

Nixon subpoena awaits California judge signature

LOS ANGELES (AP) — A subpoena ordering President Nixon to testify personally in the Ellsberg burglary case is awaiting the signature of a California state judge following his ruling that the President is a material witness.

The unprecedented subpoena was drafted and delivered to Superior Court Judge Gordon Ringer late Tuesday by attorneys for John D. Ehrlichman who requested Nixon's appearance. The Ehrlichman defense team

said that Nixon's attorney earlier declined their request to have the President testify voluntarily. Ehrlichman was Nixon's top domestic adviser until he resigned in the wake of the Watergate cover-up.

Ringer, who said this would be the first time a President has been subpoenaed by a state court, said he will sign the subpoena by Friday. The subpoena commands Nixon to appear at a pretrial hearing Feb. 25 and at the trial April 15.

The judge ruled earlier Tuesday that Nixon is a material witness to the defense case of Ehrlichman and two other former White House employees, G. Gordon Liddy and David R. Young Jr. All three are charged with burglary and conspiracy. Ehrlichman is also charged with perjury.

The White House formally declined comment on the ruling until it receives the judge's order, but sources later indicated the President would decline to appear personally as a witness.

Ehrlichman attorney Douglas Dalton immediately prepared the three-page subpoena. But Dalton said Ringer decided to study the subpoena's legal phraseology before signing.

Ehrlichman, joined in his motion by Liddy and Young, wants the President to testify about the formation of the secret White House investigations unit known as the "plumbers" and about presidential orders concerning a probe of Pentagon papers figure Daniel Ellsberg.

The three former White House employees were indicted last September for the 1971 break-in at the Beverly Hills office of Ellsberg's psychiatrist, Dr. Lewis Fielding. The break-in allegedly was carried out by persons hired by the plumbers and instructed to copy Ellsberg's psychiatric records.

The head of the plumbers unit, Egil "Bud" Krogh Jr., was also indicted but charges against him were dropped when he pleaded guilty to a related charge in Washington. He is scheduled to begin serving a six-month prison sentence next week.

Dalton's request that Nixon be subpoenaed to appear personally was joined by prosecutor Stephen Trott. Both sides opposed the alternative — having Nixon answer through written interrogatories.

Dalton said testimony sought from Nixon would concern his statements to the plumbers about the urgency of plugging leaks of secret information, "the fact that he impressed this on the unit."

CADET SLOUCH

by Jim Earle



"My plan is to take the same course under two different teachers, and take the highest grade and drop the lowest."

The Battalion

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Listen Up

Kuntsler cancelling draws fire

Editor:

Sometimes things only appear to be getting better. A classic example of this is the way this university in the past several years has scrambled after an image of a school growing and changing to meet the times. It is remarkable how successful they were, I almost believed it.

But then someone decided... that radical lawyer William Kuntsler shouldn't speak here. Then, with an irony so appropriate, President Williams announces that Vice President Gerald Ford will speak at spring commencement.

We are told that "Kuntsler is not the most popular man at this time" and this is why they canceled his appearance — that and money, of course.

Did anybody stop to ask how popular Vice President Ford is today? I find his politics, policies and associates just as objectionable as Kuntsler's or more so.

What is evidently only opinion as well is the concept of a university as a place for the free exchange of ideas. A place where one could listen to the radical, the conservative and the middle of the road and draw one's own conclusions. Evidently this view is not shared by those who run this university and SCONA.

That is evidently another opinion of mine that has been shot down in flames. In moments of extreme delusion I had assumed that our leaders had the courage of their convictions. Now I see

they only had the conviction of appearances and money. Both Kuntsler and Ford have them out-classed there.

Neither Kuntsler or Ford would have amounted to anything if they had not had the courage to stand up for what they think is right. This university will certainly not amount to anything either until it and its leaders stand for something as basic as the freedom to have disagreeing ideas.

How far we are from this is evidenced by President William's refusal to comment on this affair — from him I would have expected much better. But perhaps it is wiser that he did refuse to comment; there is nothing, absolutely nothing, he could say that would not end up making the precious appearance of himself SCONA and this university worse.

Hayden Whitsett

★ ★ ★

Editor:

Although we do not fully understand the possible underlying intentions of SCONA's cancellation of William Kuntsler, we definitely feel that this was not in the best interest of TAMU, as was previously cited as a reason for the cancellation.

It is in the self-interest of the university, its faculty and its students to promote activities which deal with all aspects of society. This includes the nonconformist whose expressed political and moral views conflict with those of the majority.

Lack of donations from conservative, systematic businessmen should not be cited as a valid reason for depriving the faculty and students of TAMU from hearing a controversial man who has risen to such national prominence.

Jimmy McBee

Jeff Welborn

★ ★ ★

Editor:

We are writing in regard to the page 5 article in Wednesday's *Battalion* concerning the Tuesday Shuttle Bus Committee meeting. The committee members seemed very concerned about the overcrowded situation on the shuttle buses, mainly Route Two. Committee member and Staff Assistant to the President Roger Miller was quoted as saying, "The problem was a matter of educating people with 8 a.m. classes to

catch the first bus at 7 a.m. Do Mr. Miller and other committee members who live shuttle bus route ride the bus at 7 a.m. after getting approximately 6 a.m. and arriving at campus wait 45 minutes for class to start!

Of course, there is a good reason for waiting for the bus at 7 a.m. it may count as extra credit astronomy students. But for those who aren't astronomy students would the committee like to slash flashlights?

Another point that was brought out was the fact that Route Two buses will be stopped at Route One on-campus beginning Monday. We would like to stop at its present campus location and have a petition regarding that. Names withheld upon request.

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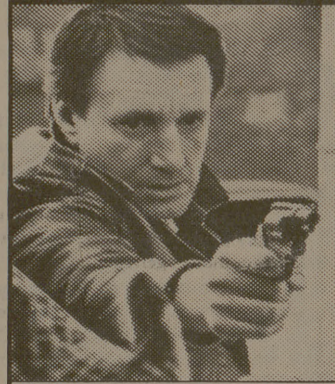
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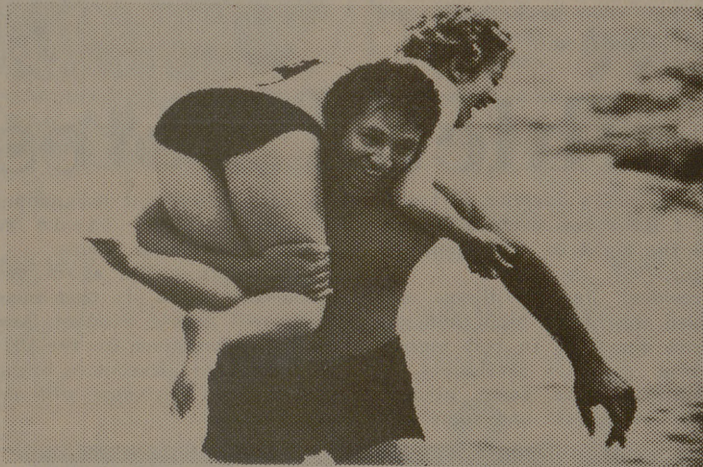
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