

NYTimes
**Ervin Unit, on Party Vote,
 Decides on New Hearings**

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By DAVID E. ROSENBAUM

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WASHINGTON, Jan. 23—On a straight party-line vote, the Senate Watergate committee, which has been in recess since before Thanksgiving, decided today to resume public hearings next week.

The three Republicans on the seven-member panel argued that the committee should step aside and leave further investigation to the House Judiciary Committee, which is considering whether President Nixon should be impeached.

But the four Democrats, led by Senator Sam J. Ervin Jr., the chairman, agreed to at least six more days of testimony beginning next Tuesday.

Today marked the first time in the 11 months since the committee was created that its members have split along party lines on an important issue.

Senator Ervin said that next week the panel will hear testi-

mony on the circumstances surrounding the payment of \$100,000 by agents of Howard R. Hughes to President Nixon's friend Charles G. Rebozo.

The following week, the chairman said, the committee will have hearings on contributions to the President's re-election campaign by the dairy industry.

The vote to continue the proceedings came near the end of a three-and-a-half-hour meeting in a small conference room on the first floor of the Capitol, next to the Senate barbershop.

For most of that time, the committee's staff briefed the Senators on what evidence had been gathered since the public hearings recessed two months ago.

Senator Ervin and the ranking Republican on the panel,

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Mr. Rebozo has told the committee's investigators that he kept the \$100 bills in a safe deposit box for three years and then had them returned to a Hughes lawyer, Chester C. Davis.

It is expected that officials of milk cooperatives and the

Administration will be called to testify during the hearings on the milk contributions. A possible witness, who has been interrogated extensively by the panel's investigators, is John B. Connally, Secretary of the Treasury when the contributions of more than \$400,000 were made.

Two Issues on Milk

Two basic issues are involved in the milk investigation; whether the campaign donations were made in return for an Administration decision to raise price-support payments on milk and whether John N. Mitchell, the former Attorney General, blocked criminal proceedings against milk cooperatives because of promised contributions.

The resolution that established the Senate committee provided for the panel to dissolve on Feb. 28. The committee agreed today to submit a report—although probably not the final report—by that date.

Senator Ervin said that the Senate would be asked to extend the life of the committee, if necessary, to pursue its court suit to gain access to various

White House tapes and documents.

The chairman said that if the committee was successful in obtaining the material it might consider further hearings on other issues.

The committee also agreed, this time unanimously, to ask once again to meet with President Nixon. Two previous requests by the committee have gone unanswered.

The motion, offered by Senator Lowell P. Weicker Jr., Republican of Connecticut, also provided that if no meeting could be arranged individual members of the committee could submit written questions to the President.

Senator Weicker was one of the foremost advocates of ending the hearings. He suggested that the committee meet in open session every Tuesday through the end of February, and, rather than hear testimony, have the staff present the evidence that had been gathered.

Like all the other proposals by the Republicans, this one was also rejected, by a vote of 4 to 3.

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Senator Howard H. Baker Jr. of Tennessee, refused to divulge the substance of that evidence.

But Senator Baker said that it was his "perception" that there was no evidence implicating the President in either of the two remaining issues with which the committee is concerned.

Mr. Baker said that he had argued in the meeting that "all things have to come to an end" and that "the focus has shifted" to the inquiry by the House Judiciary Committee.

"The country is concerned with impeachment and the fever in the country is for getting on with the business at hand," Mr. Baker told reporters following the committee's closed session.

"It would be an act of state-manship by this committee to step aside," he added.

Wants Evidence Presented

Senator Ervin, on the other hand, said, "I think it is essential, since the committee has been gathering information on these matters, for it to be presented."

Mr. Ervin noted that the committee had agreed to cooperate fully with the House investigation and to give the Judiciary Committee access to all its records and evidence. He said he did not think that the resumption of public hearings would impede the work of the impeachment inquiry.

Mr. Baker, however, declared, "I'm not sure it will impede the House inquiry, but I am sure that it will not expedite the

work of the House committee."

Mr. Ervin told reporters that he hoped that two weeks of testimony would be enough to complete action on the Hughes-Rebozo transaction and the milk producers' contributions. No hearings are planned on such other issues as the erasure of a crucial White House tape recording.

Mr. Baker disagreed. "My reluctant estimate is that the hearings will go much, much longer," he said. "I very much fear that we will be here for a long time."

Long Witness Lists

The Senators said that the staff had presented witness lists of 15 names on one of the issues and 17 names on the other, and that the committee members had agreed that the lists were much too long.

Samuel Cash, the committee's chief counsel, said that the lists would be pared overnight and that shorter lists would be submitted tomorrow.

It seems almost certain that Mr. Rebozo will be called to testify and that testimony will also be taken from Richard G. Danner, the Hughes employe who reportedly gave the cash to Mr. Rebozo, and Robert A. Maheu, a former Hughes executive, who first disclosed the payment.

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Senators Sam J. Ervin Jr., left, Watergate committee chairman, and Howard H. Baker Jr., vice chairman, talking to reporters before meeting in closed session in Washington.

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