

St. Clair challenges grand jury

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WASHINGTON — Presidential lawyer James D. St. Clair said today a federal grand jury went beyond its authority in naming President Nixon an unindicted co-conspirator in the Watergate cover-up. He indicated he will challenge the jury's action in court.

"In my opinion the grand jury was acting outside its authority," St. Clair said in asking U.S. District Judge John J. Sirica to provide the President with all the material used by the grand jury in considering its action against the President.

"But even if it were acting properly, the evidence presented was and is totally insufficient to support the action taken and, in fact contradicts the action," St. Clair said.

St. Clair asked that the grand jury evidence also be sent to the Supreme Court, which is considering a motion from St. Clair to quash a subpoena from special prosecutor Leon Jaworski for the tapes of 64 White House conversations.

Jaworski has said he needs the tapes for the September trial of seven former White House and Nixon reelection campaign officials charged with participating in the Watergate cover-up.

The special prosecutor has raised the issue of whether the President, by claiming the confidentiality of his office can block access in a criminal trial to material that bears on the discussions in which there is a showing that the discussions occurred in the course of a criminal conspiracy.

"In the resolution of both of these issues," St. Clair said, "it may be necessary for the Supreme Court to make a factual analysis of the grand jury's action."

He called the case before the court "of the most grave constitutional magnitude and import"