

Nixon's for Listing Co-Conspirators

Grand Jury Included His Name

Washington

President Nixon asked U.S. District Judge John J. Sirica yesterday to allow publication of names of persons listed by the grand jury as unindicted coconspirators in the Watergate coverup.

The President's action followed confirmation by his chief Watergate lawyer earlier in the day that the grand jury decided unanimously last March to name Mr. Nixon as an unindicted co-conspirator.

James D. St. Clair, the President's lawyer, told Sirica that the published reports make any further secrecy unnecessary.

He asked Sirica, in a motion, "to lift the protective order regarding the grand jury's naming of certain individuals as coconspirators."

Sirica said he will discuss the matter in open court today with attorneys for both sides but "I don't know when I'll rule on it."

On March 1 the grand jury indicted seven men on conspiracy charges, including top Nixon aides H.R. Halderman, John D. Ehrlichman, Charles W. Colson and former Attorney General John N. Mitchell.

The reports were that the jurors voted 19 to 0 to name the President, but that Special Prosecutor Leon Jaworski counseled against the action, on grounds that it might not be constitutional.

The jury instead issued a sealed report that was turned over to the House Ju-

diciary Committee for its impeachment inquiry.

St. Clair told newsmen yesterday that he was informed of the grand jury's action by Jaworski three or four weeks ago.

Unindicted co-conspirators are not charged with a crime

Back Page Col. 1

From Page 1

and cannot be prosecuted under the indictment in which they are named.

The grand jury said the conspiracy to block the Watergate investigation was the work of the seven men "and other persons to the grand jury known and unknown."

Jaworski's office had no immediate comment on the motion, except to say the names would not immediately be made public. *50 June*

In court filings Wednesday, Jaworski agreed to turn over to defense attorneys in the case the names of unindicted co-conspirators in the case.

Several of the defendants had asked for such a list. Sources said the President's name was on it.

On the day the indictments were returned, Sirica issued an order forbidding prosecutors, defendants and any witnesses "from making extrajudicial statements

concerning any aspect of this case . . ."

"The reasons for the continuance of the protective order are no longer compelling," St. Clair said in his motion.

Responding to newsmen's question about the President's reaction to what the grand jury did, St. Clair replied:

"His view, of course, is that they just don't have all the evidence . . . I think he felt it was quite inappropriate . . . he was confident that the true facts would come out in time and that he would be exonerated."

The Los Angeles Times first disclosed the jurors' 19-0 vote.

There had been reports in March that the grand jury wanted to name the President among the defendants but that Jaworski counseled against the action.

A spokesman on March 12 said Jaworski felt "it would not be responsible conduct . . . to return an indictment against the President . . . only to learn in the end that the U.S. Supreme Court holds such action to be unconstitutional."

Jaworski felt, the spokesman said, that the House Judiciary Committee "is the appropriate body . . . to determine whether he should be charged with conduct justifying impeachment and removal from office."

The March 1 indictment charged the seven men with a massive conspiracy "by deceit, craft, trickery and dishonest means" to block the Watergate investigation.

Also indicted were Robert Mardian, Gordon Strachan and Kenneth Parkinson. Several of the defendants also were charged with perjury.

Associated Press