

# ABA Chiefs' Judgment on Subpoenas

Washington

The president of the American Bar Association defended President Nixon's right to withhold subpoenaed tapes from the House Judiciary Committee yesterday but said that failure to obey a court order would be an impeachable offense.

ABA president Chesterfield Smith of Lakeland, Fla., questioned Mr. Nixon's motives for rejecting impeachment subpoenas.

"I place very little belief that anything the President is now doing is really designed to protect the future of the presidency," Smith said at a breakfast meeting with reporters.

"I think the decisions are being made in defense of his own personal position and what's best for his case," Smith said.

"But insofar as impeachment is an adversary proceeding, he has a right to look out for his own best interest."

Smith said, on the other hand, that if Mr. Nixon disobeys a court order to surrender Watergate evidence to special prosecutor Leon Jaworski, he would be "flouting the law" and could be impeached for that alone.

The President has until today to appeal an order from U.S. District Judge John Sirica directing him to turn over to Jaworski 66 tapes use as evidence at the Watergate coverup trial.

"The President can either comply with a lawful court order or appeal as far as he can," the ABA president said. "But those are about his only choices."

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