

White House Bid To Kill Subpoena

Washington

President Nixon's lawyers moved to quash a prosecution subpoena yesterday and hinted strongly they are moving toward a Supreme Court showdown over whether the White House must give any more tapes and documents to Watergate investigators.

In a motion filed in U.S. District Court, the President's attorneys asked Judge John Sirica to quash a subpoena seeking tapes and records of 64 White House conversations for use by the Watergate special prosecutor in the coverup trial of seven defendants.

A spokesman for the office of Special Prosecutor Leon Jaworski said the White House motion would be resisted. A hearing was set for this morning in Sirica's courtroom.

"Yes, we will resist," the prosecutor's office said. "This is material we need. We will do everything we have to to secure it."

While White House chief Watergate lawyer James St. Clair at a news conference earlier in the day had avoid-

ed a direct answer to questions about a Supreme Court fight, the motion filed later indicated he is preparing to take the battle to the high court.

At his news conference, St. Clair said the transcripts turned over to the House Judiciary Committee Tuesday contained all that the committee and the prosecutor need.

In the petition asking that Jaworski's subpoena be quashed, St. Clair maintained that the material sought covered "confidential communications of the President" and that it should be up to the President "rather than for a court," to decide when the public interest requires that he exercise his constitutional privilege to refuse to produce "information."

The motion was accompanied by a statement to the court signed by Mr. Nixon saying portions of the conversations sought had already been made public but that the rest are confidential and that it would be against the public interest for him to turn them over.

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