

# BAR'S HEAD BACKS AN IMPEACHMENT

Smith Says Nixon 'Has Not Enforced Law of the Land'

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The president of the American Bar Association, Chesterfield Smith, said today that he believed there was enough evidence on the record to impeach President Nixon and bring him to trial in the Senate.

"I believe that the President

predicted that the Supreme Court would "strive mightly, more than ever before, to reach a near-unanimous opinion" in deciding whether the President must give Mr. Jaworski access to the tapes for the Watergate cover-up trial.

Mr. Smith was asked what would happen if Mr. Nixon refused to obey the high court.

"I'd say we had a revolution," he replied. "There are difficult legal questions involved in the separation of powers doctrine, but we all accepted long ago that the Constitution is controlling, and the Supreme Court interprets the Constitution. If the President decides to do that, he's not disobeying the Court he's disobeying the Constitution."

"I believe that the President has obviously not enforced the law of the land," Mr. Smith told a reporters' breakfast "that he has not furnished the type of law enforcement leadership that I demand as a minimum for a President."

"He has been solicitous of the welfare of his close associates after he knew they had violated the law," Mr. Smith continued. "In the vernacular, he participated in the cover-up."

Mr. Smith said, however, that he was not sure a majority of the members of the House agreed with him. He declined to predict how he would vote on conviction, if he were a member of the Senate and the House did approve formal charges against Mr. Nixon.

In response to a question, the A.B.A. president said it would be "outrageous" if President Nixon refused to comply with a ruling of the Supreme Court requiring him to surrender more White House tape recordings to Leon Jaworski, the special Watergate prosecutor.

### Commentment Refused

White House spokesmen, including James D. St. Clair, the President's lawyer, have repeatedly refused in recent weeks to commit Mr. Nixon to obeying a high court decision on the tapes issue, now expected to be handed down in mid-July.

Last year, when the first lawsuit involving White House tapes was in the courts, President Nixon said he would comply with a "definitive" decision by the Supreme Court, but the White House then declined to take an appeal to Chief Justice Warren E. Burger and his colleagues.

"In the interest of stabilizing the present chaos in government," Mr. Smith said of the President, "he should come out and state that he will follow the law of the land."

The bar association leader

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