

NYTimes FEB 15 1974
**MAIL AGENCY BACKED
ON NIXON SUBPOENA**

WASHINGTON, Feb. 14 (AP) —The Postal Service is defending its performance in the Los Angeles-to-Washington delivery of the subpoena commanding President Nixon's testimony in the California trial of John D. Ehrlichman.

A Postal Service spokesman, Jameson Cain, said the package, containing the subpoena had arrived just about on time despite California Superior Court Judge Gordon Ringer's complaints of delay.

Mr. Cain said the envelope was postmarked Feb. 5. It bore first-class postage which means it normally would go by air. But it was a heavy brown envelope and had no priority markings, which might have led a postal clerk to conclude that it was third-class mail.

At any rate, the package went by surface mail, which normally would take three days to get to Washington, Mr. Cain said. The third day after the postmark was last Friday when a sudden snowstorm struck the capital and hampered mail delivery.

On Saturday and Sunday the United States attorney's office, which was to receive the package, was closed so "the first possible delivery date was Monday," Mr. Cain said.

The package reached the office on Tuesday.
