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URGENT

Barker Bjt 2nd Lead

MIAMI AP - Bernard L. Barker, one of five men accused of breaking into Democratic National Headquarters, pleaded innocent today of fraudulently notarizing a \$25,000 Republican campaign contribution.

Criminal Judge Paul Baker set Barker's bond at \$1,000 and ordered the real estate broker and former CIA operative to stand trial on the felony charge Oct. 30.

Barker was charged Thursday with falsely using his notary public seal on a \$25,000 check which he allegedly deposited in his Miami bank account. He surrendered earlier today to State Atty. Richard Gerstein of Miami.

Barker, 55, spoke only two words at his arraignment, answering "12 years" when asked how long he had been a resident of the Miami area.

His attorney, Henry Rothblatt of New York City, said he expected indictments would be returned in Washington later today against Barker and others accused of the Watergate complex break-in in the nation's capitol.

Barker was caught inside Democratic headquarters at the Watergate Complex in Washington, D.C., and Gerstein has said that testimony by a Miami photographer has linked Barker to a possible second break-in attempt at the Democratic offices.

Barker, an American born in Cuba, admitted in a newspaper interview his role in the break-in at the Watergate. A New York Times story quoted Barker as saying, "I was caught in National Democrat headquarters at 2:30 in the morning. I can't deny that."

Barker's past career includes service with Cuban national police, the United States Army and the Central Intelligence Agency.

The latest charge against Barker stems from a \$25,000 check which apparently came from Republican campaign funds. It apparently was given by Kenneth Dahlberg, President Nixon's Midwest campaign finance chairman, to Maurice Stans, Nixon's chief political fund-raiser and ultimately to Barker.

Gerstein, a Democrat, said he would bring the case to trial before the November presidential election and "to have the facts come out and not be delayed and swept under the rug."

Gerstein charged Barker "fraudulently and falsely swore that Kenneth Dahlberg had signed the check in Barker's presence, when in truth Barker had never met and had not seen Kenneth Dahlberg."

Gerstein's office said that an official at a Miami bank had questioned the validity of Dahlberg's signature on the check when Barker tried to deposit it in his account on April 20.

The chief investigator for the state attorney, Martin Dardis, said Miami Republic Bank Vice President Ettore Reynaldo reported Barker returned with the check notarized with an official seal - his own.

Barker, a notary public, had sworn to the signature himself, Dardis said.

Barker faces a prison term of up to five years if convicted on the felony charge.

Barker is free on bond in connection with the Watergate case in which he faces charges of felonious burglary and possession of implements of crime.

Eds: Barker scheduled to surrender at 10 a.m. EDT.

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