

# Bar Resolution on Nixon

## Honolulu

The American Bar Association was urged yesterday to support the prosecution of former President Nixon if Watergate special prosecutor Leon Jaworski determines that he should be charged with a crime.

A resolution introduced by San Francisco lawyer Gilbert Graham as the association's annual meeting opened here declared that "the lesson learned from the Watergate episode is that no man stands above the law, regardless of position or political office."

"It is unfair and unequal treatment for other Watergate defendants to be convicted, sentenced and disbarred for actions and conduct apparently condoned and participated in by the President of the United States if the latter is not also prosecuted for said actions and conduct," the resolution asserted.

(Graham is a young San Francisco lawyer who has been associated with the Neighborhood Legal Services Foundation.)

With ABA members only beginning preliminary meetings, it was not clear whether the Graham resolution or some modified form of it was likely to win approval by the relatively conservative organization.

Chesterfield Smith, outgoing ABA president, said at a news conference yesterday he did not believe the organization should take a posi-

tion on "one factual situation or one man" with respect to criminal immunity, although he personally opposed granting Mr. Nixon any such blanket immunity.

Some of the 5000 association members attending the meeting believe the reputation of the legal profession could be strengthened if the organization goes on record opposition to immunity for any Watergate participant. Others more sympathetic to Mr. Nixon would prefer to sidestep the issue.

Smith, who antagonized

some bar leaders by pressing for impeachment, said that if Mr. Nixon were granted immunity the same privilege would have to be accorded all other Watergate defendants awaiting trial "from top to bottom" in order to preserve justice.

Later, in a speech to the bar meeting, Smith called for some form of amnesty for all Vietnam draft resisters, in part because the war had been an unconstitutional act against which they had a legitimate protest.

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