

Berrigan Defense Gets Chance

at Douglas

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HARRISBURG, Pa. — The government yesterday asked its last question of FBI informer Boyd F. Douglas Jr. on direct examination, to the intense relief of the defense team in the Berrigan conspiracy trial here.

Every time he opened his mouth in five days of testimony, Douglas placed one or more of the seven defendants in the places specified in descriptions of the 35 overt acts alleged in the 10-count conspiracy indictment.

He testified to conversations specifically relating to draft raid plans and told the court that each of the defendants spoke to him about the alleged top priority anti-war plan for the winter of 1970—the bombing of a Capitol Hill hearing tunnel, and the kidnap of presidential adviser Henry Kissinger.

24 Letters Introduced

The defendants are the Rev. Philip Berrigan, Sister Elizabeth McAlister, the Rev. Neil McLaughlin, the Rev. Joseph Wenderoth, Anthony and Mary Scoblick and Dr. Eqbal Ahmad.

But damaging as Douglas' testimony is to the defense, the 24 letters introduced into evidence via the informer are far more difficult to dismiss. Defense lawyers say that without these letters, the case would be easy for them.

The government says the letters were written by Berrigan and Sister Elizabeth; they were presented to the jury in rough chronological sequence from May 24, 1970, to mid-October that year when the services of Douglas as an informer for the FBI and mail courier for the failed priest had ended.

Though they sometimes put individual jurors to sleep, they tell, correctly or incorrectly, of a steady progression by the defendants toward wider-

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ranging, riskier draft board actions, a growing impatience with non-violence as a practical technique for draft resistance and, finally, the acceptance of a wild scheme to kidnap a government official, place him in a secret mock trial, film the whole thing—and disrupt the government further by blowing up the hearing system which feeds most of the federal offices of Capitol Hill.

Clark to Lead Off

Sources said yesterday former Atty. Gen. Ramsey Clark will be the first lawyer in today's cross-examination of Douglas—the first time the defense has had a real chance to question him at length in this trial, which started more than a month ago.

An obvious main target will be the informer's credibility. Douglas has served seven years in prison for felonies including forging checks and assaulting an FBI agent. The defense has noted with apprehension that Douglas' bland exterior and computer-like answers to the guiding questions of prosecutor William Lynch reveal toughness and control.

"He will survive," one member of the defense team said yesterday. The lawyer said the notion that Douglas might crack or break into an emotional state and reveal inconsistencies in his past testimony should be disregarded. Leonard Boudin, lawyer for Ahmad and Wenderoth, characterized Douglas as a "rock" yesterday.

Documents Sought

The defense also is counting heavily on pending motions asking the court to order the government to release documents about Douglas and his intertwining relationships with the FBI, the Bureau of Prisons and the Justice Department. On present form, Judge R. Dixon Herman, a cautious and precedent-minded man, was expected to deny the motions, as he has before.

Douglas testified yesterday during the last few questions put to him by Lynch that he received only \$1,500 and a few hundred dollars in expense money, plus a daily fee (be-

lieved to be \$25) for the time he spent as a witness before the grand jury and in the preparation of the government's case.

A previous sensation of the trial had been a letter from Douglas to his FBI field director, Agent Delbert Mayfield, asking for \$50,000 for his services while ostensibly remaining one of Berrigan's prison colleagues and ostensibly agreeing to take part in the alleged Washington plan as munitions expert. Douglas testified yesterday that the official response to the request was "absolutely no."

Leak Ends Relationship

Douglas told the court yesterday that a statement re-

leased by FBI Director J. Edgar Hoover on Nov. 27, 1970, about an "incipient plot made the defendants call off the Washington operation. The leak eventually ended Douglas' relations with the defendants, he testified, although he denied he had betrayed them to the end.

Besides Clark, cross-questioning today will be carried on by seven lawyers of widely different styles. Two of them, Leonard Boudin and Paul O'Dwyer, are expected to take the major part.

Clark, 45, takes a direct,

hammering line in questioning and maintains a tone of moral outrage which fits well with his lanky, tall body and huge gloomy face.

Boudin, 59, carries a shiny leather briefcase, which contains socks as well as papers. Dressed in baggy suits, with thick glasses (he is nearly blind in one eye) perched above his forehead, he stalks like a windblown old lion before the judge, sometimes apparently lecturing on fine points of law. He is a veteran civil rights lawyer with energy enough to swim at the Harris-

burg YMCA between morning and afternoons in court, in spite of the fact his heartbeat is regulated by a pacemaker.

O'Dwyer, 65, was born in Ireland and was a 1968 New York senatorial candidate. He is a well-known labor lawyer and peace Democrat. He has a surer touch with the rural jurors than the other two, has a huge pile of white wavy hair and makes apparently forgetful slips in court; he speaks with a brogue and acts as foil to Boudin's flamboyant trips through the law books.

Douglas is seen by all here

as the key to the government's case, and he remains a mystery. Little is known of his life in the past two years except that he has been out of sight, and that he held a job between April and December of last year.

He has gained weight since the summer of 1970, when he led his double life on the Bucknell campus and in and out of Lewisburg Penitentiary. His manner is slow and somewhat mechanical, with no sign of nervousness. Inexhaustible patience is written on his calm, handsome, Bacchus-like face.