

Democrats Ask Court To Speed Bugging Case

By DANA BULLEN
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The Democratic party has strongly urged U. S. District Court to reject a "naked and shameless" GOP plea for delay until after the election of a \$1 billion damage suit in the Watergate bugging case.

"It is difficult to imagine a case where the public interest cries out more strongly for revelation of the facts," the Democrats told the court yesterday. They said the courts should not be "used" to hide facts about "this sordid incident" until after voters go to the polls.

Among witnesses the Democrats want called for sworn pre-trial depositions are missing former White House consultant E. Howard Hunt Jr., presidential aide Charles W. Colson and leaders of the Committee for the Re-Election of the President.

The committee is named as a defendant in the Democrats' invasion of privacy, trespass and bugging suit. Both the GOP unit and White House spokesmen have denied involvement in the incident.

Fifth Amendment

"If the Committee and the White House are uninvolved," the Democrats told the court in a motion opposing a delay, "why are they so desperately afraid of having the denials of Messrs. Hunt and Colson made under oath?"

"Or will they too be forced to take the Fifth Amendment?"

A week ago, the Committee for the Re-Election of the President asked for delay of the civil case until after the November election on the ground action before then would only serve to publicize "unprovable" Democratic charges of GOP involvement.

The opposition papers for the Democrats were submitted by Joseph A. Califano Jr., the party's general counsel, and attorney Edward Bennett Williams.

The original link to Hunt, and through him to Colson, who recommended Hunt for the White House job, came when Hunt's telephone numbers with the notations "W.H." and "W. House" were found on two of the five suspects caught in the Democrats' office suite.

The Democrats described the five as a "burglary squad" embarked on a mission of "political espionage."

'Confluence of Interest'

One of the five men, James W. McCord Jr., was chief security officer for both the Committee for the Re-election of the President, headed at the time by former Attorney General John Mitchell, and the GOP national committee.

In the court papers filed by the Democrats in the civil case, Califano and Williams cited Mitchell's successive positions, asserting that related fact-producing criminal prosecutions in the break could take months or even years.

"In view of the obvious confluence of interest between the Committee for the Re-Election of the President and the Justice Department, whose former chief, John Mitchell, moved directly to the top job at the committee, the court should act to avoid the possibility of indefinite delay," the Democrats said.

Efforts of a federal grand jury to develop facts about the break-in have, according to prosecutors, been frustrated by refusal of a lawyer, Douglas Caddy, to testify about his links to the suspects arrested at the Watergate.

Overtown Urged

Counsel for Caddy urged the U.S. Court of Appeals today to overturn a ruling by Chief Judge John J. Sirica holding Caddy in contempt of court on the ground the lawyer improperly evoked the attorney-client privilege in refusing to answer jury questions.

Attorney Jerome Powell said in oral arguments before the court on Caddy's appeal that questions put to Caddy before the grand jury were designed to establish "a link" between Caddy's clients and the Watergate episode. Powell asserted this would intrude on a client's right to consult with an attorney by indirect means.

Asst. U.S. Atty. Earl J. Silbert told the three-judge panel that the questions do not seek contents of confidential attorney-client communications but instead seek to develop facts about the break-in, including whether any other persons were involved as "aiders and abettors or planners" of the bugging incident.

Caddy, in refusing to answer a number of grand jury questions, has claimed as his clients all five suspects arrested at the Watergate, Hunt and someone prosecutors have identified only as "Mr. X."

"Wherever we turned, Mr. Caddy appeared," Mr. Silbert said.