

Nixon Subpoena Finally Served

WASHINGTON (AP) — A U.S. marshal personally delivered a subpoena to former President Richard M. Nixon requiring him to testify at the Watergate cover-up trial of some of his closest former aides, the Justice Department said Thursday.

Nearly two weeks after the subpoena was issued, Nixon accepted delivery at his seaside estate at San Clemente, Calif.

Justice Department spokesman John Wilson said the subpoena was served Wednesday by a marshal. Wilson declined to identify the marshal or say anything about the mechanics of the delivery.

Nixon was subpoenaed by attorneys for former White House domestic affairs adviser John D. Ehrlichman, one of six defendants in the cover-up case.

Nixon now could seek to avoid an appearance in court by asking to have the subpoena quashed. A spokesman for Nixon's new lawyer, Herbert J. Miller Jr. of Washington, declined comment on whether such a request will be made to U.S. District Judge John J. Sica, who is scheduled to hear the case starting Sept. 30.

Apart from Nixon's appearance as a defense witness,

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there is the apparently undecided question of whether he will be indicted as a participant in the cover-up.

Indications are Special Watergate Prosecutor Leon Jaworski has delayed any decision on that until after Labor Day.

Meanwhile, attorneys for Ehrlichman asked a second Supreme Court justice to delay the start of the trial beyond Sept. 30.

Andrew C. Hall sent a telegram asking Justice William O. Douglas to postpone the trial beyond Jan. 1, 1975.

Chief Justice Warren E. Burger turned down a similar appeal Wednesday. Hall declined to say if he would go one by one to the other seven justices if Douglas refuses to order any delay.

Ehrlichman is seeking the postponement on the grounds that Nixon's resignation and the release of new White House tapes generated so much publicity it would be impossible to convene an impartial jury within the next several months.

Nixon had to personally accept delivery because the subpoena was issued in a criminal case.