

M'Cord Hears His
Former Lawyer Dispute
Testimony and Also
Imply He Sought to
'Get' the President

Nixon '70 Security
Plan Detailed

ALCH ON THE STAND

MAY 24 1973

He Denies He Tried to Keep Ex-Client Quiet

About Watergate NYTimes

By WALTER RUGABER

Special to The New York Times

WASHINGTON, May 23—

A onetime attorney for James W. McCord Jr. sought in Senate testimony today to undermine his former client's credibility and to suggest that McCord had participated in an anti-Administration vendetta.

Gerald Alch of Boston, who represented McCord at the Wa-

*Excerpts from testimony
are on Pages 32 and 33.*

tergate trial in January, denied involvement in efforts to keep the convicted conspirator quiet and implied that McCord had been converted to an effort aimed at "getting" President Nixon.

Mr. Alch, in an appearance this afternoon before the Senate Watergate committee, quoted McCord's current attorney, Bernard Fensterwald of Washington, as having said two months ago, "We're going after the President of the United States."

Cites Client's Interest

"I replied that I was not interested in any vendettas against the President," Mr. Alch testified, "but only in the best interest of my client, to which Mr. Fensterwald replied, 'Well, you'll see, that's who we're going after, the President.'"

With this and similar testimony, the Boston lawyer was striking at the motives and at the image of the man who has made a series of sensational charges instrumental in linking the Watergate scandals to the White House.

There were gasps and a slight stir in the jammed Senate Caucus Room when McCord strode in while Mr. Alch was reading a 28-page statement and took a seat next to Mr. Fensterwald in an area immediately behind the witness table.

Thrust Goes Further

The Watergate plotter displayed no emotion as he heard his former attorney dispute parts of the testimony that McCord gave yesterday and on Friday. Both McCord and Mr. Fensterwald have asked to testify when Mr. Alch is through.

The Boston lawyer, a partner of the well-known defense attorney F. Lee Bailey, directly disputed only his former client's accusations involving him. These included a charge by McCord that Mr. Alch had taken part in offers of execu-

Continued on Page 32, Column 1

Continued From Page 1, Col. 8

tive clemency.

But the over-all thrust of Mr. Alch's long statement went much further. It suggested that something had happened to McCord since Mr. Alch represented him. It implied that Mc-

Mr. Alch said that he had watched his former client on television as he testified last Friday, that he "vividly re-the trial and that he asked himself now, "What kind of a man is this?"

McCord's principal allegation on Friday was that an Administration representative, John J. Caulfield, had informed him during the trial that President Nixon was aware of offers of executive clemency.

Mr. Caulfield appeared yesterday and confirmed the offers. He said that he had no personal knowledge that Mr. Nixon was involved, but today he added that he believed the President had been behind them.

The concentration on McCord, which has persisted since his charge that political pressure had been brought to keep him from talking, was given a highly critical cast by Mr. Alch on such points as these:

¶The lawyer asserted that his former client had turned down a number of opportunities to tell his story earlier, including a chance to testify at his trial.

¶McCord never said, Mr. Alch testified, that he thought the Watergate operation had been a legal one because it had been authorized by high Government officials—an assertion the con-

spirator made to the Senate committee.

¶In fact, the lawyer said, it was only near the end of the trial in January that McCord informed his lawyer that he had hearsay evidence that former Attorney General John N. Mitchell had approved the wire-tapping.

¶During the trial, Mr. Alch said, he had characterized his client as "becoming a bit paranoid" over feelings that his co-conspirators were trying to make him the "patsy" or "fall guy."

¶Mr. Alch said that earlier this month, when he asked Mr. Fensterwald to explain one of McCord's "false allegations," the Washington lawyer had blamed it on his client's "faulty recollection."

More Questioning Today

"I can tell you one thing," Mr. Alch quoted Mr. Fensterwald as saying, "it's a terrible cliché, but I think you will agree with it, that there is no zealot like a convert."

Mr. Alch, who is scheduled to return for questioning by the Senators at 10 A.M. tomorrow, was at times upstaged in the reading of his statement by McCord's entry, departure and re-entry.

But the witness, whose face is tanned from regular sessions under a sunlamp and who has a distinct Boston accent, read his statement forcefully and showed no awareness of McCord's presence.

The Senators and members of the committee staff had had access to his statement in advance, and at times they talked among themselves. But all noted one charge that had heavy political overtones.

Mr. Alch asserted that Mr. Fensterwald had been "most displeased with the reaction of the Republican members of this

honorable committee" when McCord first appeared before it in a closed session last March.

Mr. Fensterwald was also quoted as saying that he would submit memorandums on points in McCord's closed-door testimony but that he did not want "the Republicans to see them."

There was no elaboration by Mr. Alch. A number of memorandums were sent to the committee from McCord, and so far as is known the three Republican members were shown all of them as they arrived.

Comment Reserved

Immediately after today's session, Mr. Fensterwald said that he would reserve comment on the Alch accusations until he could appear before the committee. McCord reiterated some of his charges against his former attorney.

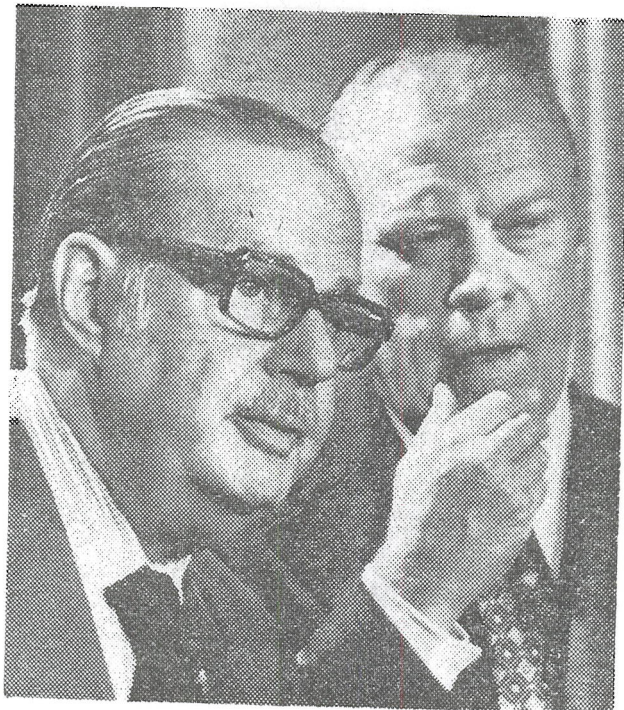
The principal ones were that Mr. Alch had helped to transmit offers of executive clemency, and that the lawyer had proposed a defense that would blame the Watergate operation on the Central Intelligence Agency.

Mr. Alch confirmed some of the circumstances surrounding the allegations of his former client, but he testified that many of these "have been twisted out of context unto untruths."

He said, for example, that in a discussion with defense attorneys before the trial, it had been pointed out that the men arrested at the Watergate had once had C.I.A. connections. Mr. Alch said:

"It was agreed that each lawyer would ask his respective client [seven men were under indictment in the case] whether or not he had any knowledge of any C.I.A. involvement."

Mr. Alch said that he did so,



Associated Press

Senator Hugh Scott of Pennsylvania, left, and Representative Gerald R. Ford of Michigan, Republican Congressional leaders, talk to reporters at White House.

and that McCord did not "directly respond" but instead became "quite upset at what he of the White House to the believed to be the antagonism C.I.A."

Foundation Honors P.O.W.'s

The United States Flag Foundation gave its annual award yesterday to all the returned prisoners of the Vietnam war. The foundation was founded in 1898. It publishes literature on flag history and the flag code and has fought several flag-desecration cases successfully in the courts.

Hearings to Be Carried On 5 TV Channels Here

The Watergate hearings today will be carried live on television channels 2, 4, 7, 13 and 31, beginning at 10 A.M.

On radio, the hearings will be carried live by WINS, WRVR, WNYC and WBAI.

Videotape rebroadcast of the hearings will be seen beginning at 8 P.M. on channels 13 and 31.

**FRESH AIR FUND=
SUMMER FUN.**