \* \*

(Indicate page, name of newspaper, city and state.)

MIAMI HERALD

Date: 11-19-72

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office

Being Investigated

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(Mount Clipping in Space Below)

# Watergate figure drops suit against Gerstein

By **VERNE O. WILLIAMS**  
Miami News Reporter

Watergate bugging suspect Bernard Barker today dropped his \$2 million damage suit against Dade State Attorney Richard Gerstein.

The move came as Barker and his attorney, Henry Rothblatt, appeared this morning at the county attorney's office in response to a subpoena.

Assistant County Attorney Jon Gordon, defending Gerstein as a county official, wanted to take Barker's tes-

timony about the alleged damages.

This is a routine procedure in civil cases but the results could have been devastating for Barker, legal observers said. Barker faces a criminal trial in Washington, D.C., in January on charges growing out of the burglary and bugging of Democratic national headquarters.

Anything disclosed in today's quizzing for the damage suit might have been

picked up and used by the Washington prosecutors.

"Mr. Rothblatt evidenced a desire to dismiss the suit without prejudice," Gordon said. "We agreed."

This means that Barker could refile his claim for damages at a later time.

The suit also included a request that the federal court postpone or forbid trial of Barker on charges of falsely notarizing a \$25,000 GOP campaign check.

Barker was tried, convicted and placed on probation.

(Indicate page, name of newspaper, city and state.)

1A

Miami News

Miami, Fla.

Date: 11/20/72

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# Deposition Refusal Ends Barker Suit

By CAROLYN JAY WRIGHT  
Herald Staff Writer

A \$2-million federal damage suit filed against State Attorney Richard Gerstein by four men arrested inside the Democratic national headquarters in the Watergate complex of Washington, D.C., last June, was withdrawn Monday.

Attorney Henry Rothblatt, representing Bernard Barker, Frank Sturgis Fiorini, Virgilio Gonzalez and Eugenio Martinez suggested that the suit be dismissed after Barker was subpoenaed by Assistant County Attorney Jon Gordon to come in and make a deposition (sworn statement) in the case.

Gordon, who is representing Gerstein and his chief investigator, Martin Dardis, agreed to the dismissal along with Assistant U.S. Attorney Mervyn Ames, who represents two federal prosecutors also named in the suit.

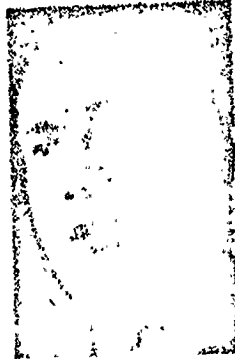
**THE LEGAL** maneuver was agreed to after Barker and three lawyers showed up in the county attorney's office in response to a summons issued by Gordon. That summons demanded that Barker appear for questioning by Gerstein's lawyers.

Though the taking of depositions or testimony prior to trial of the suit is standard procedure, legal sources said Monday that the results could have been damaging to Barker and his three associates.

Any information obtained during the depositions could be used against them at a criminal trial scheduled to begin in Washington Jan. 8.

"THIS SUIT had about as long a life as I predicted it would have," Gerstein said

NOV 21 1972



**Richard Gerstein**  
... charges diversion

after the dismissal. "I knew its life would end as soon as Barker was noticed for deposition.

"This makes the umpteenth time I've been sued. And it's a typical example of a defense attorney attempting to sublimate or divert public attention from the real issues."

Rothblatt, however, denied that the deposition had any relation to the dismissal.

He said instead that the dismissal was designed to "take the pressure off" so that he could devote more time to preparing a defense for the January trial.

Rothblatt said that with a "major war" getting under way in Washington Jan. 8, he did not want to get bogged down in the involved and endless details of trying a civil damage suit which, he said, was originally filed to protect Barker's rights in a trial before Criminal Court Judge Paul Baker.

Barker was tried, convicted and placed on six months probation by Judge Baker for improper use of his notary seal on a \$25,000 Nixon campaign check.

(Indicate page, name of newspaper, city and state.)

p26A

MIAMI HERALD

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(Mount Clipping in Space Below)

# Watergate Trial On, Defendants Doze

By **CLARK HOYT**  
Herald Washington Bureau

WASHINGTON — The politically-charged Watergate bugging trial opened Monday, and by the end of the first tedious day of trying to select a jury, three of the seven defendants had dozed off for brief courtroom naps.

Chief U.S. District Judge John J. Sirca swore in 244 prospective jurors six months and 21 days after a band of men wearing rubber surgical gloves was arrested inside Democratic National Headquarters in the Watergate office building.

By the time the court adjourned for the day, 150 of the jury panel had been excused and not a single one seated for the trial, which the judge predicted would last from four to six weeks.

Although Democrats had hoped the Watergate incident would convince Americans during the presidential election that corruption reached into the highest levels of the Nixon Administration the list of government witnesses announced Monday contained no sensational names.

SEVEN of the 60 witnesses Prosecutor Earl J. Silbert said he planned to call were either present or former aides at the White House or on the President's reelection committee.

Silbert's list did not include many of the most prominent names frequently linked in news accounts to varying aspects of the Watergate affair. But the prosecution can add witnesses later, and there were reports it intends to do so.

Attorneys for the seven defendants revealed none of their prospective witnesses.

Among the names not on Silbert's list were former Attorney General John Mitchell, who resigned as the President's campaign manager two weeks after the Watergate arrests; former Commerce Secretary Maurice Stans, linked to a secret cash fund alleged to have helped pay for the Watergate operation; and White House aide Charles Colson, who was responsible for the hiring of one of the defendants as a \$100-a-day presidential consultant.

**THE WATERGATE** Seven are charged in an eight-count indictment with conspiring to steal documents and eavesdrop on the Democratic headquarters, between last May 1 and June 17, the day five of them were arrested in the offices during the early morning hours.

Various counts of the indictment include burglary, possession of electronic listening devices, conspiracy, and interception and disclosure of telephone and oral communications.

The maximum sentence in the burglary count alone is 15 years in prison.

The seven defendants, who include two former White House aides and the former security chief of Nixon's reelection committee, are:

● F. Howard Hunt Jr., a thin, pale ex-CIA agent and former White House consultant who earned a modest reputation as an author by churning out spy and adventure novels under his own and several pen names;

● G. Gordon Liddy, a debonair, moustached former White House assistant who served as a high aide in the Nixon campaign organization until he was fired for refusing to cooperate with the FBI in the Watergate investigation;

● James W. McCord, a bald former CIA official who was security chief of the Nixon campaign committee and a security consultant to the Republican National Committee when he and the next four defendants were arrested in the Democratic offices;

● Bernard L. Barker, bespectacled Miami realtor, a Cuban-born American who is said to have worked under Hunt during the abortive Bay

(Indicate page, name of newspaper, city and state.)

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MIAMI HERALD

MIAMI, FLORIDA

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Author:

of Pigs invasion in 1961;

● Frank Sturgis, described by prosecutor Silbert as a "soldier of fortune," and said to have fought both for and then against Fidel Castro in Cuba;

● Eugenio Martinez, an anti-Castro activist who was working as a real estate salesman for Barker;

● Virgilio Gonzalez, another anti-Castro Cuban and a Miami locksmith.

The jury selection process

began Monday with Silbert reading off the names of his 60 prospective witnesses.

Nine of the 60 were led into the packed, paneled courtroom to stand before the prospective jurors. They included the man expected to be the government's star witness, Alfred C. Baldwin III, who has said that, working under McCord's supervision, he monitored telephone taps planted in the Democratic headquarters.

Another prosecution witness in the courtroom was M. Douglas Caddy, a Washington attorney who appeared mysteriously at police headquarters within minutes after the Watergate arrests. Caddy was jailed briefly for contempt of court when he declined to answer grand jury questions about the case.

SILBERT'S list of witnesses included Kathleen Chenow, a former White

House secretary; Fred Fielding, a White House attorney who works for presidential counsel John Dean; Bruce Kehrl, a secretary to White House Chief of Staff H. R. Haldeman; Jeb Stuart Magruder, deputy director of the Nixon reelection committee; Robert Odle, the committee's personnel director; Herbert L. Porter, another Nixon committee official; and Hugh W. Sloan, the committee's former treasurer.

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# Ex-Nixon

## Aide Pleads

## Guilty in

## Watergate

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI HERALD

MIAMI, FLORIDA

Date: 1/11/73

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# 6 Others To Fight Charges

By CLARK HOYT  
Herald Washington Bureau

WASHINGTON — Former White House consultant E. Howard Hunt pleaded guilty Wednesday to burglary and bugging of the Democratic Party's national headquarters in Washington.

Hunt's guilty plea in the Watergate trial came after the prosecutor said that he intended to prove that another defendant was ordered in late 1971 by Nixon campaign officials to establish a \$250,000 "intelligence operation."

Chief Assistant U.S. Attorney Earl J. Silbert strongly implied that a campaign of spying against Democrats was an unauthorized spin-off from the intelligence operation headed by defendant G. Gordon Liddy and involving all the defendants.

HUNT, one of seven defendants in the Watergate case, pleaded guilty to three of the six counts against him as Silbert and defense attorneys concluded opening statements in the trial.

William O. Bittman, Hunt's lawyer, said that his client told the government a week ago that he wanted to change his plea to guilty. But Bittman said the government insisted on waiting until after the opening statements had been made.

Silbert said the government had wanted to detail its case against Hunt and the other defendants "so all would know the facts uncovered by the investigation in this case."

CHIEF U.S. District Judge John J. Sirica said he will rule this morning on whether to accept Hunt's guilty plea. The judge indicated he was inclined to order Hunt imprisoned immediately if he accepts the plea.

Hunt's wife was killed Dec. 8 in a Chicago airplane crash. He faces up to 25 years in prison, something the former CIA agent "understands and accepts," his attorney said.

Hunt, who has done consultant work for the White House, was working for a Washington public relations firm on June 17 when five of the other defendants were caught by police inside the

Turn to Page 25A Col. 1

# Ex-Nixon Aide Pleads Guilty To Three Charges in Bugging

Front Page

Democrats' headquarters in Watergate Office Building.

Attorneys for the five men caught inside delivered, opening statements to the jury Wednesday, indicating they would continue to fight the prosecution's charges.

Gerald Alch, representing James W. McCord Jr., security chief for President Nixon's reelection committee, said that he would "not attempt to refute the irrefutable," because "no lawyer is a magician."

**ALCH SAID** McCord was inside the Watergate, but "we will show that Mr. McCord had no criminal intent. He had no evil meaning in mind. He had no evil-doing hand."

Henry Rothblatt, representing four Miami defendants — Bernard L. Barker, Frank Sturgis, Eugenio Martinez and Virgilio Gonzalez — said that the evidence will show "that they were following their instructions in the typical military fashion that they had been trained to follow, with no evil intent or motive."

Silbert said the Hunt's desire to change his plea had not been carried out immediately because the government lawyers wanted to first make their opening statement to the jury.

Silbert said that was one of three conditions under which the United States accepted Hunt's plea. The others, he said, were that there would be no advance agreement about what sentence the prosecution would rec-

ommend for Hunt, and Hunt would appear before the grand jury which indicted him "for questioning about the possible involvement of others." That grand jury is still officially in session.

**HUNT PLEADED** guilty to conspiracy to bug the headquarters, burglary and intercepting telephone conversations. The other three indictments in which he was named had to do with other instances of intercepting telephone conversations at the Watergate. They were dismissed.

Earlier in the day, in his opening statement, Silbert laid out the government's case. He covered the well-publicized bugging episode at the Watergate but also threw in a new element.

Silbert said that Hunt last spring hired a Brigham Young University student, Thomas Gregory, as a \$175-a-week spy to infiltrate the campaigns of Democratic presidential contenders Edmund Muskie and George McGovern.

Gregory is scheduled to be one of 60 prosecution witnesses in the trial. His role was revealed by Silbert in a two-hour speech to a jury that appeared to listen intently.

Silbert appeared to imply that the entire bugging operation was an unauthorized spinoff from a \$250,000 "intelligence operation" set up by top officials of Nixon's campaign committee.

According to Silbert, defendant G. Gordon Liddy, then general counsel to the Committee for the Reelection of the President (CRP), was

assigned late in December 1971 to:

● Try to "find out in advance" about planned demonstrations aimed at GOP officials campaigning on Nixon's behalf.

● Find out about possible disruptions planned for the Republican National Convention, which, at that time, was scheduled to be held in San Diego.

The prosecutor said Liddy was authorized to spend up to \$250,000 and that he actually received a total of \$235,000, virtually all of it in \$100 bills, from Hugh Sloan, treasurer of the Finance Committee to Reelect the President.

**WHEN FIVE** of the defendants were arrested in the Watergate offices in the early morning hours of June 17, all but one were carrying large amounts of cash in \$100 bills.

Silbert said that Liddy was assigned to set up the intelligence operation by Jeb Magruder, deputy director of CRP. The prosecutor said that Liddy and Magruder did not get along with each other and that Liddy later moved over to the finance committee to get away from Magruder while continuing his work.

According to the prosecutor, Gregory arrived in Washington for his spying assignment in late February after first arranging with his university to get credit for off-campus study in a political campaign.

Gregory's first assignment was to report to Hunt about

Muskie's campaign schedule, the content of his speeches and any dissension in the Maine senator's headquarters, Silbert said.

**ONCE A WEEK**, Hunt and Gregory met at a drug store in downtown Washington where the college student handed over an envelope containing his report and received an envelope containing \$175 in cash.

"Some of that was in those \$100 bills I was talking about," Silbert said, adding that Hunt ordered Gregory to quit Muskie's campaign in April when it began to falter and to move to McGovern's headquarters on Capitol Hill.

While Gregory was working as a volunteer in the McGovern offices, he once took McCord to the McGovern headquarters and introduced him as "a friend."

While Gregory diverted the attention of other workers in the office, Silbert said, McCord slipped down the hallway and tried to plant a bug in the office of Frank Mankiewicz, political director of the campaign. Silbert added that the attempt was unsuccessful because McCord needed three minutes to plant the bug in the ceiling and didn't get them.

Silbert said the jury would want to know the motives for the Watergate bugging operation. He said there was "obviously the political motive" but he added that different defendants may have had different motives.

He suggested that money was the primary motive for Barker, Sturgis, Martinez and Gonzalez.



—United Press International Telephoto

**G. Gordon Liddy, Right, and Attorney Peter Maroulis in Trial Break**

*...prosecutor says Liddy headed intelligence operation*



(Mount Clipping in Space Below)

## Once-Comfortable World Crumbles, Hunt's Fate Is Now Up to Judge

By CLARK HOYT  
Herald Washington Bureau

WASHINGTON — A pale, hollow-cheeked E. Howard Hunt Jr. stared grimly into space Wednesday as the last of his once-comfortable world crumbled around him.

Seven months ago, the 54-year-old ex-CIA agent, who favors dark Ivy League suits and belongs to the Army and Navy Club, appeared to have it made — a beautiful raven-haired wife, a \$100,000 home in an exclusive suburb, a job with a prestige public relations

firm and a \$100-a-day White House consulting post.

But Wednesday, Hunt sat in the United States Court House at the foot of Capitol Hill and announced through his attorney that he wished to plead guilty to three felonies that could land him in federal prison for up to 25 years.

A man who had spent most of his adult life operating for his government under code names and through false identities stood ac-

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Howard Hunt Jr.  
... troubles mount

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI HERALD

MIAMI, FLORIDA

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cused by that government of being part of an illegal spy plot aimed at a political party, the Democratic Party.

**IN THE** end, before he decided to offer a guilty plea, the charges in the so-called Watergate case were only part of Hunt's mounting troubles.

He was first suspended and then fired from the Robert R. Mullen Co. after dropping from sight when his name was publicly linked to the Watergate case.

Then, on Dec. 9, Hunt's wife, Dorothy, carrying a still-unexplained \$10,000 in cash in her purse, was killed in the crash of a United Airlines jet on approach to Midway Airport in Chicago.

It was a blow from which, sources say, Hunt still has not recovered.

His attorney, William O. Bittman, arguing against an immediate imprisonment of his client, said Hunt has lost 14 pounds in the last month because of his personal problems.

**BITTMAN** mentioned, without elaboration, health problems which he said have beset Hunt since the death of his wife, who left behind not only her husband, but also their four children ranging in age from nine to 22.

Hunt, trained for secrecy and guile, was always an intensely private, unobtrusive man. When his name

first popped into the public prints, having been found in the address books of two of five men arrested last June 17 inside the Democratic National Headquarters, neighbors and co-workers could not even supply a detailed physical description.

When Hunt moved his family to their home, dubbed Witches Island, in posh Pottomac, Md., he let the yard near the road grow up in high underbrush to shield the house from view.

Hunt's one claim to a modest sort of notoriety was as the author of more than 40 novels, many of them written under pseudonyms such as John Baxter and Gordon Davis.

**HE BEGAN** writing the novels, many of them spy and adventure stories, during World War II, when he was a war correspondent, script writer and editor for movie newsreels and later an officer in the Army-Air Force.

Little is known about Hunt's career of some 20 years with the CIA. But it has been reported that he was the operational director of the ill-fated Bay of Pigs invasion in 1961, using the code name "Eduardo."

During the Bay of Pigs, one of Hunt's lieutenants was said to be Bernard L. Barker, a Miami realtor who is one of the Watergate defendants.

At the White House, where

Hunt was hired as a consultant after his retirement from the CIA, he was assigned to a group known as "the plumbers," who were responsible for plugging administration news leaks.

**HUNT WAS** sponsored for the White House job by Charles Colson, a special counsel to the President who was said to be in charge of the White House "department of dirty tricks." Colson and Hunt had met at the Brown University Club in Washington, where both were active members.

When Hunt's office in the Executive Office Building, across the street from the White House, was searched after the arrests in the Watergate, authorities found an unloaded pistol and electronic equipment in the safe.

As an author, Hunt apparently was not a great commercial success. That might not be surprising. According to the government's version of the Watergate case, Hunt's real life early last year was far more intriguing than any fiction could possibly be.

**CHIEF** Assistant U.S. Attorney Earl J. Wilbert, who outlined the government case Wednesday, indicated that Hunt was drawn into what was to become the Watergate affair late in December 1971.

Silbert said Hunt "embarked on a security cam-

paign" for President Nixon's reelection committee at the behest of another Watergate defendant, G. Gordon Liddy, "his good friend."

Silbert said that Liddy, a former FBI agent and former prosecutor from upstate New York, had been instructed by officials at the Nixon committee to create an "intelligence operation." Liddy was then general counsel to the committee.

Silbert said Liddy was authorized to spend up to \$250,000 to find out in advance about demonstrations planned against "surrogates" campaigning for Nixon and against the GOP National Convention.

The prosecutor implied that an eventual campaign of spying against the Democratic headquarters and such prominent Democrats as Sens. Edmund Muskie and George McGovern was an unauthorized offshoot from the intelligence operation.

**ACCORDING** to Silbert, Liddy and Hunt began recruiting for their operation by contracting some of Hunt's old colleagues at the CIA.

Silbert said one ex-CIA agent, Jack Bauman of Miami, was asked to help evaluate a man supposed to be an expert with "locks, keys and photography."

After meeting with Hunt at the Playboy Plaza Hotel on Miami Beach and at the Hay-Adams Hotel across

Lafayette Park from the White House in Washington, Bauman declined to sign on, Silbert said.

Another former CIA agent, identified by Silbert only as "Mr. Stewart," also was contacted. The prosecution has said it intends to call a Jack Stewart of St. Petersburg, as a witness.

Stewart, described as an electronics expert, agreed to meet with Barker in Miami last February, Silbert said, charging that Barker drove Stewart around Miami and told him there was going to be "an operation against the Democratic national party and the (Democratic National) convention, and it was going to be against certain Democratic leaders," Silbert alleged.

**BARKER** pined out a building on Miami Beach and allegedly told Stewart, "we're going to have access to there to get information."

The prosecutor said Barker also told Stewart that there were plans to set up a "communications center" on a houseboat in Biscayne Bay.

After the meeting, Silbert continued, Stewart called Hunt and said "he wasn't going to take the job."

Eventually, Silbert said, Hunt did recruit one helper, a young student from Brigham Young University in Provo, Utah, "the nephew of the person for whom Hunt worked at the Robert R. Mullen Co."

Hunt, using the alias, Edward Warren, paid the youth, Thomas Gregory, \$175 a week to become a volunteer at the headquarters of Muskie, then the Democratic front-runner for his party's presidential nomination.

Silbert said Gregory was instructed to call an unlisted phone at Hunt's office to report in. Once a week, according to the prosecutor, the two would meet at a busy drugstore in downtown Washington to exchange envelopes.

**THE ENVELOPE**, prepared by Gregory would contain a report on Muskie's campaign schedule, speeches and internal office politics. When he handed it over, he received an envelope with his pay, in cash.

When Muskie's presidential hopes faded after the Wisconsin primary, Silbert said, Hunt told Gregory to shift over to the headquarters of the new front-runner, McGovern.

At one point, according to Silbert, Gregory met with Hunt and another man in a park to discuss a plan to bug the office of Frank Mankiewicz, McGovern's political director.

The other man, the prosecutor alleged, was Watergate defendant James W. McCord, then security coordinator of the Committee for the Re-election of the President.

Gregory helped McCord get into the McGovern headquarters by introducing him as a friend, Silbert said. But there was not enough time to plant the bug under a ceiling tile in Mankiewicz's office.

**LATER SILBERT** said, Hunt attended a meeting at the Roger Smith Hotel in Washington, where he and the other defendants planned to break into McGovern's headquarters to bug it.

The first serious crack in Hunt's world appeared in the early hours of June 17, when, according to the prosecution version, he apparently narrowly missed being arrested inside the Democratic offices at the Watergate.

According to Silbert, Alfred C. Baldwin III, a key government witness who says he was involved in the the Watergate affair, will testify that he saw Hunt Liddy walking briskly out of the Watergate building shortly after police arrived and arrested the other five defendants.

Baldwin was allegedly watching from the Howard Johnson's Motor Inn across the street, where he was manning equipment sent up to monitor bugs planted in the Democratic offices.

Silbert said Hunt burst into Baldwin's after the arrests, then threw a walkie talkie on the bed, and said with great agitation, "Got to call a lawyer, got to call a lawyer."

Hunt's friend and co-defendant Barker once told a reporter that the country could never repay Hunt for his services to it.

If Chief U.S. District Judge John J. Sirica accepts Hunt's guilty plea this morning, Hunt is likely to soon begin paying the country dearly — even though he perhaps thought he was still serving it by spying on Democrats.

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**JAN 13 1973**  
**Miamians**  
**May Enter**  
**Guilty Plea**

**Watergate Trial**  
**Held Behind Doors**

By **CLARK HOYT**  
*Herold Washington Bureau*

WASHINGTON — The Watergate bugging trial went behind closed doors Friday amid indications that four of the six remaining defendants want to plead guilty.

Defense attorney Henry Rothblatt conceded that "there are a lot of rumors going around" that his clients want to join former White House aide E. Howard Hunt in pleading guilty to bugging Democratic National Headquarters here last summer.

Rothblatt represents four Miamians — Bernard L. Barker, Eugenio Martinez, Frank Sturgis and Virgilio Gonzalez — who were arrested last June 17 inside the Democrats' offices at the Watergate complex.

There were strong signs Friday of a disagreement between Rothblatt and his clients.

"There will be no change of plea as long as I am on the case," the attorney said. But he hinted that he might not be on the case much longer.

ASKED BY reporters if there might be a new attorney coming into the trial when it resumes Monday Rothblatt replied, "The judge's wrath might be aroused if I answered that."

Sources indicated that Rothblatt was unhappy because he suspected his clients were being urged "behind his back" to enter guilty pleas.

Newsday, a Long Island newspaper, reported Friday that the Miami four had each been promised \$1,000 for every month spent in prison if they would cut short their trial by pleading guilty.

The newspaper said the offer was made by a group identified only as "friends from Miami," including a figure prominent in the Bay of Pigs invasion.

Barker, a realtor and the apparent leader of the four Miamians, was a key operative for the CIA in the ill-fated 1961 invasion of Cuba.

ROTHBLATT declined to comment in detail on the Newsday story. But he said, "I doubt it, I doubt it."

Ex-CIA agent Hunt, reportedly Barker's immediate superior during the Bay of Pigs endeavor, pleaded guilty Wednesday to all six of the felony charges brought against him for participating in the Watergate affair.

Hunt, who said he didn't think he could stand the ordeal of a trial so soon after his wife's death in a Chicago plane crash, was released on \$100,000 bond pending sentencing.

Should the four Miamians decide to obtain another attorney and change their pleas to guilty, only two Watergate defendants would be left — G. Gordon Liddy, former general counsel to the Finance Committee for the Re-election of the President, and James W. McCord Jr., former security coordinator for the Committee for the Re-election of the President.

THERE HAS been no indication that Liddy or McCord might also try to enter guilty pleas.

During the fifth day of the Watergate trial, there was no testimony. But only long conferences at the bench between Chief U.S. District Judge John J. Sirica and the attorneys for the government and the defendants.

At one point, the judge moved the session to a smaller courtroom from which the press and the public were excluded. The jury was not present at all Friday.

While reporters lined the hall, U.S. Marshals stood guard at the courtroom doors. Someone taped brown paper over the small windows in the doors.

Before the secret session began, Judge Sirica warned all parties that they faced "some pretty strict penalties" if they talked to the press.

After the two-hour session Rothblatt refused any direct comment on what had happened. But he left the unmistakable impression that his clients wanted to plead guilty and that he was opposed to the move.

"I will only be an attorney in this case as long as there is a trial," Rothblatt said.

Asked if his clients wanted to change their pleas, Rothblatt said, "If I comment on that, Judge Sirica will give me the business."

Indications of dissension at the defense table began when Rothblatt arrived at the courthouse Friday morning without his clients for the first time. They had come earlier.

(Indicate page, name of newspaper, city and state.)

p3A

MIAMI HERALD

Date: 1-13-73

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Author:

Editor:

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Character:

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Classification:

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Being Investigated

(Mount Clipping in Space Below)

# 4 Plead Guilty In Watergate Bugging Case

By CLARK HOYT  
Herald Washington Bureau

WASHINGTON — Four of the six remaining Watergate bugging defendants pleaded guilty Monday to all charges against them and indicated that they thought they were fighting Castro communism when they broke into the Democratic National Headquarters here last summer.

The four Miami men stood with heads held high before U.S. District Judge John J. Sirica and dodged his attempts to probe for the full details of the Watergate spying operation and its funding.

Like former White House aide E. Howard Hunt, who pleaded guilty to similar charges on Friday, the Miamians denied that they knew of any involvement by Nixon Administration or Republican Party officials in the affair.

They also denied widespread reports over the weekend that they are still being paid by a Miami anti-castro group or anyone else. And they denied that their families had been guaranteed an income while they were in prison.

**BUT THEIR** defense attorney, Henry Rothblatt, who had refused to enter the guilty pleas, hinted broadly that he suspected his clients had been bought off.

Asked outside the courtroom if he thought the four had been promised money in exchange for guilty pleas, Rothblatt replied:

"That I cannot tell you. It is something I will have to treasure as my own professional judgment or impression, and I am sure my clients would not want me to disclose my impressions. I can only speculate."

Rothblatt characterized as "reasonable speculation" reports that Hunt had been urging the Miami four to join him in pleading guilty.

AFTER questioning Bernard L. Barker, Frank Sturgis, Eugenio R. Martinez and Virgilio R. Gonzales for more than an hour, a frequently exasperated and incredulous Judge Sirica ordered them jailed immediately under \$100,000 bond each.

The four will be lodged in the grim District of Columbia City Jail until they are sentenced. They face maximum penalties of 55 years in prison and \$50,000 fines for the seven counts to which they pleaded guilty, including conspiracy, burglary, bugging and wiretapping.

As U.S. marshals led Barker, Sturgis, Martinez and Gonzales from the courtroom, only two defendants and two attorneys were left seated at the once-crowded defense table.

**THERE HAS** been no indication that the other two defendants, G. Gordon Liddy and James W. McCord Jr., also plan to enter pleas of guilty.

McCord, former security coordinator for the Committee for the Reelection of the President, was arrested on June 17 along with the four Miamians inside the Democratic offices at the Watergate complex.

The prosecution has characterized Liddy, former general counsel to the finance committee for the CRP, as the boss of the Watergate operation.

McCord's attorney, Gerald Alch, moved for a mistrial and a "cooling off" period of about three months before any new trial.

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He argued that the jury, which has heard only about one day of testimony during the first week of the trial, could infer from the disappearance of four more defendants only that there had been guilty pleas.

Judge Sirica denied the motion and ordered the trial to continue for McCord and Liddy. When the jury filed in, he simply instructed them that the cases of Barker, Sturgis, Martinez and Gonzales were no longer before them.

The guilty pleas were entered for the Miami four by a new lawyer appointed by the court, Alvin Newmyer of Washington. Earlier, the four fired their first attorney, Rothblatt, who said he would not give his "consent or concurrence" to pleading guilty.

SIRICA explained from the bench that Friday's 2½ hour secret session involved the efforts of the four to fire Rothblatt.

He said that he had seen a letter they had written to Rothblatt pointing out that since Jan. 7 they had been asking him to plead them guilty and he had refused. They wanted a new attorney, they said.

Sirica provided the new lawyer, since federal procedure requires that guilty pleas only be entered by defendants represented by an attorney.

Sirica's questioning of the four defendants elicited brief glimpses into the strange world of espionage in which all four defendants have moved since Fidel Castro's takeover of Cuba in 1959.

The four attempted to stick only with the facts charged in the indictments when answering the judge. At one point, Martinez said, "I don't recall the exact details, but when you read the facts in front of you (the allegation in the indictments), I know that those facts are true."

SOME VAGUE outlines of their version of the break-in and bugging did emerge, however.

Barker, who was alleged to be the paymaster of the Bay of Pigs invasion attempt by Cuban exiles in 1961, was also the bagman for the bugging operation, they said.

and recruited the other participants.

Sturgis said that he was recruited by a telephone call in which Barker "asked me if I would be willing to work with him, no questions asked."

BAKER SAID he was able to enlist the other Miami-ans because all had been associated together in the anti-Castro movement. "They have known me for many years. They trusted me," he said.

Barker told the judge under questioning that the money for the operation arrived in the mail in a plain envelope. He said it was expense money only, no other funds, adding that he didn't know the source of the money, but assumed that it came from Hunt.

"I can make no definite statement as to who sent this money to me," Barker said.

The judge seemed dubious, and wondered about "these \$100 bills floating around like coupons."

BUT BARKER said there was nothing particularly strange to him about cash mailed in envelopes without instruction.

"I previously had been involved in the Cuban opera-

tion — in another operation (he corrected himself), which took the strangeness out of that."

The judge did not press the matter. But, at one point, he remarked, "I'm sorry. I don't believe you."

The four insisted they were working for patriotic reasons, and did not expect to be paid.

"When it comes to Cuba or a Communist conspiracy as it involves the United States, I would do anything, anything to stop it," Sturgis said.

And later, he said, "We are very concerned about the Communist situation."

Sirica did not ask the defendants what connection they thought there might have been between the Democratic National Headquarters or George McGovern's presidential campaign and Cuba or communism.

PUBLISHED reports in late summer speculated that the Cuban exile community feared that Castro was pumping money indirectly into the McGovern campaign in exchange for an easier U.S. policy toward Cuba. The reports were never confirmed, and no hard evidence of any such activity has been made public.

Barker confirmed the government's contention that \$114,000 in Republican campaign funds were funneled through his Miami bank account. But he said he did not know who got the money and that he never spent any of it.

He said of the money, "I have an idea it was sent by the person involved in the operation and that it was sent for the purposes of the operation."

Previous reports traced \$89,000 of the \$114,000 through a Mexican bank to Barker's account. The remaining \$25,000 was a Nixon campaign donation received through Kenneth H. Dahlberg, the President's Midwest money-raiser.

(Mount Clipping in Space Below)

# It's Only a Notebook--But All His Life Is There

By GENE MILLER  
Herald Staff Writer

The secret world of Bernard Barker fits nicely into a 37-cent Walgreen's address book.

"I am Macho," he wrote, so he wouldn't forget his he-man code name.

He didn't want to forget where to spy, either, so he jotted, "Lawrence O'Brien, Sonesta Hotel, Gulfstream Suite," and also, as a helpful reminder, "WH" for the White House, and a telephone number there for a co-conspirator, "HH" for Howard Hunt.

**BERNARD BARKER'S** little blue book from Walgreen's is now preserved as Exhibit 38 for the prosecution in the Watergate case.

And if ever a political espionage spy, or burglar for that matter, put himself into the soup, it was Bernard Barker, 55, bifocaled notary public. In alphabetical order, no less.

Not only did Barker carefully list the easily-deciphered aliases of his colleagues ("Gene Roland Wildez" for Eugenio Rolando Martinez), he listed even his old buddies from the CIA; specifically, Jack Stuart.

**IT SEEMS** that Barker wanted Stuart to sit in a houseboat in Biscayne Bay during the political conventions and operate a communication headquarters. Stuart declined. He is a little difficult to find these days.

"Who is calling?" answered the man at Stuart's telephone on the Florida Gulf Coast, 813-392-4190. "Oh, Mr. Stuart is out. He won't

be back for maybe a couple of weeks . . . Er, uh, I'm a friend," the man said.

Much of the secret world of Bernard Barker unravels nicely for anyone dialing the 112 telephone numbers under 136 names (oft-misspelled) and 44 addresses in the Walgreen's book.

**BESIDES SPIES**, a caller may confer with Bernie Barker's TV repairman (Kennedy & Cohen), Bernie Barker's milkman (Miquel Diaz), Bernie Barker's veterinarian (Dr. H. L. McGee), Bernie Barker's gas station attendant (Angel Ferrer for Standard Oil), Bernie Barker's plumber (Gilberto), and all manner of real estate clients for Barker Associates. (He listed his own firm correctly: 2301 NW Seventh St., Suite F and G.)

"Oh, yes, I remember Mr. Barker," replied "Mrs. Hastings 642-5996." She is Mrs. Winfred I. Hastings, 432 NW 19th Ave.

"He sold my house. I picked his name out of the telephone book because his office was close. He sold it to the first person who saw it for \$21,500. We bought it in 1924 for \$300, I think. I was dumbfounded when I saw his picture in the paper."

**BARKER IS** unable to avail himself of the telephone these days. With six other guilty Watergate defendants, he resides in the ugly red brick fortress known as the District of Columbia City Jail, awaiting sentence. It is across the street from the Redskins stadium.

The judge could sentence him to prison until the year 2018, which indeed would qualify him for the Over the Hill Gang.

Apparently not all is harmonious among the Watergate convicts.

**TO NEW YORK** Timesman Seymour M. Hersh, Frank A. Sturgis repeatedly kept referring to his colleague Barker as "that idiot."

Sturgis' displeasure, it appears, comes from Barker's reputation as a tight man with a buck, allegedly a trait Barker proudly demonstrated as a CIA paymaster during the Bay of Pigs invasion.

On the warm June 17 night of the Watergate break-in, Barker supposedly boasted that he had paid only 39 cents for the adhesive tape to tape shut the latches on the door.

**AND ONCE** inside, believing his crew had sneaked in undetected, Barker turned off his walkie-talkie. As he explained later, he wanted "to save the batteries."

Thus, Barker failed to hear the cheese-it-the-cops message from the look-out at the Howard Johnson's across the street, Alfred C. Baldwin, an ex-FBI agent hired by the Republican political intelligence gang.

Barker's tightwad propensity is reflected in his Walgreen's book, too. Methodically he chronicled ex-

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penses. listing restaurants, too, the Flamenco, Minerva, Violins, Gilberto. He is known to walk out of a restaurant if he deems the menu too expensive.

**BARKER TOOK** inordinate interest, though, in one expensive and luxuriant Collins Ave. hotel, the Doral Beach. He diagrammed its lobby floor. This is where George S. McGovern stayed.

Barker recorded also the unlisted home telephone number of Ben Novak, owner of the Fontainebleau Hotel. This number he wrote beside the name of Bill Arozarena, a Novak executive. "Mr. Barker is a cousin on my mother's side or my father's side, I forget which," professed Arozarena.

Among the assorted Watergate-types who didn't get caught, no thanks to Barker, were Felipe de Diego and Reinaldo Pico.

**BARKER LISTED** de Diego's code name as "Piedra," which means "stone." It fits. De Diego imports Italian marble for Miami contractors. The prosecution granted de Diego immunity, but did not call him to testify.

De Diego admits he went to Washington on a Barker mission, but says he wasn't curious enough to ask what it was about.

Pico didn't hang around Miami long enough to answer any questions. The day police captured Barker, Sturgis, Martinez, Virgilio R. Gonzales, the locksmith from Turnkey, and James W. McCord Jr., the security chief for the Committee To Re-Elect the President, Pico was no where to be found. He fled to Venezuela.

**AN UPSTANDING** young vice president of the Greater Miami Chamber of Commerce, Stephen D. Nostrand Jr., managed indirectly to get himself in the book.

For \$2,000 for four months, he leased apartment 14H at the Octagon Towers Apartment in Miami Beach in his capacity with the "Young Voters For the President."

Barker copied it down 14A. As Nostrand explained to the FBI, he met McCord at a GOP planning session in early June and McCord thoughtfully took his address.

**BARKER ALSO** listed Thomas Bell, a young Tennessee Republican, once with the Committee to Re-Elect, more recently with the Inauguration Committee, and now, as so many other Barker numbers, disconnected:

"The telephone you have reached is not in service at this time."

Barker's list includes everyone from a genuine wrong number (W. L. Alter Singleton, a vaudeville saxophone player for the old Olympia Theatre who lives with his 91-year-old mother) to survivors of the Cuban Bay of Pigs subculture in Miami.

**EXAMPLE A:** Ship owner Teofilo Babum, retired gun runner. "I think they should give him a medal."

**EXAMPLE B:** Extremist Pablo Gomez, Patria newspaper columnist. "How did he get my private number?" McGovern sued Gomez for libel because he called him a Communist.

Barker, it should be noted, wasn't so indiscreet as to get caught with his Walgreen's address book in his pocket.

He had left it back in the top dresser drawer of his Room 214 at the Watergate

Hotel, along with \$3,400 in crisp \$100 bills, his business calling card, a box of 24 Parke-Davis examination gloves, and two canisters of Mace — "for instant defense on one or more attackers. Aim nozzle cap directly."

**ONE LISTING**, "Rabirubia," which translates "red snapper," virtually reeks with connotation of intrigue.

But red snapper turned out to be Alejandro Hernandez, 56, house painter and fisherman.

He took Barker fishing four times. "He is not much of a fisherman really, no fisherman at all. Everytime he would catch a grouper or two, he would take home more than his share. He was a tough bargainer when it came to getting a price for painting a house," Hernandez confided.

**"CHARITO,"** who identified herself as Rosario La-Villa, once a secretary at Valledor Realty, disagreed about Barker's reputation for frugality.

"He is not cheap. At Christmas time every year he and his wife gave Shalimar extract, and not the little bottle either, but the fifteen-ounce one."



**Bernard Barker**

... listed names



Exhibit 38 for the prosecution in the Watergate case is a little blue book owned by Bernard Barker. Along with lists of names and addresses and telephone numbers Barker included this entry (circled at left): 'I AM Macho.' That, says the prosecution, was his code name.

ADDRESSES		ADDRESSES	
Name <i>Adames (Mesa)</i>	Name <i>Arizola</i>	Name	
Street	Street <i>10340 SW 89th</i>	Street	
City	City <i>MIAMI FL 33177</i>	City	
Phone <i>646-4704</i>	Phone <i>374-9386</i>	Phone	
Name <i>Bob Adams</i>	Name <i>Palmer</i>	Name	
Street <i>W 4538 SW 88th</i>	Street <i>215 W 21st</i>	Street	
City <i>Key Bisc</i>	City <i>MIAMI</i>	City	
Phone <i>home 667-5686</i>	Phone <i>I AM MACHO</i>	Phone	
Name	Name	Name	
Street	Street	Street	
City	City	City	
Phone	Phone	Phone	

132-30  
\* 86 -  
116  
78 10  
99 -  
7520

VERNON  
ROYAL  
10-52

24th St.  
P.O.  
6-7-72  
1915

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Bernard Barker  
5229 D.W. 4 Street  
Miami Fla 33156

Official  
Barker Association Inc  
2307 N.W. 7th St.  
Suite 105  
Miami Fla 33145

3  
2  
12

EE SA MEMPHIS, ELIZABETH J. GYTON  
SON OF THE BIRD CORPORATION

Barker's Book Includes Name, Home and Office Addresses  
... exhibit still carries discount price of 37 cents

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ADDRESSES

Name *Gene Ronaldo Valdes*  
 Street *1000 ...*  
 City *Paul ...*  
 Phone *...*  
 Name *Joe ...*  
 Street *...*  
 City *...*  
 Phone *...*

ADDRESSES

Name *Watergate*  
 Street *2520 Virginia Ave*  
 City *Washington, D.C.*  
 Phone *965-2300*  
 Name *Mr. Neil ...*  
 Street *...*  
 City *3065 Cleveland Ave*  
 Phone *FE 5740*  
 Name  
 Street  
 City  
 Phone  
 Name  
 Street  
 City  
 Phone  
 Name  
 Street  
 City  
 Phone *EDD 6-17-72*

—Associated Press Wirephoto

**Gene Ronaldo Valdes Heads One of the Pages**  
 ... an alias for colleague Eugenio Ronaldo Martinez

**Entries Include 'Watergate'**  
 ... where arrests took place

(Mount Clipping in Space Below)

# McCord: Political Pressure, Perjury in Watergate Trial

By **CLARK HOYT**  
Herald Washington Bureau

WASHINGTON — A convicted Watergate defendant told the judge that there was perjury at his trial and that still unidentified persons were involved in the burglary and bugging of Democratic National Headquarters.

In a letter made public Friday by Chief U.S. District Judge John J. Sirica, James W. McCord also charged that there was "political pressure applied to the defendants to plead guilty and remain silent."

McCord's letter upstaged a sentencing hearing at which the judge handed down stiff prison terms for the six other Watergate conspirators, including former White House aide G. Gordon Liddy. Sentencing of McCord was delayed for a week.

THE LETTER also adds substantially to the potential impact of a Senate committee investigation now beginning.

McCord, former security boss of President Nixon's reelection committee, asked for a chance to talk privately with the judge because he said he could not trust the FBI or the Justice Department.

Declaring that his family fears for his life if he tells all he knows, McCord said he had not even discussed his letter to Sirica with his attorneys "as a matter of protection for them."

Sirica read aloud McCord's explosive letter, dated Monday and filled with typographical errors and penciled corrections, at the opening of the sentencing hearing for the seven men convicted of breaking into Democratic offices and bugging them last summer, at the outset of the 1972 presidential campaign.

THE JUDGE agreed to hear McCord's story behind closed doors, but said, "I will not enter into any agreement with Mr. McCord that my lips will be sealed."

If McCord's information is important enough, Sirica said, he will turn it over to the federal grand jury or to the special Senate committee investigating the Watergate affair.

McCord's lawyer, Gerald Alch, said McCord will meet with the judge next week. He remained free on bond.

In a move apparently calculated to pressure five of the other defendants to cooperate with the grand jury and Senate committee, Sirica provisionally sentenced them to maximum prison terms of more than 40 years.

He said he would consider how much the five help authorities get to the bottom of the Watergate case before imposing a final — and possibly lighter — sentence in three to six months.

LIDDY, accused of masterminding the bugging operation, stood silently with arms folded and head up as he received a \$40,000 fine and a prison sentence of from six years and eight months to 20 years.

Sirica told Liddy, former FBI agent, local prosecutor and unsuccessful Republican congressional candidate, that the acts he had committed in the Watergate affair were "sordid, despicable and thoroughly reprehensible."

Liddy, pale and many pounds lighter than when his trial began in January, said after hearing his sentence passed, "Thank you, your honor."

In his letter, McCord said, "Several members of my family have expressed fear for my life if I disclose knowledge of the facts in this matter, either publicly or to any government representative.

"Whereas I do not share their concerns to the same degree . . ." McCord told Sirica, "I do believe that retaliatory measures will be taken against me, my family, and my friends should I disclose such facts. Such retaliation could destroy careers, income and reputations of persons who are innocent of any guilt whatsoever."

McCord did not indicate who he thought might retaliate or how.

The tall, balding McCord,

(Indicate page, name of newspaper, city and state.)

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MIAMI, FLA.

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Author:



**G. Gordon Liddy**  
... long sentence

who had sat silently throughout his month long trial writing copiously in a small notebook, told Sirica in the letter:

● "There was political pressure applied to the defendants to plead guilty and remain silent." (Five of the defendants — former White House consultant E. Howard Hunt and Miamians Bernard Barker, Frank Sturgis, Eugenio Martínez and Virgilio Gonzales — did plead guilty just before the Watergate trial began. All denied that they were pressured into doing so.)

● "Perjury occurred during the trial in matters highly material to the very structure, orientation and impact of the government's case and to the motivation and intent of the defendants." McCord's letter did not say which witness or witnesses had lied.

● "Others involved in the Watergate operation were not identified during the trial, when they could have been by those testifying."

Prosecutor Earl J. Silbert maintained throughout the trial that no others, besides the seven men accused, were involved in the Watergate bugging as an unauthorized spin-off from a \$250,000 intelligence operation that Liddy was assigned to head for the Nixon campaign committee.

SIRICA, however, more than once said he was dissatisfied with the scope of the government's case and

added that he hoped the Senate committee would get to the bottom of the affair because he felt the trial had not.

During the trial, Sirica appeared particularly skeptical about the testimony of Hugh Sloan, former treasurer of the Finance Committee to Reelect the President. Sloan testified that he gave Liddy \$199,000 in cash but had no idea what the money was for.

McCord, however, without actually naming Sloan, appeared to support his testimony.

"Some statements were unfortunately made by a witness which left the court with the impression that he was stating untruths or withholding facts of his knowledge," McCord said. In fact, he added, "only honest errors of memory were involved."

MCCORD also said the four Miami men "may have been misled by others into believing that (the Watergate bugging) was a CIA operation. I know for a fact that it was not."

McCord said he wanted the private meeting with Sirica "since I cannot feel confident in talking with an FBI agent, in testifying before a grand jury whose U.S. attorneys work for the Department of Justice or in talking with other government representatives."

His comment about the FBI could have strong reverberations on Capitol Hill, where the nomination of L. Patrick Gray III as FBI director has been stalled because of charges that he has been too much under the political influence of the White House.

GRAY, during confirmation hearings before the Senate Judiciary Committee, has acknowledged that he sent raw FBI files on the Watergate investigation to White House counsel John W. Dean III, the man who recommended Liddy for his job with the Nixon campaign committee.

McCord indicated that he wrote his two-page letter to Sirica because he felt "whipsawed" by legal complications arising from questions the judge had posed to him through his probation officer about further details of the Watergate case.

If he answered the judge's questions, McCord said, his answers could be used against him in a possible new trial or in a civil suit the Democratic National Committee has filed against the Nixon campaign. If he refused, however, McCord said, the judge might decide he was uncooperative "and I can therefore expect a much more severe sentence."

WEIGHING the legal complications, together with the possibility of retaliation, McCord said he decided to write the judge "in the interests of justice and in the interests of restoring faith in the criminal justice system, which faith has been severely damaged in this case . . ."

A spokesman for the Justice Department said Friday that if McCord's statement to Sirica "contains information supporting these allegations (of perjury and other criminal activity) or indicating any other violation of federal law, the Department of Justice will, of course, take appropriate action immediately."

On Key Biscayne, Deputy White House Press Secretary Gerald L. Warren said he would have no comment on McCord's charges because it was the "consistent policy" of the Nixon Administration "not to comment on matters in this trial, or any other pending trial."

"It is a policy that we will religiously follow while there is a judicial process in motion," Warren said. "I believe I would leave it at that."

The only other defendant with anything to say at the sentence hearing was Hunt, who read a statement pleading with Sirica to "temper justice with mercy."

"I have suffered agonies I never believe a man could endure and survive," Hunt told the judge. "I stand before you friendless, ridiculed, disgraced, destroyed as a man."

Hunt, 54, a retired CIA agent, former \$100-a-day White House consultant and author of more than 40 novels, read his statement in a level, clear voice.

"Because of what I did," he said, "I lost virtually everything I cherished in life — my wife, my job, my reputation."

HUNT WAS fired from his job at the Robert R. Mullen and Co. public relations firm in Washington after he was linked to the Watergate affair. His wife, who also lost her job, at the Spanish Embassy, was killed in December in a plane crash in Chicago. She was carrying \$10,000 in cash that Hunt later said was to have been used for an investment.

It he had not become involved in the Watergate operation, he told the judge, his wife would not have lost her job and been on the flight that ended in her death.

"The real victims of the Watergate conspiracy, your honor, as it has turned out, are not the public, but the conspirators themselves."

Hunt's attorney, William O. Bittman, said his client only became involved in the Watergate affair because he believed the Democrats and Democratic candidates had illegally accepted "foreign money" and he wanted to find out about it.

DANIEL Schwartz, the lawyer for the four Miamians, said they had "devoted the majority of their adult life to the fight against tyranny."

Prosecutor Silbert conceded that "their moral culpability is of a lesser degree" than that of Liddy, Hunt and McCord. Silbert portrayed Hunt as one of the organizers of the conspiracy and the man who recruited Barker, Sturgis, Martínez and Gonzales.

In sentencing Hunt and the four Miami men to provisional maximum prison sentences, Sirica said he was ordering further study to find out about their characters before imposing final sentences.

But he appeared to leave little doubt that their cooperation, more than their characters, would decide the ultimate length of time they serve behind bars.

The judge said, however, "I hold out no promises or hopes of any kind to you in this matter."



—United Press International Telephoto

### James McCord Enters Federal Court

... says he fears revenge if he talks



MARTINEZ



GONZALES



BARKER



STURGIS



HUNT

More Than \$3,000 Collected

# Miami Cubans Assist Watergate Defendants

By GENE MILLER  
Herald Staff Writer

Cubans in Miami have opened five accounts at a bank here to provide financial aid to the convicted Miami Watergate prowlers.

A 14-man committee, calling itself "The Committee of Help," opened the accounts in early March at the Bank of Miami, 110 E. Flagler St.

A spokesman, Reinaldo Vergara, said the committee had collected "between \$3,000 and \$4,000."

NONE OF the money, he said, had come from the Committee to Reelect the President or from Republican Party sources.

"We have nothing to do with any political thing," Vergara said. "We are not concerned if they are guilty or not."

"They are decent people. Whatever they did, if they did anything, was to help this country in the fight against Communism. We are a group of Cubans helping other Cubans," Vergara said.

Vergara said The Committee of Help opened one account under the name "The Miami Watergate Defendants' Relief Fund," numbered 002-851-7.

JAMES W. MCCORD JR., former security chief of President Nixon's reelection committee, also convicted in the Watergate case, has charged that political pressures were applied to the defendants to plead guilty and remain silent. There have been reports that the defendants also were given money to remain quiet.

Four other accounts are for the four convicted Miami-ans: Bernard Barker, 504-371-9; Eugenio R. Martinez,

*"We have nothing to do with any political thing. We are not concerned if they are guilty or not."*

—Reinaldo Vergara

504-369-7; Virgilio Gonzalez, 504-380-0, and Frank Sturgis, 504-372-7.

The four personal accounts were set up, Vergara said, so donors could give to specific individuals.

SPOKESMAN Vergara said that the committee considered the Norfolk-born Sturgis, the only convicted Miamiian not born in Cuba, "one, too."

Along with Howard Hunt, a onetime White House aide, the four pleaded guilty in January to the June 17 burglary of the National Democratic Headquarters at the Watergate complex in Washington. They are in jail in Washington awaiting sentence.

The only expenditure from the funds so far, said Vergara, was a payment to the Manhattan defense lawyer, Henry Rothblatt.

However, Mrs. Barker said she had received \$400 from the local fund.

Vergara said he didn't know the amount given to attorney Rothblatt. He said he didn't know the numbers of donations nor the exact amount of money collected.

HE SAID that Jorge Perez, a second vice president at the Bank of Miami, was handling the accounts. Perez confirmed the accounts, saying, "They are just like any other accounts."

The committee first met at

the Vergara home at 1468 SW 21st Ave. Vergara is a former president of the Cuban Sertoma Club in Miami and is employed as an engraver by The Miami Herald.

At the time of that meeting, the committee issued a declaration:

"It was agreed that none of the four Cubans involved have any criminal record either in Cuba or the U.S., and that on the contrary, they are veteran fighters in favor of a free Cuba, that their families are lacking economic means to live. The committee hopes that their fellow countrymen in exile will contribute in order to help solve the situation of the four men involved."

Vergara identified other Miami committeemen as:

Mario Lazo, lawyer; the Rev. Ramon O'Farrill, a Catholic priest; Max Salvador, a Protestant minister; Cristobal Gonzalez Mayo, president of a professional men's group from the University of Havana; Juan Jose Peruyero, president of the Bay of Pigs Battalion 2506; Luis Arrizurieta, an accountant; and Eddie Suarez Rivas, a lawyer and the son of a former Cuban prime minister.

Others identified are Luis Conte Aguero, a Cuban political leader now a car salesman; Luis Sabines, president of the Latin Chamber of Commerce; Miguel Reves, president of a workers group; Hector Garmendia, a newspaperman; Damaso Ayuso, a worker; Manuel F. Artima, former Bay of Pigs leader; Wifredo Alvarez del Real, a banker; Carlos M. Perdomo, factory worker in Hialeah; Manuel Villamanan, car dealer; and Arturo Callava, a Wells Fargo employe.

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# The Watergate Families:

## Life Now Means Hard Work for Some, Fear and Harassment for the Others

By CAROL WEBER  
Herald Assistant City Editor

If the burglars of Democratic National Headquarters have been paid \$100,000 to keep silent about high government officials responsible for their political espionage, it doesn't show in the way their families are learning to survive without them.

Sources close to the Watergate bugging case have claimed that the money was to be paid with the approval of former Attorney John Mitchell, and White House Attorney John Dean.

If the money has been paid, it's not readily visible in the quiet Latin communities where families of four of the men involved in the Watergate fiasco live.

And in interviews with Herald reporters Janet Chusmir, Arnold Markowitz, Roberto Fabricio and Chuck Gomez, the families flatly denied being paid off by anyone.

★ ★ ★

**CELIA GONZALES** shook her head and held up her hands.

Her fingertips were raw, rubbed red by hours of chopping lettuce and cabbage at the salad bar of the Marriott Hotel near Miami International Airport.

It wasn't like this a year ago.

A year ago the bills around the pink, two-bedroom home in northwest Miami were paid by her husband Virgilio from his \$125-a-week locksmith salary.

But "Villo" is in jail, looking at walls and bars that remind him the judge said a 40-year sentence might face him and his three Miami compatriots when they pleaded guilty of burglary in the break-in and bugging of Democratic National headquarters at the Watergate

apartments in Washington, D.C.

So now, Celia works, distinguishing herself as the best salad girl in the restaurant, according to the head chef.

With her small salary, and some financial help from a son and daughter, she says she is able to pay her bills.

For Jean Marie Moleski DeGregoria Martinez, life with Eugenio Rolando was already changed. On the day he was arrested, she divorced him.

She was left with 15 years of memories, and a settlement she indicated was around \$1,000. Now she is working as a real estate salesperson, taking courses to be a broker. In the lean weeks of learning to sell, bills are piling up faster than her income, she said.

Her life had changed without the Watergate.

**JAN STURGIS** parks her beat up, five-year-old Chevy in the parking lot at TV Channel 23 and reports to work five days a week as a \$520 a month traffic controller.

It is a job she has held for four years. But until Saturday, June 17, 1972, when Frank Sturgis was arrested at the Watergate, she could depend on his income from sale of aluminum windows.

**CLARA BARKER** apologized to reported Chusmir for her unkempt hair and her rush to make a 3 p.m. appointment.

After 28 years of marriage she speaks of her husband Bernard as though she is a bride, and his continuing influence, even from a Washington D.C. cell, is obvious.

She sold the '72 Nova and '70 Monte Carlo and bought

a 1973 Chevrolet to consolidate her bills — just as Bernard told her to do after he was arrested as the ringleader of the Miami group involved in the bugging case.

With luck and good management, she said, she can live three to four years on savings, rental of half her duplex, money from the sale of her husband's real estate business (which he told her to sell) and income from some of his land sales. After that, she shrugged confidently, she can always make at least \$75 a week as a secretary.

★ ★ ★

Their lives have changed, completely, these Watergate families, and they are learning new methods of survival without, they say, the aid of money floating in from Washington.

They respond to inquiries about their lives in different ways — with confusion, fear, rage, pride and an occasional flash of humor.

Clara Barker threw back her head and laughed at the suggestion that the Miami four were sacrificial lambs paid to take their jail time and to remain silent about the big names in government believed to be directing their bugging activities.

"Silent? Why should they keep silent? Do you think they'd go to jail for 20 years just to be paid \$100,000? she asked. "And where do you think we'd hide it?"

**MRS. BARKER** said the only outside money she has received has been \$400 from the "Committee of Help" which was established in the Latin community to collect donations to help the defendants and their families.

(Indicate page, name of newspaper, city and state.)

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None of the other families acknowledge getting any committee money yet.

"All of the things, Bernard has done he has done because of his ideals . . . not for money," Mrs. Barker said.

"He was not burglarizing. He was not planting a bomb. He is a fighter for freedom."

Celia Gonzales did not wish to discuss her husband or her life.

Briefly, with her daughter Diana, 14, acting as interpreter, Mrs. Gonzalez stood at the door of her home at 930 NW 23rd Ave. and told reporter Markowitz that she knew nothing of recent Watergate developments which implicate men close to the President of the United States.

SHE HAD never heard of any of the other defendants before her husband was arrested, she said. And she has not met with or heard from any of their families since.

There has been no aid from the "Committee of Help," no calls from Washington. Just work every day from Saturday through Wednesday, making salads in a place where only the chef knew her husband was in jail.

For 12 years her life had been fairly quiet, with Viljo working at the Missing Link Key. In 1971 he even got his American citizenship. She wants her life to stay quiet.

A man identifying himself as Mrs. Gonzales' brother-in-law stopped watering the lawn across from the little pink house and suggested the interview end.

Later, the brother-in-law and a friend intercepted reporter Fabricio trying to talk with neighbors and ordered him out of the neighborhood, standing by to see that the Gonzales' neighbors were not "bothered."

"I know she has nothing to fear," he said of Mrs. Gonzales. "But she is very nervous about this whole thing."

"If they got into desperate straits, they might've contacted me. I'd hope they would," said Harry Collot, owner of the Missing Link Key Shop, where Gonzales worked before Watergate.

WHEN Gonzales came home on bail before his trial, he and Collot came to a "let's drop the whole thing" understanding, and Gonzales lost his 12-year job.

Gonzales then was hired by Earl Banks, owner of Banks Safe Co. in Hialeah, who said he considered Gonzales a "man of integrity".

"He told me the whole Watergate thing was entirely political and not what people made it out to seem, and that a lot of things would be popping up about it that would set people right," Banks told reporter Gomez. Banks said he has been paying the \$34-a-month premium on Gonzales' life insurance policy.

Jan Sturgis panics at questions asked about her husband, a man who always sought publicity before he became enmeshed in the Watergate affair.

"I should not be talking to you after all you and your newspaper have done to discredit my husband," she yelled over the telephone at reporter Fabricio. "You and your kind are worse than Fidel Castro."

Frank Sturgis, born Frank Angelo Fiorini, described in news accounts over the years as a "husky, handsome soldier of fortune" and an "ex-choir boy, athlete, tavern bound bouncer and policeman," was born in Norfolk, Va.

HE WENT to Cuba and served with Fidel Castro, losing his U.S. citizenship in 1960 as a result. He regained his citizenship with the help of Sen. George Smathers of Miami, and became one of the most vocal and active anti-Castroites in the city.

His family still lives in a white CBS house trimmed in red brick at 2515 NW 122nd St., near Westview Golf Course and near Miami-Dade Community College North Campus where Mrs. Sturgis' daughter Gale is a drama student.

"We hear from Frank often," Gale said. "He can call. And he says he is okay; but I am told not to say anything, so I am going to close the door."

In the neighborhood, few of the other youngsters seemed aware that there's anything different about the Sturgis household.

They still play with Clarissa, the German Shepherd, and the black cocker named Chulo, and watch Princess, the white cat, peer through the curtains.

When Sturgis was home he would give the boys on the block 50 cents to clean out the yard.

"He travels a lot," said one. "Janet talks to my ma about Frank and about Washington," said another. But he didn't know why.

EUGENIO Rolando Martinez, who worked with Bernard Barker in his real estate business, had been having troubles before he was nabbed at Watergate.

The day before his arrest he was in court completing action in a divorce case with his second wife.

Martinez' ex-wife said even though she is divorced from Rolando, she has been harrassed by anonymous phone calls since the Watergate incident.

SHE wouldn't say whether or not she knew about the Watergate bugging plans before her husband left on that last day. But she says she believes "Rolando acted out of a belief — not for money."

The FBI sent men around to see her a couple of days after the arrests, she said.

The FBI visited each of the families. Mrs. Martinez said she was called by Mrs. Barker and warned they were coming.

"She told me to lock the doors and not to tell them anything," said Mrs. Martinez. "When they came they said 'you know why we're here . . . because of the incident.'"

She hears from Rolando occasionally when he writes from the jail, she said.

"He always says he loves me."

Martinez' married daughter, begging not to be identified because her neighbors don't know who she's related to, said she doesn't even know how her father is.

"Life has not changed. The sun still rises, the sun still sets," said her husband.

Clara Barker was different. "I keep my head very high. I'm proud to be his wife."

She said she didn't know specifically what her husband had been doing, but didn't expect to, because he had been doing "intelligence work" since Castro came to power.

"The left hand doesn't tell the right hand what it is doing, let alone the wife," she said.

The Barkers' only child — a daughter — is married and living in Washington, so Mrs. Barker has been free to spend time in the District of Columbia to be near her husband.

HE CAN have two visitors once a week for a half hour. Back home now at the peach-colored duplex at 5229 NW 4th St., she gestures toward a little avocado tree.

"I don't know if he will be home soon, but if he can stand it, I can. I am not going to fall down. I have to conserve everything he loves — his home, his dog, his fruit trees.

"I can't see anything so bad for all this fuss . . . to me it is just a political thing. He did something he thought was patriotism. Not because someone offered him millions of dollars — that is stupid.

"We didn't like McGovern in the Cuban colony in general. Everytime he said he was going to make friends with Castro we'd say: 'well, what are we all doing here.'

"The more I know and read about this case, the less I understand it . . . the less I know what's going on.

"And now the Senate investigation. It makes us very sad. We do not talk about the case very much in the half hour I try to tell him about the family.

HE JUST tells me: 'Have faith, have faith.'

"I'll be all right. He was a real estate broker. Do people expect a real estate broker to be broke? People are still honoring his commissions. I'll get money when the business is sold. And I lead a quiet life.

The Committee of Help is paying all attorney's fees, she said.

But why ask about money, she asked again.

"Does anybody ask where the money came for the Angela Davis defense fund, or Daniel Ellsberg?"



"Has anybody asked how (James) McCord (head of security for the Committee to Reelect the President, arrested with the Watergate group) made his bail?

SHE excuses herself then to rush to her appointment. Later there will be dinner with friends, or she will read a favorite history book.

Her husband is being treated well, she says, and that counts a lot.

"I got a recent letter in which he mentions the time he was shot down in Germany when he was in the Air Force, and he was sent to prison there.

"He said the D.C. jail was nothing like Stalag Luft One and wrote:

"Thank God for little things."



—Associated Press Wirephot

Attorney Henry Rothblatt With 4 Watergate Suspects Last Year  
...from left, Sturgis, Gonzalez, Rothblatt, Martinez and Barker

(Mount Clipping in Space Below)

SUBJECT

8A  
FRANK STURGIS, BERNARD L. BARKER, EUGENIO MARTINEZ AND VIRGILIO R. GONZALES — The "Miami Four," all former CIA operatives, they pleaded guilty in the Watergate trial.

ATTORNEY GENERAL RICHARD G. KLEINDIENST — He disqualified himself from further Watergate investigations on grounds that information involved persons "with whom I have had a close personal and professional relationship."

APR 21 1973

(Indicate page, name of newspaper, city and state.)

P 8A

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Editor:

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Submitting Office

Being Investigated

(Mount Clipping in Space Below)

# Payments Supervised By Dean'

## Conspirators Paid Cash, Times Says

From Herald Wire Services

WASHINGTON — White House counsel John W. Dean III supervised cash payments of more than \$175,000 to the seven Watergate conspirators after they were arrested in June 1972, The New York Times reported today.

In a copyrighted story by Seymour M. Hersch, The Times quoted Washington sources as saying that the payments — all \$100 bills — were made in return for the defendants' silence.

Dean could not be reached for comment, but his attorney, Robert C. McCandless, said the report was "absolutely untrue."

THE Times said the payments continued at least until January of this year. It quoted sources as saying that break-in conspirators G. Gordon Liddy, Howard E. Hunt and James W. McCord Jr. each received \$3,000 a month, and that the four defendants from Miami received \$1,000 a month.

McCord told the Washington federal grand jury that he also received an \$18,000 cash payment in \$100 bills as a lump sum in September 1972. The Times' sources said. That money was said to have covered his monthly salary from June through November.

At least four attorneys who represented defendants at the federal court trial in Washington received payments in cash ranging from \$11,000 to \$25,000, The Times story said.

SOURCES said McCord told the grand jury that officials of the Committee to Reelect the President had established a monthly payroll of \$13,000 for the seven defendants, and that most of the money was delivered by Mrs. Hunt, who later was killed in a Chicago plane crash.

The Times said the only attorney to admit receiving the cash payments was Henry B. Rothblatt of New York. He said he was paid \$22,000 in \$100 bills by Bernard L. Barker, one of the four Miami defendants, last August.

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McCord also reportedly has told associates that he paid his lawyer, Gerald Alech of Boston, \$25,000 in cash that had been supplied by the reelection committee.

THE TIMES story said one of Liddy's attorneys, Thomas A. Kennelly of Washington, also had been paid in cash.

Thursday, the families of the four Miami men — Barker, Eugenio R. Martinez, Frank Sturgis and Virgilio Gonzales — told Miami Herald reporters that they had received no money at all from the Republicans. Mrs. Barker said she had received \$400 from a committee established in the Latin community to help the defendants' families.

(Indicate page, name of newspaper, city and state.)

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Being Investigated

(Mount Clipping in Space Below)

# 'Watergate Team Formed for Hoover Rites'

By WILLIAM MONTALBANO  
And ROBERT C FABRICIO  
Herald Staff Writer

Two Miami Cubans linked to the Watergate conspiracy said Saturday that the team that bugged Democratic Headquarters first assembled in Washington last May for an entirely different mission: to disrupt anti-war demonstrations at the funeral rites of Edgar Hoover.

A particular target was Daniel J. Ellsberg, "the traitor," the two men said.

The Watergate prowlers — and other Cubans exiles — were flown from Miami to Washington for the FBI chief's funeral in what the two Cubans thought was a "CIA mission."

They said their air fares, hotels and meals were all paid in the same fashion as on a second trip they made when the Democratic headquarters was first entered.

Both men insisted they did not know of or participate in the Watergate incident. Both said they were in Miami three weekends later when the burglars were caught on a return visit to the Watergate complex.

Both Cubans, Reinaldo Pico, and Felipe DeDiego, said they had worked on and off for the Central Intelligence Agency since both participated in the Bay of Pigs invasion of Cuba in 1961.

PICO, 37, said he was arrested in Washington after slugging "a long-haired hippie" while Hoover's body lay in state in the Capitol Rotunda May 4 but was freed imme-

diately at the signal of a man dressed in a gray suit.

Pico, a burly man whose instinct is to direct action, and DeDiego, who is more worldly, said the incident reassured them that they were acting with government sanction. When the Watergate burglars were arrested, the two men said, they expected them to be freed as well.

"A CIA mission? Of course," said Pico. "I've worked for the CIA all my life. I always worked for them through Macho (Bernard Barker). I assumed if Macho asked it must be official.

"Before we went to Washington, Macho told me "la gente" wanted people to take care of the demonstrators at the Hoover fu-

neral. When we talked about 'la gente' (the people) it was always the CIA."

BARKER, long a CIA operative, was arrested inside the Democratic headquarters with Cubans Eugenio Martinez and Viugilio Gonzales, and American adventurer Frank Sturgis, also known as Frank Fiorini, and James W. McCord Jr.

Pico and DeDiego said they traveled to Washington for the Hoover funeral under Barker's instructions. Pico traveled as Jose Granda and DeDiego as Jose Felipe Piedra. They said they stayed only one night in Washington — at a downtown Holiday Inn — and then returned to Miami.

"There were eight or nine of us," said

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Pico. "Certainly all four who are now in jail.

"The reason I was taken prisoner is that there was this long-haired guy arguing with Macho and so I gave him a fist and they took me in.

"THE POLICEMAN took me down the stairs of the Capitol and was going to pull me in when the man in the gray suit signalled to let me go and so the policeman told me to go and not to come back."

Both Pico and DeDiego specifically mentioned Ellsberg.

"We saw Ellsberg, that traitor, having a victory demonstration during the Hoover funeral and it incensed me," said DeDiego. "Hoover was a hero and there was this traitor gloating over his death. We started calling them traitors and finally we broke up the Ellsberg thing."

Two weeks after the Hoover funeral, Barker again called together the group, the men said in separate interviews.

This time they flew to Washington on a Monday morning on a National Airlines flight. They rented a car and registered at the Hamilton Hotel.

DeDiego roomed with Virgilio Gonzales, he said, and Pico said he roomed with Frank Sturgis.

Pico, who describes himself as a "fighter," said "I was told they were expecting more anti-government demonstrations at the White House and we were to break them up.

"If we saw a Viet Cong flag go up we were to pull it down. I was looking forward to bringing one of those flags with me as a souvenir."

DeDiego, who served four years as an intelligence officer in the U.S. Army after his release from Bay of Pigs imprisonment, said he was not given any reason for the second trip to Washington, merely that he would get instructions once he got there.

AFTER SEVERAL days of inactivity at the Hamilton, the men said, they moved to the Watergate. It was their registration there under their code names as Granda and Piedra that led federal investigators to them.

It was during the stay at the Watergate Hotel that the first break-in occurred at the Democratic headquarters sometime between May 26 and 29 Pico and DeDiego said they had no knowledge of it.

In fact, they said, they were given nothing to do at all and complained to Barker. They said they wanted to go home.

"We were told by Macho to await for instructions on what to do and for the demonstrators to gather. Meanwhile DeDiego and I stuck together. I was rooming with Ficrini (Sturgis) but his Spanish is bad and I don't speak any English.

"DeDiego and I just toured around Washington like a couple of tourists.

"WE WENT to the Kennedy Center, to the Lincoln Monument, and we went to the movies a lot."

Pico and DeDiego insist the only conspiracy they participated in that week was to buy identical pairs of pajamas in a Washington shop.

"When we were told we could come back to Miami after having done nothing but wait, I asked Barker 'What's going on? What's happening?' and he said we just have to go back and await instructions and maybe come back again," said DeDiego.

Three weekends later Barker was back at the Watergate. He and four others were caught June 17.

DeDiego and Pico said Saturday they were taught during CIA training never to ask unnecessary questions about a mission.

THEIR GOAL, they said, was to work for the freedom of Cuba and against communism. They assumed that was the ultimate purpose of their visits to Washington, they said.

They said they were not present at Watergate when the arrests were made only because they were not asked to return a third time to Washington. Had they been asked, they said, they would have gone — no questions asked.

"I feel betrayed," said Pico. "Not by my companions, not by Macho, but by the system. I am sure that Macho and the other Miami men were in this just like I was. They must have thought they were doing something for the government."

"When I worked for the CIA if they told me to go out to the bay and blow up a ship I would do it."

"We thought we were fighting for democracy and our country."

PICO LEFT the U.S. for Venezuela after learning of the Watergate arrests and remained there until March. He said he contacted the FBI at the American Embassy in Caracas and was questioned several times.

He said he volunteered to return to the United States immediately but was told it was not necessary. When he did return, Pico said, he called the FBI in Miami and told them he was back.

"I didn't do anything wrong. I'm not hiding. We thought we were fighting for democracy and our country."

DeDiego, who was granted immunity to testify before the Watergate grand jury, is even more emphatic.

"WE HAVE been waiting for 14 years to do something against Castro and against communism. We take any chance we get.

"It is like a fever that takes hold of you.

(Mount Clipping in Space Below)

# Watergate a 'CIA Plot,' Miamiian Told

By JUNE KRONHOLZ  
Herald Staff Writer

Bernard Barker convinced a Miami photo shop employee to lie to investigators about Barker's involvement in the Watergate break-in by telling him the burglary was "a CIA operation," the employee has told State Attorney Richard Gerstein.



He assured me the reason they went over there (to Democratic National Committee headquarters) was to help Cuba — he said it was a CIA operation, Genaro Perez said.

In a sworn statement before Gerstein, Perez admitted he had made "a false statement" to investigators last September about Barker's involvement in the Watergate affair.

Perez did not correct the statement until this week, he said, because Barker told

him, did this not for money but to liberate Cuba."

CONVINCED that Barker was working for the Central Intelligence Agency, Perez said, he kept silent about his false statement.

"When you're working with the CIA you don't ask questions," he told Gerstein.

Perez entered the local Watergate investigation last June when his boss at Rich Photos, 1600 W. Flagler, told Gerstein that he developed Watergate film for Barker seven days before Barker and four other men were arrested inside Democratic Party headquarters.

The film—38 eight by 10-inch photos of party correspondence, much of it signed by former party chairman Lawrence O'Brien—was developed June 10, photo shop owner Michael Richardson said.

GERSTEIN and his investigator Martin Dardis, said the film is believed to have been taken during an earlier break-in at the party headquarters over the 1972 Memorial Day weekend.

Richardson told Gerstein and the FBI last summer that Barker, convicted Watergate burglar Frank Sturgis and

and an unidentified third man brought the film to him to be developed on a rush basis.

Richardson did not recognize Barker and Sturgis until days later when he saw their

photos in the newspaper, he said.

RICHARDSON "passed with flying colors" a lie

defector test about the Barker incident, Gerstein said, but when investigators questioned Perez he insisted Richardson was mistaken in his identities.

Perez refused to take a lie detector test at the time, Gerstein said, but insisted that he could "beat it if I wanted to."

"We didn't believe his statement, not a word of it," Dardis said.

Perez stuck to the story until Wednesday, however, when he voluntarily reappeared before Gerstein, asked to make another statement and apologized for the first one.

In Wednesday's statement, Perez admitted that Barker and Sturgis were the men who asked Richardson to develop the film.

IN HIS statement Wednesday, Perez confirmed that Barker and Sturgis came to the film shop and offered Richardson "any amount of money" to process the prints. But, he added, he saw none of the finished pictures himself.

Two weeks after making the original, fictitious statement to Gerstein, Perez said Wednesday, he became bothered by it and visited Barker's cousin Andres Amudo.

Amudo told him "this has something to do with the liberation of Cuba," Perez said, but agreed to arrange a meeting between Barker and Perez.

TWO WEEKS later the two met, Perez said, and he asked Barker to explain the status of the Watergate investigation.

"He put it this way," Perez said. "We are working for the same company." The CIA is the company. That's what we (the Cuban) call it. Then Barker said, "We have the support of the company."

Because Perez' statement was voluntary, Gerstein said, he will not be prosecuted for perjury. However, the statement could lead to Barker's indictment on charges of subornation soliciting, of perjury, and obstruction of justice, Gerstein added.

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FELIPE DeDIEGO

# 'I'll Testify On Break-In' Miamian Says

By **ROBERTO FABRICIO**

*Herald Staff Writer*

Miamian Felipe DeDiego, surprised at disclosures that he was involved in the break-in at the office of Daniel Ellsberg's psychiatrist, said he would be glad to return to testify before the Watergate Grand Jury if his immunity from prosecution is extended.

"I will not accuse others publicly, but if the Grand Jury calls me back I will be glad to cooperate fully to the extent of what I know if my immunity is extended," said DeDiego in a telephone interview.

"Anything I say to you can hurt me."

Convicted Watergate conspirator Howard Hunt told a Washington grand jury earlier that DeDiego and Bernard Barker and "a Mr. Martinez" had broken into the offices of a psychiatrist who treated Ellsberg. Miamian Eugenio Martinez is among those convicted in the Watergate burglary.

DeDIEGO did not deny he was involved in the break-in.

He was granted immunity when he appeared before the Watergate grand jury after he repeatedly invoked the Fifth Amendment. DeDiego was called by the grand jury after his code name on the

Watergate Hotel registration desk was traced to his Miami address.

Apparently shaken by the Hunt disclosure implicating him further in the surveillance activities, DeDiego said he hoped the public and the authorities realized the involvement of the Miami Cubans in the case was coincidental.

"We thought we were working for the CIA all the time," DeDiego said. "If Hunt is saying there were some people from the CIA there, you can imagine what we thought. We thought it was all CIA."

DeDIEGO previously admitted that he and the other Miami Cubans convicted in the Watergate conspiracy had assembled in May 1972 to disrupt the anti-war demonstrations at the funeral rites of J. Edgar Hoover. Their principal target at the time was Daniel Ellsberg, said DeDiego.

"I have been so confounded by so many public officials in high honorable positions accusing each other in public that I don't know what to believe or what to think any more," said DeDiego. "This has reached the gutter level."

"What is happening is that everybody is trying to save his hide. This is too sad," said DeDiego.

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1A

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# Nixon Aides OK'd Ellsberg Break-In

From Herald Wire Services

LOS ANGELES—Convicted Watergate conspirator, E. Howard Hunt has revealed to a Washington grand jury an elaborate scenario, masterminded at high levels of the White House and involving among others, the Central Intelligence Agency, leading to the abortive burglary of the office of the psychiatrist who treated Daniel Ellsberg.

Details of the plot were contained in a transcript of Hunt's testimony read in court Friday at the Pentagon papers trial of Ellsberg and Anthony Russo

In it Hunt describes how:

● The operation in the summer and fall of 1971 was at all times supervised by White House staffers Egil Krogh, whom Hunt describes as "principal deputy" to John Ehrlichman, then chief domestic affairs adviser to the President, and David Young, who until recently was on the staff of the National Security Council.

● The CIA was enlisted to provide a secret camera, other technical equipment and false papers and disguises for Hunt and G. Gordon Liddy, also one of those convicted in the Watergate burglary.

● When the burglary of the office of Dr. Lewis Fielding failed to turn up results, a special CIA unit headed by Dr. Bernard Malloy, was called in. Hunt described Malloy's unit as a "psychiatric unit set up at the CIA" to provide in effect second-hand profiles of persons of interest to the United States government. That is an activity that has been on-going for years," Hunt said Malloy did provide

a profile of Ellsberg, which he turned over to Young or Krogh in the form of a memorandum.

● The actual burglary of Fielding's office was performed by three men, Hunt said, Bernard Barker, ex-CIA agent also convicted in the Watergate case, and two Cubans, a "Mr. Martinez" and Felipe De Diego. Martinez is apparently Eugenio Martinez, who pleaded guilty in the Watergate case. De Diego was allegedly involved in an assault on Ellsberg on May 2, 1972, at a rally in Washington, D.C. Hunt said he and Liddy served as lookouts during the burglary.

Barker, Martinez and De Diego are all from Miami.

(In Washington, a CIA spokesman would neither admit nor deny any of Hunt's testimony or whether the CIA had ever turned over any psychological profile on Ellsberg to the White House. The spokesman would not comment on whether a Dr. Bernard Malloy in fact worked for the CIA.)

HUNT told a cloak-and-dagger tale of plans for the burglary which included nighttime meetings in so-called "safe" houses in Washington. At those houses, he said, he and Liddy met with the CIA men who gave them the camera which was to be used to photograph Ellsberg's psychiatric records and provided them with the disguises. He did not say what the disguises were, but said they were given false identification papers to use.

Hunt said that throughout the operation Krogh was aware of all developments. He said that following the break-

in he and Liddy went to a Los Angeles hotel and at 4 a.m. they called Krogh to inform him the burglary had occurred. Later, he said, Krogh was given a full report.

Krogh, who earlier this week took a leave from his job as undersecretary of the Transportation Department, was reportedly questioned for four hours Friday by federal prosecutors.

At one point in his testimony, Hunt added to the mysterious surroundings of the burglary by saying, "I operated through Mr. Krogh . . . but I had been given a sterile (phone) number at the Central Intelligence Agency to call when material requirements needed to be met." He said that was an unlisted number in which the billing could not be traced.

AFTER the break-in, Hunt said he tried to tell former White House counsel Charles W. Colson about what had happened. But Colson refused to listen.

Hunt said he went to Colson's office carrying with him a photograph of the rifled file cabinet in Fielding's office and told Colson, "I have something I want to show you that has to do with my actions last weekend." Hunt said Colson told him, "I don't want to hear about it," and rushed into another office.

Hunt said Young, the former employe of the National Security Agency, also knew about the authorization for the burglary.

Hunt said that he never talked to Ehrlichman himself about the burglary and related matters and does not know if Ehrlichman or any other officials in the White

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House were informed about it. He said the initial investigation into Ellsberg's psychiatric history was launched because of official fears that Ellsberg might become a political "martyr" if he were prosecuted.

HUNT said, "It became known to Mr. Liddy and myself, and I believe it must have been Mr. Krogh who told us there was an intense amount of interest in Mr. Ellsberg." He said the White House had been receiving reports from the FBI and other law enforcement bureaus, and that he was given access to all of this material on a routine basis.

"At that time, as I understood it, there was some concern in the White House about the appropriateness of seeing the prosecution actually take place in regard to Dr. Ellsberg and his associates, and I shared that concern, my own feeling being that he would probably become a martyr, in looking at things politically and I thought it was a poor judgment to draw."

He said FBI reports kept coming in on Ellsberg and "a picture of a man belong to emerge that aroused not only interest on certain White House officials, and I'm not sure who all of them (were), but certainly on the part of Mr. Krogh and Mr. Young, and, as far as that goes, myself, to the extent I was a White House official, and Mr. Liddy."

It was at this point, Hunt said, that Krogh suggested a report be made on Ellsberg's "prosecutability." He said he didn't remember who first mentioned the possibility of a "bag job" on the psychiatrist's office.

He said he and Liddy first flew to the West Coast on Aug. 25, 1971, made a "feasibility" study of the psychiatrist's office and decided the burglary could be accomplished.

"We passed through the building one evening, took some photographs with a very special camera and located where Dr. Fielding's home was located," Hunt said.

HE ADDED that they returned to Washington, wrote up their findings, developed the photographs and that he believes Liddy submitted them to Krogh. "I would have to assume that he (Liddy) and Mr. Young discussed it as was their custom and then it went to Mr. Krogh."

Hunt said the camera he and Liddy used "was issued by the Central Intelligence Agency. It was issued through the representations of Mr. Krogh. . . It was issued to me."

He said he and Liddy "received our documents and physical disguises at different places and a different places and at these occasions, Hunt said, "I operated through Mr. Krogh."

Hunt noted that when the operation began to progress, "it was pointed out to us. . . that no one with any association with the White House could be involved in any way directly with such an operation."

THUS, he said, "I was asked whether or not as a result of my old CIA contacts, I could come up with a team capable to make such an entry. I said that I would look into it, and I must have gone down to Miami at that time to interview Mr. Barker and some of his associates. . . Mr. Barker said he would be very glad to help in a national security operation, which is how I described the operation to him."

He said he then met the two Cubans, who he said were then hired for the job.

He said he and Liddy went Cubans on Labor Day weekend of 1971 and checked in at the Beverly Hilton Hotel under assumed names.

During the burglary itself, Hunt said he was stationed at Fielding's residence to make sure the doctor's car stayed in the garage and Liddy cruised the area around the doctor's office.

When the intruders dis-

covered the doors to the building were locked because of the holiday weekend they had to force their way in, Hunt said. But their search of the office failed.

"It was reported to me that they had gone through every file in Dr. Fielding's office, including the one in his desk, and that there had been absolutely no

material in it with the name of Ellsberg on it of any sort," Hunt said.

HE SAID the Cubans took pictures of the open file cabinets to show they had done the job. Later, "they were told to take the next plane out of town" while Liddy and Hunt reported by phone to Krogh.

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# Miamian bares Ellsberg case break-in role

By RICK ABRAMS  
Miami News Reporter

Felipe DeDiego, a Miamian and friend of Watergate conspirator Bernard Barker, testified today before State Attorney Richard Gerstein that he accompanied a burglary team to the office of Daniel Ellsberg's psychiatrist in the summer of 1971.

DeDiego said the burglary team was told it was on a national security mission.

The break-in at the office of Dr. Lewis Fielding in Los Angeles led to the resignation yesterday of Nixon's undersecretary of Transportation, Egil Krogh Jr., who admits planning the Ellsberg mission.

Gerstein said today he took DeDiego's testimony at the request of the Los Angeles district attorney.

Gerstein said that DeDiego testified freely after being given immunity for any Los Angeles crime. "If he is immunized elsewhere he can shed light on other matters," Gerstein said.

DeDiego testified that he was not paid for the Ellsberg mission but was told he would get plenty of money on future assignments.

He said that he accompanied to Los Angeles Barker, one of those convicted for the Watergate bugging affair, and Eugenio Martinez, another of the "Miami four" convicted in the break-in at the Democratic Party headquarters in Watergate.

DeDiego said they met in Miami, caught a plane and went to a hotel one block from the office of Dr. Fielding in Beverly Hills.

At 9 a.m. that night, he said, the three left the hotel with a suitcase full of camera equipment and walked to Fielding's office.

They approached a Mexican cleaning woman in the office and spoke to her in Spanish. They told her they had some important material to leave in the office. She allowed them to place the case of equipment inside.

DeDiego said they returned a little later and walked around to the side of the building. Using glass cutters, they cut a hole and opened the ground floor window.

Once inside DeDiego was told to help hunt for the file of Ellsberg, defendant in the Pentagon Papers trial. But, DeDiego said, Martinez found it and began photographing the contents.

He said when the photog-

raphy was finished they left carrying the suitcase through a door and returned to the hotel. Barker went off with the suitcase of camera equipment and returned without it, DeDiego said.

(Indicate page, name of newspaper, city and state.)

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MIAMI NEWS

MIAMI, FLORIDA

Date: 5/10/73

(Mount Clipping in Space Below)

# Miamian calls Ellsberg traitor, says he would raid office again

By LOUIS SALOME  
Miami News Politics Writer

Felipe DeDiego, who testified that he and two other Miamians broke into the office of Daniel Ellsberg's psychiatrist in 1971, says he would do it again because Ellsberg is a "traitor."

In an interview last night outside his home at 1841 SW 92nd Pl., the black-haired, nattily-dressed DeDiego said, "I will be happy to do anything to help the country. We did what should be done."

"That guy (Ellsberg) was a traitor. I compare that guy to the Rosenbergs (Julius and Ethel) who stole the atomic bomb secrets."

Ellsberg is on trial for copying the Pentagon Papers — a study on the origins of the Vietnam War — and turning the material over to the press.

DeDiego was granted immunity yesterday when he told the Dade County state attorney's office how he, Bernard Barker and Eugenio Martinez on Sept. 3, 1971 broke into the Beverly Hills, Calif., office of Dr. Lewis Fielding, Ellsberg's psychiatrist.

Barker and Martinez are in jail for participating in the Watergate burglary. At the

time of the break-in at Ellsberg's doctor's office, DeDiego said he worked in Barker's real estate office here.

DeDiego said Barker asked him to help with the Ellsberg affair about "two or three days" before they left Miami for California. DeDiego said he has known Barker since the abortive Bay of Pigs invasion in 1961.

"I went there just for the Ellsberg case. I didn't do anything else," DeDiego said in a brief interview during which he had one foot inside his Buick Riviera most of the time, while his wife sat inside the car waiting to leave.

DeDiego arrived at his home at about 8:40 p.m. where he picked up his wife and quickly left. He said he was going to Puerto Rico today because of a family illness.

Dressed in a white suit and reacting cordially to questions, DeDiego said he believed that Barker was acting on orders from E. Howard Hunt, a former CIA agent and former White House aide who is also in jail for the Watergate burglary.

But DeDiego said, Barker did not tell him this. DeDiego also denied knowing Hunt.

(Indicate page, name of newspaper, city and state.)

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MIAMI NEWS

MIAMI, FLORIDA

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# Ellsberg Burglary Described

## In National Interest, Miamian Testifies

By GENE MILLER  
Herald Staff Writer

Under a grant of immunity, Miamian Felipe DeDiego testified Thursday how he and two convicted Watergate burglars broke into the office of Daniel Ellsberg's psychiatrist in 1971 in "the national interest."

DeDiego told Martin Dardis, chief investigator for State Attorney Richard E. Gerstein, that he and Bernard Barker and Eugenio Martinez used masking tape and glass cutters to break a window, physically pushed down a door, then photographed the files of Dr. Lewis Fielding.

DeDiego said he didn't "personally see" Ellsberg's psychiatric records, Dardis said, "but that afterwards Barker told him, 'We have completed our mission, we have done our part.'"

**GERSTEIN GRANTED** the immunity at the request of the Los Angeles district attorney.

The burglary occurred Sept. 3, 1971 in Beverly Hills.

DeDiego said Barker, now jailed with Martinez in the Watergate burglary, told him about the break-in plans at Barker's real estate office here at 2301 NW Seventh St. He used to work for Barker as a real estate salesman.

"He (DeDiego) said he thought he was on a mission for the CIA," Gerstein said.

The three men flew from Miami to Los Angeles and chucked into a hotel in Beverly Hills, DeDiego said. Barker left the room for a few moments and then returned with a briefcase. "It

contained photographic equipment, 35 millimeter film and spot lights," Dardis said.

**DEDiego SAID** he was told he was working for "Eduardo," the name E. Howard Hunt used during the Bay of Pigs invasion of Cuba. Hunt an ex-CIA agent and ex-White House aide, is also now in jail for the Watergate crime.

DeDiego said he never saw Hunt during the "mission for the government." Barker paid all expenses, he said. He was promised "payment in the future."

The three Miamians went to the psychiatrist's office three times. First it was "for reconnaissance during the daylight hours," Dardis said.

Then they returned at 9 p.m. and spoke to a chamber maid of Mexican extraction; said Gerstein. "By a ruse," they convinced her to let them leave the briefcase in Dr. Fielding's office. "They told her it was for the doctor."

At 1 a.m. they returned the third time and entered by a first floor window, using glass cutters. This wasn't the doctor's office. They found his door "and the three of them physically pushed it open," Dardis said.

**ACCORDING TO** DeDiego, they remained inside for 45 minutes to an hour, photographing files. "Martinez was the photographer," Gerstein said.

They left the office in disarray, making no attempt to cover up the burglary. Barker, DeDiego said, left them again later and returned without the briefcase.

Gerstein said he carefully confined the immunity to the Los Angeles break-in and that DeDiego was not interrogated on "other matters."

"I am convinced that, given immunity, he could shed light on other crimes," Gerstein said later.

DeDiego appeared at the state attorney's office with Alfredo Duran, a well-known Cuban lawyer. Duran, Gerstein said, felt that his client "was duped and used."

DeDiego, 45, of 1841 SW 92 Pl., told The Herald two weeks ago that in May 1972, the Watergate burglary team flew from Miami to Washington to disrupt antiwar demonstrations at the funeral of J. Edgar Hoover.

At that time, their target was Ellsberg, "the traitor," DeDiego said.

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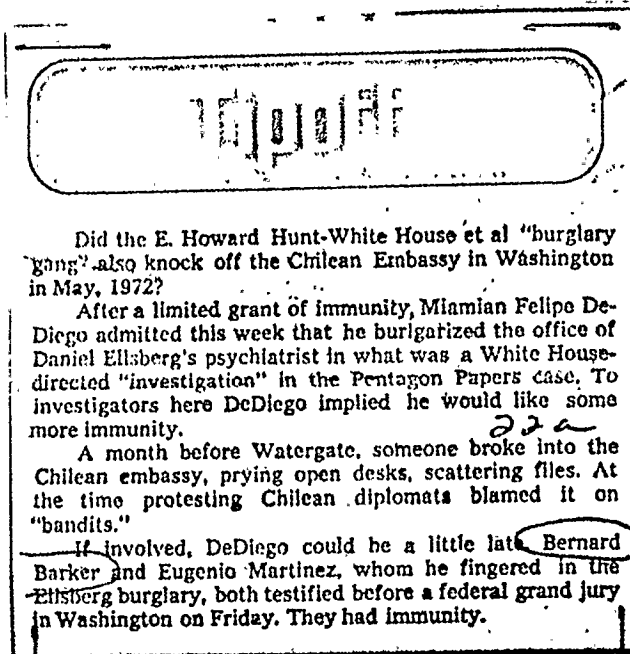
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Did the E. Howard Hunt-White House et al "burglary gang" also knock off the Chilean Embassy in Washington in May, 1972?

After a limited grant of immunity, Miamian Felipe DeDiego admitted this week that he burglarized the office of Daniel Ellsberg's psychiatrist in what was a White House-directed "investigation" in the Pentagon Papers case. To investigators here DeDiego implied he would like some more immunity.

A month before Watergate, someone broke into the Chilean embassy, prying open desks, scattering files. At the time protesting Chilean diplomats blamed it on "bandits."

If involved, DeDiego could be a little late. Bernard Barker and Eugenio Martinez, whom he fingered in the Ellsberg burglary, both testified before a federal grand jury in Washington on Friday. They had immunity.

MAY 13 1973

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Being Investigated

# Payroll Probe: A Watergate Development?

MAY 18 1973

By CAROLYN JAY WRIGHT  
And GENE MILLER  
Herald Staff Writers

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On the day before President Richard Nixon's landslide election, the U.S. Department of Labor began a payroll investigation of the Miami photo firm which told the FBI it developed Watergate espionage film.

Only two days after the June 17 break-in, Michael Richardson, 39, son of the owner of Rich Photos Inc. recognized newspaper photographs of Miamians ~~Ronald Barker~~ and Frank Sturgis, later convicted in the burglary.

Richardson promptly went to the FBI, he said, and told agents that the two men paid him \$93.30 for a "special rush job" the week before on 38 enlarged photographs — apparently the private correspondence of Lawrence O'Brien, chairman of the Democratic National Committee.

THIS WEEK the U.S. Department of Labor filed a civil lawsuit against the firm in U.S. District Court here, charging violation of overtime pay and record keeping rules under the Fair Labor Standards Act.

"I think it is super peculiar," said Richardson, who remembers a first interview on the day after election, not the day before as reported by the Labor Department.

"The election comes along and we get zonked, like a bolt out of the blue.

"None of our employees complained. Nobody complained until they went around and got complaints."

Richardson's father, James C. said Labor Department agent John H. Everhart questioned him shortly after the election.

"HE WAS very arrogant. He said, 'I am the judge, jury, and executioner.' These were his opening remarks. I was just amazed."

"You know that redneck sheriff in the Dodge television commercial? That's how he acted."

James Richardson said the agent went through his records on three different occasions and "nailed us to the wall. We made mistakes, but they were honest mistakes."

In Washington Thursday, John L. Leslie, information director for the Department of Labor, said there is "absolutely no connection" between the payroll-wage charge and Richardson's Watergate role. Richardson testified before a federal grand jury in Washington Nov. 26.

WHEN ASKED if the investigation could have been instigated by White House aides, Leslie said, "No. Categorically no. There is no connection at all."

Leslie said the first interview occurred Nov. 6. He refused to say who initiated the investigation. He also declined to disclose the date it began — or why. "This has been our policy since 1952," he said.

In Miami, agent Everhart said he didn't have the "vaguest idea" how the investigation started. "As far as I am concerned, it was initiated when they handed me a brown folder and told me to check that company."

Everhart said Thursday he was "unaware until this moment" that Rich Photos Inc., 1600 W. Flagler St., had been involved in the Watergate case.

"It had nothing to do with Watergate. There definitely isn't any question about that," he said.

THE FATHER and son are skeptical. "Nothing seems so far-fetched any more," said the father. "Big Brother," said the son.

Watergate investigators tend to believe that Richardson became involved by mistake. They think Barker, an ex-CIA agent, took film from an earlier Watergate break-in to the photo shop, expecting Jenaro Perez, an employee, to process it. Perez is an ex-CIA agent.

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 Being Investigated

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# 77 Segretti Calls to Floridians Uncovered

By DOUG CLIFTON  
And ROB ELDER  
Herald Staff Writers

Donald H. Segretti, the Republican operative accused of political dirty tricks and sabotage directed and financed by the White House, conducted a Florida campaign that only now is being uncovered by the FBI and other investigators.

Already indicted for authoring a phony letter that smeared three Democratic candidates in the Florida presidential primary, Segretti also visited the state at least twice during the election campaign and placed a minimum of 77 phone calls to Florida residents, The Herald has learned.

Smiling but fidgety, the five-foot-two, boyish-faced young Los Angeles lawyer stood silent in Tampa Thursday while his attorney pleaded not guilty for him to a misdemeanor charge involving the letter. Segretti would not even tell reporters his age, sometimes reported as 31 and sometimes as 28.

But other people were talking — to FBI agents who spurred around the state last week questioning Segretti's Florida contacts. And although an Orlando grand jury ended its term after hearing some testimony in the case Friday, U.S. Attorney John Briggs said a Tampa grand jury will continue the inquiry into whether Segretti's work hatched other "political crimes" in Florida.

contacted by Segretti — and all of whom deny he asked them to do anything improper — are known to include Martin Douglass Kelly, 22, Dade-Broward Young Republican and former campaign aide to defeated GOP candidates Ellis Rubin and Mike Thompson. Segretti placed at least 51 calls to Kelly's Miami and Fort Lauderdale phones.

Kelly, who testified Friday before the Orlando grand jury, has said Segretti, using the name "Simmons," called him to talk about "the Democratic primary, Muskie and Lindsay" and other political matters and "wanted me to help with the Young Voters for the President at the convention."

Kelly has denied to investigators that Segretti "ever asked me to do sabotage." But The Herald's attempt to reach him for comment Friday and Saturday were unsuccessful.

FROM A TAMPA motel in late 1971, Segretti, again using the name "Donald Simmons," placed three calls to James Griffith, a middle-aged staff member at the Florida Citrus Mutual office in Lakeland. Griffith confirms getting one of the calls.

"He wanted to know about Young Republicans in the area . . . I assume he called me because he knew my son." Griffith said his son, Atlanta lawyer Kenneth Griffith, met Segretti while both were in the U.S. Army

Judge Advocate General's Corps. Kenneth Griffith also was called by Segretti and was asked to campaign for President Nixon and to organize young Republicans, but declined, according to his father, for business reasons.

The elder Griffith says that "there was no intimation he (Segretti) was interested in clandestine activities." Griffith told Segretti he didn't know any Young Republicans, but he did give him the name of Dr. Victor E. Vaile, a Winter Haven dermatologist and then Republican Party chairman of Polk County.

VAILE RECALLS talking to a caller who identified himself as "Simmons": "He said he was active in politics and was working for the Nixon campaign.

"I'm quite sure he didn't suggest anything dirty."

Segretti called Vaile on Dec. 1, 1971. Investigators also believe Robert Benz, 25, former Tampa Young Republican chairman and Segretti's unindicted co-conspirator in the bogus letter case, placed a call to Vaile's number eight months later, on Aug. 8, 1972. Vaile says he doesn't know Benz and doesn't remember any call from him.

Segretti himself is known to have placed calls to still other Florida phones, including an office phone at Avanti Press. The Hialeah printing company is owned by Jose Arriola, a Cuban exile whose phone number was carried in

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FLORIDIANS who were

the address books of Water-gate burglars Bernard Barker and Eugenio Roland Martinez.

**ARRIOLA TOLD** Herald reporter Roberto Fabricio last week that he knows Barker and Martinez — but he denied getting the four calls Segretti placed to Avanti Press last May. Explaining that he has had a turnover of at least 50 employes, Arriola suggested that the calls might have gone to one of them. But whoever got the calls, Avanti Press printed no political propaganda, he said.

Another phone number called by Segretti is that of Sarasota lawyer William Krag, a pro-Nixon Democrat who denies having talked to Segretti and who insists no one in his office did either.

At the time Segretti called Krag's office number, the lawyer had an assistant who is no longer there. Krag refused to tell The Herald the assistant's name or where he could be found.

Krag, like Dr. Vaile and operators of a motel where Segretti stayed in Tampa had a visit from the FBI last week. So did Doug Kelly's former landlord in Fort Lauderdale.

Roger Silversmith, the landlord, asked an agent what it was all about.

**"YOU'LL READ** about it in the papers," he says he was told.

In trying to figure out what Donald Segretti was up to in Florida, the FBI has, as a starting point, a list of phone calls which is suggestive and yet inconclusive.

In addition to the 51 calls to Kelly, there were 16 to Benz, the Tampa Young Republican who helped with the Muskie letter, three calls to Griffith's number, two to Vaile's and one to Krag's.

On each of seven separate dates — April 3, 10, 25 and 27, May 3, June 7 and July 5 — Segretti placed calls to both Benz's number in Tampa and Kelly's numbers in either Miami or Fort Lauderdale.

ON JUNE 24, numbers in Inglewood, Calif. were called from Benz's phone and from Kelly's phone. Inglewood is a Los Angeles suburb. Segretti lived in Los Angeles when he wasn't criss-crossing the country. But there is no known link between the unlisted Inglewood numbers and Segretti. And the Inglewood number called from Kell's phone is not the same Inglewood number called from Benz's phone.

As last summer's nominating conventions neared, Segretti's calls to Florida grew more and more numerous. By early July he was calling Kelly's numbers almost daily. On July 11, the second day of the Democratic Convention in Miami Beach, Segretti placed three calls to Kelly's Broward number.

After that the calls dwindled until early August, when they apparently ceased altogether. Segretti is known to have been in Miami during the Republican Convention, which opened Aug. 21. (Segretti also was in Florida earlier, on Nov. 30 and Dec. 1, 1971, when he stayed at the Causeway Inn in Tampa and met with Benz, according to a federal indictment, to plot the Muskie letter.)

**THE ONE THING** that seems unmistakably clear about all this is that Segretti was very interested in making contacts among Florida Young Republicans in general — and with Doug Kelly in particular.

Kelly has told investigators he got only a few of Segretti's calls and that on some of them — he wasn't at all clear about this — he may have been told to hang up and to call "Simmons" back at another number later. Has he ever met Segretti in person? "Not to my knowledge." Segretti may have picked him, Kelly has suggested, because of his work in GOP politics.

Active in Young Republican circles since his college days, when at the

University of Miami he was second vice chairman of Florida College Republicans, Kelly says that along with the Segretti calls he received "dozens and dozens" of others concerning legitimate party business.

When Segretti first started calling him, Kelly lived with his parents, retired Air Force Lt. Col. and Mrs. J. D. Kelly of Miami. Last June, when Segretti began calling more often, Kelly and a friend rented an apartment in a Broward singles complex, Town and Country. The friend and roommate was Paul Gougelman, now legislative assistant to State Rep. Dan Bass in Tallahassee.

**GOUGELMAN** says he and Kelly shared a phone and both made a lot of long distance calls on Republican business. Gougelman denies he ever talked to Segretti or knew, at the time, of Segretti's calls to Kelly.

Many of Kelly's calls had to do with two political campaigns he worked in during the summer of 1972 — those of Ellis Rubin and Mike Thompson.

Rubin, a Republican who unsuccessfully attempted to unseat U.S. Rep. Dante Fascell, says Kelly conducted a survey which "had a great influence on my decision to run."

But neither Kelly nor Segretti had anything to do with his fiery crusade — also unsuccessful — to keep Miami Beach from providing a campsite for convention demonstrators, Rubin says. That was all his own idea, he insists.

Rubin says he never talked to Segretti. He fired Kelly, he says, because the young man became "too bossy." Kelly then went to work for Thompson, the Republican who ran unsuccessfully against Florida House Speaker Richard Pettigrew for a seat in the state Senate.

"I knew him to be honest and trustworthy," Thompson says of Kelly. When he

learned Segretti had telephoned Kelly, Thompson says he questioned Kelly about it "very closely" and was satisfied with Kelly's explanation:

"He assured me he had only spoken to Segretti about 10 or 12 times and each time Segretti asked him to help out at the convention. Doug told him he was too busy with school."

Thompson and Kelly ended their campaign trail on friendly terms, and Thompson got Kelly his present job, as an administrative assistant for Italcambio Inc., 1470 NE 129th St., a North Miami coin-minting company.

**BOTH THOMPSON** and Kelly also played roles in the GOP Convention. Claiming policemen did nothing to keep anti-Nixon demonstrators from banging on his Lincoln Continental, Thompson sued the City of Miami Beach on opening day of the GOP Convention. At a crucial point during street demonstrations, Police Chief Rocky Pomerance was summoned to court in connection with the suit, which Thompson filed before Circuit Judge Shelby Highsmith. Pomerance ignored the hearings.

Kelly's part in convention activities is less clear. He is understood to have told State Attorney Richard Gerstein's office that he contacted people in the Miami area and asked them to work at the convention. According to Kelly, the work involved such logistics as meeting airport arrivals, providing drivers and arranging tours.

But Gougelman, Kelly's former roommate, recalls Kelly in another convention role as well. Before the convention, Gougelman says, he, Kelly and a neighbor received calls from Mike Carr, a Gainesville Young Republican and Young Americans for Freedom leader who had gone to Washington to work for the Committee for the Re-election of the President.



**CARR ASKED** them "to help out with a pro-Nixon war veterans group that was coming to Miami for the convention," Gougelman recalls. According to him, Kelly and the neighbor agreed and worked with the group, called Vietnam Veterans for a Just Peace.

(Gougelman says the neighbor was "more involved" than Kelly with this organization. Unsuccessful attempts were made to reach the neighbor for comment.)

A handful of young men did appear at the convention, identifying themselves as pro-Nixon veterans who had served in Vietnam. They made an obvious attempt to counter-balance the much larger Vietnam Veterans Against the War, which brought 600 demonstrators to march in opposition to Nixon.

One of those identifying himself as a pro-Nixon veteran, a young man who said he was Stephen McEed an anti-Nixon women's demonstration in front of Convention Hall. Another pro-Nixon vet, Russell Vest of Fort Myers, told Herald columnist Charles Whitard that the group had been organized by Mike Carr.

**THUS CARR** definitely seems to have been connected with Vietnam Veterans for a Just Peace, although Kelly's connection is less clear.

Last week, William Rhatican, now an aide to White House press secretary Ronald Ziegler and formerly an assistant to former White House special counsel Charles W. Colson, said Colson set up Vietnam veterans groups to back Nixon. These appeared to be volunteer organizations.

In fact, Rhatican said, they used GOP campaign funds.

Mel Stevens, a consultant to the Veterans Administration, was loaned to Colson to set up a pro-Nixon veterans group that also used government money. This apparently was Vietnam Veterans for a Just Peace, whose Florida work was coordinated by Carr as an employe of CRP.

Carr now works for U.S. Sen. Edward Gurney, the Florida Republican on the Senate's Watergate investigating committee whose hearings are being broadcast on national television.

**WHEN HERALD** Washington correspondent Phil Gailey attempted to inquire last week about Carr's former role with CRP and the veterans' group, he met a solid wall of silence.

Carr himself at first agreed to discuss it over lunch, then abruptly canceled and referred Gailey to Sen. Gurney's office.

Gurney's office promised a statement by Friday afternoon — then didn't deliver and said no information would be available until Monday.

And CRP at first agreed Friday to provide information about Carr on Saturday — and then Saturday morn-

ing said there would be no statement.

**IN THE ABSENCE** of any information linking Segretti with Carr — except very tenuously through Kelly — the refusal of Washington Republicans to talk about Carr was unexplained.

Equally unexplained are a series of events which attracted no more than passing attention when they occurred during the GOP Convention in Miami Beach but are now being reexamined in light of the Watergate web of intrigue in which Segretti played a key role.

For example:

As anti-Nixon Vietnam Veterans Against the War marched into Miami on Aug. 20, the day before the convention opened, a dozen Cubans showed up to jeer at them — and then disappeared.

On the same day, a Gainesville man was arrested just outside the Flamingo Park demonstrators' campsite. VVAW members claimed they caught Stephen McHugh with Molotov cocktails and wrist rocket slingshots — the very kinds of weapons the Nixon Administration's Jus-

tice Department had accused the VVAW of conspiring to use at the convention. McHugh — who is not a VVAW member — paid a \$100 fine and was released.

**AS THE** convention opened on Aug. 21, pro-Nixon Cubans demonstrated outside the hall and a few of them attacked anti-Nixon youths who were carrying out a separate demonstration.

The VVAW made an orderly march to Miami Beach High School, staging area for National Guardsmen who were held in reserve (and never used) for possible riot duty. Seven young men climbed to the high school roof and were arrested.

More

All were identified at the time as VVAW members. Last week a Herald investigation determined that only one of the seven was a VVAW member — and the other six could not be located at the addresses on their police booking records.

On Aug. 23, a group of pro-Nixon blacks physically forced their way into the demonstrator campsite, injuring one VVAW member.

And while the VVAW and other mainline anti-war groups kept their demonstrations for the most part peaceful, other groups that never had been heard of before and that have not been seen since — such as the "Attica Brigade" and the "Black Guard" — roamed the streets of Miami Beach, trashing the city, slashing tires and setting off a massive police counterattack which drenched the entire scene in tear gas.

**NO EVIDENCE** links any of this with Segretti or with any of his Florida contacts. But the Florida investigation is continuing amid almost daily reports of new accusations that the White House and the Committee for the Re-election of the President used infiltrators, spies and provocateurs in the 1972 campaign.

Strangest of all is the scattered evidence that suggests that Segretti and the Watergate burglars, whatever else they may have done, possibly also played a part in lining up the legal, legitimate and above-board side of the Miami Beach convention.

For example, there is Kelly's statement that Segretti wanted him to help with Young Voters for the President, the 3,000 fresh young faces who came to town to form an almost constant backdrop for the Nixon renomination and to counter the notion that youth was opposed to four more years of Nixon Republicanism.

**THE NIXON** youngsters were an ever-present cheering section; they looked great on television; and careful arrangements were made to feed, house and transport them while they were here.

The Young Voters for the President ended up sleeping elsewhere, but before the convention an attempt was made to find them accommodations in dormitories at the University of Miami.

UM housing director James Grimm recalls how two men came to see him about this last May. Grimm recalls one of the men only as a member of the Young Republican; he does not recall the name.

The other man was a Mexican who then was little known outside Cuban CIA circles. Now he's famous — as Eugenio R. Martinez, one of the Watergate break-in squad.

(Mount Clipping in Space Below)

# 'Miami 4' Resisted Pressures To Sell Silence, McCord Says

By PHIL GAILEY

Herald Washington Bureau

WASHINGTON — The decision by four Miami men involved in the Watergate bugging to sell their silence did not come easy, convicted conspirator James McCord Jr. said Tuesday.

In testimony before a Senate committee, McCord described how the four became "emotionally overwrought" as they tried to resist pressures to plead guilty and remain silent even into the first days of the Watergate trail, which began Jan. 8.

McCord said that one of the men, Bernard Barker, a Miami real-estate agent, was particularly emotionally wrenched as the pressure became intense.

BARKER was one of the "Miami Four" involved in the Watergate bugging. The others are Eugenio Martinez, one of Barker's real-estate salesmen; Virgilio Gonzales, a Miami locksmith; and Frank A. Sturgis, an aluminum-door salesman and self-professed soldier of fortune.

They pleaded guilty to their role in the break-in at Democratic headquarters in the Watergate and face maximum prison sentences of 35 years each.

McCord testified that Barker told him on several occasions—including the first two days of the trial—that E. Howard Hunt, another convicted Watergate conspirator, and others had pressured the "Miami Four" to plead guilty in return for a promise of executive clemency, financial support for their families and "job or rehabili-

tation" while in prison.

McCord said that Barker described the pressure as "intense."

"HE (BARKER) stated first that he was planning not to plead guilty and then, subsequently, as the days progressed during the week (of the trial) itself, he began to tell me that he was thinking more and more seriously about it," McCord told the committee.

"As I recall, about Wednesday of that week, roughly — in that week sometime — he seemed to have his mind made up that he would go ahead and accede to the pressure and plead guilty," McCord said, and he put it in just about those words, and to accept the executive clemency.

"He was in a pretty highly emotional state at one point in time, the first day or two, stating that he was fighting the pressure as best he was able, and it was clear from his demeanor that he was very worked up and very emotionally overwrought — split between what he was being forced to do and what he felt perhaps he ought to do in going ahead to proceed with the case and to see if he could get a fair trial."

McCord said he thought all four men were under the impression that President Nixon himself had authorized executive clemency for them in return for their silence.

HE SAID that Martinez, Sturgis and Gonzalez also talked to him in the courtroom corridors during the trial about pressures they were coming under to plead guilty.

According to McCord, the four never discussed Hunt's authority to promise executive clemency.

"The focus of their concern," he added, "was what should they really be doing about it and what concern they had if they did not do it, or if they turned it down, what would be their future and what was going to happen during the trial. So there wasn't much at all in the way of who was doing it and where it came from. Our general context of discussion was that everybody understood that there was only one place that executive clemency can stem from, so nobody had any reason for discussing it."

Henry B. Rothblatt, former attorney for the four Miami defendants, asked about "intense pressure" on his then-clients, said:

"I KNOW all about (pressure). I'd be a pretty stupid attorney if I didn't know all the facts, but I cannot discuss that because of the client-attorney relationship that existed, and so they have the privilege to keep me from testifying. Unless they release me from that privilege, I am bound to silence.

"I refused to enter a plea of guilty because of what I felt were obvious circumstances, and so since they wished to enter a plea of guilty, I withdrew from the case."

McCord said that Hunt first spoke of executive clemency in early October 1972 and "mentioned it in al-

(Indicate page, name of newspaper, city and state.)

21A

MIAMI HERALD

MIAMI, FLORIDA

Date: 5/23/73

Edition:

15-9

most every call thereafter."

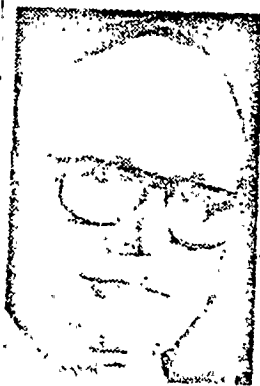
Hunt's wife, who later was killed in a Chicago plane crash, also relayed a promise of executive clemency to the defendants, McCord testified.

**ASKED IF** Mrs. Hunt ever mentioned who authorized her to make the offer, McCord said he couldn't recall. However, he said she told him that she had been in touch with Kenneth Parkinson, one of the attorneys for the Committee to Reelect the President, on the matter and that her husband had communicated with another reelection committee attorney, Paul O'Brien.

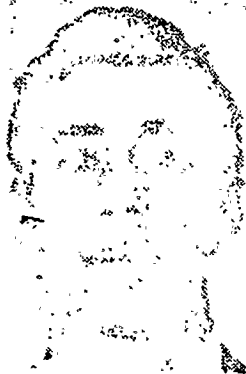
Before he began his testimony, McCord was asked by Samuel Dash, committee majority counsel, not to refer to "the Cubans" or "Cubans" as he had in earlier testimony.

Dash said that "a number of Cuban-Americans and others of Latin nationalities" had expressed concern over that fact that McCord had referred to other Watergate conspirators by their proper names, but had spoken of the four men from Miami as "the Cubans."

McCord assured the committee that he had not intended to cast aspersions on the ethnic background of the men.



**Bernard Barker**  
... 'overwrought'



**Virgilio Gonzales**  
... locksmith



**Frank Sturgis**  
... door salesman



**Eugenio Martinez**  
... Barker employe

(Mount Clipping in Space Below)

# Gerstein pushing quiz of Barker's crew here

MAY 23 1973

By VERNE O. WILLIAMS  
Miami News Reporter

State Attorney Richard Gerstein will push his own investigation into illicit activities of Watergate figure Bernard Barker's alleged crew of traveling burglars because of an apparent lack of interest at the Department of Justice in Washington. The Miami News learned today.

In the last few days investigators under Gerstein's chief investigator, Martin Dardis, have subpoenaed a half-dozen Miami-area Cubans who took part in known incidents ranging from the break-in at the office of Daniel Ellsberg's psychiatrist in Los Angeles to counter-demonstrations at the funeral of J. Edgar Hoover in Washington.

It was learned that Gerstein sent word to Earl Silbert, top assistant U.S. attorney on the Watergate case, that several of the Cubans would lay bare the facts about other illegal acts in the Washington area if they were granted immunity.

Silbert has not replied and Gerstein has taken steps to work out other immunities for those self-confessed conspirators allegedly recruited by Barker for various ventures in 1972.

It was learned that Felipe De Diego, an admitted Ellsberg burglar, agreed in writing to talk about other jobs of which he had knowledge and which were reportedly

arranged by Barker. Barker is one of seven men convicted in the Watergate bugging attempt.

"If I am granted immunity I will give a full and complete disclosure of my

criminal activities in Washington, D.C.," De Diego wrote in a memo.

De Diego has denied to reporters that he participated

Continued on 8A, Col. 3

## Cubans get subpenas in Barker case

Continued From 1A

In a mysterious burglary at the Chilean Embassy at 1736 Massachusetts Ave. in Washington.

However, reports have spread through the Cuban community in Miami that a crew of men was recruited to obtain photographs of documents that might help upset the regime of Marxist-leaning President Salvador Allende of Chile.

(Indicate page, name of newspaper, city and state.)

1A

MIAMI NEWS

Date: 5-23-73

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

Being Investigated

101

(Mount Clipping in Space Below)

# Sought Link of Castro Aid To Democrats, Barker Says

(Indicate page, name of newspaper, city and state.)

1A

MIAMI HERALD

MIAMI, FLORIDA

WASHINGTON — Bernard L. Barker testified Thursday that he led a spy squad into the burglary of Democratic national headquarters because he was told he was working for a secret "national security" organization "above FBI and CIA."

The assignment, Barker said, was to locate and photograph documents proving that the Democrats and Sen. George McGovern were getting contributions from "leftist organizations inclined to violence in the United States" and from Communist Cuba.

No such evidence was found, Barker conceded, but he denied that he was engaged in mere political spying for the Nixon campaign.

"I PERSONALLY was convinced at the time, and I am today, too, that what I did at that time was correct," said the Miami realtor, who is lodged in Cellblock 4, District of Columbia jail, convicted of conspiracy, burglary and bugging.

His "prime motivation" for becoming involved in Water-

gate, Barker said, was the hope that highly placed government officials would later assist in "a Cuban liberation operation."

Three other Miamians — Eugenio Martinez, Virgilio Gonzales and Frank Sturgis — were convicted with Barker.

Barker, led before the Senate Watergate committee by two U.S. marshals, highlighted a day in which the panel scheduled additional hearings for next month to get back on track after bogging down in side disputes among other witnesses.

The additional hearings will be held June 5, 6 and 7.

BARKER'S testimony added little to the evidence about the Watergate scandals. He was simply taking orders, he said repeatedly, and had no idea who the higher-ups were in the "paramilitary operation," as he called the burglary.

But for two hours and 37 minutes, Barker, his voice cracking with emotion, offered extraordinary insights into the secret world and mind of a trained spy.

Born in Havana of American parents, Barker, who is 56, regarded himself as a patriot of two lands.

"Whether I want to or not, I am a bilingual American-Cuban who is dedicated to the cause of the liberation of Cuba," he said.

"I am part of a team with which I am very proud to be associated," said Barker in a choked voice. "We'll have to live with the word 'burglar.' But we resent, very emotionally the words that we were hired.

"There was no need to buy our silence. We were not for sale. . . . We're just plain people who very truthfully believed that Cuba has a right to live."

It was that dedication, according to Barker, that threw him together more than 12 years ago with E. Howard Hunt, a retired CIA agent who is now a fellow prisoner in the D.C. jail, convicted of the same Watergate crimes.

HUNT WAS the head of the CIA's ill-fated Bay of Pigs invasion. Barker was the second in command.

"Eduardo," said Barker, re-

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referring to Hunt by his CIA code-name, "represents the liberation of Cuba, the anti-Communist symbol. It represents the government of the United States in one form, in its covert form."

Hunt is still his hero, Barker made it clear. And, judging by their questions, a number of the members of the Senate committee suspected Barker might be covering up for his old comrade in arms.

Convicted Watergate conspirator James McCord Jr., another former CIA man, has testified that he and the other defendants, including Barker, were under intense political pressure to plead guilty at their trial and remain silent.

McCord described Barker and his team of three Miami Cubans as "emotionally overwrought" at the pressure, which he said came from Hunt. McCord quoted Barker as saying Hunt had offered money and eventual executive clemency in return for guilty pleas.

Barker, however, denied that Hunt had pressured him to plead guilty or offered executive clemency. He sidestepped questions about whether his CIA-instilled "discipline" would allow him to tell even if Hunt had exerted such pressure.

Sen. Daniel Inouye (D., Hawaii) asked Barker: "An important part of the discipline and procedure of covert operators would be silence. Isn't that what you told us?"

Barker replied, "That is correct, yes, sir. Silence is part of the very nature of a covert operation. When you are captured by the enemy, you don't talk."

Inouye asked later, "Would I be correct to assume that, under those circumstances, you would never implicate Mr. Hunt, and you would forever keep silent?"

"This is a hypothetical question," Barker said.

But Barker did concede that Hunt's wife had given him as much as \$47,000 after the Watergate arrests for bail, legal fees and "expenses."

McCord has alleged that the cash came from the Committee for the Re-election of the President and was intended as "hush money."

But Barker claimed there were "absolutely no conditions" attached to the payments.

**THE MONEY**, Barker said, "was received in the same spirit and under the same conditions that would have been similar in a CIA operation."

"Comparatively, it is based on the following philosophy: If you are caught by the enemy, every effort will be made to retrieve you. All expenses will be taken care of, and your family will be provided for."

Therefore, Barker continued, he and his companions, all of them with CIA backgrounds, were not surprised when the payments began.

But he acknowledged a nagging worry about the entire situation. "There was a doubt in my mind at that time to the effect of, 'What did it mean? What did national security mean, as above FBI or CIA?' And that question has still not been solved in my mind."

As Barker related it, his involvement in what was to grow into the Watergate scandal began on the 10th anniversary of the Bay of Pigs, April 17, 1971, when he found a note from Hunt pinned on his door.

"IF YOU ARE the same Barker I once knew, contact me." Barker said the note read. It was signed "Howard."

Hunt, according to Barker, was in Miami under an assumed name to attend a Bay of Pigs anniversary celebration. Still a willing and faithful soldier, even after 1 1/2 years, Barker said he immediately telephoned Hunt at his Miami Beach hotel.

"We kept in contact after that without anything special being brought up," he said. "I quite frankly waited until Mr. Hunt would tell me if there was any other reason

other than social reasons — in the hierarchy, remember that he was my boss — and I expected him in his good time to tell me if there was anything else, and eventually he did."

The first assignment turned out to be the burglary of the office of a Los Angeles psychiatrist who was treating Pentagon papers defendant Daniel Ellsberg.

Barker recalled that Hunt asked, "Would I be willing to help him in a matter of national security?"

**ACTING** on Hunt's instructions, Barker related, he recruited two other members of Miami's Cuban exile colony for the Ellsberg burglary — Martinez, who "had in his record over 300 infiltrations into Castro Communist Cuba," and Felipe De-Disgo, a former member of "Operation 40, which had been specially trained to capture documents of the Castro government."

The three flew to Los Angeles in early September 1971 and were told only 30 minutes before the "Ellsberg surreptitious entry" what their target would be.

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From the Ellsberg incident, other assignments naturally followed, Barker said. He and a group of 10 Cubans attended the funeral of J. Edgar Hoover in Washington in May 1972, to "infiltrate" a group of anti-war demonstrators, including Ellsberg.

Then there were four attempts to enter the Democratic national headquarters, two of which were successful, the last ending in the arrests and began the scandal.

McCord has said Barker and the other Miamians may have been misled by Hunt into believing the Watergate

affair was a CIA operation. Asked Thursday if he thought it was, Barker replied:

"In the first operation in which I was involved, I was told — I'm speaking of the Ellsberg operation — that it was a matter of national security, of high sensitivity, that it involved a traitor to this country who had given information to a foreign embassy, he or his associates

"Since then, I have been told nothing different of any other operation."

"It was explained at that particular time and place that national security was above FBI and CIA."

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The special unit was created, Nixon said, some time after he approved a never-implemented intelligence program that included authorization for "surreptitious entry — breaking and entering, in effect . . . in specified situations related to national security."

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**BARKER SAID** that, beyond Hunt and convicted conspirator G. Gordon Liddy, whom he knew only as "George Leonard," he had no idea who his "backers" were.

"Who did you think your backers were?" asked Sen. Herman Talmadge (D., Ga.)

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Following Barker on the stand was Alfred C. Baldwin III, an ex-FBI agent who monitored the tapped tele-

phone lines from Democratic headquarters. Baldwin repeated what he had said at the January trial — how he had watched helplessly from a Howard Johnson's motel room across the street as police moved in to arrest the spy squad at the Watergate.

**BALDWIN**, who cooperated with the government and has not been prosecuted, said he, too, never questioned the legality of the Watergate operation.

At the morning session of Thursday's hearing, McCord's former attorney, Gerald Alch, challenged McCord to a lie detector test to see which one has been telling the truth to the Watergate committee.

The challenge by Alch, the first witness to seriously question McCord's credibility, prompted an open split between the committee's dominant members, North Carolina Sen. Sam Ervin, a Democrat, and Sen. Howard Baker, the Tennessee Republican.

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MAY 25 1973

By CLARK HOYT  
Herald Washington Bureau

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Turn to Page 22A Col. 1

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— MIAMI HERALD

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Being Investigated

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(Mount Clipping in Space Below)

# Implicated Cubans Are Heroes To Miami's Exile Community

MAY 25 1973

*Bernard Barker*  
By ROBERTO FABRIZIO  
Herald Staff Writer

Not everybody thinks Miami's Watergate defendants are third-rate burglars.

"These men are heroes who believed they were fighting communism. We should give them a medal instead of throwing them in jail," said Attorney Mario Lazo recently.

Lazo made that remark while appearing on William Buckley's "Firing Line" program with E. Howard Hunt, of the Watergate Affair. They both were discussing past CIA operations.

A MIAMI Cuban woman expressed dismay and bafflement while watching the Senate Watergate proceedings in front of a Little Havana television store.

"It is a new world, I don't understand how they can do this to this great President and to these patriots," she said.

The world, in a sense, did pass her, Barker and his Watergate friends by. As illogical and bungling as their action appears now, the Miami Cubans implicated were just doing the natural thing.

"We are just plain people," said Barker in his concluding testimony before the Senate committee. "We are just plain people who believe that Cuba has a right to be independent."

BARKER AND the others are the remnants of a U.S.-trained and U.S.-sponsored group of Cubans who were

## NEWS ANALYSIS

geared and directed to work surreptitiously toward the liberation of their country through whatever means they found necessary.

Like many of the obsolete armaments created during the Cold War years, most of which have never been used, the Cuban exiles were trained and psychologically motivated by the United States.

The Central Intelligence Agency funded and sponsored these groups even after the Bay of Pigs fiasco, for which they initially were recruited.

The United States pulled out from the open sponsorship of anti-Castro operations after the Cuban missile crisis in October 1962 but still continued to use anti-Castro Cubans in a more subdued fashion up until 1969. Their anti-Communist zeal and dedication was a much sought-after commodity.

AND THIS hard-line, anti-Communist zeal was bred in the congested streets of Miami's Little Havana. It is the result of the traumatic ideological and emotional experience which has its roots in the Cubans' flight to the United States.

"There were rumors in Miami that the Castro gov-

ernment was aiding the Democratic Party and more specifically Mr. McGovern," Barker said.

After more than a decade of frustration and ideological alienation by a fluid political climate that saw increased accommodation between Cuba and the rest of the non-Communist world Cuban exiles throughout the world became restless. Those trained to fight communism, like the Watergate Cubans, were even more anxious.

"It is sad to realize it now but I guess we, our group, was ripe for this kind of thing to happen to us," said Felipe DeDiego, another Miami Cuban who was involved in the Daniel Ellsberg break-in and who was with Barker in Washington for the disruption of anti-war demonstrations at the Hoover funeral.

THE TYPE of political paranoia that allowed these men to engage in political espionage believing that they were aiding the world's anti-Communist cause may seem as a smoke screen or a bland excuse to the rest of the world, but to Cuban exiles it is not as far-fetched an idea.

In a sense, because of the image that McGovern reflected through the media, he became a target among

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Cuban exiles. The Spanish attacks against him bordered on libel. His new liberal views and his admission that he might negotiate with Castro's Cuba were, like a bullfighter's red cloth, too much to resist.

Reinaldo Pico, another of the Hoover Cuban demonstrators, said it simply in a recent Herald interview:

"BARKER WAS our contact for CIA work for Cuba and everytime I would see him on the street I would ask if something was working and for a few years, he would just shake his head and say 'no'," said Pico.

"Suddenly last year he said Eduardo (E. Howard Hunt's code name) was in touch and that at last we would have a chance to work together again for Cuba," he added.

Thursday Barker claimed he felt that by aiding Hunt, in whom he said he saw "a high representative of the U.S. government," he was in a sense making an investment, doing a favor that he could come back and cash in at a later date.

Action came at a time when they felt threatened by all sides.

Perplexed and shocked by the turn of events surrounding Watergate and their fellow Cubans, most Miami exiles are likely to respond by sinking further into political apathy.

Much like the Bay of Pigs and the Missile Crisis, they see Watergate as a debat.

(Mount Clipping in Space Below)

# Police Informer Offered Guns to VVAW

By **ROB ELDER**  
Herald Staff Writer

Miami Police confirmed Friday that they hired the Cuban informer who told Vietnam Veterans Against the War that he could help them buy machine guns just before the 1972 political conventions.

"We were hoping for the overt act necessary to produce a charge of conspiracy," said Maj. Adam Klimkowski, Commander of the City of Miami Police Department's Special Investigations Section.

Police Chief Bernard Garmire confirmed that the Miami informer met with the VVAW just before seven VVAW members and one sympathizer were indicted by a federal grand jury for conspiracy to disrupt the conventions with arms, including automatic weapons.

THE indictments apparently, were based on other information. Klimkowski admitted that the veterans did not respond to the weapons offer extended by the Miami informer.

The Miami police were working "very closely" with the FBI, Garmire said, but he and Klimkowski denied that their agent was a provocateur.

"At no time would we be cast in the role of a provocateur," Garmire said. But he conceded that Pablo

Fernandez, an informant paid by his department, "was probably a funder of problems."

Klimkowski confirmed a report by The Herald last Wednesday that the mission of Fernandez, 28, a stock clerk, was to find out whether VVAW Florida coordinator Scott Camil wanted to buy weapons from militant anti-Castro Cuban exiles in Miami. Camil is one of the defendants.

"WE DID not want Camil to actually acquire weapons," Klimkowski said. "We wanted to find out what was in the back of his mind."

The FBI refused to comment because it said the defendants are under indictment.

The police officials made their statements after they were presented Friday afternoon with results of a Herald investigation that independently established that:

● Fernandez admits telling Camil and other VVAW members he knew of "50 submachine guns which were supposed to be for sale." What he did not tell the veterans, he told The Herald, was that he also knew "the FBI was watching those guns."

● Bob Davis, a staff member of the Metro Community Relations Board, says he at-

tended a meeting, about two weeks before the Democratic convention opened July 10 in Miami Beach, at which Fernandez told the VVAW that "militant Cubans" might "blow up the Center for Dialogue," an anti-establishment meeting place then used by the VVAW.

It was after telling the veterans, Davis says, that Fernandez mentioned the 50 submachine guns.

● Fernandez maintains the veterans brought up the subject of weapons and he was just playing them along for the police and the FBI. But he admits that far from being the VVAW sympathizer he was purporting to be, he had in fact just returned from a trip to Washington with Bernard Barker and other Miami Cubans to attack left-wing demonstrators at J. Edgar Hoover's funeral.

Barker and three others were arrested June 17 when they returned to burglarize the Watergate headquarters of the Democratic National Committee. Fernandez says

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he did not accompany them on that trip.

HE WAS busy, he said, spying on the VVAW for the Miami police and the FBI.

Klimkowski confirmed Friday that "Pablo's involvement with the VVAW was with our knowledge and approval." Fernandez operated out of an office called first the Strategic Intelligence Unit (SIU) and later the Defensive Intelligence Unit (DIU), whose "exclusive responsibility was to find out plans of groups that might disrupt the conventions."

The police department first made contact with Fernandez on Dec. 17, 1971, through officer Raphael Aguirre, a plainclothes member of the DIU staff.

Beginning Dec. 21, 1971, Fernandez went to the police station as often as three times a week in a series of meetings that continued until after the conventions, Aguirre said. He said that Fernandez was paid on an irregular basis — "sometimes I might give him \$10 or \$15."

BEGINNING May 30, and acting on police instructions, Fernandez had at least three meetings with Camil and other VVAW members. "I convinced them I was a leftist," he told The Herald.

The first meeting was at a Hialeah drugstore. Fernandez wore a hidden listening device planted on him by the police. The bug didn't work,



**Pablo Fernandez**  
... paid informant

Aguirre disclosed Friday, "because Pablo got out of range and we couldn't use it."

Afterward, however, Fernandez reported to the police what was said at the meeting.

The meeting recalled by Davis, the CRB official, took place at the Hialeah home of Alton Foss, then the VVAW Miami coordinator and now one of the defendants in the conspiracy case.

BY THAT time, Fernandez had also met on two occasions with the VVAW at the Miami police headquarters. The VVAW, which requested those meetings, thought they were negotiating with someone who could represent militant Cuban groups and work out an agreement for peaceful demonstrations at the conventions.

Fernandez told them he represented a particularly militant Cuban exile organi-

zation known as Abdala. In fact, he has told The Herald, he was spying on Abdala for another Cuban group.

Some of these meetings — it is not clear how many — also were attended by two Dade County Public Safety Department officers who had infiltrated the VVAW.

Foss says that these agents, Gerald Rudoff and Harrison Crenshaw, tried to "set me up" on still another occasion to meet with Fernandez to discuss a weapons purchase. He refused to go to that meeting.

KLIMKOWSKI was asked Friday whether he knew, at the time the meetings were taking place, that Rudoff and Crenshaw were in fact sheriff's deputies.

"I'd rather not answer that," he said.

The Public Safety Department has denied that its officers were provocateurs.

On behalf of the VVAW, Camil said Friday that the police disclosures "just corroborate what we've been saying the whole time — that we were coming to the convention to exercise our constitutional rights, and not to cause problems, and that what problems did occur were caused by provocateurs."

Ironically, Klimkowski agreed that for all his efforts, Fernandez never brought back anything damaging to the veterans on whom he spied.

"In fact, I guess he might make a good defense witness," the police officer said.

(Mount Clipping in Space Below)

# Informant Told Miami Policeman Of Pre-Watergate Operations

By **ROB ELDER**  
Herald Staff Writer

An informant told the Miami Police Department about the involvement of Miami Cubans in clandestine political activity in Washington before the June 17 Watergate burglary.

But the policeman who received the tip says he didn't pass it on to his superiors or to the FBI because he felt it was "vague" and "could be classified as a rumor."

Police officer Rafael Aguirre confirmed in an interview with The Herald that the informant, Pablo Fernandez, told him he had gone to Washington on May 4, 1972, for the funeral of J. Edgar Hoover, and he had clashed with anti-administration demonstrators.

The Herald quoted Fernandez Wednesday as saying his boss on that mission was Miami real-estate broker Bernard Barker.

**BARKER** and five other Miamians returned to Washington May 27 and bugged the Democratic National Committee in the Watergate complex. When Barker and three members of the group again broke into the Watergate June 17, they and James McCord, security director of the Nixon campaign, were caught and the Watergate scandal was born.

It was before the June 17 arrests, the Miami officer says, that Fernandez, who was working as a paid police informer, "mentioned he was going to take a second trip to Washington."

Aguirre, whose police job was to gather intelligence relating to the national political conventions, says Fernandez did not say why he had been asked to go back to Washington.

"He cloaked this trip with secrecy."

Fernandez previously told The Herald he knew nothing of the return trips. According to Aguirre, Fernandez said he knew about them but might not be able to go "because he was on probation . . . he killed a man."

(IN 1967, when he was a 22-year-old security guard for the Saxony Hotel on Miami Beach, Fernandez shot a fellow hotel employe in a dark room. The man died; Fernandez said it was an accident. A second-degree murder charge was reduced to manslaughter, and, on Dec. 2, 1970, Fernandez was sentenced to seven years probation).

Fernandez, now a heavy-equipment stock clerk in Miami, did not return to Washington with the group that would become known as the Watergate burglars.

Aguirre, the policeman whom Fernandez had been working for since December 1971, says Fernandez never mentioned Barker's name to him.

But a former member of the Metro Community Relations Board says Fernandez talked to him during the same period about Barker and his efforts to recruit Miami Cubans for cover work.

Ironically, this man has the same last name as the



**Pablo Fernandez**  
... told of violence

policeman with whom Fernandez was talking — Aguirre.

NOW A graduate student in Columbus, Ohio, Ben Aguirre worked for the CRB in Miami during the spring of 1972. He and the policeman, Raphael Aguirre, say they are neither related nor acquainted.

In his work for the CRB, Ben Aguirre told The Herald in an interview last week, he met Pablo Fernandez. On June 16 — the day before the abortive Watergate burglary — Fernandez came to him with "some very dangerous information which could have cost him his head and could have cost me mine . . .

"He had information in regard to Mr. Barker and Mr. Martinez (Eugenio R. Martinez another of the convicted burglars) . . .

"In essence, he was telling me Mr. Barker and Mr. Martinez were hiring groups

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of men who were to be detached to certain Democratic candidates to hassle the candidates . . . Barker had offered him money to hassle the candidates."

Fernandez did not specifically mention the bugging or burglary of the Watergate offices, Aguirre says. "I do not think he knew about it."

FERNANDEZ told The Herald he wasn't recruited for that mission, but was offered \$700 a week by Martinez to embarrass Democratic presidential candidate George McGovern "for the Republican Party." Fernandez, who makes \$800 a month in his regular job, said he turned down the offer because he already was spying on Vietnam Veterans Against the War for the police and the FBI.

The police say they paid Fernandez only sporadically, \$10 or \$15 at a time. The FBI refuses to say anything about him.

The police maintain that they did not take Fernandez seriously while at the same time confirming that they used him as an informer to gather evidence against the VVAW.

On Saturday, The Herald reported Fernandez's spy role against the VVAW, and the police confirmation that "Pablo's involvement with the VVAW was with our knowledge and approval."

But, in the same interviews, police officials said they discredited the information Fernandez brought them and finally got rid of him:

"He was told to stay away from the station . . . he was told, 'Don't call us, we'll call you'" said Police Chief Bernard Garmire.

ALTHOUGH Fernandez had been visiting regular police headquarters since Dec. 21, 1971, Garmire said he had no knowledge of the informant's work at the time.

"I never heard, the name

Pablo Fernandez until we received the call (from The Herald last Wednesday)," the chief said.

With a Herald reporter present, Garmire questioned his policeman, Aguirre:

Q — At any time did Fernandez tell you he was working for Barker?

A. — No, sir.

Q. — Did he at any time tell you anything concerning the activities of a guy by the name of Barker?

A. — No, sir.

Q. — Did anyone else tell you . . . ?

A. — No, sir.

Q. Did anyone ever tell you anything about a group of people involving Miami's intent upon conducting the activity of Watergate?

A. — No, sir.

But, when questioned by the reporter, Aguirre confirmed that Fernandez told him of the trip to the Hoover funeral and the disruption of demonstrations there — and the plans for a return trip to Washington on an specified mission.

At that point the questioning took this form:

Q. — Did you pass that information on to anybody?

A. — I can't recall whether I did or not . . . as a matter of fact, I don't think I did.

Q. — Did you think it was important?

A. — It was very vague . . . he didn't go into detail. This type of information could be classified as a rumor.

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# Watergate Burglar Files Fraud Suit

By CAROLYN JAY WRIGHT  
Herald Staff Writer

Convicted Watergate burglar Bernard Barker has filed a civil suit in Dade Circuit Court charging Miguel Suarez, his one-time business associate and an unsuccessful 1970 candidate for Metro mayor with fraud and misrepresentation.

Barker claims in the suit that Suarez and others talked him into becoming an officer of an allegedly nonexistent corporation to, in part, sell condominiums and then later dismissed him and transferred the assets of that corporation to another company.

Barker's suit further charged that Suarez won't let him see the books or records of either corporation and has not honored his purchase-sale agreements.

**BARKER**, a former CIA operative, pleaded guilty at his Watergate trial and is in jail facing a possible prison sentence of 35 years.

In the 10-page complaint, Barker asked that a receiver be appointed to take control of Biarritz Tower Inc., a Barker-Suarez firm that was to build a five-story, 27-unit luxury apartment building at 2000 Biarritz Dr., Normandy Isle, Miami Beach.

Barker also asked that an accounting be made of Biarritz Tower and Interprop Inc., and that he be awarded more than \$5,000 in damages. Barker said in the suit that Interprop Inc. is a Suarez firm which now holds the assets of Biarritz Towers.

Wednesday, Suarez said Barker's allegations are false and he will deny them in court.

He also said Barker had never been a director or stockholder of Biarritz Tower Inc. and that no one—"not even the Pope"—who was not a stockholder or director had a right to the company's books.

Suarez said he and Jose R. Garciga are the sole stockholders now. He admitted that Barker signed a \$495,000 construction loan for the project but said Barker's role was limited to that of company secretary, a position Barker held "for a couple of weeks — two or three weeks."

A company secretary is an officer but not a director or stockholder of the corporation, Suarez said.

**ALONG** with Suarez, a business associate of Barker's in several condominium-building transactions, Barker named as defendants in his suit Isak Lesnick, who along with Abram Wasserstein, sold Biarritz its land, Garciga, identified as treasurer and a director of Biarritz, Guillermo Alonso Pujol, a former vice president of Cuba, and the Interprop and Biarritz corporations.

According to the suit, Barker, a real estate broker, was persuaded by Suarez and Garciga to enter into a contract with them on March 30, 1972.

That contract, Barker said, made him a director of Biarritz Tower, Inc., and gave him 25 per cent of the company's net profits for overseeing the apartment construction and selling the condominiums.

His entrance into the company, however, and sub-

sequent dismissal by Suarez and Garciga, was the result of "fraudulent misrepresentation" and an expulsion that was contrary to the terms of his contract, Barker's suit said.

"That's ridiculous," Suarez said Wednesday. He denied he had even hired Barker to supervise apartment construction. "That man had never even built a dog-house. He was without experience."

Suarez also said there was never a contract — "written or oral" — and that Barker had no authority to enter into purchase-sale agreements. If Barker did, Suarez said, that constitutes "a fraud on us."

**ACCORDING** to the suit, Suarez and Garciga knew "or should have known" when they recruited Barker that Biarritz Tower, Inc. did not exist. It was dissolved nine months earlier, Barker's suit said, for failure to pay capital stock taxes.

In addition, Barker's suit charges that Suarez, Garciga and Pujol "willfully, intentionally, wrongfully and fraudulently" transferred the assets of Biarritz Tower to Interprop and have continually denied him access to the books and records of both corporations.

Biarritz Tower Inc., Suarez said, is a Florida corporation that "owns a piece of property on Normandy Isle." The apartment project, he said, began last June about the same time Barker went to jail and is near completion.

Barker, according to the suit, fulfilled his contractual obligations until he was informed by Suarez and Garciga "that his services were no

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longer wanted."

Suarez and Garciga also "wrongfully terminated" the services of general contractor Hiram Gonzalez, Barker's suit said. Gonzalez was to construct the Biarritz Tower project.

**IN ONE** count of the six-count complaint, Barker said that the corporate structure of Biarritz had been reorganized so that he no longer is an officer or director, that he was refused the right to continue selling condominiums and that Suarez and Garciga have refused to honor purchase-sale agreements between Barker and third parties.

The suit also charges that Suarez and Garciga had demanded that Barker return deposit checks he received in connection with the purchase-sale agreements.

Suarez, Garciga and Pujol are officers and directors of Interprop Inc., Barker said, and Lesnick was president of Biarritz Tower Inc.

In his suit, Barker alleged fraud in the inducement to enter into a contract, breach of contract, preventing him from performing his contractual obligations and intentional and unjustified interference with a business relationship.

**BARKER'S CASE**, which was signed and sworn to by him last Dec. 29, has been assigned to Circuit Judge Francis X. Knuck. It was filed last Wednesday.

Prior to the suit, Barker and Suarez collaborated on several major transactions including The Sixty One, a 16-unit apartment building on Collins Avenue in Miami Beach, the development of a 4½-unit building in Hialeah and a 27-unit building in North Miami.

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# Dade ROUNDUP



## Barker files suit against ex-partner

Convicted Watergate burglar Bernard Barker, in jail and facing up to 35 years in prison, has filed suit against a one-time Miami business associate.

Barker claims in the suit, filed last week, in Dade Circuit Court that he was a victim of fraud and misrepresentation in a partnership with Miguel Suarez, an unsuccessful 1970 candidate for Metro mayor.

Barker said in the suit that in March, 1972 he was talked into becoming an officer in a

corporation formed to sell condominiums. Barker said he later learned that the corporation had been dissolved nine months earlier.

The firm, Biarritz Tower Inc. was to build and sell a five-story, 27-unit luxury condominium on Miami Beach.

The alleged events took place before Barker, a Cuban exile and Miami real estate broker, was arrested inside the Watergate complex in Washington.

Barker's suit asks for \$5,000 in damages.

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# Witness Says Barker, Sturgis Asked Him to Discredit VVAW

By DENNIS HOLDER  
Herald Staff Writer

FORT LAUDERDALE — Watergate burglars Bernard Barker and Frank Sturgis were involved in recruiting agents to discredit anti-war groups during the 1972 national political conventions, the Broward County State Attorney's Office was told Thursday.

The evidence was given in a sworn statement by Vincent J. Hannard of Miramar, a private investigator who was disqualified as a witness in a 1971 Miami narcotics case. The reason: psychiatrists testified that Hannard could neither understand the witness oath nor tell the difference between truth and lies.

In sworn testimony before two assistant state attorneys Hannard said he was contacted by Barker and Sturgis before the first of two Watergate burglaries. He said he was offered work in "intelligence and instigation" during the conventions at Miami Beach.

HANNARD claimed he received separate phone calls from Sturgis, and maybe Barker, and two others and that they asked him to help disrupt and discredit activities of the Vietnam Veterans Against the War — an organization thoroughly infiltrated by police and federal informers before and during the conventions.

Hannard said Sturgis told him that if he was not interested, he would make the offer instead to John Eck, a Miami gun dealer who also was once a registered representative of the Castro government.

Eck later said he was contacted in April 1972, but refused to say by whom, other than that it was someone involved in the Watergate case.

Assistant State Attorney Kenneth Jenne confirmed that he had questioned Hannard about his contacts with the convicted Watergate burglars. He declined to reveal details except to say he took Hannard's statement as part of an investigation into possible conspiracy to commit crimes during the two conventions.

Hannard said he told Jenne and Robert Butterworth, another assistant state attorney, that in the week prior to May 29, 1972, he received four phone calls proposing undercover convention work of the first attempt to break into Democratic National Committee offices at the Watergate hotel and office complex in Washington.

According to Hannard, each call came from a different person, and each caller tried to persuade him that it was his "patriotic duty" to help undermine the VVAW.

Hannard said Sturgis identified himself as Frank Fiorini, his name before he changed it to Sturgis. Hannard said he was sure it was Sturgis, because he has known him for more than 13 years and recognized his voice.

Hannard said another caller identified himself as Barker. However, Hannard said he never has met Barker and could not be certain who actually called him.

But the first of the four

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**Bernard Barker**

**... contacts**

calls, he claimed, came from a man who called himself Guy Hawkes. Hannard said Hawkes was an agent of the Central Intelligence Agency in Miami several years ago, and that he used to know him.

"I'm sure this call did not come from him," said Hannard. "I don't know who it was."

**THE HERALD** has been unable to confirm that anyone using that name ever worked for the CIA in Miami. A spokesman for the agency promised to check the name, then reported that no one using it has worked for the agency during the past 20 years — as far back as he checked.

Hannard said he could not give a name, if any, used by the fourth person who called him.

Hannard said he told an FBI agent, Jack Ackerly, about the calls shortly after he received them. Ackerly said he knows Hannard, but

refused to talk about conversations he may have had with him.

According to Hannard, none of the four callers told him what would be expected of him if he agreed to do the proposed undercover work. But he said each mentioned the VVAW and described the task as covert intelligence and instigation.

"It was clear from what they said that I was supposed to incite trouble or riots from the anti-war groups," he said. "I was told it would be activity pertaining to the convention and an opportunity to travel.

"And there would be great rewards when the President was reelected."

**HANNARD SAID** he was offered \$1,000 a week for that work, but that in the fourth call the offer was raised to \$1,500.

He said he turned it down because he was suspicious of the motives of the callers — but might have accepted such an offer had it come in writing and from someone he could trust.

Hannard first met Sturgis when the two were active in Cuba during the Castro takeover, he said.

Records show that Hannard was registered as a Castro agent in the United States and in Cuba in 1959 and part of 1960. He was employed until mid-1960 as a detective for Castro, reportedly as a double agent.

During that period, he gave information to the FBI which resulted in the arrest

of three persons charged with conspiring to sell stolen machine guns to the Castro government.

In 1961, he renounced support of the Castro regime and formed a group known as Freedom Fighters for America to launch an anti-Castro attack on Cuba. The effort collapsed, and the group was disbanded.

He was convicted in 1962 of impersonating an FBI agent and has been convicted of operating an ambulance service and a detective agency without required city licenses.

But he was also an informant for federal and local police agencies and was a key witness in several cases.

**IN 1961**, Hannard was credited with giving information leading to the arrest of alleged labor racketeer Charles Karpis for possessing \$50,000 worth of stolen bonds.

And in 1970, his testimony helped convict former Miami police inspector Francis Lee Napier for conspiracy to sell 875 pounds of marijuana smuggled into Miami from Jamaica.

Defense lawyers disputed Hannard's mental ability to allow investigators to record his conversations with Napier. A psychiatrist testified that Hannard didn't know the difference between truth and lies, and he was disqualified as a witness.

An appeals court set Napier's guilty verdict aside until a determination about Hannard could be made, but Napier pleaded guilty.

(Mount Clipping in Space Below)

# DeDiego: have no more to say

By LOUIS SALOME  
Miami News Politics Writer

Miamian Felipe DeDiego has told some interesting stories so far about political burglaries and undercover intrigues.

But despite some prosecutors' opinions that he has even more to tell, DeDiego insists he knows no more about politically inspired break-ins hatched before or during last year's presidential campaign.

Dade County State Attorney Richard Gerstein believes that DeDiego, if given immunity from prosecution, will talk about the burglary in May, 1972, at the Chilean Embassy in Washington.

And now, investigators from the Senate Watergate Committee have subpoenaed DeDiego, hoping that he will talk about matters such as the Chilean Embassy break-in.

Still, DeDiego insists that he has no knowledge about that break-in or anything else, and has nothing more to say.

"I do not think our group (Cuban exiles from Miami) was involved in the Chilean Embassy (break-in)," he told The Miami News in an interview Friday.

DeDiego, who was involved in the abortive CIA-directed Bay of Pigs invasion in 1961, admits to working with the CIA a number of times since then. Although he won't discuss those operations, he says they always related directly to Cuba and in no way related to domestic American politics.

DeDiego says he participated in three operations with the group of Cuban exiles from Miami who were led by convicted Watergate burglar Bernard Barker.

First, there was the break-in at the office of Daniel Ellsberg's psychiatrist on Sept. 3, 1971, in Beverly Hills, Calif.

Second, there was the trip to Washington in May, 1972, with nine other Miamians to disrupt war protests at the funeral rites of J. Edgar Hoover.

And finally, DeDiego said, he went to Washington with five other Miamians about two weeks before the abortive Watergate burglary for an operation that broke down at the last minute.

DeDiego said his involvement with politically inspired activity began in February or March, 1971, when Barker showed him a letter or a note from convicted Watergate conspirator E. Howard Hunt. At the time, DeDiego worked for Barker in real estate here.

The note said, according to Barker, "if you are the same Barker I know, please contact me." Hunt, whose code name was "Eduardo" was a key CIA planner of the Bay of Pigs invasion.

As a result of the note from Hunt, DeDiego said, he, Barker and Eugenio Martinez felt that "something is cooking." DeDiego said, "for me, it means something is cooking regarding Cuba. Cuba is the only thing we have in our minds."

Martinez, like Barker, was arrested inside Democratic National Committee headquarters at the Watergate Hotel in June, 1972.

DeDiego said that on April 17, 1971, the anniversary of the Bay of Pigs invasion, Hunt came to Miami and spoke to Barker.

On April 18, DeDiego said, Barker told him he had met with Hunt. DeDiego said

Barker told him, "There is very good news for us because I believe something is coming up for our cause." DeDiego said Barker asked him if he was ready, and DeDiego said he answered "yes."

DeDiego said Hunt and Barker met again and Hunt told Barker he was working for a "new agency," which was not the FBI or the CIA but which was set up to maintain national security.

At that time, Hunt told Barker there was a job to do in California and that he wanted qualified people.

"Among us we said we were doing something for the government and we were sure sooner or later we will get back help for our cause. That was the only reason we were involved," DeDiego said.

He said that anything the United States could do to fight Fidel Castro would be helpful because "anything is good for us when you have nothing."

DeDiego said he did not know what he was going to do when he, Barker and Martinez left for the Beverly Hilton Hotel two or three days before they broke into the office of Daniel Ellsberg's psychiatrist. "We didn't ask

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any questions," DeDiego said.

DeDiego said he and Martinez later got a briefing from Barker but never saw Hunt or heard from him. After they were told what to look for, DeDiego said, "We did it. We got inside. I did not find anything, and I don't think anybody else did either," referring to the psychiatrist's file on Ellsberg for which they were searching.

(Mount Clipping in Space Below)

# Miami-Watergate Links Probed

BY DOUG CLIFTON and ROB ELDER  
Herald Staff Writers

Two separate investigations are chipping away at a wall of secrecy surrounding Miami aspects of the Watergate scandal and related political sabotage.

Staff investigators for the Senate Watergate Committee are exploring whether Miami Cubans were involved in two additional break-ins, one in Washington and another in this city.

If a federal judge allows the Senate's televised hearings to resume today, some of the questions fired at this week's witnesses will be based on information gathered here during a weekend of virtually non-stop interviews by two committee investigators.

State Attorney Richard Gerstein's office, meanwhile, is taking new testimony regarding alleged plans by the Watergate conspirators to disrupt last summer's Democratic and Republican conventions in Miami Beach.

GERSTEIN IS also probing the possibility that White House officials were on Key Biscayne when they approved plans for bugging the Democratic National Committee headquarters in Washington.

Here's where the two investigations stood Monday:  
● Sources close to the Senate Committee indicated that it will focus this week



Felipe DeDiego  
... was questioned

on the Miami connections of, the known Watergate figures, especially former White House aide E. Howard Hunt Jr.

For the time being, these sources said, the Senate probe probably will deal narrowly with the Watergate break-in and the attempted coverup of that one crime.

But later, the focus may be expanded to include the May 13, 1972 burglary of the Chilean embassy in Washington, and the July 4, 1972 attempt to break into a safe in Gerstein's office in Miami, apparently in an unsuccessful attempt to steal files relating to Watergate.

While they were in Miami Saturday and Sunday, the Senate probers also sought to determine whether there is a Miami connection linking the Watergate operatives with the separate series of political "dirty tricks" attributed to Donald Segretti, who has

been indicted in Tampa for a phony letter that smeared three Democratic presidential candidates.

● In the other investigation, Gerstein said he is negotiating with Fred Vincent Jr., attorney for former White House staffer Fred LaRue, in an attempt to work out an agreement under which LaRue may testify here.

Gerstein wants to ask LaRue about a Key Biscayne meeting at which former U.S. Attorney General John Mitchell approved the Watergate bugging, according to sworn testimony by John Ehrlichman.

Martin Dardis, Gerstein's chief investigator, was studying a transcript of the Ehrlichman testimony Monday.

Ehrlichman's statement was made earlier in Washington.

Gerstein said he also wants to question Bernard Barker, the Miami real estate agent already convicted for the Watergate burglary. But so far, Barker's lawyer has not agreed.

● Taking a different tack, Gerstein's office was preparing Monday to take new testimony from Miamians who are known to have worked with Barker on other occasion, but who were not charged in the Watergate burglary.

These persons, it was learned, may be questioned about alleged plans to use three separate teams of Miami Cubans to foment trouble at the national conventions. Such teams were described previously in sworn statements by Angela Rohan, a Miami secretary and Pablo Fernandez, a Miami shop clerk.

(Indicate page, name of newspaper, city and state.)

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● In a related development, John Ek, a former Castro agent, gun dealer, and currently a Miami private detective, told The Herald he was contacted last April by "one of the Watergate figures."

Ek said he was offered \$50,000 to "do a bugging job in Washington, D.C." The private investigator, known as an accomplished electronic eavesdropper, said he told the caller he was not interested in the proposal.

At a later date, Ek said, he got another call from one of the Watergate burglars, who offered to buy some of Ek's more sophisticated equipment. Ek says he again refused, and then got a third call asking if he would rent the equipment. Again, Ek says, he said no.

Finally, Ek told The Herald, he got still another call from a man whose identity the detective says he can't recall. This inquirer wanted to know "if I wanted to make some money doing electronic surveillance of some of the protest groups at the Democratic Convention," Ek says. Again, according to Ek, he turned down the job.

**IN THEIR** Miami interviews during the weekend, Scott Armstrong and Mike Hershman, staff investigators for the Senate committee, questioned at least four Miamians — Felipe DeDiego, Reinaldo Pico, Jose Arriola Sr. and his son, Jose Arriola Jr.

DeDiego has admitted he helped Barker burglarize the Los Angeles office of Daniel Ellsberg's psychiatrist. Both he and Pico admit they went with Barker and seven other Miamians to Washington for the funeral of former FBI chief J. Edgar Hoover, where they tried to start fights that would disrupt speeches by Ellsberg and other anti-establishment figures.

The Arriolas operate a Miami printing firm, Avanti Press, one of whose phone numbers was called at least four times last May by Segretti.

But they insist they received none of the calls, and don't know who did.

**MEANWHILE** in Tampa, Raymond LaPorte, Segretti's attorney, filed a motion to dismiss Segretti's indictment for helping to distribute a phony campaign letter accusing Senators Hubert Humphrey and Henry Jackson of sexual misconduct.

LaPorte said the law Segretti is alleged to have broken is unconstitutional because it violates First Amendment rights to freedom of speech.

The statute makes it a misdemeanor to distribute a statement about a publicly declared candidate without properly identifying the author of the statement.

The government has charged that Segretti, with the help of Tampa accountant George Hearing and Tampa Young Republican Robert Benz, wrote the letter on stationery taken from the campaign headquarters of Maine Senator Edmund Muskie.

LaPorte's motion to dismiss the indictment will be heard today before U.S. Magistrate Paul Game. On Wednesday the Federal grand jury in Tampa will reopen its inquiry into other acts of political sabotage in Florida's presidential primary.

**U.S. ATTORNEY** John Briggs said Monday that Thomas McBride, an investigator for special Watergate prosecutor Archibald Cox, will be present at the grand jury meeting.

Briggs will confer with McBride in an effort to get a better concept of how Segretti's activities in Florida relate to the national Watergate scandal.

"He's looking at a forest," Briggs said. "And we're looking at some trees. Maybe we'll be able to help each other."



(Mount Clipping in Space Below)

# Ehrlichman-Linked To 'Hush Payments'

By CLARK HOYT  
Herald Washington Bureau

WASHINGTON — Former Commerce Secretary Maurice Stans testified Tuesday that he was told former presidential adviser John D. Ehrlichman approved the payment of Nixon campaign cash that allegedly went to the Watergate burglars after their arrests.

It was the first public sworn statement implicating Ehrlichman in what investigators have described as "hush" payments to the Watergate conspirators.

Stans told the Senate Watergate committee that he had no idea what the \$75,000 he gave last summer to Herbert W. Kalmbach, President Nixon's personal lawyer, was intended for. But Kalmbach has since told authorities it was part of \$210,000 he raised to relay through intermediaries to the burglars and their lawyers.

AT THE TIME, Stans related, he asked Kalmbach why he wanted the money and was told, "This is for a White House project

Dean Gets Limited Immunity ... 18A  
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... that I have been asked to take care of and I cannot tell you. You will have to trust me."

Kalmbach also refused to say who had approved the "urgent" cash request, except to say it was a "high authority," Stans said. Within the past month and a half, however, he said, Kalmbach told him the request was made by John W. Dean III, then White House counsel, and affirmed by Ehrlichman.

Stans, forced to appear at a televised Senate hearing despite a plea that the publicity would prejudice his upcoming criminal trial in New York, offered testimony marked

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by lapses of memory and apparent sharp conflicts with other evidence now on the public record:

⊙ He said that former Attorney General John Mitchell told him in April 1972 that he did not know why G. Gordon Liddy, later convicted at the first Watergate trial, was craving large sums of Nixon campaign cash.

Stans said Mitchell told him to ask Jeb Stuart Magruder "because Magruder is in charge of the campaign and he directs the spending."

Although it was not brought up at the committee hearing, Mitchell at the time had been director of the Nixon campaign for about five weeks, and Magruder was his deputy.

⊙ Stans' version of his conversation with Mitchell appeared to clash with testimony by former Nixon campaign treasurer Hugh W. Sloan Jr. Sloan said Stans returned from the meeting with Mitchell and Liddy, "I do not want to know, and you don't want to know."

⊙ Stans said he could not explain a confidential 1971 memo from Magruder to Mitchell that said Stans had built up a \$1 million "discretionary fund" at the Commerce Department that he was using to help the Nixon campaign.

(Indicate page, name of newspaper, city and state.)

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WATERGATE

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The memo was obtained by the committee this week, and there were indications Magruder would testify about Stans' alleged fund when he takes the witness chair, possibly this afternoon.

Stans said, "If somebody is implying that we had a million dollars set aside in the Department of Commerce to help in the election campaign, I would say they are off. I do not know what it means."

**STANS, WHO** as chairman of the Finance Committee to Reelect the President raised an estimated \$50 million for Nixon's campaign, was the first "star" witness called before the Senate Watergate Committee.

He is expected to be followed by Magruder, Dean and Kalmbach, each of the central figures in the scandal and each presumably ready to offer more than hearsay testimony about the involvement of top Nixon Administration figures such as Mitchell and Ehrlichman.

Chief U.S. District Judge John Sirica cleared the way for the appearances of Dean and Magruder by signing an order Tuesday granting them limited immunity. The order would protect the two from being prosecuted for what they say to the Senate committee, although they could be prosecuted on the basis of other evidence.

Sirica refused a request by special Watergate prosecutor Archibald Cox to bar the televising of testimony by Dean and Magruder. The judge said that he had no power under the law to impose such a restriction on the Senate panel.

**MEANWHILE** Tuesday Herbert L. Porter, former Nixon campaign aide, testified before the Watergate committee that he was told Mitchell received photographs of documents from the campaign offices of Democratic Sen. Edmund Muskie of Maine.

Mitchell at the time was still attorney general and Muskie was considered the leading contender for his party's presidential nomination.

Stans, now under federal indictment in New York in connection with a secret \$250,000 cash contribution to the Nixon campaign, agreed to testify Tuesday only after being formally ordered to do so by the committee.

His attorney, Robert W. Barker, complained that, by forcing the former Commerce secretary to answer Watergate-related questions in front of television cameras the committee was placing him "in an impossible position and a completely unfair one."

"INEVITABLY, directly or indirectly, this hearing will influence any jury which might be called to hear the case in New York," Barker said.

He asked that the committee delay calling Stans until after his trial.

But Sen. Sam J. Ervin (D., N.C.), chairman of the Watergate panel, replied, "The courts have had approximately a year to deal with these matters and justice has a habit of treading on leaden feet."

Stans denied knowing in advance of the Watergate burglary and bugging of any campaign sabotage or espionage efforts and the coverup that followed.

Although he acknowledged he is a "stickler for details," Stans portrayed himself as a man so busy with raising campaign funds he had no time to learn how the money was spent.

**HIS FINANCE** committee and Mitchell's campaign committee 'operated in watertight compartments,' totally separate from each other, Stans maintained. If anything went wrong, "it was the fault of the campaign committee."

Even within his own committee, he added, he left all the detail work up to the treasurer, not even bothering to read the disclosure reports required by law to name the sources and amounts of funds.

"I was after contributions," he explained.

Stans acknowledged that he sat in on meetings where the campaign budget was discussed, but he said his main concern was a general one — to hold cost down. He even took the issue as high as White House chief of staff H. R. Haldeman without getting visible results, Stans related.

Stans said the request for cash by Kalmbach came last June 29, just 12 days after five men had been arrested while burglarizing and bugging the offices of the Democratic National Committee in the Watergate complex.

**ON THAT DAY**, Stans testified, "I received an urgent call from Mr. Kalmbach. He said he was in Washington at the Statler-Hilton Hotel. It was extremely vital that he see me right away, and he wanted me to come over there, and I did.

"I dropped everything and went over there to see him. He said, 'I am here on a special mission, on a White House project, and I need all the cash I can get,'" Stans said.

"I said, 'I don't have any cash to give to you. Will you take a check?'" Stans related.

"He said, 'No, I can't take a check. It must be in cash, and this has nothing to do with the campaign. But I am asking for it on high authority.'"

**ALTHOUGH** Kalmbach would give him no further details, Stans said, he turned over \$75,000 in cash because he regarded Kalmbach as "a man of highest integrity, trustworthiness and honesty."

Stans identified the foreign source of \$30,000 included in the \$75,000 he gave to Kalmbach. The money, Stans said, was given to him by Ernesto Lagdameo, former Philippine Ambassador to the United States, who, Stans said, told him he was acting for himself and two business partners, Jesus Cobarrus Sr. and Eugenio Lopez Jr., also Filipinos.

Lopez is the brother of the vice president of the Philippines and a member of one of that country's most prominent families, with interests in utilities and sugar.

Stans said ultimately the contribution was rejected on advice of counsel. Later, the Department of Justice said money from a foreign national was acceptable provided the national was not an agent of a foreign government.

**FREDERICK LARUE**, another Nixon committee aide, was ultimately told to repay the money to Lagdameo, Stans said. He indicated this was eventually done.

Stans gave the committee a lengthy run-down on two controversial contributions totaling \$114,000 that found their way into the bank account of Bernard L. Barker, one of the seven defendants convicted of conspiracy, burglary and wiretapping in the raid on Democratic Party headquarters.

In his version, the sequence was legal because the money was contributed prior to April 7, 1972, when a new law requiring disclosure of contributions went into effect.

He said the money could only have gotten into Barker's account "through the hands of G. Gordon Liddy," who was legal counsel for the finance committee.

Porter's testimony concerning Mitchell and the Muskie documents came before Stans took the witness chair.

Porter, former scheduling director of the Committee for the Reelection of the President, said that in November of 1971, Magruder gave him a roll of 35mm film and a viewer and asked him to hold them in safekeeping.

When he looked at the film, Porter related, he saw that it contained negatives of photographs of "inter-office memos from staff members in Sen. Muskie's office."

**LATER THE SAME** day, Magruder returned "and retrieved the film strips, took them and said he was going to show them to Mr. Mitchell," Porter said.

"He came back and apparently he did show them to Mr. Mitchell because he was a little irate at me for not making sure that the batteries (in the viewer) worked, and apparently he got all the way to Mr. Mitchell's office and the batteries did not work, and he blamed it on me."

Porter laughed as he recalled the moment.

He said that, thereafter, he received other film strips of Muskie documents from Ken Reitz, a Nixon campaign official who reportedly recruited a "kiddie corps" of college-age spies to infiltrate the camps of Democratic presidential candidates.

On one occasion, Porter said, in early December of 1971, there was a photo of a memo urging Muskie to use a subcommittee he headed "as a great front to go to California and hold tax hearings that would be a great visual event . . ."

On instructions from Magruder the memo was leaked to syndicated columnists Rowland Evans and Robert Novak, who printed it Porter said, apparently derailing the proposed hearing.

**IN ANOTHER** instance, the film supplied to Reitz turned up an advance text of a Muskie speech opposing the Supreme Court nomination of William Rehnquist, Porter testified.

"I asked Mr. Magruder what he wanted me to do with it. He said, 'Let me check,' and he did check, and he got back to me and said, 'Mr. Mitchell would like to see it,'" Porter related.

Under strong prodding from Sen. Lowell Weicker (R., Conn.) Porter conceded that he "kind of" remembered sending copies of one of the photos of Muskie documents to White House assistant Gordon Strachan, a top aide to former chief of staff H. R. Haldeman.

"I cannot remember the exact number of instances that I sent things to Mr. Strachan," Porter said, "Mr. Strachan would get copies addressed to Mr. Haldeman of many things that I did."

Weicker asked Porter if he didn't think that the Muskie documents had been obtained illegally.

"I thought it was very surreptitious, but I did not think it was illegal," Porter replied.

(Mount Clipping in Space Below)

JUN 21 1973

# Conviction Of Barker Is Upheld

## Suspended Term In Notary Fraud

Circuit Court Judge William Herin has upheld the Miami notary public conviction of Watergate burglar Bernard Barker. *17a*

Barker was given a 60-day suspended jail sentence last November by Circuit Judge Paul Baker after he was found guilty of fraudulent use of a notary public seal.

JUDGE BAKER also ordered him to return the seal to the governor.

Barker had used the seal on a \$25,000 Nixon campaign check given to the Committee to Reelect the President.



**Bernard Barker**

... OKd check

Ettore Renaldo, a vice president at the Republic National Bank, testified at Barker's trial that he had refused to cash a \$25,000 cashier's check Barker had brought to him until it was properly notarized.

THE CHECK had been purchased from the First Bank and Trust Co. of Boca Raton April 10, 1972, by Kenneth Dahlberg, regional finance chairman for the reelection committee.

Without Dahlberg's permission, Barker notarized the check himself and returned it to the bank.

Dahlberg had taken the check to Washington and turned it over to Maurice Stans, Nixon's chief fundraiser. Stans gave it to Hugh Sloan, the committee's treasurer and Sloan testified in Miami he gave it to G. Gordon Liddy, who was later indicted and convicted with Barker in the Watergate burglary.

Barker's Miami lawyer, George L. Cardot, said he talked to Barker last week from his Danbury, Conn., jail cell and Herin's ruling will be appealed.

(Indicate page, name of newspaper, city and state.)

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Being Investigated

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# GOP Strategists Used Alias To Set Up Fontainebleu Base

By DOUG CLIFTON  
Herald Staff Writer

A team of "political strategists" from the Committee for the Re-election of the President tried to gather information and woo disenchanted Democrats during the Democratic National Convention, a former CRP member said Friday.

The operation was headquartered in a suite of rooms in the Fontainebleu Hotel. Hotel owner Ben Novack would not confirm or deny a report Friday that the suite had been reserved in the name of "Edward Hamilton," an alias used by Watergate burglar Howard Hunt.

Edward Failor, who was hired three days after the Watergate break-in, said his work in Miami Beach was largely devoted to watching the Democrats' activities and reporting them to Clark MacGregor, then chief of the re-election committee.

FAILOR DENIED that his operation was clandestine and said he could not recall who had originally reserved the rooms.

"I suggested that we establish the hospitality room when I was hired," he said. "When the plan was approved I learned that the committee had already reserved rooms at the hotel.

They were in a name that was not generally recognized so I had the reservations switched to my name because I didn't want anyone to think this was anything but an above board operation," he said.

In his testimony before the Senate Watergate Committee, Job Stuart Magruder, a former CRP deputy director, said the committee had made plans to bug the Fontainebleau, which was headquarters for the Democratic National Committee.

Failor said he had no knowledge of that plan but said it was "possible" that the original reservations had been made for that purpose.

ALSO OPERATING from the suite was Stephen D. Nostrand, a member and now executive director of Miami's bicentennial effort, Third Century Bicentennial U.S.A.

Failor said Nostrand's role was "logistical."

"He was the guy who got us the typewriters, the volunteers and the booze," he said.

Nostrand's name and phone number were among those listed in the address book of convicted Watergate burglar Bernard Barker.

In February, Nostrand told The Herald his name got into the address book after he attended a GOP planning session at which another Watergate burglar, James McCord, was present.

Nostrand was unavailable for comment Friday.

ACCORDING to George Crimen, manager of Lincoln Zonn Security Agency, the firm that guarded the Fontainebleau suite, CRP's activities were centered in the Octagon Towers apartment complex before the convention.

It was that address which appeared in Barker's book next to Nostrand's name.

"We did the same thing at the Fontainebleau that we did at Octagon for two weeks before the convention," Crimen said. "We checked ID cards."

(Indicate page, name of newspaper, city and state.)

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Being Investigated

Failor said he spent most of his time watching convention coverage on the three TV networks. In the interim, he said, he coordinated the efforts of Interior Secretary Rogers Morton and Colorado Gov. John Love, whose task it was to rebut Democratic policies.

"I ALSO spent a lot of time romancing the press and trying to get good solid information from seasoned reporters about what was likely to happen at the convention," Failor said.

"We had some of the younger volunteers out in hotel lobbies picking up rumors that I could evaluate and include in my report to McGregor," he said.

"But none of that was surreptitious," he said.

Failor said he manned the suite along with three other CRP officials from Washington. He refused to disclose their names.

"This was an innocent activity and I don't see any point in involving anyone else's name in it needlessly," he said. "I deplore the whole Watergate mess and in no way do I condone it, but I've noticed that in its zeal to get to the bottom of this the press has hurt an awful lot of innocent people."

FAILOR SAID he hired security guards for the rooms "because we wanted to extend hospitality only to the press and disenchanted Democrats — not to a lot of hangers-on."

(Mount Clipping in Space Below)

# 4 Miami Watergate Women Confirm They Got \$16,000

By **ROB ELDER**  
Herald Staff Writer

Wives of three of the Miami Watergate burglars and the fiancée of the fourth have confirmed they received \$16,000 supplied from mysterious sources, State Attorney Richard Gerstein said Thursday.

The money is part of a series of payments under investigation to determine whether they were payoffs to buy the silence of the Miamians.

In sworn testimony taken

by Gerstein Thursday, the four women for the first time acknowledged receipt of the money.

The wives questioned by the state attorney are Mrs. Bernard Barker, Mrs. Virgilio Gonzales and Mrs. Frank Sturgis. A statement was also taken from Miss Sylvia Campos, fiancée of Eugenio Martinez.

MARTINEZ and the other three men are now in prison in Danbury, Conn. for the June 17, 1972 burglary of

Democratic National Committee offices at the Watergate complex in Washington.

Gerstein said the four women confirmed receiving payments from Manuel Artime, the Miami businessman who has previously said he disbursed \$21,000 for the families and legal fees of the four Miamians.

Artime has said he made payments of \$3,500 and \$2,000 to the defendants' Washington lawyer, Daniel

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E. Schultz, and distributed the remaining money among the women.

There is no evidence that Artime, Schultz or the women considered the payments to be a payoff.

According to Artime, he received \$12,000 of the money in person early this year from E. Howard Hunt, who was also convicted in connection with the burglary. Artime says Hunt told him the money was "for the families" of the Miamians.

The remaining \$9,000 arrived in the mail at his home last spring in plain white envelopes, according to Artime. There were three envelopes, each stuffed with thirty \$100 bills and two of the envelopes bore insufficient postage Artime said.

**ALTHOUGH** Artime says he never knew the source of the mailed money, Martin Dardis, Gerstein's chief investigator, has said he has learned that the money was sent to Artime by Frederick LaRue, a former White House aide.

Last month, LaRue pleaded guilty to a charge of obstructing justice in the Watergate coverup which for months camouflaged the crime's connection with top members of the White House staff.

Artime has said he distributed the money without believing it was a payoff — and in the case of the \$2,000 payment to Schultz with the advance knowledge of the FBI.

Gerstein said statements by the four women enabled his office to account for "about \$16,000" of the money. Interestingly, that is \$500 more than Artime claims to have distributed among the families.

**SCHULTZ**, the Washington lawyer, also confirms receiving slightly more than Artime says he paid him. Artime put that figure at \$5,500, and Schultz said he received \$5,797.50.

The minor discrepancies may be explained, however, by the fact that some of the money paid both the lawyer and the women moved through the Miami bank account of a public committee formed to provide support for the Watergate figures and their families. Thus the Artime money may have been increased, in each instance, by other donations to the committee fund.

The unanswered question, at this point, is who gave the money to Hunt and LaRue, if indeed they were its intermediate sources.

Artime has maintained that there was no payoff involved. "I never believe it was payment for the silence," he said. "What kind of payoff is that — \$15,500 divided among four families?"

**ACCORDING** to Artime, only \$500 went to Miss Campos. The remainder, except for the payments to Schultz, was divided among the three wives "according to their needs."

Artime has said the money was not divided equally, but has refused to say how much he gave each woman.

According to approximate dates supplied by both Artime and Schultz, the last \$2,000 payment to the Washington lawyer was made early in May, one-and-a-half months after the March 17 date when President Nixon has said he personally learned of the coverup and presumably halted it.

In a separate aspect of his Watergate investigation, Gerstein said Thursday he is not yet ready to name the two special prosecutors who will be appointed to assist him in the probe.

The special prosecutors will be named Gerstein announced previously, to help determine whether certain . . . former Nixon Administration officials can be brought to trial in Miami for a conspiracy allegedly planned at a Key Biscayne meeting March 30, 1972.

Those known to have attended the meeting include LaRue, former U.S. Attorney General John Mitchell and former White House aide Jeb Stuart Magruder.



(Mount Clipping in Space Below)

# Watergate-Payment Informants Plan To Sue Gerstein for Releasing Facts

By DOUG CLIFTON  
Herald Staff Writer

Five persons who told State Attorney Richard Gerstein about mysterious payments made to the families of the four Miami Watergate burglars said Saturday they plan to sue Gerstein for releasing the information to the press.

The five include Mrs. Bernard Barker, Mrs. Virgilio Gonzalés, Mrs. Frank Sturgis, Miss Sylvia Campos, fiancée of Eugenio Martínez, and Manuel Artime, the businessman who said he distributed \$21,000 to the four families.

All are represented by Miami Beach attorney Ellis Rubin who got an injunction against Gerstein last month to prevent him from releasing testimony about Pablo Fernandez, a government witness against the Vietnam Veterans Against the War.

**RUBIN CHARGED** that Gerstein's release of testimony given by Artime and the four women violated the spirit of the Fernandez injunction.

Gerstein, in New York at a

prosecutors' seminar hosted by the Practicing Law Institute, was not available for comment.

Rubin claimed that Gerstein's release of the testimony given by the five in sworn testimony violates their right to privacy and could prejudice the rights of the four convicted burglars.

Artime had told Gerstein he received \$12,000 early this year from convicted Watergate conspirator Howard Hunt. He said he later got a total of \$9,000 in the mail in three plain white envelopes, two of which bore insufficient postage.

Artime said the money was distributed to the women and one of the convicted burglar's attorneys. The four women subsequently gave Gerstein sworn testimony confirming that they received the amounts Artime said he'd given them.

Rubin said he will ask \$250,000 in damages for each of his clients in a Federal Court suit. He will also seek an injunction against Gerstein to prevent further leaks of sworn testimony, he said.

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# Coverup Pay-Offs Included

## \$10,000 for

## 'Under Table' Use

(Indicate page, name of newspaper, city and state.)

24-A

MIAMI HERALD

MIAMI, FLORIDA

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By **ROB ELDER**  
Herald Staff Writer

The Watergate coverup included a mysterious \$10,000 payment through the late Dorothy Hunt for "under the table" use in Florida. Senate testimony revealed Wednesday.

Anthony Ulasewicz quoted Mrs. Hunt as saying the money was needed by Bernard Barker, one of four Miamians arrested in the Watergate burglary.

But, Ulasewicz told the Senate Watergate committee, he got the impression that

the money would be given by Barker to someone other than the burglars, their families, and their lawyers.

"MRS. HUNT . . . said that there was \$10,000 necessary to give to Barker for use under the table," Ulasewicz testified.

"I asked if she could be more specific. She . . . insinuated it was for some other persons who may have been involved in this situation someone in Florida . . . someone other than the names she had given me."

Several Miamians not ar-

rested in the Watergate burglary are known to have worked for Barker in other clandestine operations.

Pablo Fernandez, Reinaldo Pico, Humberto Lopez, Angel Ferrer and Felipe DeDiego have said they were recruited to disrupt speeches by Daniel Ellsberg and other radicals at the funeral of J. Edgar Hoover in Washington in May 1972. The group recruited for the Hoover funeral also included the Miamians arrested June 17, 1972, in the Watergate burglary. They are Barker,

Eugenio Martinez, Frank Sturgis and Virgilio Gonzales.

DeDiego has admitted he also helped Barker burglarize the Los Angeles office of Ellsberg's psychiatrist.

ULASEWICZ, a former New York policeman who worked as a secret agent for the White House, said he gave Mrs. Hunt the \$10,000 as part of \$154,500 he relayed to her from Herbert Kalmbach, President Nixon's personal-attorney at that time.

Except for the \$10,000 for

"under the table" use, he said, it was his understanding the money was for "legal fees" of the Watergate defendants, "plus support of the families."

Ulasewicz did not explain why the payments were made through Mrs. Hunt, who died in the crash of a commercial airliner in Chicago last December. Her husband, E. Howard Hunt Jr., was one of those convicted in the original Watergate case.

Others who apparently benefited from the payments

were James McCord, G. Gordon Liddy, and the four Miamians. All except McCord are now in prison.

ULASEWICZ denied that the payments were an illegal pay-off to keep the defendants from implicating others.

But in an apparent reference to the Miamians, he quoted Mrs. Hunt as saying that "things were very hard to control down south" and that with more money, "it would be easier for Mrs. Hunt to control these people."

Ulasewicz indicated it was up to Mrs. Hunt to divide the money among those for whom it was intended. In the first payment, he said, he gave her \$40,000 "to spread around for the needs of the families."

Later, he testified, he gave Mrs. Hunt payments of \$43,000, \$18,000 and \$53,500, all without instructions as to how she should divide it.

WORKING in a separate Miami investigation, State Attorney Richard Gerstein's office has accounted for

about \$16,000 received here. According to Gerstein's office, this money was received by the wives of Barker, Gonzales, and Sturgis, and by Martinez's fiancée.

Miami businessman Manuel Artime has said he relayed the money to the women. According to Artime, he received \$12,000 in person from Howard Hunt and \$9,000 in the mail from an unknown source.

Artime says he sent \$5,500 to a Washington lawyer for the defendants, and gave the remainder to the women.

(Mount Clipping in Space Below)

# Gerstein Won't Seal Testimony

State Attorney Richard Gerstein resisted efforts Wednesday by Miami Beach attorney Ellis Rubin to bar him from releasing to the press testimony relating to the four Miami Watergate defendants.

"Unless ordered by a court not to, I intend to advise the public about the public's business," said Gerstein, who was attending a convention in New York.

Rubin <sup>AUG 9 1973</sup> representing five relatives and associates of the Watergate burglars contends that release of any further testimony might affect their sentencing. The convicted burglars are Bernard Barker, Virgilio Gonzalez, Frank Sturgis and Eugenio Martinez. <sup>5B</sup>

Gerstein's response followed a tentative agreement reached in court Wednesday morning between Rubin and Stanley Price, an assistant county attorney representing the State Attorney's Office. They had agreed to try to work out with Gerstein a statement barring further release of testimony by Rubin's five clients.

Rubin said if Gerstein does not volunteer a statement, he'll take the issue to court again.

(Indicate page, name of newspaper, city and state.)

— P5B

— MIAMI HERALD

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(Mount Clipping in Space Below)

# Miami 4 Feeling Betrayed

## Weicker's Aid Is Sought

By ROBERT FABRICIO  
Herald Staff Writer

NEW YORK — The four Watergate burglars from Miami, upset at "being abandoned," are about to change their attitude and start defending themselves, a confidant said Friday.

"These four men have been allowed to languish in jail since their trial in January and they're very bitter about it," said Miami businessman Manuel Artime.

On stop-over in New York with Miami Beach attorney Ellis Rubin, Artime lashed at "those who are getting off easy and letting these four men carry the brunt of the penalties."

ARTIME, traveling with his wife and with Carlos Perdomo, the Miami rug salesman who is treasurer of the Legal Defense Fund for the Miami Watergate defendants, was joined later Friday by Mrs. Clara Barker, wife of convicted burglar Bernard Barker.

The group will visit the men in the Danbury, Conn., federal penitentiary today to revise their defense strategy, Rubin said.

"All the top people in the Committee for the Re-election of the President like Jeb Magruder, (who pleaded guilty Thursday) and John Dean have admitted to conspiring on Watergate and are walking around making speeches and these four men from Miami have been languishing in jail, forgotten by the world," Rubin said.

Artime and Rubin said that they were upset by the disregard of the four Miami men by former friends in the government. They also were angered by the five-year maximum sentence that Magruder faces. The Miami men face possible 40-year sentences on Sept. 21.

"I visited with Barker and the others last week and they are very sad and dejected and they feel defeated and feel they have been betrayed," said Artime.

"THEIR closest relatives and friends feel it is time to change the strategy of their defense before it is too late," Artime said. "These men, who have been the most loyal and the most courageous of all, will not be given

Turn to Page 18A, Col. 1

(Indicate page, name of newspaper, city and state.)

— p 1A

— MIAMI HERALD

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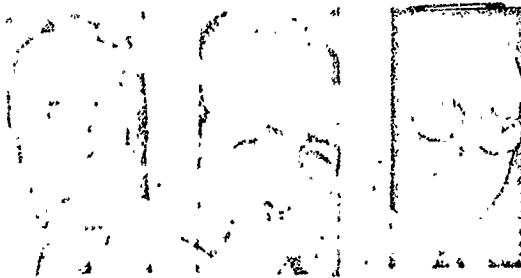
a raw deal and in my mind, they are ready to change things around."

Artime would not say whether they would implicate higher authorities.

The Miami four met Monday with Watergate committee member Sen. Lowell Weicker (R., Conn.). The senator's office said the men had requested his aid. The meeting was held at the request of Barker's daughter, Mrs. Maria Elena Moffett of Washington, and it lasted six hours.

"We are going to change the momentum of this case for the men from Miami," Artime said.

ARTIME said that he contacted Rubin last week in behalf of the four men and asked him to join the case. Rubin has been representing Artime on his appearances before the Watergate grand



MARTINEZ

GONZALES

BARKER

jury. Artime has admitted to being the contact through which about \$21,000 was funneled to the defendants' families and attorneys.

Artime and the Miami group left Miami at 9 a.m. Friday and arrived in New York's John F. Kennedy Airport at 11:45 a.m. They met, throughout the afternoon, with New York news media and were planning to attend a Broadway play Friday night. They stayed at The Americana Hotel and are scheduled to drive to Danbury early today.

Rubin said the four

Miami men — Barker, Eugenio Martinez, Frank Sturgis and Virgilio Gonzales — are also retaining the services of attorney Daniel Schultz, of Washington, who has represented them since their January trial.

BEFORE THEN, they had been represented by New York attorney Henry Rothblatt, who publicly decried the men's decision to plead guilty.

"We are being retained on a cocounsel basis," Rubin said. "The men have told me on our single telephone

contact they feel Schultz has done a good job but they want to welcome my services."

"When I saw the four Miami men arrested last year my wife told me that would be a dream case for me," Rubin said. "But I told her to forget it, that some of the big names would get it. But now here it is."

THE Republican attorney, who ran unsuccessfully against Dade Democratic Congressman Dante Fascell last November said that "there was no need" for President Nixon to say that "all those guilty (in the We-

tergate) should go to jail," during his Wednesday night speech.

"He could have left that out of the speech easily," Rubin said. "He's going to run out of friends pretty soon if he keeps it up." Artime, a former CIA operative, nodded.

Artime confirmed Friday that he had discussed narcotics with E. Howard Hunt, the convicted White House secret agent. He said the discussion involved a White House campaign to eliminate "strategic bridges for the smuggling of narcotics."

THE HERALD reported Friday's that Hunt had attempted to recruit Artime and other Miamians for a clandestine mission to Panama involving narcotics.

Attempts to reach Artime before publication of the story were blocked by Ellis Rubin, his lawyer. The story also said that Artime reportedly participated in a plot to assassinate Fidel Castro in 1965.

Artime denied Friday that he had any involvement with the assassination scheme, which was thwarted and publicized by Castro in 1965.

(Mount Clipping in Space Below)

# Miami 4 Spurn Lawyer's Offer At Prison Gate

By **ROBERTO FABRICIO**  
Herald Staff Writer

DANBURY, Conn. — After a well-publicized 1,380-mile journey to prison gates here, Miami attorney Ellis Rubin announced Saturday he was "pretty sure" the four Watergate burglars from Miami want to change their pleas to not guilty and go to trial. He didn't see his clients personally. He talked to them by telephone. They informed him that they didn't want to see him.

Standing before network television cameras summoned for a press conference, Rubin said he had planned to announce a \$1-billion lawsuit against the Committee to Reelect the President and onetime White House aides Jeb Magruder, John Dean, Frederick LaRue and Gordon Strachan.

But at the request of his clients, Rubin said, "I have now decided to wait for Sen. Weicker to act."

THE REPUBLICAN senator from Connecticut, Lowell Weicker Jr., met with the convicted Miamians for 5 1/2 hours last Monday. Weicker is a member of the Senate Watergate committee.

The presumption is that they told him everything they knew about clandestine political activities in the hope that U.S. District Court Judge John Sirica will reduce their 40-year "provisional" sentences when they go before him again on Sept. 21 for final sentencing.

The "Miami 4," disenchanted at "being abandoned," are inmates here at the Danbury Federal Correction Facility. They are Bernard L. Barker, Frank Sponzo, Eugenio Martinez and Emilio Gonzalez.

According to Rubin, "they thought they were working for the U.S. government" when seized inside the Democratic National Headquarters June 17, 1972.

"AT LEAST three of the men had done such work 100 times before on dangerous missions for the CIA — on which they were never arrested," Rubin declared.

The Rubin press conference, held before the stone entrance gate to the prison, lasted about 30 minutes. The prison's security chief, Victor Slodysko, approached Rubin before he began.

"I didn't expect you to show up at all," Slodysko said.

A reporter asked why. "There were rumors that Mr. Rubin would not show up,"

Turn to Page 34A, Col. 1

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI HERALD

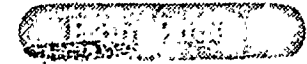
MIAMI, FLORIDA

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# Tailed Miami-ians

## Spurn Rubin Offer



that's all," said the security chief.

**RUBIN FLEW** to New York Friday with Manuel Artime, once known as "the golden boy of CIA." Rubin represents him. Artime testified last week before the Watergate grand jury. He said White House aide E. Howard Hunt had tried to recruit him and other Cuban exiles for a clandestine mission to Panama, The Herald learned.

Artime went on to Danbury a week ago Saturday.

"They were desperate and I told them about Rubin and the idea of filing a lawsuit against the committee and they told me great, let's get out of here, everybody else has forgotten us," Artime said.

Barker's wife, Clara also flew to New York Friday, checking into the Americana Hotel in New York City.

It was about 4:30 p.m. Friday that Barker's daughter, Maria Elana Muffet, of Alexandria, Va., telephoned the Americana.

**THE DAUGHTER** originally had contacted Sen. Weicker.

A source close to the four said that Weicker would drop out of the case unless the lawsuit was dropped.

A Herald source quoted the daughter: "The senator had promised to release my father in three weeks, but he doesn't want any publicity."

Harriman, reached in Washington Saturday, said the statement was "absolutely not true." He said he didn't know anything about a lawsuit.

"There was no pressure from me," he said.

**RUBIN SAID** he telephon-

ed Harriman after the call from Barker's daughter.

"When I reached him he was non-committal," Rubin said. "I think he was taping the whole conversation. He was merely asking me to hold off on visiting the men and hold off on the press conference.

'He told me, 'Mr. Rubin, you can do whatever you please, but if you hold that press conference, the senator may not be able to do anything about the Miami Cubans. It is really in your hands.'

"I told him, 'Then you are asking me to lie and cover up because you have a plan that you are not willing to tell me about and you are not even willing to let the senator talk to me,' " Rubin said.

"I have never in my life been under so much pressure," Rubin said.

**RUBIN TALKED** to his clients at Danbury by telephone twice. "They wanted me to hold off until Weicker does something," Rubin said. He quoted Barker " 'Weicker has promised to help.' "

Harriman, the senator's aide, Saturday said, "I am not sure anything can be done to affect their incarceration." Weicker himself was not available for comment.

Rubin said that Sturgis definitely wants to change his guilty plea and stand trial. "I am recommending that the other three change their pleas and I am pretty sure that they are ready to do it," Rubin added.

To the gathered press, he said, "I am sure they would be found not guilty by a jury."

Rubin entered the case last week when the wives of the inmates formally retained him. He joined the current lawyer, Daniel Schultz, of Washington, as co-counsel, he said.



(Mount Clipping in Space Below)

# Will Miami 4 Break Year's Silence?

By ROBERTO FABRICO  
Herald Staff Writer

Involvement of a member of the Senate Watergate Committee with the four Miami convicts awaiting final sentencing in a federal jail in Connecticut has thrown another web of mystery around the case.

U.S. Sen. Lowell Weicker (R., Conn.), apparently acting on his own since the special Senate committee investigating Watergate was in recess, met with the prisoners for six hours last week.

He has so far refused to reveal the results of his conversation with the men. But an aide has said he promised

## BACKGROUND REPORT

he might be able to help them, and after his visit, a plan by the prisoners to fight for a new trial ground to a halt.

THE FOUR MEN, convicted of burglarizing the Democratic National Headquarters last year, had complained to close friends they were "dejected, sad and abandoned," and apparently had decided to break their year-long silence about the case. They are due to be sentenced Sept. 21.

But Weicker, through an aide, apparently stalled the men's decision to make public Saturday their decision to change their pleas to not guilty and to sue the Committee for the Reelection of the President and four former White House aides.

The suit was to be for getting them into a criminal situation under the guise of asking them to do a job for their country under direction of the CIA.

Last Monday Clara Barker and Janet Sturgis, wives of Bernard Barker and Frank Sturgis, with confidante Manuel Artime signed a retainer with Miami Beach attorney Ellis Rubin and expressed wishes to "fight it out."

DURING THAT same afternoon, their husbands and the two other Miami Watergate convicts, Eugenio Martinez and Virgilio Gonzales, met for nearly six hours with Weicker and a personal aide who took notes.

Weicker would not comment on the reason for his visit with the men except to say through an aide that his "aid and advice" had been requested by the men and that he "might have something to say" his week about the visit.

Weicker was said to be vacationing with a family in Florida this weekend and was unavailable Sunday.

His visit to the prison was arranged reportedly at the request of Barker's daughter, Maria Elena Mfett, of Alexandria, Va.

SEVERAL days after the visit, Weicker's aide notified the attorney for the Ervin committee that he had visited the men in prison and would have a report for the committee at a later date.

Meanwhile, Ellis Rubin began preparing a damage case and arranged his own visit to the prison, promising to make a statement to the national press last Saturday.

Everything seemed set. Frank Sturgis was reportedly ready to change his plea to not guilty and to file a motion for a new trial — this time with a jury. The other three prisoners were reported on the verge of joining him.

They would sue the Committee for the Reelection of the President for \$1 billion for hiring them through E. Howard Hunt to burglarize the Democratic National Headquarters. They would swear they were told they were working for the U.S. government.

Codefendants in the suit would be former White House aides Jeb Magruder, John Dean, Frederick LaRue and Gordon Strachan.

BUT AT 4:30 p.m. Friday, with Artime, Rubin, several

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aides and Mrs. Barker already in New York preparing for the trip to Danbury, Conn., the brakes were applied. Things began falling apart.

Barker's daughter excitedly called from Alexandria. Neither Artime nor Rubin would say what she told them, but it was enough of a shocker to make Artime turn gray and drop his jaw as he turned around and said, "Oh my God, we got troubles."

She told them to call Robert Herrema, administrative assistant to Sen. Weicker. Artime and Rubin called Herrema. There are several versions of the nature of the conversation.

Asked why he would be involved at all in this effort by the Miami convicts to change their strategy, Herrema explained Weicker just wanted to be left out of any public statement by Rubin or Artime.

"I TALKED to the senator Friday afternoon and he heard there would be a press conference in Danbury about the Miami men and that he did not wish to be involved in public statements," said Herrema.

"Then I called Maria Elena Muffett and told her the senator's concern was that he not be drawn into a fight, and I understand after that she called Artime," said Herrema.

Herrema did say he had told Mrs. Muffett Sen. Weicker could possibly help her father and the three other men in the Danbury, Conn. Federal Correction Institution. They are serving possible 40-year maximum sentences for breaking into the Watergate.

"I told her perhaps as a member of the committee and as a senator there is something he (Weicker) can do for the prisoners. He is very concerned about their plight," said Herrema.

A SOURCE close to the defendants quoted Mrs. Muffett as telling Artime and Rubin that: "the senator had promised to release my father in three weeks, but he doesn't want any publicity."

Herrema flatly denies that he said anything to imply that Mrs. Muffett did not answer her phone in Virginia Sunday.

Herrema admits talking to Barker after talking to his daughter. He quoted Barker as saying, "we are not going to talk to Rubin or see him."

Asked why he would talk to Barker in jail, Herrema said Barker actually called him to reassure Weicker. Why would Sen. Weicker need reassuring? Herrema repeated the senator did not want to be part of a publicity campaign.

"I may have asked Mrs. Muffett if there is any point in making a lot of noise," said Herrema. "What is Judge (John) Sirica (the Watergate Judge) going to think of all this?"

Herrema repeated many times it was not the wish of Sen. Weicker or of himself to interfere with any legal action.

Sunday Artime quoted Bernard Barker as saying that he is "happy because I believe it is the first time the American public opinion is taking our case in consideration."

(Mount Clipping in Space Below)

# Weicker Won't Discuss His Talk With Miami <sup>4</sup><sub>10A</sub>

Sen Lowell P. Weicker (R., Conn.) will not discuss his six-hour-long talk with the four Miami Watergate burglars in the Danbury, Conn., Federal Correction Institute until the Senate reconvenes Sept. 7, his office announced Tuesday.

"The senator will not make a statement about his discussion with the four men until the middle of September when the Senate reconvenes and (when) the (Watergate) committee will be in session once more," a spokesman said.

"As a matter of fact he (Weicker) has not even decided what to do with the information at this point," an aide said. "He will have to evaluate what he has until he goes back to work."

Weicker met Aug. 13 with Berrard Barker, Eugenio Martinez, Frank Sturgis and Virgilio Gonzalez. Later that week his office said he "might have something to say" about the meeting this week.

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(Indicate page, name of newspaper, city and state.)

— P10A

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(Mount Clipping in Space Below)

# Beach Meeting, \$75,000 'Charity Drive' Emerge In Gerstein Watergate Probe

By **ROB ELDER**  
Herald Staff Writer

A meeting between former Cuban President Carlos Prio Socarras and Watergate conspirators E. Howard Hunt and Bernard Barker — and a highly suspect \$75,000 "charity drive" backed by Barker's fellow burglar, Frank Stugis — surfaced Wednesday in an investigation by State Attorney Richard Gerstein's office.

There was no apparent connection between the meeting at Prio's Miami Beach home early last year and Sturgis' promotion of a money-raising campaign known as Help the Homeless Fund. But both discoveries widened the circle of intrigue linking Miamians with Watergate.

Alfredo Duran, Prio's son-in-law and lawyer, confirmed that he and the former Cuban chief of state voluntarily went to Gerstein's office Wednesday.

**DURAN SAID** later that Prio was asked whether he had advance knowledge of the Watergate burglary, and

replied that he did not. Attempts to reach Prio for comment were unsuccessful.

From other sources close to the investigation, it was learned that Prio confirmed that he met with Hunt and Barker at his home, 5070 Alton Rd., early in 1972.

Prio was understood to have said that Hunt asked him for help in conducting "public relations" in Haiti and elsewhere in Latin America. In addition to his clandestine work as a member of the White House "plumber squad," Hunt was an employe of the Robert R. Mullen Co., a Washington, D. C. public relations firm with intimate Republican Party ties.

**RIDING IN** a gold-colored Cadillac Eldorado, Prio led the militant pro-Nixon, anti-Castro Cuban street demonstrations at last summer's Miami Beach political conventions. There was no indication, however, that the

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18-A

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MIAMI, FLORIDA

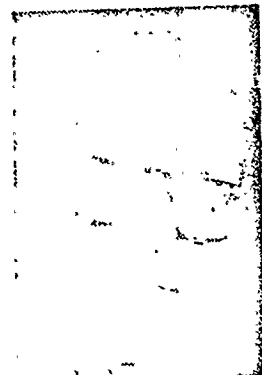
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**E. Howard Hunt**  
... asked for help



**Bernard Barker**  
... met with Prio

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demonstrations were related to his meeting with Hunt and Barker, both of whom were arrested as a result of the June 17, 1972, burglary of the Democratic National Committee headquarters in Washington.

On the investigation's other front Wednesday, Gerstein's chief investigator, Martin Dardis, continued to probe the financial activities of Sturgis, another Watergate burglar.

In the files of the Florida Secretary of State's office in Miami, Dardis discovered fund-raising plans listed by the Help the Homeless Fund, an affiliate of the Miami "church" that listed Sturgis, an aluminum door salesman, as its president.

Seeking a permit to solicit money for charity, Sturgis and his associates submitted a projected budget with prospects for collecting \$75,000 a year.

ACCORDING to state records, the Secretary of State's charitable solicitations branch received a complaint in October 1971 that Help the Homeless was making telephone appeals without a permit.

The appeals were traced to

a telephone number that a reporter used Wednesday to reach a man identifying himself as Paul Diamond, the Fund's director of public relations.

The phone is listed to Phillip Shari Enterprises Inc., at 1087 NE 79th St. Diamond said he is bookkeeper for the firm, which he said, "sells merchandise."

Diamond denied that he ever used the phone to solicit money for Sturgis' Fund or its affiliate, the "Independent Church of God Inc," whose address was Sturgis' home.

BANK RECORDS for the church's checking account revealed that if Sturgis raised money for any purpose, it didn't go there. The balance never got far beyond \$100. During May and June 1972, immediately before Sturgis' arrest, it ranged from \$2.78 to \$82.78. The account now contains \$7.

With his Watergate companions, Sturgis is in a federal prison in Danbury, Conn. In a separate prosecution, he was indicted Monday in connection with a car theft ring that allegedly transported stolen autos from South Florida to Mexico.

(Mount Clipping in Space Below)

32,000

# Watergate Defense Attorney OCT 5 1973 Delivers Bill to Relatives

By **ROBERTO FABRICIO**  
Herald Staff Writer

Sixty-five Cuban friends and relatives of Miami's four Watergate defendants met with the men's Washington attorney Thursday night and were told they owe \$22,000 in legal fees.

At a dinner meeting, Daniel Schultz said he hopes to have their men free on bond next week until they are sentenced or a motion for a new trial is heard by Federal Judge John Sirica. **2B**

Attending the dinner were the wives of Bernard Barker,

Virgilio Gonzales and Frank Sturgis, and other personalities which have been linked to the Watergate affair.

They included Felipe De-Diego, coconspirator with Barker in the burglary of Daniel Ellsberg's psychiatrist's office, and former Miami police informer Pablo Fernandez, used to infiltrate the Vietnam Veterans Against the War, and Bay of Pigs chief Manuel Artime.

"The (legal) situation of your friends is the same as that of Mr. (Donald) Segretti, Mr. (Frederick) LaRue, and

Mr. (James) McCord, all awaiting sentencing comfortably in their homes," Schultz said.

The four Miami defendants who pleaded guilty to breaking into the offices of the Democratic National Headquarters last year, changed their pleas to innocent last month. Schultz says he wants a new trial for them but hinted that he might settle for a very low sentence from Judge Sirica.

They have already served 11 months of a provisional 40-year sentence.

(Indicate page, name of newspaper, city and state.)

— p 2B

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## Watergate Families Seek Funds

A massive fund-raising campaign to help the four Watergate defendants from Miami pay their legal fees and to aid their families has been started by friends of the four men in the Miami Cuban community.

Carlos Perdomo, treasurer of the Miami Watergate Defendants Relief Fund said that the four men owe Washington Attorney Daniel Schultz \$22,000 so far and about \$10,000 in other expenses since January.

Perdomo, Reinaldo Vergara, secretary of the fund, and former Bay of Pigs Chief Manuel Artime organized a dinner Thursday night at which Schultz talked to about 65 Cuban friends of the four men about his defense strategy. **3B**

Perdomo said his group is trying to make contact with several Cuban artists in Miami and New York to have a benefit performance at Dade County Auditorium to collect funds for the men.

A dinner also has been suggested in which several hundred of the men's friends would contribute a per plate fee. **OCT 7 1973**

In his speech Thursday night, Schultz said that if the men's friends do not help them at this "crucial" point in their defense they might remain in jail, "while the planners of the whole affair walk freely around."

The four Miami defendants Bernard Barker, Frank Sturgis, Virgilio Gonzales and Euginio Martinez pleaded guilty to the break-in at the Watergate last year and recently changed their plea to not guilty.

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# Watergate

OCT 11 1973

## Wife: Agnew 'Got Off Easy'

By EDNA BUCHANAN  
Herald Staff Writer

"He's getting off easy," Watergate wife Clara Baker said bitterly.

Alone in her neat, peach-colored duplex Wednesday, laboring over lists of names — people she hopes might help her husband — she heard of Vice President Spiro Agnew's resignation and sentence.

"Oh, God!" she gasped. "Three years' probation! Why didn't they do that with my husband?"

Bernard Barker, 55, and three other Miamians — Frank Sturgis, Virgilio Gonzalez and Eugenio Martinez — are in prison under provisional 40-year sentences in the Watergate burglary.

**BITTERNESS**, sympathy and resignation were three of the wives' reaction (Martinez is divorced) to Wednesday's news.

Janet Sturgis heard the news via a wire service dispatch at the Miami television station where she works and was sympathetic.

"My heart breaks for the man," she said. "I was shocked. My immediate reaction is one of sorrow. Mr. Agnew is suffering terribly. His career is broken. I'm sure his family is broken. It's a tragedy for the country.

"I never thought the man would have gotten involved in a thing like that. I don't know the ramifications to the country. The Watergate mess, the mess of the whole country is frightening."

**STILL A** staunch defender of the administration, Mrs. Sturgis said she voted for Nixon and would "probably, no definitely," do it again, "because I don't think Mr. Nixon is guilty of anything."

Mrs. Gonzalez worked Wednesday as a salad maker in a Miami hotel kitchen, the job she took after her husband was imprisoned nearly a year ago.

"What can I say," she shrugged, "but that the real criminals finally get caught." The news, she said "reflects on my husband in that he hasn't robbed or committed a crime, but he's in jail and other people are out on the streets."

Mrs. Sylvia Ramos, Martinez's fiancee, said only, "It's very bad, but I can't have an opinion on that.

The bitterness was Mrs. Barker's.

"My husband is not a criminal type. He never did a wrong thing in his life. The injustice of it all is that he thought he was helping Cuba and it turned out to be a lot of dirty tricks that nobody thought could happen in this country.

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p2 B.

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"I am bitter," she said. "I am bitter. Nobody got any sentences but my husband and the others from Miami. Magruder (presidential aide Jeb Stuart Magruder) is out of jail (in his own recognizance) not even on bond. Segretti. The same thing. They put \$500 bond on them. My husband had \$100,000 bond which he could never pay, put on him.

"These four men thought they were doing something for the government. They did it with a clean conscience. They were really fooled. They were not there to kill anybody or plant bombs. They didn't even damage the doors.

"If anything came out of it all (the Watergate break-in) it was that all this corruption was exposed. They should pin a medal on them.

"They question my husband hour after hour. They take him from prison to prison in chains. He knows no peace. He told them everything. And he was never in the White House.

Mrs. Barker said she thought John Connally would make a good successor to Agnew. Asked who she would like to see vice president, Mrs. Sturgis quickly replied: "Spiro Agnew."

Mrs. Sturgis said she, too, was "hurt" when Magruder was released without bond while her husband's was set at \$100,000 — though \$1,000 is the usual burglary bail.

DESPITE that, Mrs. Sturgis said, she believes the Watergate Four will soon go free.

"The Cuban population in Miami always felt they were merely following orders in a government-directed operation. I'm thankful the public is waking up. Frank and the others will be vindicated. But please, God, let it be soon."

The three wives appeared on Spanish radio station WFAB Wednesday night — anniversary of the start of Cuba's first fight for freedom, the 10-year war against Spain which began Oct. 10, 1868 — to appeal to the Cuban community for funds to use for bond (if Federal Judge John Sirica grants a pending motion) and legal fees.

They asked each Miami Cuban to donate \$1.

(Mount Clipping in Space Below)

# Watergate Six

## Get Brief Terms

(Indicate page, name of newspaper, city and state.)

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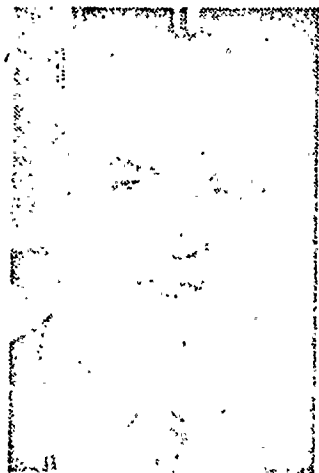
MIAMI HERALD

MIAMI, FLA.

Date: **11/10/73**

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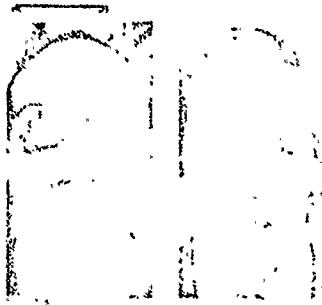
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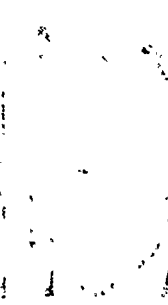
James McCord  
... 1 to 5 years



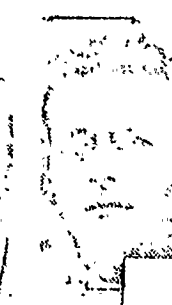
E. Howard Hunt  
... 2 1/2 to 8 years



BARKER



GONZALES



MARTINEZ



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By PHIL GAILEY

Herald Washington Bureau

WASHINGTON — U.S. District Judge John Sirica sentenced six of the original Watergate defendants to relatively brief prison terms Friday. He gave the lightest punishment to three of the four defendants from Miami and convicted Watergate conspirator James W. McCord Jr.

Three of the Miami men — Frank Sturgis, Eugenio Martinez and Virgilio Gonzales — were ordered to serve from one to four years in a minimum security prison. The fourth Miamian, Bernard L. Barker, must serve from 18 months to six years, apparently because he recruited the other three for the break-in.

The man who recruited Barker, E. Howard Hunt, was handed the heaviest sentence

— from 2½ to eight years, plus a \$10,000 fine.

McCord was ordered to serve from one to five years.

HUNT AND the four Miami men have already served 11 months in jail awaiting final sentencing. McCord, who was convicted by a jury, has remained free on a \$5,000 bond.

Sturgis, Martinez and Gonzales will be eligible for parole in one month and could be home for Christmas.

Barker will qualify for parole consideration in several months.

Hunt and the four Miami men pleaded guilty last Janu-

ary to seven counts of conspiracy, burglary, bugging and wiretapping.

The Miami men and McCord were arrested inside the headquarters of the Democratic National Committee on June 17, 1972.

G. Gordon Liddy, the alleged planner of the Watergate break-in, is serving a sentence of up to 20 years in prison.

IN THE CASE of the Mi-

Turn to Page 9A Col. 3

amians, Judge Sirica said, "It was the lowest minimum that I thought was justified under the circumstances."

Hunt got the heaviest sentence, apparently because he recruited the others for the Watergate break-in.

Judge Sirica passed sentence after listening to an impassioned, 40-minute plea for leniency from the attorney representing the Miami-ans.

"The question is how much more punishment should you mete out to the soldiers in this affair while the architects, the generals, have not yet spent one day in jail," attorney Daniel Schulz told an overflowing courtroom.

"How much longer will the government vent its anger and frustration on these four little men from Miami who have been sacrificed, as pawns? When will the time come to say enough is enough? They have suffered enough. To send these men to prison will not deter future Watergates. The only answer to that is to punish the generals."

SCHULZ SAID the Miami men, comrades in past Cuban liberation movements, were "confused" but still believe their participation in the Watergate break-in was a legitimate government intelligence operation.

Martinez, stooped and wearing a rumpled gray suit, told the judge before sentencing: "If I did wrong, I am really sorry. I did not become an American citizen to become a criminal or what I am today. I don't feel that anyone has betrayed me . . . I just thought I was doing my job. If I have done wrong, I want you and this country to forgive me. I will never be bitter."

Barker, 56, who received a heavier sentence apparently because he recruited the three others for the Watergate operation, told the court he hoped he would not have to go back to prison so he could return to Miami to "prepare for my old age."

He said his "suffering" was dedicated to the liberation of Cuba and "if nothing else has been achieved it has shown Americans the sanctity of this cause."

STURGIS and Gonzales declined to make a statement before being sentenced.

Philip Lacovara, a government prosecutor, asked Sirica to consider their "misguided loyalty" and "their position at the bottom of the totem pole" in sentencing them.

McCord, former security coordinator for the Committee to Reelect the President, told Sirica he participated in the Watergate break-in "because I thought, then, as I do now, that the President of the United

States had set the plan in motion."

McCord, whose decision to cooperate with authorities helped to break open the case and expose a White House coverup, said "the full facts have still not come out and may not for some time."

Hunt, a former White House consultant, author of spy novels and CIA agent, did not make a pre-sentencing statement.

BARKER'S daughter, Maria Elena Moffett of Alexandria, Va., criticized Judge Sirica before reporters outside the courthouse for being too lenient on Hunt, whom she blames for her father's ordeal.

"I'm still not convinced

that Judge Sirica is not part of a coverup," she said. "It is obvious that Mr. Hunt had a deal with Judge Sirica. It is inconceivable that he gave him only 30 months after giving my father 18 months."

She also denounced the White House, saying, "My father thought he was helping this country. Yet, this administration used men like my father to destroy our system."

Mrs. Moffett and her mother, Clara Barker, sat in the second row in the courtroom. After the sentencing, Mrs. Barker said the judge was "very hard" on her husband and said she was "very disappointed" with the sentence.

(Mount Clipping in Space Below)

## Watergate Relief Fund Sets Dinner

The Miami Watergate Defendants Relief Fund announced Saturday it will hold a fundraising dinner Nov. 16 at the Marriott Hotel to try and raise \$30,000 in legal fees the four Miamians owe.

Carlos Perdomo, treasurer of the fund, said the \$50-a-plate dinner would be followed by another benefit performance of American and Cuban entertainers to raise funds to pay off their debts to attorney Daniel Schultz.

The four men, Bernard Barker, Eugenio Martinez, Virgilio Gonzalez and Frank Sturgis, were given light sentences Friday by U.S. District Judge John Sirica in Washington.

All except Barker were given one- to four-year sentences and may be back in Miami before Christmas, since they have been in jail since January. Barker was given an 18-month to 6-year sentence and will probably have to serve at least seven more months.

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(Mount Clipping in Space Below)

# 3 of Miamians in Watergate Await Word on Their Parole

By JUNE KRONHOLZ  
Herald Staff Writer

Three of the four Miami burglars arrested inside the Watergate headquarters of the Democratic National Committee have completed their parole board hearings and are awaiting word on whether they are to be released or must serve more prison time.

Parole officers at the federal prison at Eglin Air Force Base, where the three are serving one- to four-year sentences, confirmed Monday that Eugenio Martinez, Virgilio Gonzales and Frank Sturgis had parole hearings last Thursday and Friday.

The fourth convicted Miami burglar, Bernard

Barker, received an 18-month to five-year sentence and will not be eligible for a parole hearing until April.

All four men were transferred to the Eglin prison camp in Florida's Panhandle from the federal penitentiary at Danbury, Conn., where they had been housed since their convictions last December.

A MEMBER of the nine-man federal Parole Board conducted the hearings for all three men. Hearings frequently are conducted only by staffers who are not members of the board.

George Murphy, the chief classification and parole officer at Eglin, predicted that the three probably would learn in four-six

weeks whether their pleas for parole have been granted or whether they must serve more time before they can be released. He said nothing about release before Christmas.

Barker and Martinez arrived at the Air Force base prison on Nov. 20, prison records show, after serving almost a year at Danbury. Gonzales arrived one week later and Sturgis, who had been transferred to Miami to stand trial for conspiracy and auto theft, arrived at the prison only last week.

Sturgis was convicted of the charges by a Miami federal jury and is awaiting sentencing by Judge C. Clyde Atkins.

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MIAMI, FLA.

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(Mount Clipping in Space Below)

# Barker Returns to Miami --

## 'Not All Bad in Watergate'

JAN 5 1974

By ROBERTO FABRICIO  
Herald Staff Writer

Bernard Barker, convicted leader of the Watergate burglary team, arrived home in Miami Friday night with his face partially paralyzed after a year in jail and said, "not all was bad with Watergate, there was some good things."

Barker, 55, was released in Washington while his 2½-year sentence is appealed. He could be paroled by June, however, and might not have to go back to jail.

"IF WHAT HAS happened showed the world the extent to which we are ready to go in order to further the cause of liberty for Cuba, all that we have suffered is worthwhile," he said.

His wife had said earlier before flying to meet him in Washington that hard labor while exposed to cold weather had caused Barker to suffer from Bell's Palsy, a facial paralysis that does not allow him to move

any of the muscles on the right side of his face.

Assistant Prison Superintendent Marion Lacy said Barker contracted the paralysis as a result of a cold and that prison medical personnel had told him the prison had not been negligent or abusive in having him work on the ditch digging crews.

"I WILL NOT criticize any institution of this great country of ours, including a jail," said Barker upon deplaning.

"This country has enough enemies as it is and I will simply not criticize it," he said.

He had been held at the minimum security installation at Florida's Eglin Air Force Base, near Pensacola, and was part of a team that worked digging ditches and cutting pines.

As National Airlines Flight 101 arrived at Miami International Airport at 8:25 p.m. carrying Barker and his wife, some of the passengers were surprised that nearly 50

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## No Hard Feelings, Barker Says

# Burglar Back

newsmen were waiting.

About 20 Cuban friends of Barker, including Manuel Artime, civilian chief of the Bay of Pigs invasion, and Douglas Vaillant, a boxer that Barker had managed in Cuba, were on hand to welcome him.

At his duplex home just south of the airport, neighbors excitedly left their homes as Barker was driven in by Artime in his silver Cadillac. Barker rushed to his backyard to inspect an avocado tree, and his brown-and-white Boxer, Sabrina, jumped up and licked his hands.

"I'M HOME and I'm happy, that is the most important thing of all," he said as about 10 neighbors surrounded him.

At the airport, as a Spanish television station asked for a message to Miami's Cuban community, Barker said, "I am very glad to be back again in Miami, our second Havana, and I want all of you to know that I feel honored to be part of the Cuban community here."

He said he would work to raise funds to pay for his defense. He and three other Miami Watergate convicts, Virgilio Gonzales, Frank Sturgis and Eugenio Martinez owe nearly \$40,000 to Washington lawyer Daniel Schultz.

"My realty business is in

shambles and I will have to rest before I undertake to get back into it," he said.

Barker owns Barker Realty Co., for which Martinez was a salesman.

"THERE IS A \$50-a-plate dinner Jan. 25 at the Marriott Hotel to help Macho (Barker's nickname) and the others raise funds," Artime said. "The price is a little high, but that is the only way we are going to raise the funds."

Barker said he would attend the dinner.

He also said he would go through with Watergate all over again if he had to.

"I will never deny my services to my country," he said. "I strongly believe that what I was doing was carrying out the order of my government and I would do it anytime I would have to."

In Washington, after signing his own bond at the U.S.

District Courthouse, Barker said that he still had "the greatest respect" for President Nixon and that he felt no bitterness.

HE HAD BEEN flown to Washington from Eglin in the custody of two U.S. Marshals. He and former White House aide E. Howard Hunt Dec. 28 were ordered released pending the outcome of their appeals. Hunt

is said to be in Miami, but Barker said he was not planning to meet him.

In Washington he was more specific as to the cause of his facial paralysis.

He told Herald Washington Correspondent Phil Gailley that the paralysis, which drew his mouth to one side and kept his right eye full of tears, "was caused by exposure to the cold in prison ... out there digging ditches."

He said that in prison a doctor diagnosed the problem and gave his heat treatments. But he was critical of the medical attention he received at the prison. After being stricken two weeks ago, Barker said, he had to wait 24 hours before getting medical attention.

"THE TREATMENT (at Eglin) was not bad," he said. "Eglin has the best food of any prison I've been in. But I can't say as much for their medical services."

Barker was at the Danbury, Conn., Federal Jail for several months last year, at times at the Washington City Jail and was a prisoner of war in a Nazi concentration camp during World War II.

Barker's only luggage was a brown cardboard box containing some personal effects.

"I still can't believe it," said his wife as they got into the car. "I finally have him back."

Tears flowed down her cheeks.

(Mount Clipping in Space Below)

'I Was a Soldier'

# Soviet Embassy Was Bugged, Barker Says

By ROBERTO FABRICIO  
Herald Staff Writer

The White House "plumbers" unit had intercepted and taped radio communications of the Soviet Embassy "proving they had access to the Pentagon papers," convicted Watergate burglar Bernard Barker Saturday said then-White House aide E. Howard Hunt told him.

"When (E. Howard) Hunt told me they had taped conversation of the Soviet Embassy and that the tapes proved the Soviets were in the process of obtaining the national secrets, I decided the case involved national security and agreed to cooperate," said Barker.

Barker would not say if he had heard the Soviet Embassy tapes in question, but said, "I have no doubt the tapes of the bugs existed."

Barker returned to Miami Friday, released from prison during the appeal of his two-and-a-half-year sentence for the Watergate burglary.

LAST JUNE, Nixon Administration sources said the Soviets obtained a copy of the documents the day before a Federal Court issued a restraining order barring the New York Times from publishing the reports.

The Soviet Embassy, according to FBI reports, received the Pentagon Papers before they were published.

Hunt, who was freed on an appeals bond Wednesday, has not been available for comment.

"I can remember Hunt telling me, 'The Soviet Embassy has been bugged and we have tapes with conversation

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MIAMI NEWS

MIAMI, FLA.

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indicating that they have some of the secret 'Sedition Papers,' said Barker.

Barker and Miami real estate salesman Felipe DeDiego were members of a team that broke into the offices of Daniel Ellsberg's psychiatrist in Los Angeles in September 1971.

Ellsberg, who has admitted to passing the papers on to The New York Times for publication, has not been linked to the leak of the documents to the Soviet Embassy, however. A still-mysterious man who signed a letter with a false name passed the papers to the Soviets, according to FBI reports.

"I CONSIDERED that the handing out of national secrets was a betrayal of this country," said Barker Saturday from his doctor's office in a Little Havana Cuban clinic.

He was being treated for facial paralysis he said he contracted while in the Federal Prison at Eglin Air Force Base.

"I thought that man (Ellsberg) was a traitor and I decided that I would serve my country by consenting to do the work asked of me," said Barker.

There have been unconfirmed reports earlier that Soviet Embassy limousines had been bugged but Barker is the first Watergate figure to say that there are tapes of the embassy's intercepted conversations.

Ellsberg and Anthony Russo Jr., both onetime researchers with the Rand Corp. in California, were



—Herold Staff Photo by MIKE O'BRYON

### Bernard Barker, Wife Clara Stroll on Flagler Street

... point out lot he sold two years ago while in real estate

charged with conspiracy, espionage and theft of government property in connection with disclosure of the documents.

U.S. District Court Judge Matt Byrne Jr., citing severe

governmental misconduct (based on Barker's entry in the psychiatrist's office) dismissed the case against the two men before it went to a federal grand jury.

"WHEN ASKED why the

FBI and the CIA could not do the job I was told by Hunt that Supreme Court rulings prevented the FBI from doing it and that the CIA was

Turn to Page 2B COLT

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sticking to foreign affairs," said Barker.

"I guess I could have kept asking questions but I was a soldier in the operation and I believed I was working for the government and I decided to carry out my orders," said Barker.

Looking relaxed and jovial as he embraced friends and told people that with the exception of his facial paralysis he was feeling fine, Barker said treatment and medical attention at the Eglin prison were worse than he disclosed Friday.

"I thought about this overnight and I must admit that I promised the crying wives of prisoners at Eglin that I would speak out against what I consider criminal neglect in medical attention to prisoners," said Barker.

"THERE ARE about 500 inmates there and not a single doctor to attend to them, just male nurses who have no authority to prescribe or to give adequate treatment," said Barker.

"Because prisoners at Eglin are on the final months of their sentences they have to take all the verbal abuse given them and the medical situation with their mouths shut," said Barker.

"I would have protested there but I did not want a black mark on my record which would have prevented my parole," he added.

**Prison Superintendent** James Rhodes said there is a clinic at Eglin and that two "medics" staff it and that he felt the facility and services were adequate. Barker said it took him 24 hours to get medical attention after developing the facial paralysis, which he said could have been caused by a stroke.

As Barker stepped outside the Centro Benefico clinic at 1422 W. Flagler St. several persons who recognized him and about five personal friends stopped cars and walked over to greet him and congratulate him on his release.

Barker was freed while his sentence is appealed. He could be paroled in June, however, and might not have to return to prison in the Watergate case. The Watergate Grand Jury, however, has not indicated if it will indict Barker for his partici-

pation in the Ellsberg burglary.

**BEFORE BARKER** and De Diego travelled to Los Angeles in Sept. 1971, they also had been involved in a mission in Washington, D.C. on May 4 of that year to disrupt anti-war demonstrations at the funeral of the late J. Edgar Hoover.

A particular target of that demonstration was Daniel Ellsberg, "the traitor," De Diego said last year in an interview.

Barker said he hired Eugenio Martinez, a salesman in his realty company, for Martinez's expertise in intelligence work. Martinez has been a long-time CIA operative.

"I hired Frank Sturgis because he is big and strong and is muscle and Villo (Virgilio Gonzales) because he was a locksmith who was willing to go," said Barker.

**THE THREE** other Miami

men will have a parole hearing decision on Monday in Washington and could be in Miami later this week.

Barker was emphatic that a year and a half after Watergate and with more than a year of jail still possible for the charges facing him, he is not sorry for what he did when he led four other men into the offices of the Democratic National Committee at the Watergate office complex June 17th, 1972.

"Now, if I find out the things Hunt told me were lies, I might change my mind of what I did," he said. "But that is his own problem if he is lying.

"I cannot live his life. If he lied to me, he has to live with those lies, but I want to emphasize that I still don't think he was lying when he told me the work he asked of us was needed because of national security," he added.

Barker, who said being caught inside the Watergate building was so far removed from his mind that it went blank upon realizing he was being arrested, said he is sad his name will be linked with the Watergate scandal in history.

"I put my mind in a blank, I did not want to react, I just went blank and didn't think because being caught in there was the one thing I never had thought about," he said.

"I HOPE that history looks at the involvement of Cubans in this affair as a coincidence, because as a matter of fact we never really cared about any of the dirty tricks that have come out later," he said.

"We agreed to cooperate because we felt it was our duty and because we felt we would engage Hunt and the White House in a deal to us which we could cash in when we needed help to free

Cuba," said Barker.

"We wanted the moral force to ask them for help," he added.

"There was nothing that I could gain from engaging in a criminal act that has brought about so much disgrace to me and my family," he said. "What I did I did thinking I was right."

Barker, 56, is the Cuban-born son of an American father and a Cuban mother. He fought in WWII, where he fell captive to German forces and was a prisoner in a Nazi concentration camp for 17 months. He was in intelligence work in Cuba for a time and later was a businessman and boxing promoter until he fled to the U.S. in 1959.

Once in the U.S. he went to work for the Central Intelligence Agency and was instrumental in organizing the Bay of Pigs invasion with Hunt.

(Mount Clipping in Space Below)

## Barker's Burglary Not 'Patriotic'

DESPITE all the corruption uncovered by Watergate, very few corruptors have gone to jail, among them the five burglars caught red-handed inside headquarters of the Democratic National Committee and two accomplices who were on the outside. This at best proves that the wheels of justice do, indeed, grind slowly. While the "little guys" serve time, the big fish are free, at least for now.

Therefore it is natural that the American public would have some sympathy for the Watergate five, among them Bernard Barker, who served a year in prison and was released recently while his sentence is appealed. However, the humanity expressed toward Barker should not be interpreted as approval of his deeds, despite all the attention lavished on him since his release.

Mr. Barker has been processed through this nation's criminal justice system and found guilty of a serious crime. His actions in no way benefited our democracy, but to the contrary violated its very basic principles. The office

which Mr. Barker and the other burglars broke into was — it must be remembered — the headquarters of the largest political party in this nation.

Mr. Barker is free to express his opinions as he wishes. He is — or was — convinced that the leaders of the Democratic Party were receiving aid from the Communists. He attempts to use this suspicion to justify his illicit acts. We see no way he could be successful in this endeavor. To hold a belief, however invalid, is a freedom this country allows every person. To break the law, the rules set up by a majority of the people for their own protection and the protection of their government, is quite another thing.

We in the United States have lived in the shadow of tyrants and dictators since our government was founded and have learned how to preserve our freedom and are entirely aware of the dangers to us. Mr. Barker remarks that this nation has many enemies. Indeed we do, and they come not only from the left but from the right and especially from those who would break our laws to achieve their own political ends.

JAN 8 1974

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— MIAMI HERALD

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(Mount Clipping in Space Below)

Barker. Martinez. DeDiego

3 Now Face

## Ellsberg Charges

By **ROBERTO FABRICIO**  
Herald Staff Writer

Worries of Watergate stopped just long enough Friday night for Bernard Barker and Frank Sturgis to meet with about 200 Cuban friends paying \$50 a plate for steak to help them pay their legal expenses.

But with a background of cha-cha music going full blast their Washington lawyer Daniel Schultz, said

their worries are far from over.

"I expect (Eugenio) Martinez and Barker and (Felipe) DeDiego to be indicted within the month for the entry in Dr. Fielding's office," he said, referring to Dr. Lewis Fielding, Daniel Ellsberg's Los Angeles psychiatrist.

Schultz also said that he had strong indications that his four clients would be

indicted also for "participation in the cover-up and obstruction of justice."

"THEY really have no reason to feel entirely safe yet," Schultz said. "We still have at least two years (of legal maneuvering) ahead of us."

The Watergate Defense Relief Fund organization raised nearly \$5,000 at Friday's dinner.

Attending were wealthy

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and middle-class Cubans, many of them close friends of some of the convicted burglars and some just sympathizers in Miami's Cuban community.

Miami City Commissioner Manolo Reboso arrived while guests were eating New York strip steaks and told someone who greeted him:

"I want to sit at the table with the brigade," a reference to the Bay of Pigs invasion brigade of which he and Barker were members.

**SCHEDULED TO** speak were Manuel Artime, the Bay of Pigs invasion's civilian chief, Sturgis, Barker and Reynaldo Vergara, who heads the Relief Fund.

"May God bless President Nixon so he can endure the

attacks upon him so the nation may survive," said the Rev. Ramon O'Farrill, a priest who gave the invocation.

Earlier, lawyer Schultz had said that even if his clients are having trouble coming up with the \$28,000 they owe him, he is not considering stepping out.

"There were not any more Cubans involved in the Watergate because no one else was asked," said Vergara. "Because we know if any Cuban had been told that there were Castroite documents in an office in Washington, there would have been not just four Cubans in the Watergate, there would

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## ~~3~~ Facing Ellsberg Charges

have been thousands of Cubans in the Watergate."

Just before the dinner began, several Cuban women played piano and sang Cuban songs on a stage at the back of the Marriott Hotel's dining room.

There were many embraces and emotional reunions by Sturgis and Barker with friends they had not seen since they went to jail, although they have been free on bond for more than a week.

In speaking to the audience, lawyer Schultz bitterly criticized U.S. District Judge John Sirica, saying that the four burglars "have in fact paid for the guilt of the real generals who have been spared the heavy sentences."

In referring to the possible indictments for the coverup and the doctor's office burglary, Schultz said, "this time the plea will be not guilty, and if they are indicted again, we are going to fight to the end."

# The Crisis Isn't Over Yet For Watergate Burglars

By JUNE KRONHOLZ  
Herald Staff Writer

Bernard Barker sits in a development company office in Hialeah, bubbling over the phone about the new apartments he's selling.

It's almost like the old days—the days before 21 months ago when Barker and three other Miamians were discovered prowling the corridors of the Democratic National Committee headquarters at the Watergate in Washington.

Barker, the leader of the Watergate quartet and the defendant who drew the heaviest sentence for his role in the break-in, has enjoyed freedom longer than the three men he recruited to help him.

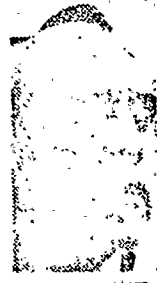
Frank Sturgis, like Barker,



STURGIS



GONZALES



MARTINEZ

is back in Miami doing construction work and trying to start over.

THE OTHER two burglary associates, Eugenio Martinez and Virgilio Gonzales, are to walk out of Eglin Air Force Base Prison today for the first time in more than a year.

For Gonzales, his time in

jail is apparently over. But new indictments spinning out of the Watergate case are expected to bring two others back to trial, and a sentence for car theft faces a third.

Since his release from Eglin Jan. 7, Barker has become vice president of C.A.S.B.A.R. Inc., a Hialeah development company building a 45-

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unit condominium called El Flamenco.

According to the corporation's charter, Miamians Wenceslao Castro, Harry Ryan and Peter Lopez are officers in the company.

**BARKER** calls himself the "promoter" of the 1055 W. 77th St. complex which already has sold six apartments for \$25,000 each, he said.

Barker himself answers the phone when it rings in his construction office and enthuses about the project like the long-time real estate salesman he is. But there is something he keeps in the back of his mind.

"The Ellsberg indictments," he muses, "as if I

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didn't have enough to think about."

**BARKER**, Martinez and a third man, Filipe de Diego expect indictment this week for the 1971 burglary of the office of Dr. Lewis Fielding, Daniel Ellsberg's psychiatrist. The burglary occurred after Ellsberg released the "secret" Pentagon Papers.

"They (the indictments) should be coming down pretty soon," agrees Washington lawyer Daniel Schultz who will represent Martinez in the trial. "We've known about it for months, you know."

**BUT EVEN** without the Fielding indictment and the trial that would follow, Barker faces a return to Fagin if an appeals court upholds the four-year to six-year sentence he received on Nov. 6, 1973, for his role in the Watergate burglary.

"I still resent the word burglar," he says. But he will have to live with it a few years more if the appeals court upholds his conviction and revokes the bond that released him from jail two months ago.

**FRANK STURGIS** posted ~~the same~~ appeal bond in February and since then has been working as a subcontractor in Miami, "putting in driveways and drain fields and that sort of thing," his wife Janet says.

But life, she admits, hasn't been easy.

"We're trying to pick up the pieces and resume the lives we led before all this happened," she says, even though Sturgis faces not one, but two prison terms.

In addition to the Watergate burglary sentence which Sturgis will have to serve if an appeals court upholds his conviction, the tall, curly-haired former window salesman faces a nine-month prison term for transporting stolen cars to Mexico.

A **FEDERAL** judge in Miami handed down the sentence on Jan. 8, then granted Sturgis an appeal bond while he fights the conviction.

While Barker and Sturgis this week face the prospect of returning to jail, Martinez and Gonzales face the prospect of freedom for the first time in 14 months.

The two were sentenced to one year to three-year terms last fall, and have been in jail since January 1973.

Like Sturgis and Barker, they were granted the right to an appeal bond, but turned it down.

"They chose to stay in and finish their time," their lawyer, Schultz says. "They didn't want to have to face the thought of returning to jail, they didn't want to have to worry about it again."

When the dark-haired, cigar-smoking Gonzales returns to Miami today, his lawyer says, he'll return to the same occupation he left behind 21 months ago — as a locksmith.

For Martinez, the future appears less certain. An indictment for the Fielding break-in could lead to a lengthy and costly trial and another prison term.

**BARKER HAS** vowed that he and Martinez won't plead guilty as they did in the Watergate case. Instead, they

will fight the Fielding charges, claiming that they were recruited by E. Howard Hunt, the former White House aide, for what they thought was official government business, Barker said.

Schultz said he will challenge the indictments, and if that fails, he will ask District Judge John Sirica to move the trial to Miami.

"Heck," he explains, "we'd like to get a little sun and a few Cubans on the jury while we're at it."

2020

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3 Miamians Are Included

Jury Indicts

Six

In Ellsberg

Case

(Indicate page, name of newspaper, city and state.)

1-A

MIAMI HERALD

MIAMI, FLA.

Date: 3/8/74

Edition:

Author:



# Ehrlichman And Colson Accused

By JAMES McCARTNEY  
Herald Washington Bureau

WASHINGTON — A federal grand jury Thursday indicted former top White House aides John Ehrlichman and Charles Colson, and four others, for the 1971 burglary of the office of Daniel Ellsberg's psychiatrist.

The two were named in the indictment as key figures in the so-called Watergate "plumbers" group, which President Nixon has admitted authorizing.

The new indictment came as the second in a series from the Watergate special prosecutor's office, following the indictment last Friday in which seven former Nixon associates were accused of participation in the Watergate coverup.

Both Ehrlichman and Colson were also charged Friday with conspiracy and obstruction of justice.

IN THE-NEW indictment the two were accused of "conspiracy against the rights of citizens" — in this case the psychiatrist, Dr. Lewis J. Fielding. The charge is a felony, with a penalty of a fine of up to \$10,000 or 10 years in jail, or both. Ehrlichman was also indicted Thursday on four counts of perjury before the grand jury and FBI agents.

Named with them were three convicted Watergate burglars, G. Gordon Liddy, Bernard Barker and Eugenio Martinez, both of Miami, plus Felipe De Diego, also of Miami.

Three others were named as coconspirators in the Ellsberg burglary, but were not indicted — Egil Krogh Jr., David Young and E. Howard Hunt, all former White House staff members.

Krogh has already pleaded guilty on similar charges and Young and Hunt were granted immunity in the investigation for cooperating with authorities.

The indictment, which was returned before Judge John

Turn to Page 18A Col. 1

Sirica, said that the six defendants, and the three coconspirators, "unlawfully, willfully and knowingly did combine, conspire, confederate and agree . . . to injure, oppress, threaten and intimidate" Dr. Fielding.

IN INVADING his office on Sept. 3, 1971, the indictment said, the conspirators violated Dr. Fielding's rights "to be secure in his person, house, papers and effects against unreasonable searches and seizures" — rights guaranteed by the Fourth Amendment to the Constitution.

Ehrlichman was also charged with making a false statement to FBI investigators and with three counts of making false declarations to a grand jury or court.

Ehrlichman, who rose to become Nixon's top domestic adviser and was widely considered one of the most powerful men in the first Nixon Administration, was accused of helping to plan the burglary virtually from the beginning.

The indictment specifically accused him of approving "a covert operation" to examine Dr. Fielding's medical files, proposed officially on Aug. 11, 1971, by Krogh and Young.

On March 27, 1973, long after the break-in, the indictment said, Ehrlichman "caused the removal of certain memoranda" about it from White House files.

EHRlichman WAS also in on discussion of financing the operation and plans to "get information out" on Ellsberg, the indictment said.

Ellsberg, a former Defense Department official, has acknowledged leaking to the press the Pentagon papers, a secret government history of the escalation of the Vietnam war.

The Nixon White House apparently decided to attempt to discredit him publicly in 1971 and the break-in was staged to obtain information to smear him.

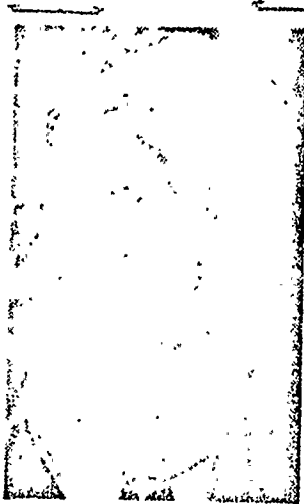
COLSON'S role according to the indictment, began on July 28, 1971, when he received a memorandum from E. Howard Hunt entitled "Neutralization of Ellsberg," which discussed a proposal "to obtain Ellsberg's files from his psychiatric analyst."

After that, Colson is accused of playing a role in obtaining money to pay Hunt and Liddy for staging the burglary and preparing a plan to disseminate information about Ellsberg.

The indictment said Colson obtained \$5,000 to pay for the burglary from the Trust for Agricultural Political Education (TAPE), a political fund-raising arm of American Milk Producers Inc., involved in the celebrated Nixon "milk fund."

The indictment said Colson gave the money to Krogh, who turned it over to Liddy.

THE STORY of the Field-



**John Ehrlichman**  
... lying charge

ing burglary has become a familiar part of the Watergate drama, and is asserted again in the indictment. Liddy and Hunt put together the team, the indictment charges, and traveled to Los Angeles to stage the abortive burglary. Barker, De Diego and Martinez are accused of entering the doctor's offices.

In a separate count in the indictment, Ehrlichman is accused of lying to FBI agents investigating the facts behind the burglary. The indictment said he falsely told the FBI in May of 1973 that "it had been over a year" since he had "seen anything on the 'Pentagon Papers' investigation."

According to the indictment, Ehrlichman also lied when he told a Washington grand jury on May 14 last year that he learned of the break-in only after it happened.

The indictment accused Ehrlichman of lying to the grand jury on at least nine separate occasions in connection with his knowledge of the break-in.

It quoted passages of his testimony to illustrate.

In a separate indictment Liddy was charged on two counts of refusing to testify before Congress about the "Plumbers" activities.

"We will fight it. We will plead innocent," said Barker in Miami, adding that he was speaking for Martinez and De Diego as well as himself.

He said he had "absolute faith" that he and the others would be exonerated of all charges connected with Watergate and the "plumbers."

**BARKER**, who is selling condominiums pending appeal of four- to six-year sentence for the Watergate incident, repeated what he has said about Watergate, that he and his colleagues believed that they were doing something for national security, that they only did what "any patriot" would have done if called upon.

De Diego, like Barker and Martinez, a veteran of the Bay of Pigs invasion, was indicted for the first time. But he was named in the Liddy-James W. McCord Watergate trial as one of the men who broke into Watergate some three weeks before the others were arrested inside.

The Ellsberg case indictments were announced as Martinez and another Watergate burglar, Virgilio Gonzales, were on their way home to Miami from the minimum security federal prison at Eglin Air Force Base in northwest Florida where they were released before dawn Thursday after serving 14 months for the Watergate burglary in June 1972.

"I'm glad to be out. I'm tired. I'm going to Miami," Martinez said.

Gonzales, a locksmith before he was jailed, said, "I will return to my life as it was before."

**COLSON**, facing his second indictment in six days, restated his innocence and said "there is much the public has not been told about circumstances surrounding this matter. A great deal more may be revealed in the course of this proceeding." Colson formerly was special counsel to Nixon.

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\* \* \* MAR 10 1974

WATERGATED: CASBAR Inc. found itself without a vice president 21 months ago when Bernard Barker was nabbed inside Democratic National Headquarters at Watergate. Now Barker's back in Miami and re-installed as vice president of the development company but may soon find himself out of a business. CASBAR failed to file financial reports in either 1973 or 1974 as required by law, according to the secretary of state's office, and owes a \$5 tax bill to the state. If the reports and the \$5 aren't forthcoming, a secretary of state's office spokesman said, the firm's charter will be revoked in July.

(Indicate page, name of newspaper, city and state.)

MIAMI HERALD

Date: 3-10-74

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Editor:

Title:

Character:

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Classification:

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Being Investigated

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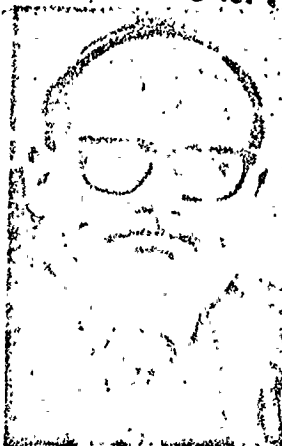
# Barker Wins Apology Over Helms' Testimony Linking Him to Hoods

By **ROBERTO FABRICIO**  
Herald Staff Writer

The Central Intelligence Agency Thursday apologized to Bernard Barker of Miami, the Watergate burglary leader, for statements by former CIA director Richard Helms linking Barker to criminals.

An agency spokesman said Helms, who now is am-

**MAR 15 1974**



**Bernard Barker**

... 'good standing'

bassador to Iran, had authorized the apology.

"We looked up all the records and found our parting with Mr. Barker was on the most amicable terms and Ambassador Helms has called us and told us we are authorized to apologize to Mr. Barker, and we did so, and to Mr. Barker's attorney, and we did so," said the spokesman.

He said the CIA contacted Barker and Daniel Schultz, his attorney, on Tuesday.

HE ALSO said the agency "confirmed he (Barker) was separated under honorable terms and in very good standing and we were authorized to extend our apologies.

Helms had testified Feb. 7, 1973, before the Senate Foreign Relations Committee that "We found out he was involved in certain gambling and criminal elements, and we didn't like the cut of his jib, and we cut him off." The

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(Indicate page, name of newspaper, city and state.)

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MIAMI HERALD

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or

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## Barker Wins Apology Over Helms' Testimony

testimony, part of a hearing to confirm Helms' ambassadorial appointment, was made public Sunday.

THE AGENCY spokesman said he didn't know if this was the CIA's first public apology, but said he could not recall a previous one.

Reached at his home Thursday, Barker said he was elated. He said he had been concerned when he learned of Helms' statements.

"I don't know what to make of it," he said. "I know it was strange hearing a man like Helms say something which I knew was totally unfounded, and I know that I felt in all honesty that I was being wronged."

Schultz said the CIA told him "that, over the past few days, it has been investigating the statements and that its investigation has revealed that Mr. Helms' accusation against Mr. Barker is totally false and completely unfounded."

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# Watergate All Began

## Here 2 Years Ago

ie of  
d state.)

By **ROB ELDER**  
Herald Staff Writer

Plans for the Watergate burglary were approved two years ago today at a quiet meeting in a borrowed house on Key Biscayne, according to sworn testimony by one of the participants.

And although that break-in was the crime without which all the rest of the Watergate scandal might never have happened, none of the three men who were there has been prosecuted for planning it.

It now appears virtually certain that none ever will be.

John N. Mitchell has been indicted in connection with the ensuing Watergate coverup. The other two, Jeb Stuart

Magruder and Fred LaRue, pleaded guilty to charges involving the coverup. And Mitchell is on trial for obstructing a separate investigation of financier Robert Vesco.

**BUT WATERGATE** special prosecutor Leon Jaworski has no plans to charge the three — or any other high Nixon Administration officials — in connection with the burglary that broke open the scandal.

In Miami, State Attorney Richard Gerstein, who thinks he has grounds for a state conspiracy case, says he probably won't prosecute because Jaworski has asked him not to interfere. The Florida statute of limitations may have run out today, March 30, although Ger-

stein now says he thinks he could prosecute any time before June 17.

Jaworski's position is that it doesn't matter whether he prosecutes the original conspiracy or the coverup so long as the guilty are punished. And there is no plan to indict anyone for the conspiracy that led to the burglary, a spokesman for the special prosecutor told The Herald's Washington bureau last week.

"It's all a seamless web," the spokesman said. "The conspiracy and the coverup are all the same crime. The same people are being indicted."

would merely create problems, Jaworski's spokesman maintained. He pointed out that state conspiracy charges in the related Ellsberg case have been dropped in California at Jaworski's urging.

For months, Gerstein has kept one foot in the Watergate door, saying that if federal authorities didn't prosecute the Key Biscayne conspiracy case, he would.

Now, however, the Florida prosecutor appears stymied by Jaworski's request that state officials stay out of the matter.

"I'd like to prosecute the case," Gerstein said last week. "I think we have a good case under state law. But for us to prosecute in the face of Jaworski's request that we not do it would be irresponsible.

**"REALISTICALLY SPEAKING,** there probably isn't going to be any Florida prosecution unless, of course, there are acquittals in the federal case."

Gerstein cited a letter Jaworski sent him in January. "Any indictment and prosecution in Florida . . . might interfere with potential federal prosecutions," the letter warned. "There would be risk of difficulty and confusion in the handling of evidence and interrogation of witnesses. Also, there might be problems of double jeopardy."

Gerstein said he disagrees that a state case would constitute double jeopardy. But he has not filed charges "because you can't take the chance somebody will say you fouled up the federal case."

In a last-second switch on a related point, however, Gerstein argued that he still has time to prosecute in the event the situation changes. Earlier, the state attorney had said Florida's two-year statute of limitations would prevent any state prosecution after Saturday, the second anniversary of the Key Biscayne meeting.

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A SEPARATE FLORIDA prosecution

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## Prosecution Deadline Extended to June 17?

Reversing his earlier position on the March 30 deadline, Gerstein said he now has received legal advice that his time won't run out until June 17, two years after the actual break-in.

One source of that advice was Murray Sams, the Miami negligence lawyer whom Gerstein had named earlier as his own "special Watergate prosecutor."

"I don't want to say this is the end of it," said Sams, who thus far has had no one to prosecute. "I think the statute runs at least until June 17. We're still studying this thing."

Only a court could decide for certain whether the statute ran out March 30 or extends until June 17. If the date was March 30, the prosecution already is dead.

One reason Gerstein is loathe to bow out of Watergate altogether is that his chief investigator, Martin Dardis, has outlined what both Gerstein and Dardis believe to be a strong state case. For months, Dardis has pushed for a state prosecution.

In an interview recently, Dardis noted that only five hired burglars and two relatively low-ranking White House aides, Howard Hunt and Gordon Liddy, have been charged with the burglary.

"But who sent them in? Who paid them?" Dardis demands. Tracing a trail of testimony he thinks leads to former Attorney General Mitchell and former

Commerce Secretary Maurice Stans, Dardis points out that while both men are on trial in the Vesco case, neither has been indicted in the original Watergate conspiracy.

"They should be charged with every crime they committed," Dardis insists.

(In connection with the Watergate coverup, Mitchell has been charged with one count of obstructing justice, three counts of false swearing and one perjury count. He is charged with conspiracy, obstructing justice and perjury in the Vesco case.)

(LaRue and Magruder each have pleaded guilty to one count of conspiracy to obstruct justice in the Watergate coverup. Sentencing has been deferred because they are cooperating with the government.)

**DARDIS' ARGUMENT RESTS** primarily on Magruder's testimony before the Senate Watergate committee. Last June Magruder spilled out for the committee his version of the Key Biscayne meeting

By late March 1972, he explained, Mitchell had resigned as attorney general to become Nixon's campaign chairman. Mitchell brought his wife to Flori-

da for a vacation, and since Mitchell planned to do some work on the campaign, he also brought Fred LaRue, a Mississippi businessman who was his assistant on the Committee for the Re-election of the President.

The Mitchells and LaRue stayed at 340 Harbor Dr. on Key Biscayne. That's the address of a \$216,000 house that has a Florida room, a screened pool and a backyard view of Biscayne Bay. The house is near the Nixon compound. It was then owned by the Key Biscayne Bank, whose president is Nixon's friend, C. G. (Pebe) Rebozo. Rebozo's sister,

Anita Reynolds, sometimes lived in the Harbor Drive house, but also had an apartment elsewhere.

## Liddy Plan Brought Up Again at Key Biscayne

Magruder was a White House aide who had gone to work for the reelection committee. He flew to Florida with a stack of papers for Mitchell's approval. On March 30, a Thursday, he brought the pile of documents to the house on Harbor Drive. The paper on the bottom was the plan for Watergate.

A pair of more ambitious proposals, drawn up by Gordon Liddy, had been reviewed earlier in Mitchell's office at the Justice Department in Washington. On Jan. 27, 1972, Mitchell had rejected a plan by Liddy to spend \$1 million on political espionage. On Feb. 4 Liddy had come back with a \$500,000 version, but again Mitchell said no.

By the time of the March 30 Key Biscayne meeting, the plan had been whittled down to a \$250,000 prospectus for three activities, all apparently illegal.

**ACCORDING TO MAGRUDER**, the three proposals were the Watergate break-in and two other schemes that apparently were never executed: a break-in at George McGovern's Washington campaign office and a plan to bug the Fontainebleau Hotel on Miami Beach, the Democratic National Committee's convention headquarters.

Mitchell has sworn that when he saw the third Liddy plan at Key Biscayne, he said, "This again? We don't need this. I am tired of hearing it. Cut! Let's not discuss it any further."

LaRue has sworn that Mitchell just remarked that the plan was "not something that will have to be decided at this meeting."

And Magruder, also under oath, quotes Mitchell as having said, "OK, let's give him (Liddy) a quarter of a million dollars and let's see what he can come up with."

## State Case Naming Others Called Possible

In other testimony, Magruder has appeared to implicate former White House aides Charles Colson and Gordon Strachan. Dardis therefore contends that if Magruder were granted immunity and questioned in Miami, it would be possible to build a state case that would include coconspirators, and possibly co-defendants, persons who did not attend the Key Biscayne meeting.

The possibility of a state prosecution is all the more tempting to Gerstein and Dardis because both men have been involved in the Watergate story since it began unfolding publicly in the summer of 1972.

The state attorney has been criticized for getting into the case at all; according to critics, Gerstein's Watergate investigation has been mere grandstanding for publicity.

**GERSTEIN CLAIMS HIS** office was instrumental in prying the lid off the coverup.

Whatever the merits of either position, a comparison of Gerstein's files with disclosures that now have come out of the federal case yields one clear conclusion:

When Watergate was still being pooh-poohed by the White House as a third-rate burglary, Gerstein and Dardis were not far behind the FBI — and at times perhaps even ahead of federal investigators — in gathering evidence that the crime was far more serious than most people supposed.

And with federal agents close-mouthed about what was being dug up, Gerstein and Dardis were the undisputed champions when it came to publicizing the case.

## State Attorney's Office Broke the News First

On at least three key points, the first news came not from Washington, but from the state attorney's office in Miami:

● Shortly after the June 17 arrest of the burglars, Dardis subpoenaed records of Bernard Barker's long-distance telephone calls. By July 19, he had traced some of the calls to the Nixon campaign committee — and others to Howard Hunt, a White House adviser.

● This was one of the first major links between the burglars and the higher-ups who hired them. (Barker's notebook, containing Hunt's name and others, was the first such link.)

27.2 8

The FBI probably knew about the phone calls first. But Gerstein publicized them first.

● A second connection involved a \$25,000 cashier's check that had been purchased from a Boca Raton bank by a man named Kenneth Dahlberg.

Dahlberg, a Minneapolis financier with a winter home in Boca Raton, was the chief midwestern fund-raiser for the Committee To Reelect the President at the time. He received the \$25,000 from Dwayne Andreas, a Minneapolis banker known as a Hubert Humphrey supporter. Andreas owned the Sea View Hotel in Bal Harbour.

Learning soon after the June 17 arrests that Barker had accounts at the Republic National Bank of Miami, Dardis subpoenaed the burglar's bank records.

On July 6, the bank gave him a photocopy of the Dahlberg check, which had been among Barker's deposits.

On July 7, the FBI picked up the original check, which had found its way back to the Boca Raton bank.

Dardis told newsmen what he had found. The FBI didn't. Dardis' tip led newsmen to Dahlberg, who confirmed that he had given that \$25,000 check to Stans, Nixon's campaign finance chairman.

Thus it was through Gerstein's office that the public learned that a Nixon campaign contribution had ended up in a burglar's bank account.

● The third revelation came in August, when Dardis learned that a Miami photo shop had processed film of Democratic National Committee correspon-

The New York Times broke the story of the phone calls. The Washington Post had an exclusive on the Dahlberg check. The Miami Herald was first on the photo story. But in all three instances, the public found out because Gerstein and Dardis were willing to talk to reporters when federal officials would not.

## Case of Notary Seal Showed Campaign Link

Meanwhile, Dardis discovered that Barker, a notary public, had falsely notarized Dahlberg's signature on the cashier's check. Dahlberg actually had endorsed the check; the problem was that Barker had not seen him do it.

Based on the tenuous claim that state law had been violated, Gerstein became the first public official to take a Watergate-related case to court. He put Barker on trial in Miami on Nov. 1, 1972 for illegal use of a notary seal.

The charge was an obscure one, the sentence a mere 60 days, suspended. But on this legal technicality, Gerstein produced court testimony, six days before the 1972 election, that Nixon campaign funds had financed the Watergate burglary.

This obviously did little to alter the outcome of the election. But at least it produced an angry accusation that Gerstein and Dardis recall fondly as a compliment.

Barker's attorney then was Henry Rothblatt, a lawyer noted for his dramatic language.

In an unsuccessful bid to block the prosecution, Rothblatt sued Gerstein in federal court. There he pointed out that Gerstein himself was running for reelection that fall. He accused the state attorney of persecuting Barker in order to stir up publicity for himself.

## 'Give Gerstein Credit For Pulitzer Prizes'

Rothblatt alluded to all the news that had been pouring out of Gerstein's office. It was, he said, a virtual torrent of publicity.

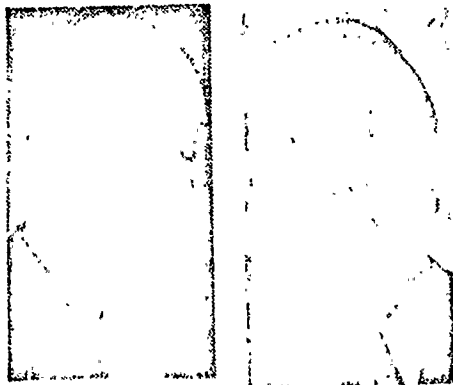
And it had been unceasing "from the date Mr. Gerstein and Mr. Dardis, his investigator, indicated (on) their entrance into this case that they were going to show the FBI, that they were going to show the Department of Justice, that this wasn't going to be swept under the rug."

Gerstein and Dardis like to think they did precisely that.

And while there is little proof for or against the contention that they affected the case itself, it is indisputable that they had a strong influence on how it was covered by the media.

Verne Williams, a Miami News reporter, wrote in a very early Watergate article, "If anyone wins a Pulitzer Prize for this story, he may owe it to Richard Gerstein."

With Jaworski blocking any further prosecution by Gerstein, that comment may remain the most definitive statement yet on the office that reporters around the country now refer to as Watergate South.



Gerstein

Dardis

... holding off

... 'strong case'

dence for Barker on June 10, 1972 — seven days before the arrests.

Obviously, this meant there had been an earlier entry during which the burglars were not caught.

This time, the FBI had the evidence far before state officials found out about it. But it became public through the state attorney's office.

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No. 121138

First Bank and Trust Company of Boca Raton, N.A.

BOCA RATON, FLORIDA April 16, 1972

63 623  
670

PAY →

MMXXV 0000000000

TO THE ORDER OF Kenneth H. Dahlberg \*\*\*\*\* \$ 25,000.00

CASHIER'S CHECK

Kenneth H. Dahlberg  
REMITTER

*James P. ...*

AUTHORIZED SIGNATURE

06700623

00010105

*James P. ...*

*...*

*Kenneth H. Dahlberg*

*...*

*...*

*...*

PAID TO THE ORDER OF  
FIRST BANK AND TRUST CO.  
BOCA RATON, FLORIDA  
63-10

This \$25,000 Campaign Check Considered Link to Watergate Burglars  
... was found among Bernard Barker deposits at Miami bank

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FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
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F B I

Date: 5/31/74

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL REGISTERED MAIL  
(Priority)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2AP/rlh

TO: DIRECTOR, FBI (65-74060)  
Attention: INTD

FROM: SAC, MIAMI (65-3264) (P)

SUBJECT: DANIEL ELLSBERG;  
BURGLARY OF OFFICE OF  
DR. LEWIS J. FIELDING

CC TO:  
REQ R-  
FEB 28 1983  
ANS.  
BY:

ReBuairtel, 5/15/74, and Miami airtel, 5/23/74.

Enclosed for the Bureau are five copies of an LHM dated and captioned as above.

One copy of the LHM is furnished to Los Angeles, the office of origin.

This communication contains the complete contents of the INS file relating to \_\_\_\_\_ as obtained from INS, Miami, Florida.

Also included in the LHM is a collection of all the newspaper and periodical articles published locally by both English and Spanish language publications in the Miami, Florida, area regarding \_\_\_\_\_

- 2-Bureau (Enc. 5) (RM)
- 1-Los Angeles (105-27952) (Enc. 1) (Info) (RM)
- 1-Miami
- WWS/al
- (4)

ENCLOSURE  
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1-706  
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REC-49

65-74060-4737

IST-111

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204 40 WSPF  
10/17/74 WWS/H/MS

CC TO: ABA  
REQ. REC'D 2-17-83  
FEB 28 1983

ANS  
BY: [Signature]

Approved: \_\_\_\_\_  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No. 65-3264

Miami, Florida  
May 31, 1974

b6  
b7c

RE: DANIEL ELLSBERG;  
BURGLARY OF OFFICE OF DR. LEWIS J. FIELDING

REGARDING [redacted] also known as

BORN [redacted]

Havana, Cuba

Fla DC

P.R.

GA

Texas

ALL INFORMATION CONTAINED  
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DATE 4/21/82 BY SP2TAP/hy

This document contains neither recommendations nor conclusions  
of the FBI. It is the property of the FBI and is loaned to your  
agency; it and its contents are not to be distributed outside  
your agency.

65-74060-4737

ENCLOSURE

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/28/74

[redacted] of  
"Diario Las Americas," the only Spanish daily newspaper in  
the Miami area published at 2900 N.W. 39th Street, Miami,  
Florida, advised that that newspaper did not maintain a  
morgue as such. The paper had no index or files grouped by  
individuals' names or subject matter concerning previously  
published articles.

b6  
b7c

The newspaper does maintain a library of past  
editions of the newspaper filed chronologically.

[redacted] advised that that newspaper had not  
done any special news article concerning EUGENIO R. MARTINEZ  
or [redacted] All their news articles in this connection  
had been based on wire service releases.

Interviewed on 5/23/74 at Miami, Florida File # Miami 65-3264

by SA [redacted] al Date dictated 5/28/74

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 5/28/74

[redacted] Patria Newspaper, Inc., a Spanish language newspaper published weekly for the Miami, Florida, area at 717 Ponce de Leon Boulevard, Coral Gables, advised that that newspaper did not maintain a morgue as such. The paper had no index or files grouped by individuals' names or subject matter concerning previously published articles.

b6  
b7c

The newspaper does maintain a library of past editions of the newspaper filed chronologically.

[redacted] advised that the newspaper had not done any special news article concerning **BERNARD J. BARKER, EUGENIO E. MARTINEZ**, or [redacted]. All their news articles in this connection had been based on wire service releases.

Interviewed on 5/24/74 at Miami, Florida File # Miami 65-3264

by SA [redacted] al Date dictated 5/28/74



## FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 28, 1974

[redacted] "Miami Herald" and "Miami News" newspapers, the morning and evening daily newspapers published in Miami, Florida, at 1 Herald Plaza, advised that the morgue of that newspaper contained individual file folders by name and subject of all individuals who had been frequently mentioned in connection with the Watergate and related investigations.

b6  
b7c

Accordingly, he made available for copying the following articles which were prepared by the "Miami Herald" and the "Miami News" newspapers (exclusive of wire service releases) contained in the name file of [redacted]

Interviewed on 5/23/74 at Miami, Florida File # Miami 65-3264  
by SA [redacted] al Date dictated 5/28/74

(Mount Clipping in Space Below)

# Figure in Ellsberg case says here he knows a lot more

By LOUIS SALOME  
Miami News Politics Writer

Dade State Attorney Richard Gerstein believes that Felipe DeDiego, the Miamian who testified he broke into the office of Daniel Ellsberg's psychiatrist in 1971, has information about other "burglaries of a political nature."

Gerstein said yesterday, after DeDiego gave sworn testimony for the second straight day, that DeDiego, "has indicated that given immunity elsewhere such as in Washington and other places he will testify further about other things."

Those other things were "burglaries of a political nature" Gerstein said.

"I am certainly going to convey the information to the prosecutors in Washington to let them know Mr. DeDiego is anxious to talk and given immunity would talk.



FELIPE DeDIEGO

It would seem to be in the best interest of justice that he be given immunity. It would be of great interest to the American people," Gerstein said.

In his testimony yesterday,

DeDiego said he was working for a "new agency" for national security operating from the White House.

While DeDiego was giving his testimony, two FBI agents entered Gerstein's office where they met with Martin Dardis, Gerstein's chief investigator.

No one would comment on the meeting, but it appeared the FBI agents wanted to know what DeDiego was saying, without talking to him.

Reliable sources told The Miami News that the agents are interested in DeDiego's role and information on the Ellsberg break-in. It is also possible, however, they are interested in what DeDiego may have to say about other matters.

Gerstein said DeDiego had

(Indicate page, name of newspaper, city and state.)

1A

MIAMI NEWS

MIAMI, FLORIDA

Date: 5/12/73  
Edition:

said earlier he had been in touch with the FBI.

While DeDiego has been granted immunity from prosecution by the State of California relating to the Ellsberg case, he could be prosecuted in federal court, state attorney officials said.

They said a federal prosecutor could not use DeDiego's immunized statement specifically against him, but he is not immunized from prosecution in federal court in other areas. This means his statement could be used by federal officials to provide additional leads from which prosecution of DeDiego could result.

Gerstin said yesterday, "In a sworn statement, Mr. DeDiego said he was working for a new government agency working directly out of the White House under a man whose code name was Eduardo — that is Hunt."

"Eduardo" and "Hunt" are Ed Howard Hunt, a former CIA agent and former White House aide who is now in jail, convicted for his part in the Watergate burglary. Hunt had used the code name Eduardo in his CIA activities, going back to the Bay of Pigs invasion in 1961.

Gerstein said DeDiego clearly stated he was working for a "new agency," and not for the FBI or the CIA.

DeDiego testified Thursday that he, Bernard Barker, for whom he worked as a real estate agent, and Eugenio Martinez broke into the Beverly Hills, Calif. office of Dr. Lewis Fielding Ellsberg's psychiatrist, on Sept. 3, 1971.

DeDiego's only comment about yesterday's testimony was that he did not get involved in the break-in for money, either on the spot or on the promise of receiving some at a future date.

(Mount Clipping in Space Below)

# LUNCH WITH McCORD

## New Notoriety Has Left Him Out in the Cold as a Spy

By GENE MILLER  
Herald Staff Writer

WASHINGTON — James W. McCord Jr., spy, burglar, witness, sipped his Budweiser at lunch Thursday, ordered the \$2.95 chef's salad, and said casually that he doesn't think John Mitchell will jump out a window.

"He'll talk," McCord said. "A guy at his age — he's got no place to go."

McCord is 49. He looks it, but up close, he is not the heavy he projects on the news-

works from the congressional chamber.

NOR IS he humorless.

"Do I get a toupee?" he asked his lawyer, Bernard Fensterwald, who informed McCord he will face the nation and a make-up man Sunday.

"Wear a blue shirt," instructed his counselor, who refers to his client as "the jailbird" when he dials McCord's home.

"I don't want you to be pulled into a false sense of security," Fensterwald explained.

THE FACT is that McCord is staring at a 45-year sentence — and apparently he is cooperating as fully as he can in quest of the mercy of the court.

In the privacy of his lawyer's sixth-floor office in the Christian Science Monitor Building here, where the men's room door is taped so it won't lock accidentally, McCord cooperated with still another law enforcement of-

ficial Thursday, Dade State Attorney Richard Gerstein. Gerstein was in town talking to Watergate figures. He would like nothing more than an "honest-to-goodness Florida conspiracy prosecution."

McCord spoke Thursday of a plot to bug the Fountainebleau Hotel during the Democratic National Convention last summer.

"We had the blueprints," he said. "Liddy told Hunt and me that he had the maintenance and security at the Fountainebleau in his pocket

— and I took that to mean that he had them on the payroll."

THE SCHEME went awry when District of Columbia police caught McCord and Leonard L. Barker and his Miami Cubans inside the Watergate on June 17, complicated further by their subsequent convictions with White House aides G. Gordon Liddy and E. Howard Hunt.

Barker is a resident of the federal prison at Danbury, Conn. McCord feels that

Barker, too, may be quite cooperative.

"I think he played a larger role than he has been given credit," McCord said.

The "highly compartmentalized" nature of the operation, he said, restricted everyone's knowledge.

MCCORD said, though, that he "heard" that John Caulfield, the former cop, and John Mitchell, the former attorney general, talked about illegal strategies in March 1972 in Boca Raton,

Fla. And he also "heard" that Mitchell had similar discussions with Job Magruder at Key Biscayne in February 1972.

Myrtin Dardis, chief investigator for Gerstein, showed McCord some photographs. McCord identified — for the first time — Renaldo Pico and Felipe DeDiego as uncaught prowlers at the Watergate in an earlier break-in during Memorial Day weekend, 1972.

His own two trips to Florida, he said, concerned "strictly security" business. This was before his recruitment as the unlawful "electronics man" through the Committee to Reelect the President.

To the TV camera crew outside, Gerstein spoke inconclusively of the burglary of the Chilean embassy, the burglary of the office of a lawyer for the Vietnam Veterans Against the War in Gainesville and the burglary of his own office — all unsolved.

AT LUNCH with his lawyers, in the basement Falstaff Room of the Sheraton Hotel, McCord acknowledged his instant celebrity status. He's on the cover of Newsweek this week.

"Public Enemy No. 1" deppanned the ex-F agent.

As a CIA spy, he has it. Even the bell capt sidied to the table to tell a mi outs

(Indicate page, name of newspaper, city and state.)

2D

MIAMI HERALD

MIAMI, FLORIDA

Date: 6/1/73  
Edition:

McCord had but one concern: Was the man law enforcement or press? Law enforcement he accommodates. He receives substantial fan mail — "98 per cent favorable."

"AND WE didn't drum that up," he added, in not-so-oblique reference to the CREP's phony mail campaigns.

"Ultimately," he intends to write a book. Publishers beseech him.

But thus far, Fensterwald said, "they're too cheap."

The crucial specter that obviously haunts McCord, though, is prison. Will he go?

"I DON'T have the slightest idea," said McCord, free on \$100,000 bail.

Federal Judge John Sirica set sentencing for June 15. Fensterwald hopes for a postponement. Because of President Nixon's May 22 admissions of a White House coverup, Fensterwald hopes also for a new trial.

"You win some and you lose some," Fensterwald said, as his partner, William G. Ohlhauser, cringed. "You don't tell a client that."

The client blinked. He made no attempt to pay for lunch with a \$100 bill.

(Mount Clipping in Space Below)

# Watergate panel subpenas DeDiego

By LOUIS SALOME  
Miami News Politics Writer

Investigators for the Senate Watergate Committee have subpoenaed Felipe DeDiego, a Miamian who has admitted taking part in the break-in at the office of Daniel Ellsberg's psychiatrist. They hope to get information about other political-inspired burglaries.

Two Watergate investigators Saturday in Miami also subpoenaed the records of Avanti Press of Hialeah to determine if indicted political suboteur Donald H. Segretti had political propaganda printed at the plant during last year's presidential campaign.

DeDiego was given the subpoena Saturday night after being questioned in State Attorney Richard Gerstein's office for more than four hours by Watergate investigators R. Scott Armstrong and Mike Hershman.

DeDiego showed a subpoena calling for him to appear in Washington at 1 p.m. June 18. He said, however, the investigators told him the subpoena could be withdrawn before his scheduled appearance.

Before DeDiego emerged from behind closed doors, Jose Arriola Sr. and his son, Jose Arriola Jr., operators of Avanti Press, walked out of Gerstein's office after a couple of hours of on-and-off questioning by investigators. They said the investigators subpoenaed their company's records for the Watergate committee.

Four telephone calls are known to have been made from Segretti's telephone to the office phone at Avanti Press. Segretti has been indicted on charges of authorizing a phony letter smear-campaigns in last year's Florida presidential primary.

But the Arriolas, father and son, said they had no records of any contact with Segretti, and, they said, they did not know him. They also said they did not print any political propaganda for Segretti.

Both Arriolas said a letter would be sent to the Senate committee, stating officially that they have no records of having done work for anyone named Segretti.

The two investigators also questioned, although very briefly, Reinaldo Pico in addition to DeDiego and the Arriolas. Pico, DeDiego and eight other Cuban exiles from Miami went to Washington in May, 1972, to disrupt anti-war demonstrations at funeral services for J. Edgar Hoover.

DeDiego, Pico and Jose Arriola Sr. were subpoenaed Friday by Gerstein and ordered

to appear at his office at 11 a.m. Saturday. Gerstein said he issued his subpoenas

merely to accommodate the investigators.

The three men did not know they were going to talk to federal Watergate investigators until they arrived at Gerstein's office Saturday morning.

Neither Armstrong nor Hershman would comment on exactly what they were after. But it appeared they wanted Pico and DeDiego to talk about other politically inspired spying, sabotage and burglar activities they may know about besides the Watergate and Ellsberg cases.

It appeared also that neither Pico nor DeDiego wants to talk without being given immunity from prosecution or at least a guarantee that any additional information they give won't go beyond the Senate committee, although DeDiego still insists he knows nothing else.

Gerstein's office believes that DeDiego has information about the break-in at the Chilean Embassy in May 1972, but DeDiego says he doesn't.

The Senate Watergate Committee is officially called the Senate Select Committee on Presidential Campaign Activities. The appearance of the two investigators here indicate that the committee is pushing aggressively beyond Watergate itself and into other areas of political espionage and sabotage, such as the Segretti case and the Chilean Embassy break-in.

(Indicate page, name of newspaper, city and state.)

5A

MIAMI NEWS

MIAMI, FLORIDA

6/11/73

Date:

Edition:

Author:

DeDiego went behind closed doors for questioning at about 2:30 p.m. Saturday. He did not leave with his fresh subpoena until 7:10 p.m.

Owing a brief break in his

questioning, DeDiego told a reporter he was being asked about his "background, from the beginning." "It's like tell me your life," he said.

When DeDiego emerged for good, he showed the new subpoena and said the investigators asked him "about the Chilean situation."

He told a reporter, "I told them (the investigators) I don't know anything about Chile." Beyond that, DeDiego would say nothing except that he was quizzed heavily about his background.

Reliable sources told The Miami News that federal officials would try now to determine if any further testimony by Pico and DeDiego on other matters could be limited in its use to the Senate committee. In other words, they want to find out if Pico and DeDiego can be given immunity on hitherto unrevealed matters.

Pico, along with a lawyer, Luis Salas, was called for questioning at about 11:20 a.m. Saturday. He left at about 12:15 p.m.

Salas said Pico was asked about his background. He said that the question of immunity was discussed but that immunity was not given and that no decision was made about it.

He said that Pico was not subpoenaed to appear in Washington and that he did not know if Pico would be subpoenaed.

Judging from Pico's brief quizzing, it appeared he refused to answer any questions of substance about Watergate-related matters.

Jose Arriola Sr., who appeared at Gerstein's office with his wife, Lucretia, went in for questioning at about 12:45 p.m. Saturday.

He emerged at about 2:25 p.m. and said nothing, except that he was going out for lunch and would return with his son.

The Arriolas returned at about 3:10 p.m., and an hour later Jose Arriola and his son went back in for questioning.

When they emerged a short time later, the Arriolas showed a subpoena, which asked that any "materials or documents" or anything else they have relating to the 1972 presidential campaign be sent to investigator Hershman.

The subpoena said, "including but not limited to the events involving the break-in and the election surveillance at the Democratic National Committee headquarters at the Watergate and related events prior and subsequent thereto and all political literature purchased

by Donald Segretti or A. K. Donaldson."

Asked about the calls from Segretti, Jose Arriola Jr. said, "We get so many calls in one day but I doubt it very seriously that he called. For a fact, we know we didn't do any work for Segretti. I know for a fact that no one by that name ever talked to us (him or his father)."

But both Arriolas said they were friendly with convicted Watergate burglar Bernard Barker. The elder Arriola said of real estate man Barker, "We made a brochure for him for a condominium."

It could be, the Arriolas said, that Segretti called Barker while he was at the office of Avanti Press. That's anybody's guess, the Arriolas said.

The younger Arriola said the company does not do any political work even locally because it is nonunion. "As far as we're concerned, we never talked to Segretti or anyone with a name close to that or about any political work," the younger Arriola said.

(Mount Clipping in Space Below)

# DeDiego balks at Cox request for testimony

SEP 12 1973

By LOUIS SALOME

Miami News, Politics Writer

The attorney for Miami Felipe DeDiego said the office of special Watergate prosecutor Archibald Cox has asked DeDiego to testify before the Watergate grand jury in Washington.

But at this point, attorney Dana Brigham said, federal prosecutors have not offered DeDiego immunity. "Unless he (DeDiego) gets immunity, he's not going to testify," said Brigham.

Brigham said it is still possible Cox' office would grant immunity if DeDiego agreed to be a witness for the state.

There have been reports recently that DeDiego, a restorator, will be indicted in a week or two by the Watergate grand jury on federal charges stemming from his admitted participation in the 1971 break-in at the Los Angeles office of Daniel Ellsberg's psychiatrist.

The Watergate grand jury reportedly will also indict convicted Watergate burglars Bernard Barker and Eugenio Martinez also of Miami's Cuban community, for their alleged role in the break-in of Ellsberg's psychiatrist's office.

DeDiego has testified under a grant of immunity before a Los Angeles County grand jury about his partici-

nation in the psychiatrist's office break-in. Los Angeles authorities said, yesterday they will not prosecute him.

The same grand jury last week indicted former high-ranking White House aide John Ehrlichman and three other persons in connection with the Ellsberg break-in.

DeDiego testified earlier this year before the original grand jury in Washington, which was investigating Watergate before Cox was assigned the job and, before a new special jury was impaneled.

He reportedly had received immunity from that jury also.

as DeDiego testified on various matters relating to Watergate and other Cuban exile activity of a political nature.

Brigham said, "He (DeDiego) is not afraid of anything. He's been there once. He told his story to Silbert (Assistant U.S. Attorney Earl Silbert, one of the original Watergate prosecutors). I mean, why keep beating a dead horse and chasing him?"

Brigham said he has not received any indication from Cox's office that DeDiego may be indicted.

"My advice to DeDiego is it would profit him nothing to go before the grand jury if they plan to indict him. They haven't made clear their intent. It doesn't make sense for them to say, 'you do us all the favors and we'll do none for you,'" Brigham said.

Brigham said he communicated with the prosecutors here by telephone and by letter a number of times. "Their interest seemed more of a general witchhunt and an attempt to make scapegoats here," Brigham said.

He said the prosecution talked in general, but they did show interest in finding out more about the May, 1972, break-in at the Chilean Embassy in Washington.

MIAMI NEWS

Date: 9-12-73

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

Being Investigated



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# DeDiego to use immunity pledge in Ellsberg case

By BARBARA MALONE  
*Staff Writer*  
Felipe DeDiego, who was indicted in the break-in of Daniel Ellsberg's psychiatrist's office, will attempt to have those charges dismissed on grounds that he was granted immunity in Miami by Dade State Attorney Richard Gerstein.

DeDiego's attorney, Henry Rothblatt, said from his New York office yesterday he would file a motion to dismiss the charges.

On March 7, a federal grand jury in Washington handed down six indictments in connection with the Ellsberg psychiatrist office burglary. DeDiego, a Miami resident, was named in one of them.

Gerstein granted DeDiego immunity May 10 of last year in exchange for DeDiego's testimony on the Beverly Hills, Calif., burglary which took place in September, 1971.

Gerstein questioned DeDiego here at the request of Los Angeles District Attorney Joseph Busch who was then investigating the burglary of the psychiatrist's office.

Busch also immunized DeDiego.

According to Rothblatt, once a defendant has been granted immunity from prosecution in one jurisdiction, the immunity stays with him in both state and federal courts.

that has been the law of

the law for the past seven years, Rothblatt said, adding that two Supreme Court decisions stood for that proposition.

During his testimony, DeDiego told Gerstein how he and two other Watergate burglars from Miami traveled to Los Angeles under assumed names and broke into the office of Dr. Lewis Fielding.

DeDiego testified his accomplices were Miamians Bernard Barker and Eugenio Martinez. Investigators learned from other sources that E. Howard Hunt and G. Gordon Liddy were alleged to have been outside the office talking to the burglars by walkie-talkie.

Indicted along with DeDiego recently were Barker, Martinez, Liddy and former presidential aides John Ehrlichman and Charles Colson.

The attorney added he believes the office of Special Prosecutor Leon Jaworski is already aware of the immunity granted here.

Rothblatt said he did not believe it would be necessary to subpoena Gerstein in making the defense motion to dismiss, because he did not anticipate a dispute over the facts.

Rothblatt said he is awaiting a transcript of grand jury minutes before filing his motion to dismiss which he said he hoped to do as soon as possible.

(Indicate page, name of newspaper, city and state.)

8A

MIAMI NEWS

Date: 3-19-74

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office

Being Investigated

43

(Mount Clipping in Space Below)

# Miamian Wants APR 12, 1974 Separate Trial

WASHINGTON Bureau  
WASHINGTON — A defendant in the Daniel Ellsberg burglary case argued that he could not get a fair trial in the same courtroom with former White House aide John Ehrlichman.

Lawyers for elipe de Diego Cuban exile now living in Miami, made that argument in urging U.S. District Judge Gerhard Gesell to have Ehrlichman tried separately from the other White House "plumbers" defendants.

**ST**  
EHRlichman, De Diego, former presidential assistant Charles Colson, and three others have been indicted for the 1971 burglary of the office of Ellsberg's psychiatrist, Dr. Lewis Fielding of Los Angeles.

Stephan Peskin of New York De Diego's attorney, told Gesell that the glare of

Watergate publicity had made Ehrlichman so controversial that once a jury is "able to link De Diego to Ehrlichman, then his right to a fair trial is threatened."

The judge did not rule, but indicated that he might separate part of the charges against Ehrlichman for different reasons.

All six of the "plumbers" defendants are charged with conspiracy to violate the civil rights of Dr. Fielding by breaking into his office. Ehrlichman is also charged with lying to the FBI once and committing perjury before a grand jury three times in connection with the burglary.

GESELL HINTED he thought it might be improper to allow "all those other defendants who are only charged with conspiracy to sit there and let it (testimony about Ehrlichman's alleged lying) rub off on them."

(Indicate page, name of newspaper, city and state.)

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MIAMI HERALD

Date: 4-12-74

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office

Being Investigated

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# Charge dismissed against De Diego

Combined Miami News Services

The charge against Felipe De Diego of Miami, one of six men indicted last March in connection with the burglary of offices of Daniel Ellsberg's psychiatrist, was dismissed yesterday by District Court Judge Gerhard Gesell in Washington.

The judge said De Diego had been granted immunity from prosecution while appearing before the Dade County Grand Jury and had been promised the information he disclosed would not be used against him.

De Diego has admitted he participated in the break-in of the Beverly Hills, Calif., offices of Dr. Lewis Fielding in September, 1971.

Dade State Attorney Richard Gerstein gave De Diego immunity May 10 so information could be obtained against other persons now accused in connection with the break-in. The immunity was also granted by California officials.

De Diego was indicted in Washington in connection with the burglary but his lawyer, Henry Rothblatt, said when a person had been granted immunity in one jurisdiction that immunity stays with him in both state and federal courts. Judge Gesell today agreed and dropped the charges against De Diego.

Gesell said there was no practical way in which the prosecution could prove that none of its case against De Diego was based on information he gave under the cloak of immuni-

(Indicate page, name of newspaper, city and state.)

8-A

MIAMI NEWS

MIAMI, FLA.

Date: 5/22/74

45

(Mount Clipping in Space Below)

## De Diego: Would Be Proud to Do It Again

By FRANK GREVE  
Herald Staff Writer

Felipe De Diego, one of a handful of men to have won immunity from Watergate prosecution, hasn't had it with clandestine politics.

"What I did was done because I was told I was helping national security," the Miami Realtor said Wednesday from the office of his lawyer. "And I'd be proud to do that job anytime."

"I might be involved in the cause of Cuban freedom gain," he said.

De Diego, 45, looking relaxed and cheerful, also said his business had improved

"because of the publicity," since his code name was found in Watergate burglar Bernard Barker's address book shortly after the June 1972 break-in. He owns Realco Realty at 2731 Coral Way.

U.S. District Judge, Gerhard A. Gesell dropped the lone conspiracy charge against De Diego Tuesday. Though prosecutors said they had independent information connecting him to the break-in at the office of Daniel Ellsberg's psychiatrist, De Diego had twice been granted immunity for testimony relating to the case.

(Indicate page, name of newspaper, city and state.)

34-A

MIAMI HERALD

MIAMI, FLA.

Date: 5/23/74

Special Prosecution Force  
U. S. Department of Justice

Director, FBI

*W*  
*MLK*

1 - Mr. R. E. Gebhardt  
1 - Mr. W. R. Wannall  
June 11, 1974

BY COURIER SERVICE

1 -

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b7c

UNITED STATES v. JOHN-D. EHRLICHMAN, ET AL.,  
UNITED STATES DISTRICT COURT, WASHINGTON, D. C.,  
CRIMINAL NO. 74-116

Reference is made to your memorandum dated May 2, 1974, wherein it was requested, in part, that this Bureau obtain copies of English and Spanish language newspapers and periodicals published from 1960 to the present in the Miami area relating to Bernard L. Barker.

Enclosed for your information are two copies of a memorandum dated May 31, 1974, prepared at Miami, Florida, in compliance with above request.

Enclosures - 2

WVH:mjg  
(6)

NOTE:

Above is in compliance with WSPF memorandum to Director dated 5/2/74.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2TAP/gh

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Admin. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
- Ext. Affairs \_\_\_\_\_
- Files & Com. \_\_\_\_\_
- Gen. Inv. \_\_\_\_\_
- Ident. \_\_\_\_\_
- Inspection \_\_\_\_\_
- Intell. \_\_\_\_\_
- Laboratory \_\_\_\_\_
- Plan. & Eval. \_\_\_\_\_
- Spec. Inv. \_\_\_\_\_
- Training \_\_\_\_\_
- Legal Coun. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director Sec'y \_\_\_\_\_

BY COURIER SVO.  
JUN 11 P.M.  
FBI

FSP/SSM  
REC-49  
157-111

*WVH*  
65-74060-4738

3 JUN 12 1974

54 JUN 11 1974

MAIL ROOM  TELETYPE UNIT

*WVH*

Mr. James A. Wilderotter  
Associate Deputy Attorney General

NOTE:

Reference is made to memoranda Wannall to [redacted] dated 5/31/74 and [redacted] dated 6/10/74. By letter dated 5/24/74, Wilderotter advised that House Judiciary Committee had requested copies of two FBI memoranda and Wilderotter further advised that we might wish to explain the context in which these memoranda were issued. Director's approval was obtained for Inspection Division to interview present and former Bureau personnel involved in the preparation and approval of these memoranda. Inspection Division has completed its inquiries and [redacted] has advised that copies of the FD-302s should be forwarded to Wilderotter for his information and that the latter should contain no conclusions on the part of this Bureau. [redacted] further advised that this information should also be made available to the Special Prosecutor.

b6  
b7c

FBI

Date: 6/3/74

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

TO: DIRECTOR, FBI  
FROM: SAC, WFO (44-991) (P)

*McL.R*

JOHN D. EHRLICHMAN,  
ET AL  
CIVIL RIGHTS-CONSPIRACY  
FALSE DECLARATIONS  
ESP  
(OO:WFO)

Enclosed for the Bureau are the original and six copies of an LHM dated and captioned as above.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP8AP/abj

REC-16 5-74060 4749

EX-110

JUN 14 1974

b6  
b7c

2- Bureau (Enc. 2)  
1- WFO

AJL:jrm  
(3)

*2- WFO  
1- WFO  
ENCLOSURE*

*5*  
*6*  
*OK*

*Added to WSPF  
WFO/WFO  
6/6/74  
H/LP/ja*

*AK*

Approved: \_\_\_\_\_ Sent \_\_\_\_\_ M Per \_\_\_\_\_

Special Agent in Charge



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No.

Washington, D.C.  
June 4, 1974

JOHN D. EHRLICHMAN  
EUGENIO MARTINEZ;  
BERNARD L. BARKER  
GEORGE GORDON LIDDY  
CIVIL RIGHTS-CONSPIRACY

b6  
b7c

On May 16, 1974, Assistant Watergate Special Prosecutor Nathaniel Akerman requested the Federal Bureau of Investigation to determine the location of the banking facility utilized by [redacted] in Miami, Florida during the period August, 1971 through September, 1971. Once the facility was identified, the FBI was requested to contact banking officials in an effort to examine these records for the requested information. Mr. Akerman advised there was no present need to take charge of any records, but merely to determine if such records exist.

Mr. Akerman further requested that the banking records of Bernard L. Barker at the First National Bank of Miami, Miami, Florida, and the banking account of Eugenio Martinez, be examined for the same time period.

On May 23, 1974, [redacted] First National Bank of Miami, 100 South Biscayne, Boulevard, Miami, Florida, made available copies of Bank statements, checks and deposit slips pertaining to active account number [redacted] for period August and September, 1971, which copies were produced from microfilm records.

This account is under the name of Bernard L. and [redacted] Barker, 5229 Northwest Fourth Street, Miami. Bank statements reflect balances of \$2,262.23 as of August 2, 1971 and \$3,708.77 as of September 30, 1971.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 4/21/82 BY SP2TAP/ah

65-74060-4749

ENCLOSURE



JOHN D. EHRLICHMAN  
EUGENIO MARTINEZ;  
BERNARD L. BARKER  
GEORGE GORDON LIDDY  
CIVIL RIGHTS-CONSPIRACY

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Deposits and other credit items appearing on bank statements for pertinent period consist of 12 deposits which include, \$1,900.00, \$1,400.00 and \$1,300.00 made on August 24, 1971, September 2, 1971, and September 9, 1971, respectively. Checks and other debit items recorded on bank statements for pertinent period appear to be normal joint account household disbursements with possible exception of one item consisting of check number [redacted] in amount of \$1,900.00, dated August 5, 1971, payable to [redacted] Attorney, and signed B.L. Barker. This check bears the handwritten endorsement "For Deposit Only, in Trust Account of [redacted] Sale, Leshnick-Barker." It also bears the stamped endorsement, "For Deposit Only [redacted] Trust Number [redacted]" The check also bears the stamped bank endorsement of Mercantile National Bank of Miami Beach, Miami Beach, Florida.

Regarding the account of Eugenio Martinez, on May 24, 1974, [redacted] Jefferson National Bank of Miami Beach, Miami Beach, Florida, advised a representative of the FBI that the records show a checking account under the name of Eugenio Rolando Martinez [redacted] care of Barker Association, Incorporated, 2301 N.W., 7th Street, Miami, Florida, was opened on August 30, 1968 and remained active until June 13, 1972.

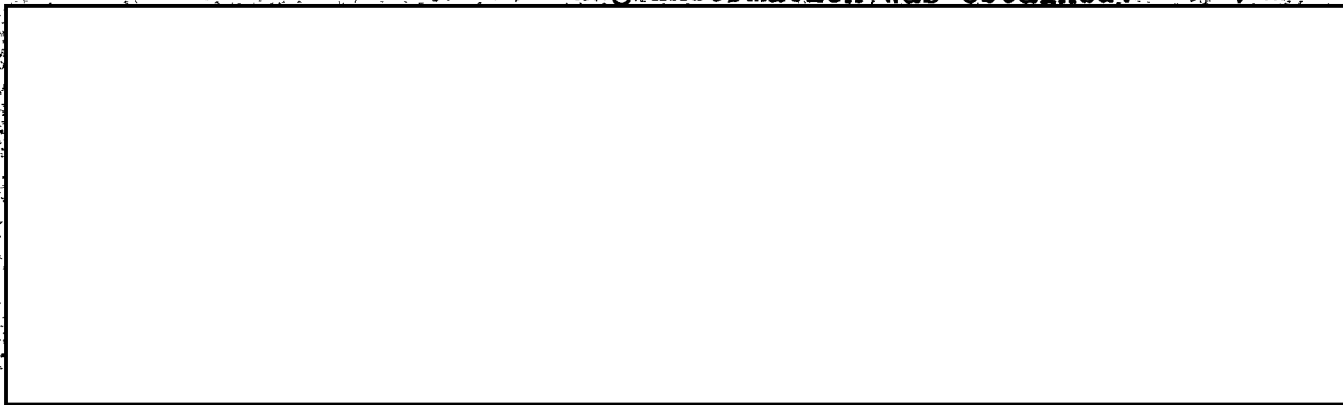
[redacted] said the bank records pertaining to this account (number [redacted]) are maintained on micro-film which is stored in Flora, Mississippi. [redacted] advised he has requested the records for the pertinent period and will make them available for review by the FBI.

[redacted] In view of the fact that the Indictment against [redacted] was dismissed, no review of his bank account has been conducted.

JOHN D. EHRLICHMAN  
EUGENIO MARTINEZ;  
BERNARD L. BARKER  
GEORGE GORDON LIDDY  
CIVIL RIGHTS-CONSPIRACY

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On May 30, 1974, the records of the Jefferson National Bank, of Miami Beach, Florida, regarding Martinez were reviewed and the following information was obtained:



Additional efforts are still underway to determine whether or not deposits in the Barker and Martinez accounts were in cash or by check.

- 1 - Mr. R. E. Gebhardt
- 1 - Mr. W. R. Wannall
- 1 - [redacted]

b6  
b7C

June 6, 1974

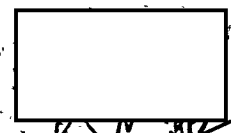
BY COURIER SERVICE

Special Prosecution Force  
U. S. Department of Justice  
Director, FBI

REC-16 65-74060-4749

*SM*  
*FK CMK*

UNITED STATES v. JOHN D. EHRlichman, ET AL.,  
UNITED STATES DISTRICT COURT, WASHINGTON, D. C.,  
CRIMINAL ACTION NO. 74-116



Reference is made to request of Mr. Nathaniel Akerman of your office on May 16, 1974, to locate and examine bank records of defendants Bernard L. Barker and Eugenio Martinez.

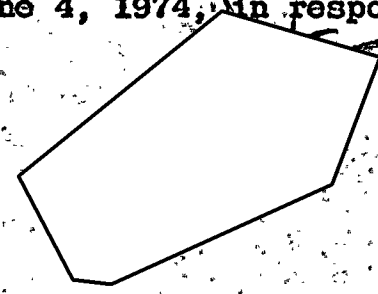
Enclosed herewith are two copies of a memorandum prepared at Washington, D. C., dated June 4, 1974, in response to Mr. Akerman's request.

Enclosures - 2

WWH:mjg  
(6)

NOTE:

Above is in response to request of Mr. Akerman, WSPF, which he made orally to WFO on 5/16/74.



SENT FROM D. O.  
TIME 2:57  
DATE 6-6-74  
BY [signature]

ALL INFORMATION CONTAINED

DATE 12/18/82 BY [signature] SP2TH/241 AJD/FSP

- Assoc. Dir.
- Dep. AD Adm.
- Dep. AD Inv.
- Asst. Dir.:
- Admin.
- Comp. Syst.
- Ext. Affairs
- Files & Com.
- Gen. Inv.
- Ident.
- Inspection
- Intell.
- Laboratory
- Plan. & Eval.
- Spec. Inv.
- Training
- Legal Coun.
- Telephone Rm.
- Director Sec'y

JUN 21 1974  
MAIL ROOM  TELETYPE UNIT

RECEIVED

5-74060

F B I

Date: 5/15/74

Assoc. Dir.	_____
Dep.-A.D. Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

TO: DIRECTOR, FBI  
FROM: SAC, WFO (44-991) (P)

*McLEK*

JOHN D. EHRLICHMAN:

*[Redacted]*  
GEORGE GORDON LIDDY, aka;  
BERNARD L. BARKER, aka;

*[Redacted]*  
EUGENIO ROLANDO MARTINEZ, aka;  
CIVIL RIGHTS - CONSPIRACY;  
FALSE DECLARATIONS;  
ESP

~~(ACCOUNTING AND FRAUD SECTION -  
WATERGATE UNIT)~~

65-74060-4750X

As the Bureau is aware, on or about 4/10/73, in the District of Columbia, JOHN W. DEAN, III, former Counsel to the President, advised AUSA *[Redacted]* WDC, that E. HOWARD HUNT and GEORGE GORDON LIDDY had participated in an "entry" into the office of Dr. FRED FIELDING in 1971 at Los Angeles, California. FIELDING, at that time, was the psychiatrist to DANIEL ELSBERG.

Subsequently, certain members of the White House staff were called before the Federal Grand Jury. An investigation ensued, followed by an indictment of the captioned individuals for Conspiracy to violate the Civil Rights of Dr. LEWIS FIELDING. EHRLICHMAN was also charged.

- 3- Bureau
- (2- Watergate Unit)
- (1- Intelligence Division)
- 1- Los Angeles (Info)
- 1- Miami (Info)
- 2- WFO
- (1-139-166)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2TAP/ab

Approved: *[Signature]*  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

MCS  
JUL 18 1974

WFO 44-991

with violation of Title 18, Section 1001, U.S. Code and three counts of violation of Title 18, Section 1623, U.S. Code, making false declarations to a Federal Grand Jury.

On 3/9/74, EHRLICHMAN [redacted] entered not guilty pleas.

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b7c

On 3/14/74, BARKER, [redacted] LIDDY and MARTINEZ also pled not guilty.

A trial date of 6/17/74, was set by Federal Judge GERHARD GESELL.

One copy of this communication is being directed to the Intelligence Division in view of their interest in this matter.

Inasmuch as WFO receives numerous requests to assist the WSPO in this case with pre-trial matters, requests received for information from other offices will be consolidated in this file.

WFO will follow prosecution of subjects in U.S. District Court, WDC.

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 16 1974

TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

b6  
b7c

NR006 WF PLAIN

250 PM URGENT MAY 16, 1974 FMK

TO: DIRECTOR, FBI  
SAC MIAMI

FROM: SAC, WFO (44-991) (P) (2P)

JOHN D. EHRLICHMAN, ET AL.; CIVIL RIGHTS-CONSPIRACY; FALSE  
DECLARATIONS; ESP.

RE WFO AIRTEL TO BUREAU, MAY 15, 1974.

ASSISTANT WATERGATE SPECIAL PROSECUTOR NICK AKERMAN REQUESTED  
 FBI TO DETERMINE LOCATION OF BANKING FACILITY UTILIZED BY [REDACTED]  
 [REDACTED] MIAMI, FLORIDA. ONCE LOCATED, AGENTS ARE REQUESTED TO  
 CONTACT BANK OFFICIALS TO DETERMINE IF RECORDS EXIST FOR  
 PERIOD AUGUST AND SEPTEMBER, 1971. IF LOCATED, THESE RECORDS  
 SHOULD BE EXAMINED AND INFORMATION CONTAINED THEREON FORWARDED  
 TO WFO BY RETURN TELETYPE. AKERMAN ADVISED THERE IS NO NEED  
 PRESENTLY TO REMOVE RECORDS FROM BANK.

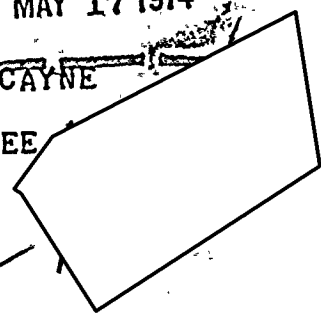
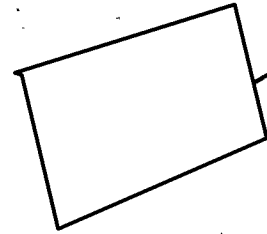
AKERMAN REQUESTED SAME EXAMINATION FOR BANK ACCOUNT OF MAY 17 1974  
 BERNARD L. BARKER, FIRST NATIONAL BANK OF MIAMI, 100 S. BISCAYNE  
 BOULEVARD, MIAMI, FLORIDA, ACCOUNT NUMBER [REDACTED] (MIAMI SEE  
 YOUR REPORT IN 139-328, PAGE 112, JUNE 28, 1972.

END PAGE ONE.

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 4/21/82 BY SP2TAP/dj

mes  
 JUL 18 1974  
 55 MAY 28 1974

3  
 Sat



PAGE TWO. (44-991)

THIRD REQUEST IS THAT FBI CONTACT JEFFERSON NATIONAL BANK,  
MIAMI BEACH, REGARDING CHECKING ACCOUNT OF EUGENIO MARTINEZ,  
ACCOUNT NUMBER 109-750-4.

IF A SUBPOENA IS REQUIRED TO MERELY EXAMINE THE ABOVE  
REQUESTED RECORDS FOR AUGUST AND SEPTEMBER, 1971, TELEPHONICALLY  
CONTACT WFO.

ABOVE INVESTIGATION BEING REQUESTED BY SPO IN PREPARING FOR  
TRIAL OF SUBJECTS, JUNE 17, 1974, IN WASHINGTON, D.C.  
END.

AMW FBIHQ

cc-51

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 23 1974

*[Handwritten signature]*  
**TELETYPE**

NRO13 MM PLAIN

5:07 PM NITEL MAY 23, 1974 CLS

TO DIRECTOR

WASHINGTON FIELD 44-991

FROM MIAMI 44-2984 3P

JOHN D. EHRlichman, ET AL; CIVIL RIGHTS - CONSPIRACY;  
FALSE DECLARATIONS; ESP. OO: WASHINGTON FIELD

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____

b6  
b7c

RE WASHINGTON FIELD TELETYPES TO BUREAU, MAY 16, AND 22, 1974. *[Handwritten checkmarks and initials]*

RE: BERNARD L. BARKER. ON MAY 23, 1974, [REDACTED]

[REDACTED] FIRST NATIONAL BANK OF MIAMI,

100 SOUTH BISCAYNE BOULEVARD, MIAMI, FLORIDA, MADE

AVAILABLE COPIES OF BANK STATEMENTS, CHECKS AND DEPOSIT  
SLIPS PERTAINING TO ACTIVE ACCOUNT NUMBER [REDACTED] (NOT

[REDACTED] AS LISTED IN RETEL) FOR PERIOD AUGUST AND

SEPTEMBER, 1971, WHICH COPIES WERE PRODUCED FROM MICROFILM

RECORDS. ACCOUNT NUMBER [REDACTED] IS UNDER NAMES OF B. L. *[Handwritten: REC-6 44-60483-H]*

BARKER [REDACTED] *[Handwritten: 44-24060-4750X3]*

MIAMI. BANK STATEMENTS REFLECT BALANCES OF \$2,262.23 AS

OF AUGUST 2, 1971, AND \$3,708.77 AS OF SEPTEMBER 30, 1971. *[Handwritten: MAY 29 1974]*

END PAGE ONE *[Handwritten: 55 JUN 1974]*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2 TAD/hj

JUL 18 1974



PAGE TWO

DEPOSITIS AND OTHER CREDIT ITEMS APPEARING ON BANK STATEMENTS FOR PERTINENT PERIOD CONSIST OF 12 DEPOSITS WHICH INCLUDE \$1,900.00, \$1,400.00, AND \$1,300.00, MADE ON AUGUST 24, 1971, SEPTEMBER 2, 1971, AND SEPTEMBER 9, 1971, RESPECTIVELY.

CHECKS AND OTHER DEBIT ITEMS RECORDED ON BANK STATEMENTS FOR PERTINENT PERIOD APPEAR TO BE NORMAL JOINT ACCOUNT HOUSEHOLD DISBURSEMENTS WITH POSSIBLE EXCEPTION OF ONE ITEM CONSISTING OF CHECK NUMBER [ ] IN AMOUNT OF \$1,900.00, DATED AUGUST 5, 1971, PAYABLE TO [ ] ATTORNEY, AND SIGNED B. L. BARKER. CHECK BEARS HANDWRITTEN ENDORSEMENT "FOR DEPOSIT ONLY, IN TRUST ACCT. OF [ ] ON SALE, LESNICK - BARKER." ALSO BEARS STAMPED ENDORSEMENT "FOR DEPOSIT ONLY - [ ] TRUST [ ]" CHECK ALSO BEARS STAMPED BANK ENDORSEMENT OF MERCANTILE NATIONAL BANK OF MIAMI BEACH, MIAMI BEACH, FLORIDA.

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b7c

RE EUGENIO MARTINEZ. EXECUTIVE PERSONNEL OF JEFFERSON NATIONAL BANK OF MIAMI BEACH, ADVISED ACCOUNT NUMBER 109-750-4 FOR EUGENIO MARTINEZ WAS OPENED JUNE 13, 1972, AND CLOSED DECEMBER 5, 1973, WHICH IS NOT WITHIN PERIOD OF AUGUST AND SEPTEMBER, 1971, REQUESTED IN RETEL. HOWEVER, JEFFERSON  
END PAGE TWO

MM 44-2984

PAGE THREE

PERSONNEL ADVISED MARTINEZ HAD ANOTHER ACCOUNT ACTIVE DURING PERTINENT PERIOD AND THEY ARE PRESENTLY OBTAINING COPIES OF ACCOUNT TRANSACTIONS FROM MICROFILM RECORDS, WHICH SHOULD BE AVAILABLE FOR REVIEW ON OR ABOUT MAY 24, 1971. MIAMI WILL REVIEW RECORDS RE MARTINEZ ACCOUNT WHEN AVAILABLE AND SUTEL BUREAU AND WASHINGTON FIELD.

END

PLS HOLD TKS

FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
DELETED PAGE INFORMATION SHEET  
FOI/PA# 1289436-0

Total Deleted Page(s) = 3  
Page 40 ~ b6; b7C;  
Page 41 ~ b6; b7C;  
Page 73 ~ b6; b7C;

XXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
X Deleted Page(s) X  
X No Duplication Fee X  
X For this Page X  
XXXXXXXXXXXXXXXXXXXXXXXXXXXXX

1 - Mr. R. E. Gebhardt  
1 - Mr. W. R. Wannall

65-74060-4772X

Special Prosecution Force  
U. S. Department of Justice

June 14, 1974

Director,

BY COURIER SERVICE

EX-112

REC-311

44-60473-7

1



b6  
b7c

UNITED STATES v. JOHN D. EHRLICHMAN, ET AL.,  
U. S. D. C., D. C., CRIMINAL NO. 74-116

Reference is made to request of Mr. Nathaniel Akerman of your office on May 16, 1974, to locate and examine bank records of defendants Bernard L. Barker and Eugenio Rolando Martinez.

Enclosed herewith is a copy of an investigative report dated June 5, 1974, prepared at Miami, Florida, in compliance with your request.

Enclosure

WWH:mjg  
(6)

SEARCHED  
SERIALIZED  
INDEXED  
FILED  
4/21/80  
SP-7/10/mk

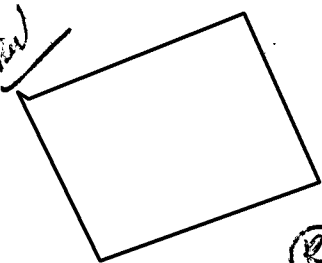
NOTE:

Above is in response to request of Mr. Akerman, WSPF, which he made orally to WFO on 5/16/74.

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Admin. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
- Ext. Affairs \_\_\_\_\_
- Files & Com. \_\_\_\_\_
- Gen. Inv. \_\_\_\_\_
- Ident. \_\_\_\_\_
- Inspection \_\_\_\_\_
- Intell. \_\_\_\_\_
- Laboratory \_\_\_\_\_
- Plan. & Eval. \_\_\_\_\_
- Spec. Inv. \_\_\_\_\_
- Training \_\_\_\_\_
- Legal Coun. \_\_\_\_\_

BY COURIER SVC.  
JUN 14 P.M.  
FBI

FBP/ssm



1 MAIL ROOM  TELETYPE UNIT

JUL 18 1974

# FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>MIAMI</b>	OFFICE OF ORIGIN <b>WASHINGTON FIELD</b>	DATE <b>6/5/74</b>	INVESTIGATIVE PERIOD <b>5/16/74-5/31/74</b>
TITLE OF CASE  <b>JOHN D. EHRLICHMAN; ET AL</b>		REPORT MADE BY <b>JOSEPH H.R. ST. PIERRE</b>	TYPED BY <b>owm</b>
		CHARACTER OF CASE  <b>CIVIL RIGHTS - CONSPIRACY; FALSE DECLARATIONS; ESP</b>	

b6  
b7c

REFERENCES

Washington Field teletypes to Bureau 5/16/74 and 5/22/74.  
Miami teletypes to Bureau 5/23/74 and 5/30/74.

- RUC -

ADMINISTRATIVE

Washington Field is being furnished an additional copy of report in the event further dissemination is necessary.

**EX-100**  
**REC-31**

4/24/74 *[Signature]*

ACCOMPLISHMENTS CLAIMED				<del>KX</del> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
						PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED <i>[Signature]</i> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE: 2 - Bureau 3 - Washington Field (44-991) 1 - Miami (44-2984)	<p style="font-size: 2em; font-weight: bold;">44-<del>1175</del></p> <p style="font-size: 2em; font-weight: bold;">65-74060-4772X</p> <p style="font-size: 1.5em;">JUN 11 1974</p> <p style="font-size: 1.5em;">19</p> <p style="font-size: 1.5em; font-weight: bold;">REC-31</p>

Dissemination Record of Attached Report				Notations
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

**EX-100**  
**REC-31**  
**DATA PROC**

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: JOSEPH H.R. ST. PIERRE  
Date: 6/5/74

Office: Miami, Florida

Field Office File #: 44-2984

Bureau File #:

b6  
b7C

Title: JOHN D. EHRLICHMAN;  
ET AL

Character: CIVIL RIGHTS - CONSPIRACY; FALSE DECLARATIONS;  
ESPIONAGE

Synopsis:

Activities pertaining to First National Bank of Miami checking account [redacted] under name of B.L. BARKER [redacted] and Jefferson National Bank of Miami Beach checking account [redacted] under name of EUGENIO ROLANDO MARTINEZ or [redacted] for period of August - September 1971, reviewed. Jefferson National Bank of Miami Beach, Miami Beach, Florida, account [redacted] under name of EUGENIO MARTINEZ was opened 6/13/72 and closed 12/5/73.

- RUC -

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2 JAO/mad

## FEDERAL BUREAU OF INVESTIGATION

5/23/74

Date of transcription

1.

[redacted] First National Bank of Miami, 100 South Biscayne Boulevard, Miami, Florida, was advised this inquiry concerned possible violations of the Civil Rights Statutes and any information furnished by him could be used in a court of law.

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[redacted] advised that account number [redacted] is an active checking account under the names of B.L. BARKER or [redacted] Miami, Florida, 33126. [redacted] made available copies of the bank statements, cancelled checks, and deposit receipts pertaining to account number [redacted] for the period of August and September of 1971, which copies were reproduced from microfilm records.

Review of the bank statements reflects account balances of \$2,262.23 as of August 2, 1971, and \$3,708.77 as of September 30, 1971. Further review of the deposits and other credit items appearing on the bank statements for the period of August and September of 1971 reflects a total of 12 deposits were made to the account, which include deposits of \$1,900, \$1,400, and \$1,300, made on August 24, 1971, September 2, 1971, and September 9, 1971, respectively.

The deposit slip pertaining to the \$1,900 deposit made on August 24, 1971, is dated August 20, 1971, and reflects the deposit consisted of one check (bank's identifier number 162) in the amount of \$1,900. The deposit slip pertaining to the \$1,400 deposit made on September 2, 1971, is dated August 31, 1971, and reflects the deposit consisted of one check (bank's identifier number BLM 9666 - not entirely legible) in the amount of \$1,400. The deposit slip pertaining to the \$1,300 deposit made on September 9, 1971, is dated September 7, 1971, and reflects the deposit consisted of one check (bank's identifier number not listed) in the amount of \$1,300.

2.

Interviewed on 5/23/74 at Miami, Florida File # MM 44-2984

by SA JOSEPH H.R. ST. PIERRE/pwm Date dictated 5/23/74

MM 44-2984

2.

Review of the cancelled checks and other debit items on the bank statements for the period of August and September of 1971 appear to be normal, joint account, household disbursements, with the possible exception of one item consisting of check number [ ] dated August 5, 1971, in the amount of \$1,900, made payable to [ ] Attorney, and is signed by B.L. BARKER. The check bears a handwritten endorsement "for deposit only - [ ] Trust

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[ ] The check also bears the stamped bank endorsement of the Mercantile National Bank of Miami Beach, Miami Beach, Florida.

[ ] said he is the proper person to whom a subpoena duces tecum is to be directed in the event the bank's records pertaining to account number [ ] are to be produced in the future legal proceedings.



1 - Mr. R. E. Gebhardt  
1 - Mr. W. R. Wannall

Special Prosecution Force  
U. S. Department of Justice

June 14, 1974

Director, FBI

BY COURIER SERVICE

1 - [Redacted]

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ELECTRONIC SURVEILLANCE - UNITED STATES v. EHRLICHMAN, ET AL, CRIMINAL NO. 74-116

Reference is made to your memorandum dated June 3, 1974, captioned as above, wherein you requested that this Bureau advise whether any of the individuals listed below have been overheard in the period of June 15, 1971, until the present as a result of any electronic surveillance. You also requested that this Bureau report to you any instances of surreptitious entry onto any premises owned, leased or licensed by these individuals as well as any electronic surveillance directed at premises owned, leased or licensed by these individuals:

Lernard Barker, Eugenio Martinez, [Redacted]  
[Redacted] G. Gordon Liddy and John D. Ehrlichman.

A search of appropriate files and records of this Bureau has not revealed any information which would indicate that any of the above individuals have been overheard on any electronic device monitored by this Bureau. Also, there is no record that this Bureau has directed any electronic surveillance at premises owned, leased or licensed by these individuals nor is there any record of surreptitious entry onto any premises owned, leased or licensed by these individuals.

Enclosed is an affidavit executed by Special Agent [Redacted] attesting to the above information.

Enclosure

65-74060-4772X1

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Admin. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
- Ext. Affairs \_\_\_\_\_
- Files & Com. \_\_\_\_\_
- Gen. Inv. \_\_\_\_\_
- Ident. \_\_\_\_\_
- Inspection \_\_\_\_\_
- Intell. \_\_\_\_\_
- Laboratory \_\_\_\_\_
- Plan. & Eval. \_\_\_\_\_
- Spec. Inv. \_\_\_\_\_
- Training \_\_\_\_\_
- Legal Coun. \_\_\_\_\_

WVH:njs  
(6)

ENCLOSURE

NOTE:

Above is in response to request of Special Prosecutor to Director dated 6/3/74.

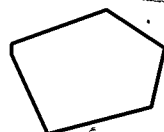
JUN 20

REC-31

CH 41

JUN 20 1974

BY COURIER SVCS.  
JUN 14 P.M.  
FBI



JUL 18 1974

UNITED STATES DISTRICT COURT

for the

DISTRICT OF COLUMBIA

United States of America )

v. )

No. 74-116 )

John D. Ehrlichman, et al. )

*4/24/82 SP2 TH/ghed*

[Redacted]

being duly sworn, deposes and

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says:

1. I am a Special Agent, Federal Bureau of Investigation (FBI), United States Department of Justice, assigned at FBI Headquarters, Washington, D. C., in a supervisory capacity.

2. By memorandum dated June 3, 1974, the Special Prosecutor requested that the FBI supply him with all information for the period of June 15, 1971, until the present, indicating electronic surveillance of Bernard Barker, Eugenio Martinez, Daniel E. Schultz, Henry Rothblatt, G. Gordon Liddy, and John D. Ehrlichman. This request included any electronic surveillance directed at premises owned, leased or licensed by these individuals. The memorandum from the Special Prosecutor identified Bernard Barker's residence as [Redacted]

[Redacted] Miami, Florida, with a business office at 2300 N. W.

7th Street, Suites G and F, Miami, Florida; Eugenio Martinez as

residing at [Redacted] Miami, Florida, and [Redacted]

[Redacted] Miami, Florida, with a business office at

*65-94060-4772X1*

*44-154-3*

ENCLOSURE

2300 N. W. 7th Street, Suites G and F, Miami, Florida; Daniel E. Schultz as residing at [redacted] Washington, D. C., with business office at 1990 M Street, N. W., Washington, D. C.; Henry Rothblatt as residing at [redacted] New York, New York, and [redacted] [redacted] Arlington, Virginia, with a business office at 1737 Le Sales Street, N. W., Washington, D. C.; G. Gordon Liddy as residing at [redacted] Oxon Hill, Maryland, with an office address at 11 Cannon Street, Poughkeepsie, New York; John D. Ehrlichman as residing at [redacted] Virginia, and [redacted] [redacted] Washington, with a business office at The White House.

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3. I caused a search to be made of the files of the FBI that would disclose such surveillance to determine whether there are any records of electronic surveillance of any conversations of the above individuals or of any premises in which they have a proprietary interest.

4. This file search revealed that these individuals have not been the subject of direct electronic surveillance and that no conversations of these individuals have been monitored by an electronic device of the FBI. Furthermore, the FBI did not maintain any electronic surveillance of any premises which were known to have been owned, leased, or licensed by these individuals. The file search did not reveal any instances of surreptitious entry onto any premises owned, leased or licensed by these individuals.

Date: June 13, 1974

[redacted]

Sworn and Subscribed to before me this \_\_\_\_\_ day of June, 1974

[redacted]

Notary Public

My Commission expires 12/14/79

# FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>WASHINGTON FIELD</b>	OFFICE OF ORIGIN <b>WASHINGTON FIELD</b>	DATE <b>6/26/74</b>	INVESTIGATIVE PERIOD <b>3/7/74 - 6/26/74</b>
TITLE OF CASE <b>BERNARD L. CENTER, aka;</b> [Redacted]		REPORT MADE BY [Redacted]	TYPED BY <b>ajl</b>
JOHN D. BERLIGMAN; GEORGE GORDON LIDDY, aka; EUGENIO MARTINEZ, aka; [Redacted]		CHARACTER OF CASE <b>CR-CONSPIRACY; FALSE DECLARATIONS; OOJ</b>	

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b7C

*encl p1*

REFERENCES: WFO airtel to Bureau, 5/15/74.  
WFO airtel to Bureau, 6/24/74 *su 4776*

-P-

ENCLOSURES: Enclosed for the Bureau are (3) copies of Parole report pertaining to [Redacted]

LEADS: WASHINGTON FIELD OFFICE

Will follow and report results of prosecution of remaining subjects.

SEE REVERSE SIDE FOR  
ADD. DISSEMINATION

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE *4/21/80* BY *SP2TBJ/mk*

**EXP. PROC.**

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
<i>1 WFO</i>		\$5,000					PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED <i>[Signature]</i> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW <i>62- - 4778</i>
COPIES MADE: 4 - Bureau 3 - WFO (2 - 44-991) (1 - 139-166)	<b>REC-73</b> <b>X-110</b> 12 JUN 27 1974

SEE REVERSE SIDE FOR  
ADD. DISSEMINATION

**ENCLOSURE**

Dissemination Record of Attached Report					Notations <i>McDONOUGH</i> <i>SK</i> <i>DATA/REC</i>
Agency					
Request Recd.					
Date Fwd.					
How Fwd.					
By	<i>2 AUG 21 1974</i>				

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: [redacted]  
Date: June 26, 1974

Office: Washington, D.C.

Field Office File #: 44-991

Bureau File #:

Title: BERNARD L. BARKER;  
[redacted]  
JOHN D. EHRLICHMAN;  
GEORGE GORDON LIDDY;  
EUGENIO MARTINEZ;  
[redacted]

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Character: CIVIL RIGHTS-CONSPIRACY; OBSTRUCTION OF JUSTICE;  
Synopsis FALSE DECLARATIONS

Synopsis: March 7, 1974, subjects indicted for Violations of Title 18, USC Section 241, EHRLICHMAN also charged with Violation T. 18 Section 1001, US Code and (3) counts T. 18 Section 1623, USC. 3/9/74 [redacted] EHRLICHMAN entered not guilty pleas. 3/14/74 remaining subjects pled not guilty. 5/21/74, Judge GERHARD GESELL dismissed charges against [redacted] 6/3/74, [redacted] entered guilty plea to Information charging Violation of T. 18 Section 1503, US Code. 6/21/74, [redacted] fined \$5,000 and sentenced to term of 1 to 3 years custody of Attorney General. Trial began U.S. District Court, 6/26/74.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2/TAP/mad

-P-

DETAILS: AT WASHINGTON, D.C.

On March 7, 1974, a Federal Grand Jury returned a true bill Indictment charging BERNARD L. BARKER, [redacted] JOHN D. EHRLICHMAN, GEORGE GORDON LIDDY, EUGENIO MARTINEZ, [redacted] with Violation of Title 18 Section 241 of the United States Code, that is Conspiracy to violate the Civil Rights of Citizens. EHRLICHMAN was also charged with Violation of Title 18 Section 1001, U.S. Code and (3) counts of Violating Title 18 Section 1623, of the U.S. Code.

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WFO 44-991  
AJL:ajl

On March 9, 1974, [REDACTED] EHRlichman entered not guilty pleas in U.S. District Court before Judge JOHN J. SIRICA. They were released on personal recognizance.

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On March 14, 1974, BARKER, [REDACTED] MARTINEZ and LIDDY entered not guilty pleas before Judge GERHARD GESELL. LIDDY was remanded to the custody of the U.S Marshal, while the remaining three individuals were released on their own personal recognizance.

On May 21, 1974 during a pre trial hearing, Judge GESELL dismissed the Indictment against [REDACTED]

On June 3, 1974, [REDACTED] entered a guilty plea to Violation of Title 18 Section 1503, U.S. Code, (Obstruction of Justice). This plea followed the filing of an Information charging [REDACTED] with the above Violation. The Information was filed by the Office of the Watergate Special Prosecutor. Judge GESELL accepted the plea and set June 21, 1974 as the sentencing date.

On June 18, 1974, The Office of the Watergate Special Prosecutor filed an Appeal for the reversal of Judge GESELL's decision to dismiss the Indictment as it pertained to [REDACTED]

On June 21, 1974, Judge GESELL sentenced [REDACTED] to a term of 1 to 3 years in the custody of the Attorney General for Violation of Title 18 Section 1503 of the U.S. Code. Judge GESELL also imposed a fine of \$5,000 upon [REDACTED]

On June 26, 1974, jury selection began in the case against the remaining individuals before U.S. District Court Judge GESELL.

# FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TITLE OF CASE ①		REPORT MADE BY	TYPED BY
		CHARACTER OF CASE	

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/21/82 BY SP2 JAD/mal

REC-2  
SEP 16 1974

ACCOMPLISHMENTS CLAIMED				<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONFISC.	FUG.	FINES	SAVINGS	RECOVERIES		
WFO						PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE:		65-74060-4809	REC-2
		9 SEP 16 1974	

Dissemination Record of Attached Report				Notations
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

Office:

Washington, D.C.

Date:

9/13/74

b6

b7c

Field Office File #:

44-991

Bureau File #:

Title:

BERNARD L. BARKER, aka;  
JOHN D. EHRLICHMAN;  
GEORGE GORDON LIDDY;  
EUGENIO MARTINEZ, aka;

**ALL INFORMATION CONTAINED**

**HEREIN IS UNCLASSIFIED**

**DATE** 4/21/82 **BY** SP2TAR/mak

Character:

CIVIL RIGHTS-CONSPIRACY; OBSTRUCTION OF JUSTICE  
FALSE DECLARATIONS

Synopsis:

Trial of above cited subjects commenced, 6/26/74. On 7/12/74, EHRLICHMAN was found guilty on four (4) counts of the indictment. BARKER, LIDDY and MARTINEZ, were found guilty of conspiracy. On 7/22/74 one count of the indictment charging EHRLICHMAN with Violation Title 18, Section 1001 of United States Code, was dismissed by Judge GESELL. On 7/31/74, EHRLICHMAN was sentenced to twenty months to five years on each count to run concurrently. LIDDY was sentenced to a term of one to three years to run concurrent with his previous sentences. BARKER and MARTINEZ were placed on three years Supervised Probation.

- C -

DETAILS: AT WASHINGTON, D. C.

The trial of JOHN D. EHRLICHMAN, BERNARD L. BARKER, GEORGE GORDON LIDDY and EUGENIO R. MARTINEZ, commenced in United States District Court, before District Court Judge GERHARD GESELL on June 26, 1974.

On July 12, 1974 the jury returned a verdict of guilty on four counts of the indictment against EHRLICHMAN. BARKER, LIDDY and MARTINEZ were found guilty of Conspiracy.

On July 22, 1974, Judge GESELL dismissed the count of violation of Title 18, Section 1001 of the United States Code against EHRLICHMAN.

On September 12, 1974, United States District Court

Docket reflected the following information:

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.



WFO 44-991

On July 31, 1974, EHRLICHMAN was sentenced to a term of twenty months to five years on the remaining three counts, to run concurrently with each other.

GEORGE GORDON LIDDY was sentenced to a term of one to three years, to run concurrently with his previous sentences.

BERNARD L. BARKER and EUGENIO R. MARTINEZ were placed on three years Supervised Probation.