

Marshal Negotiates On Nixon Subpoena

By Robert Meyers
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LOS ANGELES, Aug. 26— U.S. Marshal Gaylord Campbell says he is negotiating with former President Nixon's attorneys over "the exact time and place of service" to a two-week-old subpoena requiring Mr. Nixon to testify at the Washington, D.C., trial of former presidential aides.

Campbell would not say why there was a delay in the service of the subpoena, except to issue a statement saying that because of "the special circumstances" he was making arrangements for the time and place of service. Campbell would not describe what he meant by "special circumstances."

The subpoena, issued in Judge John J. Sirica's courtroom Aug. 15, demands Mr. Nixon's appearance at the conspiracy and obstruction of justice trial of former presidential aides John D. Ehrlichman, H.R. Haldeman, and four others. The trial is set to begin Sept. 30.

Mr. Nixon is being called as a defense witness by Ehrlichman.

Campbell, who was appointed to his post by Mr. Nixon in 1969, says the subpoena arrived by regular mail at his downtown Los Angeles office Aug. 17. Campbell said at the time he would "serve it immediately" on the former President who has been living at his San Clemente estate since resigning from office Aug. 9.

However, no effort has been made to serve the subpoena, Campbell said, adding that "no announcements will be made until after the subpoena has been served." San Clemente is about 60 miles south of Los Angeles.

The Los Angeles law firm of Willis, Butler, and Scheifly researched the subpoena ques-

tion for Mr. Nixon. Dean S. Butler, a partner in the firm, has done personal legal business for Mr. Nixon in the past.

A young lawyer in the firm, Daryl Rippy, was assigned to look into the question of the subpoena's service. Rippy determined that because the subpoena was issued in a federal criminal case, the service had to be directly on Mr. Nixon himself. A designated aide could not receive the subpoena on behalf of the former President, Rippy said.

The law firm was retained to receive all civil subpoenas, however, of which a number are expected. The law does permit designated representatives to receive these civil subpoenas, Rippy said, adding that he received verbal authority from Ronald L. Ziegler Aug. 15 over the phone to receive any such civil subpoenas.

There apparently is no immediate danger of the subpoena's losing its effect due to the delay. Law authorities here feel that a subpoena is valid as long as it is served before the start of a trial.