

L.A. Judge Subpoenas Nixon

Los Angeles

For the first time in the nation's history, the President of the United States was ordered yesterday to appear as a witness in a state court.

Superior Court Judge Gordon Ringer signed a subpoena ordering President Nixon's appearance here as a defense witness in proceedings against three former White House aides.

The order, the first to be issued by a state court jurist, was mailed to an equivalent court in Washington for action under the Uniform Witness Act.

The White House had already declared that Mr. Nixon will reject Ringer's order to appear at a pretrial hearing on February 15 and at a trial scheduled to begin April 15.

Gerald L. Warren, deputy White House press secretary, did not rule out the possibility that the President might agree to answer written questions instead of appearing personally.

Mr. Nixon's personal appearance was sought by former aide John D. Ehrlichman and two former members of the White House "Plumbers" unit, David R. Young and G. Gordon Liddy.

The Los Angeles county grand jury indicted the three last September 4 for their alleged involvement in the 1971 Labor Day weekend break-in at the Beverly Hills office of Daniel Ellsberg's psychiatrist, Dr. Lewis J. Fielding.

Judge Ringer said, in announcing his decision last week to issue the subpoena, that Mr. Nixon was — in his opinion — a material witness for the defense in its claim that the defendants had been acting as federal officers in the Ellsberg case.

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