

'Nixon Peril Feared'

Lawyer's Defense Of Demo Break-In

Washington

While policemen described how they arrested the Watergate bugging suspects, James W. McCord Jr.'s lawyer yesterday defended his client's part in the break-in as justified because he was convinced violence was planned against President Nixon and other top Republicans.

"If you have a reasonable apprehension that harm may come to others as well as to yourself, you can break the law to avoid the greater harm," said attorney Gerald Alch in outlining the defense he planned in McCord's behalf.

Alch spoke to reporters outside the U. S. District courtroom where the prosecution put on the witness stand five policemen who made the arrests inside Democratic national headquarters June 17 at the Watergate hotel complex.

One of them, Carl Shofler, testified he had seen a man on the balcony of a Howard Johnson's hotel across the street at the time of the arrests.

TAPES

The prosecution has said that man was former FBI agent Alfred C. Baldwin III, who claims to have taped about 200 conversations of Democratic officials from the Howard Johnson's listening post. Baldwin is to testify today.

The policemen said they recovered boxes full of evidence, from burglary tools to cameras, in the raid that resulted in five arrests that included McCord, former chief of security for Mr. Nixon's re-election campaign committee.

Another, John B. Barrett, said that during their search of the dimly lit, "messed up" Democratic offices before

dawn, he found himself standing against an opaque glass partition.

"Suddenly the back part of an arm appeared on the other side just inches from my face, sliding down," Barrett said. "Needless to say, I was sort of alarmed."

GLOVES

When he backed away and ordered the intruder to come out with his hands up, Barrett said, "I saw numerous hands go up, and as they went up, I noticed there were blue and white gloves on their hands, similar to a surgeon's gloves."

According to Barrett, one of the men, whom he identified as former defendant Frank A. Sturgis, said to the others: "Keep cool. They've got us."

Alch told reporters he intended to show that even if McCord broke the law, he did it for reasons that made it not illegal.

"If my guy was laboring

under the reasonable belief that there was imminent danger to others, then it's not illegal," he added. "We hope the evidence will show he had reason to believe just that."

EVIDENCE

Alch, dragging deeply on a cigarette as he spoke during a recess in the Watergate bugging trial, said he would present evidence that McCord had "every reason to believe" his actions were necessary to gain intelligence about "would-be violent groups" such as the National Peace Action Coalition, the People's Coalition for Peace and Justice, and Vietnam Veterans Against the War.

Asked what McCord had hoped to accomplish, Alch replied: "To prevent violence against Republican officials—including, but not limited to, the President."

A Witness



UPI Telephoto

Policeman John Barrett described Watergate arrests

McCord, one of the five men arrested inside the Watergate complex offices of the Democratic national committee June 17 with burglary tools and bugging gear, was security chief for Mr. Nixon's re-election campaign at the time.

He and G. Gordon Liddy, the former financial counsel for the re-election committee, are on trial charged with conspiracy, burglary and illegal bugging and wiretapping. Since the trial began last week, five other men have pleaded guilty to similar charges, one of them saying he thought he was helping to thwart a "Communist conspiracy."

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