

Sirica Keeps Evidence on Nixon Secret

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U. S. District Court Judge John J. Sirica yesterday flatly rejected a White House bid for the Watergate grand jury's secret evidence against President Nixon.

In a terse three-paragraph order, Sirica said Mr. Nixon's lawyers had failed to show "any need or basis for lifting the traditional secrecy of grand jury proceedings."

The President's chief defense lawyer, James D. St. Clair, had asked that Mr. Nixon be furnished all of the evidence that led to the grand jury's naming of the President as an unindicted co-conspirator in the Watergate cover-up.

The White House asked that the evidence be submitted to the Supreme Court, where the President has already challenged the grand jury's action as an unconstitutional encroachment on the impeachment powers of the House of Representatives.

Sirica, however, agreed with Watergate Special Prosecutor Leon Jaworski that the only issue before the high court was the legality of the grand jury's decision, and not the merits of the evidence on which it was based. Sirica said the evidentiary grounds for the grand jury's action "probably could not be attacked in any event."

Shortly after the judge issued his ruling, St. Clair, apparently unaware of it, filed an eight-page memo again asking the judge to release the evidence. The White House lawyer charged that the President would be denied due process if the evidence were kept from him.

Jaworski has maintained that the proper forum for Mr. Nixon to attack the evidence is at the House impeachment inquiry.

A spokesman for Sirica said St. Clair's memo would be included in the record, but indicated that the judge would stand on his ruling.