

Senate Panel Refuses to Delay Hearings

Special to The New York Times

WASHINGTON, June 5—The Senate Watergate committee voted unanimously this morning to reject yesterday's request from Archibald Cox, the special prosecutor in the Watergate investigation, that its hearings be suspended.

Mr. Cox had argued in a letter to the committee chairman, Senator Sam J. Ervin Jr., Democrat of North Carolina, that there was a danger that the guilty would go unpunished and that the full facts would be lost if the public hearings continued.

But, at the beginning of today's session, Senator Ervin said the committee had voted to continue the hearings for the following reasons:

¶The committee had been authorized by the Senate to conduct the investigation and had no authority to postpone it.

¶The committee did not agree that the courts would "permit guilty parties to go unwhipped of justice" because of the hearings.

¶There was more likelihood of a "fair trial if an atmosphere of judicial calm" after the hearings were over than before the committee finished its investigation.

Committee members said that the discussion of Mr. Cox's pro-

posal lasted for about half an hour and that the idea was, as one said, "rejected out of hand."

The Committee also turned down the suggestion of two of its members—Senator Herman E. Talmadge, Democrat of Georgia, and Senator Edward J. Gurney, Republican of Florida—that the hearings be accelerated. Both Senators want to call high-level witnesses at once to determine as soon as possible President Nixon's role in the Watergate affair.

Nonetheless, three witnesses who had top positions in the White House or in the President's re-election campaign are scheduled to testify in the next two weeks, according to Samuel Dash, the committee's chief counsel.

They are Maurice H. Stans, chairman of the President's finance committee and former Secretary of Commerce; Jeb Stuart Magruder, deputy director of the re-election committee, and John W. Dean 3d, who was counsel to the President until he was dismissed April 30.

Postponement Sought

Mr. Stans, who has been indicted in New York in connection with the \$20,000 campaign contribution of Robert L. Vesco, a New Jersey financier, was asked to appear before the committee Thursday, but he has

asked for a postponement.

Mr. Stans's lawyer, Robert W. Baker, told committee staff members by telephone today that Mr. Stans needed clarification of the rules of the Federal District Court in New York before he could testify.

Mr. Dash said that chances were "75-25" that Mr. Stans would not appear this week.

The committee has voted to give Mr. Magruder and Mr. Dean immunity from prosecution based on their testimony to the committee. The Justice Department, under the law, has 30 days in which it can delay a Congressional grant of immunity, and it has exercised this option. But the 30 days expire Friday for Mr. Magruder and next Tuesday for Mr. Dean.

A key figure in the Watergate affair—G. Gordon Liddy—has refused to testify before the committee, despite having been granted immunity. Liddy, who was convicted last January of conspiracy and burglary in the Watergate case, was described as the mastermind of the burglary.

Liddy could be cited for contempt of the Senate for refusing to testify after having been given immunity, but Senator Ervin said that the committee had decided to take no immediate action on the question of contempt.

6/6/73
nyt