

Vote on Liddy Contempt Citation Delayed in House

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Young members of the House Armed Services Committee forced a delay today on contempt-of-Congress action against G. Gordon Liddy, a convicted Watergate conspirator.

Protesting that they did not want to rush into such an important matter without study, they brushed aside the pleas for prompt action of more senior members, including their chairman, F. Edward Hébert, Democrat of Louisiana.

The temporary delay is likely to rule out House floor action against Liddy until after the month-long Congressional recess starting Aug. 3.

Contempt proceedings against Liddy were approved unanimously last week by a House Armed Services subcommittee after he refused to be sworn in as a witness. He had been subpoenaed for questioning on Central Intelligence Agency involvement in the Watergate affair.

Another Meeting

The young members, most of them lawyers, contended that they should have adequate time to study a detailed argument presented by Liddy's attorney last week to support his client's refusal to take an oath as witness.

Representative Hébert said later that he would call another meeting of the panel for Monday or Tuesday. He predicted

overwhelming approval of the contempt citation.

Mr. Hébert had hoped to dispose of the matter today but the committee, by a vote of 23 to 9, approved the delay.

"They're young and bright, really good minds, and this is all new to them," Mr. Hébert said later of the younger members. "A lot of us oldtimers know, of course, that the committee has no alternative but to go on with the contempt proceedings."

To do otherwise, he continued, would jeopardize the ability of all Congressional committees to obtain the testimony of witnesses.

Refusal to testify before a Congressional committee or subcommittee is a misdemeanor, punishable by 30 days to a year in prison and a fine of \$100 to \$1,000.

If the House upholds the contempt proceedings, the matter would be turned over to the United States Attorney for presentation to a grand jury, which, in turn, could indict Liddy for contempt of Congress.

Liddy was the only one of 24 witnesses called before the House Armed Services subcommittee on intelligence operations in recent months to refuse to be sworn. Three others — John W. Dean 3d, David R. Young Jr. and Egil Krogh Jr., former White House aides — invoked the Fifth Amendment protection against self-incrimination, but they first took the oath.

While Liddy did not invoke the Fifth Amendment as such, his attorney, Peter L. Maroulis of Poughkeepsie, N. Y., argued that the Fifth Amendment incorporates the right of a witness not to take the stand and therefore not to be sworn.

Mr. Maroulis further argued that Liddy's rights under the Sixth Amendment would be jeopardized by prejudicial publicity if he invoked the Fifth Amendment in refusing to testify.

European History

The Fifth Amendment to the Constitution states that no one can be compelled in any criminal case to be a witness against himself. The Sixth Amendment provides for speedy trials, the right to be confronted with witnesses against a defendant and the right to obtain witnesses in the defendant's favor.

The Margoulis argument, printed and distributed to the full Armed Services Committee today, traces the origin of constitutional guarantees, delving far back into European history.

"It's a novel approach," Mr. Hébert observed, "he goes back to Henry VIII and Queen Elizabeth and almost to Adam and Eve."

Admitting that "I'm no lawyer," Mr. Hébert said that while the legal argument was "fascinating reading," the central question was Liddy's refusal to take the oath. The broader legal question of con-

stitutional rights, he said, would be a matter for the courts.

There was banter over the merits of various laws schools — Harvard, Tulane, University of South Carolina — as members debated whether they should have a chance to study the Maroulis argument before voting on the contempt issue.

"If this position by Mr. Liddy is sustained, we'll never get another witness before Congress," protested Representative Samuel S. Stratton, Democrat of Albany.

The move for delay was proposed by Representative David L. Treen, Republican of Louisiana.

Representatives Lucien N. Nedzi of Michigan, chairman of the subcommittee that brought the contempt citation, said he had no objection to the delay.

An Old Hand

Earlier in the meeting, those uninitiated in the process of a lesson from an old hand, Representative Richard H. Ichord of Missouri, chairman of the House Internal Security Committee, formerly the House Committee on Un-American Activities.

While supporting contempt proceedings, Mr. Ichord complained that the courts had been "exceedingly reluctant to enforce the contempt powers of Congress. I don't think Mr. Liddy has anything to fear, for the law is in considerable disarray at this time."