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## **Court in Texas Bars A Plea to Subpoena White House Tapes**

DALLAS, Oct. 4 (UPI)—A Federal judge refused today to subpoena tapes of conversations between President Nixon and John N. Mitchell that, attorneys contend, could prove that the Government meddled in a Texas stock fraud case to embarrass Democratic politicians and influence the 1972 elections.

The judge, William Taylor Jr., said, "There must be a clear showing of criminality and relevance, and in light of what has been shown here, I can't see either."

Attorneys for two Democrats accused of mail and stock fraud argued that the tapes of conversations acknowledged by Mr. Mitchell, former Attorney General, at the pretrial hearing would show conspiracy on the part of the Justice Department and the White House.

"There are conversations that are vital to our case," said Emmitt Colvin, attorney for a former Texas Insurance Commissioner, John Osorio.

Mr. Osorio and attorneys for Waggoner Carr, former Texas Attorney General, are trying to prove Government interference in the case.

Earlier today, the Justice Department lawyer who investigated the case opened his files to defense attorneys.

Anthony J. P. Farris, chief United States Attorney for the Southern District of Texas, hoped that making his files available would cancel need for the Presidential tapes.