

NIXON AIDE BALKS AT SPECULATION

Garment Won't Say if Court
Order Would Be Heeded

Special to The New York Times

WASHINGTON, June 23 — Leonard Garment, a counsel to President Nixon declined today to say whether Mr. Nixon would abide by the decision if the Supreme Court ordered him to provide material to the Watergate special prosecutor.

Appearing on the CBS television program "Face the Nation," Mr. Garment said that such statements would be "idle speculation" and that the President's chief Watergate lawyer, James D. St. Clair, had warned against such discussions while the matter was in court.

Arguments are scheduled for July 8 on the demand by the special prosecutor, Leon Jaworski, for the tape recordings of 64 Presidential conversations wanted for use in the Watergate cover-up trial in September.

Judge John J. Sirica ruled in United States District Court, favor of Mr. Jaworski last month, but Mr. Garment said today that Mr. St. Clair "is confident about the outcome of the appeal."

Mr. Garment argued that impeachment, not the courts, was the proper legal method by which a president was judged.

"The President is within the law, and the law that is applicable to this President or any President is the constitutional provision for impeachment," he said. "That's the way a President is dealt with within the law."

Mr. Garment made his comments in response to questions

about a statement made by Gerald L. Warren, deputy White House press secretary in July, 1973, that the President would "obey a definitive Supreme Court order to surrender the tapes." At a news conference a month later, the President endorsed Mr. Warren's statement.

The White House and the President's counsel have not repeated such assurances in the current proceedings.

Also today, Representatives William L. Hungate, Democrat of Missouri, and David W. Dennis, Republican of Indiana, agreed that if the President rejected a Supreme Court deci-

sion it would be viewed as "a very serious matter" by the House Judiciary Committee, which is considering impeachment. The Representatives, both members of the committee, commented on the ABC-TV program "Issues and Answers."

"That would be a very serious situation and it would be an entirely different situation than we have today," Mr. Dennis said. "We would have to consider it carefully if it happened."

"I think that would be another example of refusing to obey an orderly legal process," Mr. Hungate said. "That might be the final straw."