

Don't Subpoena Nixon, Says Percy

Washington

Senator Charles Percy (Rep-Ill.) warned yesterday against any efforts by either the Senate Watergate committee or a grand jury to subpoena President Nixon to testify.

Such a move, if successful, Percy said, "would weaken both the executive branch and the doctrine of the separation of powers, by placing the President at the beck and call of Congress."

"From then on the Congress could demand that the President appear before it for the purpose of giving testimony whenever it so desired.

"The price of that subordination would be too high," he said.

Percy has been one of the leading Republican critics of President Nixon's handling of Watergate. His comments were in a speech entitled "Watergate and the Constitution," scheduled to be delivered in the Senate today but made public last night.

He repeated his earlier

statements that all Watergate facts should be revealed. But he declared that, as the pressure for action increases, "we should resist the temptation to distort constitutional principles to fit the needs of the moment."

He denounced suggestions for President Nixon's resignation. And in discussing whether to subpoena Mr. Nixon, he said: "The Congress cannot dictate to the President the way to handle Watergate."

"We can offer advice and apply pressure, both public and private, to reach the desired result," Percy said. "That is our prerogative and our duty.

"But to suggest that, because of the exigencies of the times, we can force the President to take the witness stand in the Senate caucus room is once again to say that the end justified the means. We should have had our fill of that type of thinking by now."

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