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## STANS LIBEL SUIT ASKS \$5-MILLION

### He Charges O'Brien 'Falsely and Maliciously' Accused Him of 'Criminal Acts'

Special to The New York Times

WASHINGTON, Sept. 14 —

Maurice H. Stans, President Nixon's campaign finance chairman, filed today a \$5-million libel suit charging Lawrence F. O'Brien, former Democratic National Chairman, with "falsely and maliciously accusing" him of "a number of criminal acts."

The suit, entered in Federal District Court here, is the third separate action in connection with the June 17 break-in at the Democratic National Headquarters. Shortly after the incident, in which five men were captured with bugging equipment in the Democrats' Watergate Hotel offices, Mr. O'Brien filed a \$1-million invasion of privacy suit against the five suspects.

On Monday, Mr. O'Brien's lawyers attempted to amend that suit to include as defendants Mr. Stans, Hugh W. Sloan Jr., a former Nixon finance committee treasurer, and two former White House aides, G. Gordon Liddy and E. Howard Hunt Jr.

They also asked that President Nixon's campaign organization, the Committee for the Re-election of the President, be named as a defendant.

Federal District Judge Charles R. Richey, who is in charge of the increasingly complicated litigation arising from the Watergate incident, originally ruled that neither the Democratic nor the Republican party had the legal standing to act as plaintiffs or defendants in civil suits.

Judge Richey has not yet ruled on whether the four new names or that of the committee can be added as defendants in the O'Brien suit.

Yesterday, however, Mr. Stans announced that he had brought a \$2.5-million countersuit charging Mr. O'Brien and his attorneys with having attempted to file the amended complaint without the court's permission, with investigating "past and present officers and employees" of the re-election committee when it was not a defendant and with having filed the suit not to recover damages, but as "an instrument by which to create headlines for partisan ends."

In a statement accompanying today's suit, which seeks \$2-million in compensatory and \$3-million in punitive damages, Mr. Stans said that it had been brought in part to defend his reputation "against a vicious and wholly unfounded attack" by Mr. O'Brien.

He said that the suit was "a personal action by one who treasures his reputation and who believes in fighting back when falsely attacked."

Democratic spokesmen said that Mr. O'Brien, now national chairman of Senator George McGovern's Democratic Presidential campaign, would have no immediate comment on the new action by Mr. Stans.

### Barker Is Accused

Special to The New York Times

MIAMI, Sept. 14—Bernard L. Barker, the accused leader of the June 17 break-in at the National Democratic Headquarters, was charged here today by State Attorney Richard E. Gerstein with "The False and Fraudulent" use of a notary public seal.

The charge is a felony punishable by a prison term of up to five years.

In filing the charge in the 11th Judicial Circuit Court of Florida, Mr. Gerstein said that Mr. Barker, between April 8 and 21, "did falsely and fraudulently acknowledge the signature of one Kenneth H. Dahlberg on a cashier's check in the amount of \$25,000."