

## Nixon Challenged on Jefferson In a Library of Congress Study

WASHINGTON, Nov. 25 (AP) —A library of Congress study challenges President Nixon's interpretation of an executive privilege case involving Thomas Jefferson, a Congressman says.

Representative Joshua Eilberg, Democrat of Pennsylvania, who requested the study, said it did not support Mr. Nixon's comparison of Mr. Jefferson's response to a subpoena with Mr. Nixon's handling of the Watergate tapes.

During his trial for treason, Aaron Burr had a subpoena issued requiring Mr. Jefferson to produce a letter written to Mr. Jefferson, not a letter, written by Mr. Jefferson as Mr. Nixon has stated, said Mr. Eilberg.

In his references at two news conferences to the case, Mr. Nixon has said Jefferson offered a summary of the letter as a compromise, and that Chief Justice John Marshall ruled it was acceptable.

Mr. Eilberg said the Library of Congress study indicated Jefferson made every effort to comply with the court order, refusing only to travel to the trial in Richmond.

"Jefferson even agreed to testify under oath," Mr. Eilberg said.

He produced all the documents requested, but had to send a copy of the letter because the original had been lost, Mr. Eilberg said. The copy was authenticated by the sender.

"In submitting the letter and documents, Jefferson deleted certain parts he felt were irrelevant," Mr. Eilberg said. "After Marshall reviewed the papers the deletions were allowed to stand."

Justice Marshall's participation in the case, however, was as a trial judge, Mr. Eilberg noted, and the case never went to the Supreme Court, as Mr. Nixon has stated.