

A Day of Legalese -- And Laughs

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At times yesterday, the Senate's investigation into the Watergate conspiracy seemed more like a seminar at an American Bar Association convention.

The seven members of the Senate Select Committee on Presidential Campaign Activities spent more than 2½ hours examining a lawyer's defense of his client. The two senior members of the panel wrangled over whether the use of lie detectors constituted "20th Century witchcraft."

The committee dallied over details and doubted answers. Committee members jabbed at witnesses and joked with them. There was little of the high drama that characterized four earlier days of televised hearings, but more than enough humor, sharp interrogation and legalizing as the investigation settled into something of a pattern.

ERVIN

Senator Sam J. Ervin Jr. (Dem-N.C.), who is chairman of the committee, had kept his image as a civil libertarian, wily lawyer, and, above all, as a raconteur hidden in a cocoon of caution, but yesterday he took flight.

He denounced those who see "subversives and dissenters and ghosts hiding under the beds and every rosebush." He quoted legal historians and Scripture and, at one point, remarked that if James W. McCord Jr., the convicted conspirator, "wanted to write a book

about Watergate he could make A. Conan Doyle turn green with envy."

Political analysts have surmised that the one member of the committee whose future as a national candidate might be enhanced by his appearance before the Watergate hearing television audience is Howard H. Baker Jr., the Republican from Tennessee.

TALENTS

Baker put on a display of his own talents yesterday, sharply questioning witnesses, exploring inconsistencies, disputing Ervin's views of polygraph tests and, in his boyish handsome manner, making the comic most of a straight line.

Bernard L. Barker, a pudgy, bespectacled spy who was one of the Watergate conspirators, kept insisting throughout his appearance that no one had pressured him to plead guilty at his trial in January, as James McCord had alleged.

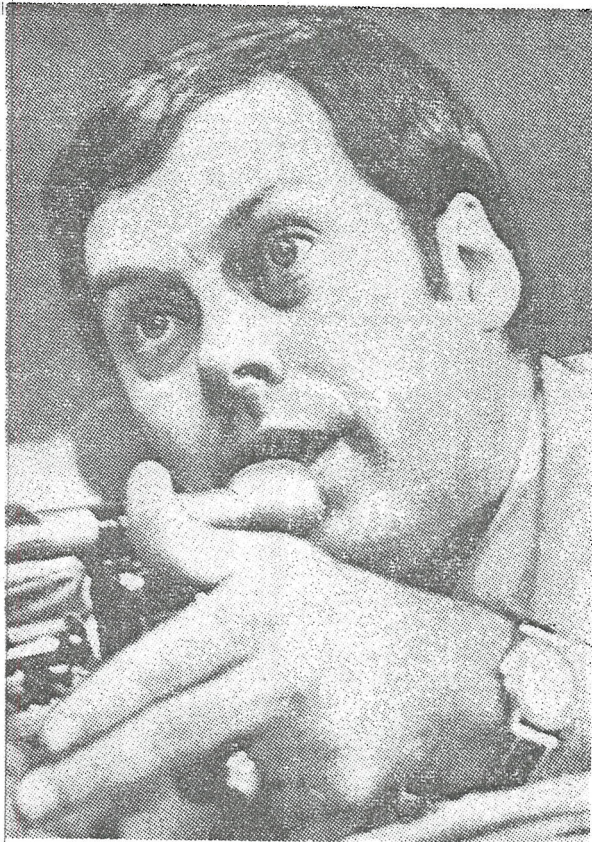
"When did you first decide to plead guilty?" Baker inquired.

Barker, saying that he did not keep records, recalled that it was "after the Dolphins-Redskins game, as far as I can remember."

The audience burst into glee at the reference to the Super Bowl game as the benchmark for the decision. Baker pressed on.

"Do you remember the score, Mr. Barker?" he asked, lips pursed in a smile.

Said the witness, "Seven-



UPI Telephoto

ALFRED BALDWIN ON THE STAND
He monitored the Watergate wiretap

teen straight" (the number of consecutive wins for Barker's home team).

CLEANUP

Essentially, the Senate panel was attempting to clean up some of the loose ends of its first set of hearings before recessing until June 5.

The senators heard from Gerald Alch, the lawyer who had angrily disputed Wednesday the earlier testimony of his former client, McCord; from Barker, the "team" leader of Cuban-Americans recruited for the Watergate espionage, and from Alfred C. Baldwin, the athletically handsome former aide to McCord who was a key government witness at the Watergate trial.

During the lengthy cross-examination of Alch about the points of disagreement between his and McCord's account of their relationship, Alch suggested to Baker that one way to clear up the issues would be

for him, McCord and McCord's new lawyer, Bernard Fensterwald, to submit to polygraph — or lie detector — tests.

"I happen to have made a study of polygraph tests and I call them 20th Century witchcraft," objected Ervin, the wattles of his 76-year-old face reverberating.

RELIABILITY

He pressed Alch, without success, to agree that lie detector results are inadmissible in nearly all courtrooms because, in the senator's view, they are unreliable.

Baker, who generally has been deferential toward the committee chairman, cut in to bolster Alch's position, saying:

"If we are suddenly going to be bound by the rules of evidence, we have given them only the most glancing pass so far in this hearing."

The weighty legal arguments and the needling of the witnesses throughout the day were frequently relieved, however, by humor.

Barker, asked to state his home address, at first replied that it was "Cell Block Four, District of Columbia Jail." Later he described how his team of spies had operated on his credit card, charging expenses to his American Express account.