

Sign of Earlier 'Bugs' Claimed

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Attorney Edward Bennett Williams told a federal judge here yesterday the Democratic National Committee has a "strong indication" that its Watergate headquarters was under electronic surveillance prior to the June 17 capture there of five men with bugging equipment.

Judge Charles Richey, conducting pretrial hearings in the Democrats' \$1 million civil suit against the Republican Committee for Re-election of the President, was told by Williams the surveillance may have been going on for days, possibly weeks. Williams, who is attorney for the Democrats, asked the judge to enjoin the dissemination and use of any information that resulted from the surveillance.

Williams did not state the grounds for this contention, but The Star reported last week that FBI agents investigating the Watergate case were convinced the electronic equipment was being removed from the Democratic headquarters, not being placed there for the first time. Police who arrested the five men said they found two ceiling panels had been removed from a room adjacent to the office of Democratic Chairman Lawrence F. O'Brien.

Evidence Not Given

The FBI has not disclosed what evidence it has that the microphones and battery panels seized from the intruders were being removed rather than installed. But the implication is that the "bugs" may have been secreted in the offices during an earlier break-in, and that investigators have been able to determine this from the condition of the equipment and its possible place of concealment in the ceiling.

Williams' principal argument in court yesterday was in support of his request for permission to take depositions from the five defendants beginning tomorrow, essentially asking Judge Richey to speed up the process from the normal 30 days between the filing of a complaint and the deposition-taking. The Democrats

also want to examine the defendant GOP committee's business records.

Judge Richey took the request under advisement amid indications he will rule within the next few days. Kenneth L. Parkinson, attorney for the Republicans, opposed the motion because he said too many developments have occurred too quickly, and he wanted time to do research and file motions of his own. The judge also expressed concern about the rights of the suspects under the 5th Amendment, but Williams contended the suspects have the right to refuse self-incrimination in the depositions.

'Better Understand That'

Judge Richey told the contending attorneys that he did not intend to let the case develop into a political trial and added, "You all better jolly well understand that right now."

Meanwhile, in another Washington court yesterday the bond was increased for one of the five suspects in response to government allegations about a mysterious bank transaction last month.

D. C. Superior Court Judge James A. Belson revised the conditions he had stipulated earlier for the release of Bernard L. Barker, ruling that the defendant must now post a \$40,000 surety bond to secure his release. Arrangements for a surety bond can be made only through a licensed city bondsman.

Belson's order came in response to charges by federal prosecutor Earl J. Silbert that Barker, 55, had withdrawn \$89,000 in cash — \$10,000 of it in \$100 bills — from the Miami bank account of his real estate firm on May 8.

Revealed in Court

During court proceedings last week, Silbert revealed that \$100 bills recovered from the Democratic committee's Watergate headquarters at the time of Barker's arrest had been traced to the same bank in Miami.

Barker — along with James W. McCord Jr., 53; Frank Sturgis, 48; Eugenio R. Martinez, 51, and Virgilio R. Gonzalez, 45 — has been

charged with burglary in the June 17 break-in at the Watergate.

Bond for Barker's release, as well as for Sturgis, Martinez and Gonzales, was originally set at \$50,000 by Belson. But the judge later lowered the figure to \$40,000 for all but Sturgis, and said he would accept a 10 percent cash deposit from each of the defendants, providing that they disclose the sources of the money.

The bond for McCord, of Rockville, was originally set at \$40,000, then lowered to \$30,000, because of his ties with this area. McCord, the president of McCord Associates, Inc., is a former FBI and CIA agent.

At the time of his arrest, McCord was working as a security adviser to both the Republican National Committee and the Committee for the Re-election of the President.

Both committees have disavowed any knowledge of the intrusion at Democratic headquarters, and they have fired McCord.

McCord, who posted \$3,000 bond Friday under the 10 percent arrangement, is the only defendant who has made bail.

The attorney for the five men, Joseph A. Rafferty Jr., indicated last week that Barker was prepared to post bond for his release. It was during a hearing to consider the bail petition that the \$89,000 cash withdrawal emerged.

Silbert, the prosecutor, revealed that FBI agents had discovered that on April 24, four checks, all drawn on Banco Internacional S.A. of Mexico City, had been deposited in the Republic National Bank of Miami account of Barker Associates, Inc., the defendant's realty firm.

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