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Break-In NL 320

WASHINGTON AP - A U.S. District Court judge Friday refused to postpone a \$1 million damage suit filed against the Committee for the Re-Election of the President by the Democrats after a break-in and bugging attempt at Democratic national headquarters.

The action by District Court Judge Charles R. Richey specifically rejected a Republican request for a delay in the case until after the Nov. 7 general election.

The Committee for the Re-Election of the President had asked for a stay on grounds the case could cause "incalculable" damage to President Nixon's campaign.

The judge did not set a date for a hearing, but his decision cleared the way for the taking of depositions by Edward Bennett Williams, attorney for the Democrats.

The suit was filed by former Democratic National Chairman Lawrence F. O'Brien after it was revealed that one of the five men arrested in the June 17 break-in was James W. McCord Jr., at that time a security coordinator for the re-election committee.

At the Senate, Sen. William Proxmire, D-Wis., introduced a resolution calling for a bipartisan two man commission to investigate the break-in. It names former GOP Sen. John J. Williams of Delaware and former Supreme Court Justice Arthur J. Goldberg, a Democrat, as members.

The commission would report within 30 days.

Senate Republican Leader Hugh Scott asked if the commission report could come after the November elections "to remove it from the suspicion of politics."

To this, in a Senate floor exchange, Sen. Frank Church, D-Idaho, said that if the Committee for the Re-election of the President is "hiring thugs" to bug Democratic headquarters, "why should not the people be informed before the election?"

Proxmire said all the facts now known by investigating officials should be turned over to the proposed commission "to make certain the administration, which has an overwhelming conflict of interest, does not sweep this matter under the rug or delay it until after the elections."

Scott, without supporting the resolution, said he did not know who was responsible, but they "ought to be fired, tried, convicted and punished."

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Proxmire's resolution was referred for consideration to the Senate Rules and Administration Committee.

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Five men have been charged with breaking into the Democratic headquarters last June 17. The incident is being investigated by the Justice Department.

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