

Their 'Evidence' Against Nixon

Washington

Four Washington lawyers maintained Saturday that "ample evidence" has already been gathered to support a criminal indictment against President Nixon for 28 "common crimes."

The attorneys set out their contentions in a 169-page study summarizing various allegations involving the White House and analyzing the criminal laws that they said appear to have been violated.

They came up with a 28-count indictment which, they said, could legally be brought against Mr. Nixon, former White House aides and campaign officials as the basis for impeachment.

"What we're saying is that the President could properly be indicted and made to stand trial on these charges — on the basis of probable cause," said one of the attorneys, William A. Dobrovir.

"We're also saying that the House of Representatives could, today, impeach Richard Nixon for these same offenses."

The assertions have been set out in a paperback study called "Bribery and Other High Crimes and Misdemeanors."

The project was financed by millionaire Stewart R. Mott, who has been working to bring about the President's impeachment. Two thousand copies of the study have been privately printed.

The study was released a day after the American Civil Liberties Union, which has also called for impeachment, issued its own handbook calling for citizen action in support of its drive to bring Mr. Nixon to trial.

The Dobrovir study accuses Mr. Nixon of crimes

ranging from illegal wire-tapping and accepting bribes to tax evasion and embezzlement of public funds.

The courts have made clear, the lawyers said, that the head of an organization can be held criminally responsible for the illegal activities of his subordinates.

Tracing a long list of scandals from the Watergate cover-up to illegal corporate campaign contributions to the long-concealed break-in at the offices of Daniel Ellsberg's psychiatrist, the book charged that in each case:

"President Nixon was the head of the organization. He was the individual who would benefit from the illegal acts. It is inconceivable that Mr. Nixon could not have been aware of them or that they could have been carried out without his consent or approval. He is as culpable as those who physically carried them out."

Dobrovir and three colleagues in his public-interest law firm, attorneys Joseph D. Gebhardt, Samuel J. Buttone, and Andra N. Oakes, said they were not contending that the evidence compiled thus far establishes Mr. Nixon's guilt beyond a reasonable doubt.

However, they said, "The question presently under consideration in the House of Representatives is not conviction but impeachment — that is, the presentment by the House of Representatives of charges to be tried before the Senate . . . The evidence against Richard Nixon is ample to satisfy the standard of proof required to hold a defendant to answer at trial to charges made against him."

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