

## Report on Probe of Nixon

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# Jaworski's Advice on Indictments

### Washington

Special Prosecutor Leon Jaworski advised the federal grand jury investigating the Watergate scandal and cover-up that it would not be "responsible conduct" to move to indict President Nixon, according to a spokesman for the office.

Although Jaworski's advice to the grand jury did not refer to Mr. Nixon by name — the matter was discussed in terms of "a factual situation such as exists" —

it did include the suggestion that the House Judiciary Committee's impeachment inquiry is the proper body to consider matters of "evidence relating to" a President.

Apparently as a result of Jaworski's position the grand jury decided on issuing a report containing the information it had received that related to the President.

A source familiar with the situation said it had been as-

sumed that such a grand jury report would be forwarded directly to the House Judiciary Committee.

Instead, however, U.S. District Judge John J. Sirica subjected the report to a hearing at which attorneys for those indicted by the grand jury urged the report be sealed and not sent to the impeachment inquiry. That request is now under consideration by Sirica and a ruling is expected later this week.

The matter apparently came to Jaworski's attention as early as mid-January when the grand jury was considering whether to call the President to testify.

It was researched at the time and concluded that legal doubt on the question was so substantial that a move to indict a sitting President could touch off a legal battle of gigantic proportions.

*New York Times*