

Coverup Case Delay Seen

Washington

Lawyers for the six defendants in the Watergate cover up criminal case expect that President Nixon's resignation will lead to a delay of several months for the coverup trial, scheduled to begin September 9 according to well-informed legal sources.

One lawyer familiar with the defense strategy for the six former Nixon aides under indictment said that a delay of at least three months "would give a different atmosphere conducive to a fair trial."

In stating that he thought there was a good chance of this argument prevailing in court, another defense attorney said, "Well, you must admit that we have a unique argument" regarding pre-

judicial pre-trial publicity as a result of the recent Congressional impeachment proceedings and Mr. Nixon's televised resignation announcement.

Former White House aide H. R. Haldeman, John D. Ehrlichman, and Gordon Strachan, former Attorney General John N. Mitchell, former assistant attorney general Robert Mardian and Nixon re-election attorney Kenneth Wells Parkinson are charged in the case with conspiring to cover up the Watergate break-in.

All but Mardian are also charged with obstruction of justice, and all but Mardian and Parkinson are charged with various forms of perju-

A lawyer for one of the defendants said last night that "We haven't given up hope

yet" that Mr. Nixon might pardon all or some of the six defendants before stepping down at noon today.

Under the Constitution, the President is given the "power to grant reprieves and pardons for offenses against the United States . . ." Because of the broad wording of the constitutional grant and the relative absence of any statutory law or cases on the subject, the power to pardon is virtually unlimited.

Lawrence Traylor, pardon attorney for the Justice Department, said yesterday that the department's official position is that persons can be pardoned by the President even before they are indicted or convicted.

Traylor also acknowledged that the President

could secretly grant a pardon to a criminal defendant and that the defendant could "exhibit" the pardon at his discretion at any point in the proceedings against him.

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