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# Nixon Loses Another Appeal on Tapes

## Washington

Richard Nixon lost his third White House tapes case in the U.S. Supreme Court yesterday.

The court refused without comment to review his appeal contending that presidential privilege bars use of the tapes for evidence in a civil suit stemming from mass arrests of anti-war demonstrators in Washington in 1971.

Thus the recordings, stored at the National Archives, may be screened for any comments that might relate to the damage suit filed against former Attorney General John Mitchell.

The suit charges that Mitchell

participated in a top-level conspiracy to violate the rights of 1200 anti-war demonstrators arrested in the capital during the massive demonstrations.

The demonstrators won a federal court jury verdict of \$12 million from police officials involved in the arrests as compensation for false imprisonment and violation for their free speech rights. But an appeals court since has ordered the amount reduced. The matter is pending in the lower courts.

Mitchell, now in prison for his part in the Watergate coverup, is

the only remaining defendant.

It was the fourth case involving Nixon's tapes which had arrived at the Supreme Court that he did so much to shape by his appointments — and the third he has lost.

The court ruled in 1974 he had to surrender tapes for evidence in the Watergate coverup trial of his former aides. Last June, it upheld a law giving the government control of his presidential materials.

The court will hear arguments later this term on Nixon's objections to commercial reproduction and sale of tapes already made public.

United Press

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