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**ST. CLAIR CONTROL
OF CASE DOUBTED**

**Former Aide Says Buzhardt
Is in Charge of Access to
Watergate Documents**

By **BILL KOVACH**

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WASHINGTON, April 15—James D. St. Clair, special counsel to President Nixon for Watergate matters, was pictured today by a former member of his staff as an attorney not in complete control of his case.

Cecil Emerson, 39 years old, who left Mr. St. Clair's staff at the end of March to return to private practice in Dallas, said in a telephone interview that Mr. Nixon made the ultimate decisions on how his defense was handled and that J. Fred Buzhardt, counsel to the President, exercised nearly complete control over access to White House tapes and documents relating to the case.

Decision Makers

Mr. Emerson's assertions confirmed rumors that have circulated in Washington for several days that, although Mr. St. Clair was publicly pictured as the White House spokesman on Watergate affairs, others in the White House were making major decisions in the matter.

Describing the complex legal relationships that have developed through the two years of Watergate, Mr. Emerson said:

"My view of the Buzhardt-White House-St. Clair situation is that Buzhardt is in the driver's seat. The situation, as I saw it, is that Buzhardt is the political person, St. Clair is the professional, nonpolitical, private practitioner and is given charge of the Watergate-related matters, but he has to involve Buzhardt because he is the only one who knows everything that is going on. He [Buzhardt] is the one and the only one you can rely on to give you the information."

One source with firsthand knowledge of the legal staff's operations in the White House asserted that "any assessment that Buzhardt controls access

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St. Clair's Control in Nixon Case Doubted

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to the tapes and what is on them is absolutely correct and it is one that causes some concern to members of St. Clair's staff."

Mr. St. Clair, asked to respond to this picture of his role, said in a telephone interview this afternoon:

"As to the question of whether President Nixon makes some of the decisions, of course he does, particularly with respect to the disclosure of confidential conversations. He and only he can make those decisions."

"As for my relations with Mr. Buzhardt," he added, "I can say they are cordial. Whether or not I have access, or how much access, I decline to discuss that sort of thing."

The extent of Mr. St. Clair's control over the White House response to Watergate-related investigations, primarily the House Judiciary Committee's impeachment inquiry, came into question last week. At a meeting of the committee on Thursday, when all but three Republicans joined 21 Democrats on the committee voting to issue a subpoena for White House documents, Mr. St. Clair's role was a key point of interest.

Representative Hamilton Fish Jr., New York Republican, asked the impeachment staff's chief counsel, John M. Doar, if he thought Mr. St. Clair had heard some 40 tape recordings that the committee had re-

quested and the White House resisted turning over.

Mr. Doar, who had been in almost constant private negotiations about the material with Mr. St. Clair since February, answered tersely: "No, I do not believe he has listened to the conversations."

This comment reinforced earlier reports from sources who have been involved in efforts to investigate the Watergate scandal over the last year. One such source reported recently that his dealings with the White House in efforts to obtain information led him to believe "that Buzhardt screens" Mr. St. Clair's access to tapes and other documents.

Mr. Emerson's characterization of the situation today tended to confirm that observation, although his personal experience tempers his view of the matter.

"It's not so much that Buzhardt stiff-arms St. Clair to keep him from the information," he said, "but he is the only one who knows the case from the topside to bottom. He's the one you have to check with in the first instance for information."

Beyond Mr. Buzhardt's deep involvement in the White House strategy in response to Watergate and impeachment inquiries, Mr. Emerson said that Mr. Nixon handled many decisions himself.

"President Nixon is a unique client," he said. "He runs his own case."

Mr. St. Clair, Mr. Emerson

says, is firmly convinced of the President's innocence, "so, when Alexander Haig [White House chief of staff] or President Nixon say they want to do something a certain way, then Jim has to figure out the right way—legally and morally—to get it done."

Mr. Emerson, who left the staff at the end of March after five months' involvement, says he did so not because he was disenchanted but because "I was never doing any real lawyer work and I had some important clients who wanted me to come back to private practice."

Reports of confusion or conflict among the legal staff involved in Watergate investigations are not new. Mr. Buzhardt himself once was in charge of Watergate matters but, following the disclosure of an 18½-minute gap in one of the tapes obtained by court order, he was relieved of those duties and made counsel to the President.

Among the other White House lawyers who have run into problems of communication and lines of authority in past months was Charles Alan Wright.

Mr. Wright, a University of Texas law professor, was the President's chief strategist last summer and fall in the dispute over control of the White House tapes. He was, however, told only minutes before the public announcement that the tape recordings of two crucial Presidential conversations did not exist.