

# Sirica Won't Delay

## Washington

U.S. District Judge John J. Sirica yesterday refused to delay the conspiracy trial of six associates of former President Nixon in the Watergate coverup case.

Lawyers for the defendants, who include former Attorney General John N. Mitchell, and one-time White House aides H. R. Haldeman and John D. Ehrlichman, filed an immediate appeal.

"There's no better time to hear and try this case than right now," Sirica said, reaffirming his order that the

trial start September 9. He denied a motion by lawyers for five of the defendants that would have delayed a trial until next year.

During a 50-minute hearing they argued that the publicity surrounding Mr. Nixon's resignation had jeopardized the chances of a fair trial and said they had not had a chance to properly review the tapes the Supreme Court ordered Mr. Nixon to turn over prosecutors in the trial.

"The publicity already has died down," Sirica said. "You can pick up the Wash-

ington Post and hardly find a Watergate story."

Attorneys for former Deputy Attorney General Robert C. Mardain and Gordon Strachan, Haldeman's assistant, joined in asking for a delay.

The sixth defendant, Kenneth W. Parkinson, a former Nixon campaign lawyer, opposed delay.

William Hundley, representing Mitchell, said that the House Judiciary Committee's impeachment debate and the "forced resignation" of Mr. Nixon had

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created publicity that required a postponement of the trial.

Sirica asked the group of defense lawyers whether they expected him to be the judge of when the climate would be right for a trial, and they replied yes.

"I think it's right, right now," Sirica said.

"Why?" one of them asked.

"You don't have any (impeachment) debate coming up in the House, you don't have any Senate trial coming up," Sirica said.

Sirica asked the lawyers what they felt would be a reasonable period of delay and each replied "at least the first of the year."

In making his ruling, Sirica said the coverup case is not like a rape or murder case "that arouses passion, anger and hatred."

Sirica said he will hold court sessions from 9:30 a.m. to 4:30 p.m. for the first month of the trial, and if he feels it is not moving fast enough, will hold sessions until later in the evening in order to complete it before Christmas.

"I want to see the end of this some time," Sirica said. "I think the public wants that too."

Associate prosecutor James F. Neal, who will be chief trial lawyer, acknowledged "it would be difficult" to have all the 64 new tapes available for the defense to hear and study by the start of the trial.

Neal also said the prosecution will call at least 30 major witnesses.

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