## NYTIMES OCT 1 1974 RGATE TR WILL BEGIN TODA FOR 5 DEFENDANT

Sirica Severs the Strachan Case From the Others Accused of Cover-Up

## IMMUNITY ISSUE RAISED

Doctor Says Nixon Cannot Make Trip to Testify for One to Three Months

By LESLEY OELSNER Special to The New York Times WASHINGTON, Sept. 30-

Judge John J. Sirica cleared the way today for the start of the Watergate cover-up trial tomorrow at 9:30 A.M. in Federal District Court by severing the case of a defendant whose prosecution had become involved in a legal tangle.

Judge Sirica ordered a separate, later trial for the defendant, Gordon C. Strachan, rather than, as was his alternative, delay the trial of the five other defendants with pretrial hearings on the questions surround-ing Mr. Strachan's case. The questions basically involved the grants of immunity given to Mr. Strachan last year in return

for his testimony. Meanwhile, in Long Beach, Calif., former President Richard M. Nixon's doctors said that he would not be medically, fit to travel to Washington to testify in the Watergate trial for from one to three months. [Page 18.]

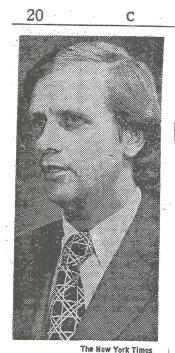
The judge, acting barely 24 hours before Mr. Strachan was to have taken his place in the courtroom alongside the other former White House and Nixon campaign aides accused in the cover up, thus all but assured that the jury selection would begin as scheduled.

## Other Dfendants

The remaining defendants are John N. Mitchell, the former Attorney General; John D. Ehrlichman, once President Nixon's chief domestic affairs adviser; H. R. Haldeman, Mr. Nixon's chief of staff and Mr. Strachan's former superior at the White House; Robert C. Mardian, a former Assistant Attorney General and political coordinator of the Committee for the re-election of the President, and Kenneth' W. Parkin-son, a lawyer for the committee.

But Judge Sirica's move, contained in a two-page written order, raised questions as to when, if ever, Mr. Strachan,

a lawyer, would be tried. James F. Neal, the assistant special Watergate prosecutor in charge of the cover-up case, said that Mr. Strachan could not be tried until the main trial Continued on Page 20, Column-1



Gordon C. Strachan

was completed-some three to five months, according to lawyers involved.

And, asked whether Mr. Strachan would be tried at all, Mr. Neal replied that he would

Mr. Neal repried that he would not "guess." Mr. Neal made his comments during a recess in an all-day, closed hearing held by Judge Sirica in final preparation for the trial.

The major subject of the hearing was the accuracy of ranscripts that the prosecution had prepared of tape record-ings, nearly all of them White louse recordings, that it inends to submit as evidence at he trial.

Defense counsel have chal-

Defense counsel have chal-enged the accuracy of the ranscripts, as part of their pol-cy of attacking each aspect of use of the tapes as evidence. Mr. Haldeman was the only efendant at the haring. He vas tanned and healthy look-ng, the crew cut of his White louse years grown into a lon-er, more fashionable style, and here was little but the Pres-dential tieclasp attached to his triped silk tie to distinguis im from the others in court for he day.

Im from the others in court for he day. Mr. Haldeman was a partici-ant in many of the tape re-ordings that the prosecution rants to use as evidence, and e came to court, presumably, o assist in his attorneys' dis-ussion of the tapes.

Strachan's Advice Recalled

Strachan's Advice Recalled Mr. Strachan was one of the oung, former White House ides who festified before a na-onal television audience at the enate Watergate committee's earings last year. Before giv-ig his testimony in which he imarked, among other things, hat he would advise young eople to stay away from Vashington, he had been given nmunity, a promise that noth-ig he said would be used gainst him. He had also been given im-nunity earlier by the original Vatergate prosecutors. John I. Bray, Mr. Strachan's attor-ey, conends that his client's idictment in the Watergate ase violates these grants of nmunity. Indee Sirica had previously

ase violates these grants of inmunity. Judge Sirica had previously uled that this contention rould be decided at a hearing fter trial. The United States ourt of Appeals for the Dis-ict of Columbia Circuit sus-ained this ruling on Sept. 20, ut two of the judges strongly uggested in their opinions nat a pretrial hearing would e more advisable. The Special Watergate prose

The special Watergate prose-utor, Leon Jaworski, then sked Judge Sirica to sever Mr. trachan's case and hold a pre-tial hearing. Judge Sirica ranted that request today, cit-ig the remarks of the appel-ite judges.