

= Post 6-11-74

# Nixon Stands Fast On Tapes

WASHINGTON (AP) — President Nixon stood fast against the House Judiciary Committee and two federal courts Monday with further refusals to surrender Watergate evidence.

The President, who left Washington early in the day for a tour of the Midwest, rejected the impeachment panel's demand for 45 more tapes. "Since it is clear that the committee will not draw ... a line, I have done so," he said.

Nixon wrote chairman Peter W. Rodino Jr., D-N.J., that he was acting to prevent the presidency from becoming "henceforth and forevermore subservient" to Congress.

House Speaker Carl Albert, D-Okla., called Nixon's response "outside the bounds of reason." And a senior Republi-

can member of the committee said he would seek by resolution the support of the full House for the tapes request.

At the federal courthouse, the President again refused through his attorney to let District Judge Gerhard A. Gesell decide what White House materials may be used by former aide John D. Ehrlichman for his defense in the plumbers' trial.

Nixon's position in that case could lead to dismissal of charges against his one-time domestic affairs adviser or delay the trial, set to begin next Monday.

The President was adamant, too, in another court. He told Judge John J. Sirica by letter

See NIXON, Page A-7

## NIXON

(Continued From Page A-1)

that he objected to turning over a portion of a tape recording to Watergate prosecutors. Sirica already holds the tape, but Nixon lawyer James D. St. Clair asked him not to release it pending appeal.

Rodino's panel sought tapes of 45 Watergate-related conversations for its impeachment probe.

Rep. Robert McClory of Illinois, senior Republican committee member, said he would introduce on Tuesday a resolution of inquiry asking the President to supply all the material demanded in four subpoenas issued thus far by the committee.

McClory said the rarely used resolution would have no addi-

tional legal effect but, if passed, would put the full House on record in support of committee demands.

The committee voted 37 to 1 last May 29 to subpoena the tapes.

In his six-page letter to Rodino, Nixon attacked the committee's warning that it may assume that material he withholds is damaging to him.

The President said his executive privilege claim "must be accepted without adverse inference — or else the privilege itself is undermined, and the separation of powers nullified."

Ehrlichman, scheduled to stand trial with three others on conspiracy charges stemming from the break-in at Daniel Ellsberg's psychiatrist's office, had subpoenaed all his notes, hand written on yellow legal pads while he was President Nixon's domestic counsellor between January 1971 and April 30, 1973.

Last Friday Gesell angrily told St. Clair that refusal to allow Ehrlichman to see all the notes with his lawyer present "borders on obstruction" and threatened to hold a contempt hearing.

Gesell had already ruled that he, not the President, would make the final determination.