

SFChronicle FEB 18 1975
Jaworski's Story

Nixon's Lawyer Fought Indictment

Fort Worth, Tex.

Former Watergate prosecutor Leon Jaworski said yesterday that former President Nixon's attorney submitted a legal appeal to Jaworski not to indict Mr. Nixon during the weeks between Mr. Nixon's resignation and his pardon by President Ford.

During a speech to the Texas Daily Newspaper Association, Jaworski revealed for what he said was the first time the communication between himself and Mr. Nixon's attorney, Herbert Miller.

"Mr. Miller said that in view of the massive publicity of the impeachment proceedings as well as the President's resignation, a fair trial under the Constitution could not be given to Nixon and, accordingly, that it was useless to return an indictment of him," Jaworski said.

"Mr. Miller submitted

well-reasoned arguments in support of his position and strongly urged that any consideration of an indictment be dropped."

The Houston attorney said he had concluded, before Miller's arguments, that an indictment of Mr. Nixon would be difficult.

Jaworski said President Ford's aides had asked for his opinions when Mr. Ford apparently was considering the pardon.

"The massive publicity in the hearing and the findings that ensued in the reversal of judgment of the number of members of the Republican party following release of the June 23 tape recording and the statements carried nationwide, and finally, the resignation of Richard M. Nixon, required a delay before selection of jury is begun of a period from nine months to a year, perhaps even longer," Jaworski said he told Mr. Ford's aides.

United Press