

Mail Foulup

Nixon Subpoena Gets to Court

Washington

A subpoena commanding President Nixon's appearance in a Los Angeles court finally got to the right place — the clerk of the District of Columbia Superior Court.

It took eight days to get there.

The subpoena was mailed February 4 by the clerk for Los Angeles Superior Court Judge Gordon Ringer to the superior court here. It apparently arrived Monday, but clerk Joseph Burton didn't get it until yesterday noon.

The National Postal Service, which says that normally such letters take three days or so, is trying to find out why it took so long.

Burton is wondering why there was an in-house delay. The receipt for the certified letter apparently got back to Los Angeles just about the time Burton got the letter.

Burton immediately forwarded the request to U.S. Attorney Earl J. Silbert for action.

"In all procedures they are the ones who will present it in court," Burton said.

The superior court, the equivalent of a state court, must act on all such out-of-state requests.

The document asks Mr. Nixon to testify at a hearing February 25 and at the trial of John D. Ehrlichman and two other former White House aides, G. Gordon Liddy and David Young on April 15. The three men are charged with burglary and conspiracy in the break-in of the office of Dr. Lewis Fielding, the psychiatrist who had treated Pentagon Papers figure Daniel Ellsberg.

The White House said Mr. Nixon will refuse to testify, but the possibility of an affidavit was left open.

Associated Press