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# ALCH SUGGESTS 3 TAKE LIE TEST

Urges at Rigorous Hearing  
That He, Fensterwald  
McCord Be Subjects

By DAVID E. ROSENBAUM  
Special to The New York Times

WASHINGTON, May 24—Under aggressive and at times hostile questioning from the Senate Watergate committee, Gerald Alch, the original lawyer for James W. McCord Jr., suggested today that he, McCord and McCord's present lawyer take lie-detector tests to see who was telling the truth.

But the committee's chairman, Senator Sam J. Ervin Jr., objected to the idea, calling such tests "20th-century witchcraft," and McCord's present lawyer, Bernard Fensterwald, said that he and McCord would not take the tests "because I have no faith in them."

Mr. Alch did not deviate from the basic points he made in his long statement to the committee yesterday:

¶He did not, as McCord has contended, try to persuade McCord to say that the Watergate burglary was an operation of the Central Intelligence Agency or tell McCord that McCord's C.I.A. records could be altered to support the claim.

¶He did not tell McCord that the convicted burglar could receive executive clemency if he kept silent about the Watergate case.

¶Mr. Fensterwald told him in a telephone conversation after McCord had been convicted in January that "we're going after the President of the United States."

## Contrasting Testimony

The first two points were in direct contrast with McCord's testimony earlier this week. The final point was denied by Mr. Fensterwald yesterday but was not mentioned in a statement he filed with the committee this morning.

Senator Ervin, a North Carolina Democrat, asked Mr. Fensterwald to submit the statement so that the committee could decide whether to call him as a formal witness later.

In the statement, Mr. Fensterwald maintained that he had taken McCord as a client after McCord's conviction and had helped him raise bail because McCord asked him to be his lawyer and because he thought the \$100,000 bail set for McCord's release pending sentencing was excessive.

The Senators on the committee subjected Mr. Alch to the most rigorous questioning of any witness at the hearings thus far. Mr. Alch, a defense lawyer with a national reputation, is an associate of an even more famous lawyer, F. Lee Bailey. He repeatedly referred to the committee as "this honorable committee."

Mr. Alch was kept on the defensive through much of his testimony this morning.

Senator Howard R. Baker Jr. of Tennessee, the ranking Republican on the committee, picked up quickly on a comment of Mr. Alch's that he always left to his client the decision of whether to plead guilty or not guilty.

"I admire your rectitude in that respect," Senator Baker remarked, "but I doubt your judgment. And I really wonder — and I put this to you in a very blunt and in a very, very cruel way — I really wonder if there is not a balancing judgment to be made in the minds of the expert retained as counsel to advise him of his rights."

## 'Nothing, at Stake'

Senator Joseph M. Montoya, Democrat of New Mexico, told Mr. Alch that McCord, having already been convicted, "has nothing at stake now except waiting for the mercy of the judge in the sentencing procedure."

On the other hand, Senator Montoya said, "you have an interest in trying to dispel the veracity of Mr. McCord's allegations in that, if they would be found to be true or credible, you would be subject to some reprisals from some grievance committee or from a court."

Senator Montoya was referring to the fact that, if Mr. Alch had really tried to persuade McCord to concoct a defense based on the C.I.A., he could be subject to legal sanctions.

But the real showdown of the morning came when Senator Ervin challenged Mr. Alch's belief in the accuracy of lie-detector tests.

Senator Ervin has several times prepared legislation that would outlaw the use of such devices in certain circumstances. Mr. Alch has used lie-detectors many times in his work as a defense lawyer.

"I think," the Senator declared, "a guilty person who is calm can pass one without any difficulty, and a truthful person who is nervous could pass one with great difficulty."

## Pipe Champion Keeps Title

LONDON (UPI)—Bob Foulds, a 28-year-old civil servant, retained his title as Britain's champion pipe-smoker. Mr. Foulds smoked a pipe of rough cut tobacco for 121 minutes and 16 seconds and won a \$2,480 prize.