

# PRESIDENT YIELDS IN MOVE TO QUASH JAWORSKI'S WRIT

He Seeks 'Accommodation'  
on Subpoena for Material  
on 64 Conversations.

MAY 7 1974  
COURT DELAY GRANTED

Sirica Puts Off Proceedings  
5 Days After Lawyers  
for 2 Sides Confer

NYTimes  
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Special to The New York Times

WASHINGTON, May 6— President Nixon backed down today from his opposition to the Watergate special prosecutor's subpoena for tapes and records of 64 White House conversations by indicating through his lawyers that he was willing to reach an "accommodation" with the prosecution.

His lawyers also won a five-day delay in the legal proceedings over the subpoena that, until today, had been shaping up as another major battle in the courts.

Mr. Nixon's attorneys had asked the Federal District Court here last week to quash the prosecution subpoena "in its entirety," and had strongly hinted that the President was willing to take the matter to the Supreme Court if the lower court rejected the request.

## Meeting of Lawyers

This morning, however, White House lawyers met at their own request with lawyers for the special prosecutor to discuss ways of dealing with the subpoena.

Both sides then advised Judge John J. Sirica of the meeting and asked for a five-day delay.

Judge Sirica granted the request this afternoon, after meeting at the Federal Courthouse with Leon Jaworski, the special prosecutor, and James D. St. Clair, the President's chief defense counsel, as well as with lawyers for the seven defendants in the Watergate cover-up case.

Meanwhile, an Eastern milk producers group was fined \$5,000 today after pleading guilty to charges that it illegal-

ly gave \$50,000 to President Nixon's re-election campaign. [Details on Page 38].

## Postpones Jaworski Reply

In the subpoena proceedings, Judge Sirica postponed the date on which Mr. Jaworski must respond to the President's motion to quash from today until Friday, and rescheduled arguments on the subpoena from this Wednesday to next Monday. 10 MAY 8 13

And in a short statement later to reporters, a statement approved by all parties, Judge Sirica implied that the President was considering not just an accommodation or compromise response to the subpoena but instead, actual compliance.

"The continuance was granted for the purpose of facilitating discussions leading to possible compliance with the subpoena," Judge Sirica said in his statement.

The sudden reversal in White House policy came in the wake of widespread negative public

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reaction to President Nixon's release last week of edited transcripts of various Watergate-related White House conversations.

The Gallup poll reported Saturday that Mr. Nixon's televised speech last Monday night — in which he announced the release of the transcripts—had a negative effect. According to the poll, the speech left 42 per cent of the people who watched it or read about it with a less favorable opinion of the President than they had previously had, and only 17 per cent with a more favorable impression.

## Jaworski Stands Firm

The President's new stance also came after Mr. Jaworski's office made it clear that the prosecution would not drop its subpoena in the face of the President's motion to quash. That meant that if Mr. Nixon continued to fight the subpoena, a court battle would ensue in which testimony would be taken regarding the relevance of the material that Mr. Jaworski had supported.

That testimony, some legal observers said today, could make public still more damaging evidence.

The prosecution subpoena was issued at the order of the court after Mr. Jaworski contended that he needed the materials for use in the trial in the Watergate cover-up case.

Of the 64 conversations, all but one are between Mr. Nixon and one or more of four of his former top aides: John W. Dean 3d; H.R. Haldeman; John D. Ehrlichman, and Charles W. Colson. The only exception is a conversation between several

of these aides in which Mr. Nixon apparently did not participate.

## Dean to Be Key Witness

Mr. Dean is expected to be a major prosecution witness in the cover-up trial. The other three men are among the seven defendants in the case.

Mr. Jaworski contends that each of the subpoenaed materials is necessary either to help make the prosecution's case or, because it is exculpatory, to be turned over to one or more defendants.

Several defendants joined in the motion and one defendant, John N. Mitchell, filed legal papers today opposing the President's motion to quash the subpoena.

Portions of 20 of the 64 conversations covered by the Jaworski subpoena were included in the transcripts that President Nixon released last Tuesday.

However, the White House asked the court the following day to quash the entire subpoena. President Nixon filed a personal statement maintaining that those conversations not yet released were covered by executive privilege. His lawyers argued, in addition, that Mr. Jaworski had not shown that any of the materials were relevant or admissible, and that he had not demonstrated an adequate need for them.

Mr. Nixon had said earlier that the transcripts he was releasing would give the public the full account of the President's actions regarding Watergate. And in subsequent discussions with journalists, Mr. Nixon's attorney, Mr. St. Clair, linked the release of the transcripts with the President's response to the Jaworski subpoena.