

# Hughes Lawyer Loses Appeal to Hold Public

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An attorney for billionaire recluse Howard Hughes lost a court attempt yesterday to force the Senate Watergate committee to question him in public session.

The attorney, Chester C. Davis, said he was asking

for the questioning to be done in public so he would not be the victim of "partial and distorted leaks" of any testimony he gave in private sessions.

He has appeared before the committee in two such private sessions this week.

The committee's assistant chief counsel, James Hamilton, said the sessions are be-

ing held in private "because of information from White House sources (that has) disclosed that some questions dealing with Donald Nixon (the President's brother) would involve national security . . . and because of the public defamation of some people involved if only public hearings are held."

"This is a highly volatile area," Hamilton told U.S. District Judge Aubrey E. Robinson Jr. He also told the judge that Watergate committee chairman Sen. Sam Ervin (D-N.C.) "has promised Davis there will be no leaks to the news media of any information arising from these private sessions."

Judge Robinson said the courts have been reluctant to interfere with congressional operations, but set a full hearing on the issue for

Dec. 10. Meanwhile, Davis must continue to testify in the private sessions when called, Robinson said.

Davis said in court that he thought the day of "star chamber hearings was gone for the ages," and that "I want to tell my story about the Hughes-Rebozo relationship . . . What conceivable harm is there to let people hear what I have to say?"

The committee is investigating a \$100,000 contribution that was reportedly delivered by a Hughes emissary in \$50,000 installments in 1969 and 1970 to Charles G. (Bebe) Rebozo, a close confidant of President Nixon.

President Nixon has said the money was intended to be a donation for his 1972 campaign. The \$100,000, all in \$100 bills, was kept in a safe deposit box untouched

until June, 1973, before Rebozo returned it to a Hughes emissary, Mr. Nixon said.

Davis turned the \$100,000 over to the committee on Tuesday and the committee staffers then photocopied the bills. Chief committee counsel Sam Dash said yesterday that staff investigators began checking the serial numbers on the bills to determine whether any of them were issued after 1970, when Mr. Nixon said the money was turned over to Rebozo.

Although Mr. Nixon and Rebozo have said the money was intended for the 1972 campaign, two other men have said it was not meant for the 1972 race at all.

Richard G. Danner, manager of a Hughes hotel in Las Vegas, has testified in a court deposition that the first \$50,000 installment was

a late contribution to Mr. Nixon's 1968 campaign and that the second installment was for the 1970 congressional election.

Robert A. Mahen, a former Hughes aide, said in a deposition that the first \$50,000 was for the 1968 campaign but that the second contribution was intended to influence a Justice Department decision on Hughes' plan to buy another hotel in Las Vegas.

Meanwhile, Dash reported that he and the committee's minority counsel, Fred Thompson, had met with White House special counsel J. Fred Buzhardt to discuss the committee's request for documents concerning political contributions to the Nixon campaign by milk producers. "It was not a productive meeting," Dash said.