

AGNEW CRITICIZES SENATE HEARINGS

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Says Televised Inquiry Has
'Perry Masonish Impact'
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WASHINGTON, June 11—Vice President Agnew declared today that the televised Senate Watergate hearings "can hardly hope to find the truth and can hardly fail to muddy the waters of justice beyond redemption."

The Vice President complained, in a formal address at a meeting of the National Association of Attorneys General in St. Louis, that the televising of the investigative hearings gave them a "Perry Masonish impact" that he said could ruin the reputations of innocent people because of an absence of courtroom safeguards against unsubstantiated testimony. The speech was released by his office here.

Senator Sam J. Ervin Jr., the

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North Carolina Democrat who is chairman of the Senate Select Committee on Presidential Campaign Activities, issued a statement proclaiming the committee's intention to proceed "to ascertain the truth fairly and fully in respect to this tragic episode in our nation's history."

Mr. Agnew's criticisms of the Senate committee procedures were the sharpest yet by any official of the Nixon Administration. And they were made on the eve of a Federal court ruling on a Government request to curtail live television and radio coverage of the hearings.

Archibald Cox, the special Justice Department prosecutor in the Watergate conspiracy case, wants a ruling that would close the hearings, or at least forbid live broadcast or telecast of them, when the committee takes testimony from John W. Dean 3d, the former White House counsel who was dismissed last April, and Jeb Stuart Magruder, former deputy director of the President's 1972 re-election committee.

Judge John J. Sirica of the United States District Court here is scheduled to issue a decision of the request tomorrow.

Judge Sirica is also expected to announce tomorrow whether he will formally approve the

Senate panel's grant of limited immunity from prosecution to Mr. Dean and Mr. Magruder in return for their testimony about the scope of the conspiracy.

The committee will resume the hearings at 10 A.M. tomorrow, with additional testimony from Herbert L. Porter, another former official of the re-election committee, who appeared before the committee last Thursday. Mr. Porter's testimony will be followed by the appearance of Maurice H. Stans, the former Secretary of Commerce and principal fund-raiser for Mr. Nixon's 1972 campaign. If Mr. Magruder is granted immunity, he is expected to testify after Mr. Stans, later this week.

The Vice President said in his speech today that "television's incandescent presence" at the hearings complicated the search for facts by turning witnesses and Senators into "players on a spotlighted national stage."

Echoing an earlier warning from Mr. Cox, Mr. Agnew also said that the telecasts would create "a swelling flood of prejudicial publicity" that he contended would make it "virtually impossible" to find an impartial jury to try cases against future Watergate defendants.

Objectivity Not Questioned

He emphasized that he did not seek "to imply that the Ervin committee is proceeding in a haphazard or disorderly fashion" or to question the objectivity of the four Democratic Senators and three Republicans on the panel.

But he complained that the proceedings, by their nature, lacked seven specific "safeguards" customarily assured in courtroom proceedings.

Mr. Agnew said the Senate hearings did not afford an accused person the "absolute right" to cross-examine other witnesses; that the hearings "severely abridged" the right of a defendant to be represented by counsel, and that the proceedings offered "no firm guarantee" that rebuttal testimony could be presented.

He also protested that there was no way for an accused person to offer evidence that would "impeach the accuser's credibility;" that the committee witnesses were "positively encouraged" to give hearsay testimony inadmissible in court; that the Senate witnesses were permitted to offer speculative opinions, and that the presence of television cameras was "interjecting" the public in a judicial process as the "ultimate jury" of the Watergate case.

Comment By Baker

The Republican vice chairman of the Watergate committee, Senator Howard H. Baker Jr. of Tennessee, told reporters here that Mr. Agnew was "clearly entitled to make his appraisal" of the committee. But the Senator added that the panel had no defendants, was engaged in a search for legislative remedies and was determined that it would not "become a tribunal to judge the guilt or innocence of defendants."

Senator Ervin, voting that the King James version of the Bible states that "a soft answer turneth away wrath, but grievous words stir up anger," said that he regretted Mr. Agnew's criticism.

"Notwithstanding his disapproval," the Senator said, "the committee will continue to perform its duty to ascertain the truth fairly and fully in respect to this tragic episode in our nation's history."