

WATERGATE

'Challenge to independence'

Associated Press

WASHINGTON — Special Prosecutor Leon Jaworski says President Nixon is trying to make a farce of the charter guaranteeing the prosecutor's independence and his right to subpoena Watergate evidence from White House files.

Jaworski's challenge to the President's willingness to accept the prosecutor's independence was disclosed yesterday shortly after U.S. District Judge John Sirica ordered Nixon to obey a subpoena from the special prosecutor's office demanding tapes of 64 conversations sought as evidence in the Watergate coverup trial.

Nixon counsel James St. Clair said the White House would appeal Sirica's decision.

Meanwhile, U.S. District Judge Gerhard Gesell began hearing requests from defendants in the White House plumbers case for access to files that might support their contention they were working on a legitimate national security matter.

Jaworski disclosed details of his latest clash with the

SFEaminer

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How Jeb informed Spiro

Associated Press

BALTIMORE — Jeb Stuart Magruder says in published excerpts of his new book on Watergate that he told Spiro T. Agnew two days after the break-in that it was "our operation."

According to a report in today's edition of the Balti-

White House in a strongly worded letter to Sen. James Eastland (D-Miss.), chairman of the Senate Judiciary Committee.

Jaworski told Eastland that in opposing the coverup trial subpoena, St. Clair had said "it is the President's contention that he has ultimate authority to determine when to prosecute, whom to prosecute, and with what evidence to prosecute."

The crucial point is that the President, through his counsel, is challenging my right to bring an action against him to obtain evi-

more Sun on the book, which is to be published in June, the vice president replied that he did not want to discuss it with him again.

Magruder, 39, was deputy director of the Committee to Re-elect the President. His book is titled, "An American Life: One Man's Road to Watergate."

ence, or differently stated, he contends that I cannot take the President to court," the prosecutor said.

That position, said Jaworski, would make a farce of his charter and would render its guarantee of the right to take the President to court "an idle and empty one."

In his order directing the President to give him the subpoenaed material to determine whether it is relevant to the cover-up trial, Sirica specifically rejected what he called the President's "attempt to abridge the special

prosecutor's independence."

Sirica said the need for evidence for the trial was, "if anything, more compelling . . . since the matter has developed into a criminal trial," than in the case last Aug. 29 when he ordered Nixon to turn over tapes for evidence for the Watergate grand jury.

In the earlier case, the U.S. Court of Appeals upheld Sirica's order and Nixon turned over the tapes.

Seven former administration and campaign aides are charged with conspiring to try to block the investigation of the Watergate break-in. They are H. R. Haldeman, John D. Ehrlichman, Charles W. Colson, John N. Mitchell, Robert C. Mardian, Gordon C. Strachan and Kenneth W. Parkinson.

Gesell released a letter yesterday that he received from the President in which Nixon denied any prior knowledge of the September 1971 break-in at the office of Daniel Ellsberg's psychiatrist, Dr. Lewis Fielding. The alleged purpose of the mission was to obtain Ellsberg's psychiatric case file.