The Kentucky Kernel

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President requests; receives them on Nixon's behal named the President. subpoenas to the Sena on page 3.

By JEAN HELLER

Associated Press Writer

-President Nixon WASHINGTON Hatly rejected two official requests for Watergate-related presidential materials Monday and was slapped with subpoenas from the Senate Watergate committee and the office of the special Watergate

Two subpoenas from the committee sought tape recorded presidential conversations and other White House documents.

The subpoena from the special prosecutor apparently sought only the

simultaneously, shortly after 6 p.m. EDT, to two White House lawyers who accepted them on Nixon's behalf. All the documents

The text of President Nixon's letter to the Senate Watergate Committee is

EARLIER IN the day Nixon had flatly refused to turn over to the committee and the prosecutor's office any of the recordings. As his reason, he cited the

doctrine of separation of powers.

Both the committee and the prosecutor



SEN. SAM ERVIN

rejected that reasoning and an that subpoenas would be issued. Several weeks ago the President said he would not turn over White House papers.

The impasse in what the committee and the special prosecutor want and what the President is willing to give brought the government to the brink of an historic

THE COMMITTEE subpoenas presented by deputy chief counsel Rufus Edmisten. Asked what he thought the chances were of getting the presidential material. Edmisten replied. "Hope springs eternal."

"It's been accepted, legally," Edmisten

told newsmen after presenting the sub-poenas to acting presidential counsel Leonard Garment. "What they do about it now, I don't know. The committee will be

The special prosecutor's subpoena went to special White House Counsel J. Fred Buzhardt. The substance of that subpoena will not be available until is it filed Tuesday morning in U.S. District court. The committee did not release the texts of

"THE WHITE HOUSE counsel will examine the subpoenas," said Deputy White House Press Secretary Gerald L. Warren. "Whatever is done will be in the context of the letters issued today."

Continued on Page 3, Col. 4

Applicant loses \$100: past refund deadline

A PROSPECTIVE coed who requested a refund of her \$100 housing deposit after she decided not to attend UK this fall was turned down because the request was made too late, according to Larry. W. Ivy, manager of University Housing

In a letter to the editor, the girl's father R. J. Forsting, complained that his daughter had lost her \$100 housing deposit although she had decided not to attend UK.

Forsting said his daughter applied for admission to the College of Nursing and was turned down. She later applied to and was enrolled in the College of Arts and Sciences, but decided to work for a year before coming to UK

AT THAT POINT his daughter requested her housing deposit be refu

Forsting said he had written several letters to Ben Black of the college of Arts and Sciences and to Ivy whom he referred to as "Poison" Ivy. He asked whether his money was being used for "a down payment on a new T.V. set for the rec room or some new athletic equipment."

Ivy said money would go into the general housing fund. He said the money was not returned to Forsting because the request came 16 days after the deadline date of

application before June 1, her mone would have been automatically refunded Ivy said. But, she had not cancelled with

"We are not trying to get \$100 out of somebody," Ivy said, "but we have to have and how to prepare for them.

Ivy offered to hold the money in the girl's name until she decides to come to

HE SAID A refund would be unwise since he would have to do the same for every other student who applied for refunds after the deadline. This would

after June 1 for Fall Semester" appeared on all the housing application and rental agreement forms.

you the light-months of gener mean mean has any neight which me described in the light could be not a most black could be added of the second The Shareshy agence. In America proportion and to provide larged as deprovided of America Shareshy Shareshy made find the Shareshy for particular shareshy paint and the state of Shareshy for particular shareshy paint and the state of Shareshy for particular shareshy paint and the state of the Shareshy for paint shareshy paint and the state of the Shareshy for the Shareshy shareshy and the state of the Shareshy for the Shareshy shareshy and the Shareshy for t Mission or use of happens, happens, or popular or represent and survey of happens, happens, or popular or represent of the appense and or happens and or happens and or happens are not profession of the parties of the the a per rate animal of the outdoor's papersons when them the excitory halfs former Agreement has has of by the others of the Dages of Suderial and the Universi-ty Office for the following country of Office for the following country arter (Suitables) represent Studies Inspiring on it interests represent Studies Inspiring on it interests and suitables of the out-Amounts of the property of the company of the compa

News in brief

Kernel Staff Writer

from The Associated Press

- Hijackers off again
- Rickenbacker dies
- Search continues
- Peru drops France
- Tight money forecast
 - Driver admits guilt
- Falsification imperfect
 - Today's weather...

- DUBAI-A hijacked jumbo jet under off for an undisclosed destination early Tuesday after 70 hours on the ground here.
- The four gunmen commanding the Japan Air Lines plane released an elderly couple just before the big jet took off with 141 persons aboard, seven minutes after Monday midnight 4:07 p.m. EDT.
- ZURICH, Switzerland-Capt. Eddie Rickenbacker, America's flying "Ace of Aces" of World War I, died Monday. He
- PAPEETE. Tahiti-Rescue boats with floodlights searched the sea off Tahiti Monday night for victims of the crash of a Los Angeles-bound Pan American jetliner.

among the 79 persons on board, authorities said.

- LIMA, Peru-Peru's military government severed diplomatic relations with France on Monday and said ties will not be re-established unttil France "halts once and for all its nuclear testing."
- WASHINGTON-A member of the Federal Reserve Board, Arthur F. Brimmer, Monday said the board plans to keep its tight money policy as a tool to combat continuing inflation.
- BAXLEY, Ga. Accused in and a driver Raymond A. McMahon said driving the vehicle BAXLEY, Ga.-Accused hit-and-run Monday that he was driving the vehicle struck and killed two young sisters July 14. But he claimed it was an accident.

McMahon is charged with two counts of first-degree murder in the deaths of Rabyn Caton, 5, and her sister, Roxanne, 13. He surrendered to Appling County, Ga

WASHINGTON-Secretary of Defen James R. Schlesinger Jr. said today he believed the Pentagon's falsification of reports to hide Cambodia bombing raids in 1969 and 1970 "was a little less than per-

The Pentagon confirmed last week that "responsible officials" in Washington authorized falsification of reports on the Cambodia bombing raids at a time when officials denied any U.S. military activity was occurring in Cambodia. The falsified reports indicated the bombing was being conducted in South Vietnam.

...it's a droop-dry day

No change is expected in today's weather. It will continue to be hot and humid with a high near 90 and a low of only 70 degrees. Chances of rain are 40 per cent today dropping to 20 per cent tonight.

It's time Nixon levels with America

President Nixon's refusal to voluntarily release Watergate-related tapes and papers to the Senate Select Committee and Archibald Cox, special Watergate prosecutor, caused both groups, to no one's surprise, to issue subpoenas for the materials

Nixon contends his documents are confidential and protected by the doctrine of separation of powers and executive privilege. But Ervin and Cox have been doing their homework. They think the President is stretching his protective powers byond the legal limit

ERVIN MAINTAINS any Watergate-related material resulted Presidential campaign, something not required of a public official, therefore not an official action covered by executive privilege. The North Carolina senator also says any material which can be linked to criminal activity becomes evidence admissable in court or in investigations similar to the one being

Ervin also claims, because of the criminal activity of persons involved in the Watergate mess, not even separation of powers between the Congress and White House can shield the presidential records from the public

Cox finds similar faults. Since he is working in the executive branch, he reasons, the separation of powers shield cannot be used to keep him from getting the presidential records.

Nixon's refusal to the Senate committee is as predictable as the sun rising in the morning. Since taking office, the President constantly has been at battle with Congress over the extent of his powers.

But to deny access to Cox is a slap in the prosecutor's face. Nixon promised in the spring Cox would be able to conduct his investigation without the fear of interference from anyone. If he meant everyone but himself, he should have said so.

AS IT STANDS now, Cox's role is Americans another opportunity to reduced to little more than a question his veracity.



presidential puppet subject to the chief executive's orders like anyone else in the executive branch.

Yesterday Nixon, in his letter to Ervin, stated that the tapes support his previous statements. If this is true, he should be willing to release them. Logically, one could assume there is nothing to hide. By admitting some may interpret the taped conversations differently, Nixon gives

Senator Howard Baker, Ervin's cochairman, expressed the committee's sincerity. "I have no criticism of any person," Baker said. "I will not sit in judgment of any person, or the conduct of any person, until all of the evidence is taken.'

AS HARD AS it may be, we, too, will not pass judgment of any person connected with the Watergate affair until all the evidence is in. We are even ready to wait three months for the Supreme Court to decide if all of the evidence can be seen.

Does the strike effect Gen Tel's service?

In case you haven't heard, over 1,100 employees, mostly operators, are on strike agains General Telephone

In a normal American community, this would bode ill for citizens accustomed to calling anywhere in the U.S. without a bother. Here in Lexington, though, telephone communications are a whole

AFTER SPENDING a day of futile dialing, cursing, waiting and listening to recordings, I came to the conclusion General Telephone service was every bit as bad before the strike as it is during it.

I'll give you an example

Having to make a long distance call to Indianapolis, I whirled "0" on the dial.

Emment

First time, I got a recording..."I'm sorry, the number you have dialed is not in

DIAL "0" AGAIN...the operator hops on

the line. "May I help you?"
"Yes, I'd like to make a long distance
call to Indianapolis..." and I continue with my spiel. And she dials.

Busy signal.
"I'll try again, sir."

Busy again.

"That signal didn't sound right, sir. I'll try again."

A RECORDING. "I'm sorry, your call did not go through. Please hang up and try

The operator apologizes. "I'll try again,

Busy signal.

"That busy didn't sound right, sir. I'll try again."

A recording..."I'm sorry, your call did

not go..."
"I'll try directory assistance, sir."

Another operator joins in. "What city,

"Indianapolis," I answer, when I realize my operator isn't going to do it for me. "ONE MOMENT PLEASE." Yet

"ONE MOMENT PLEASE." Yet another operator joins in, and dials the Indianapolis number.

Voila! It ringeth!



In a cheery voice (what right has she got to be happy after what I've been through?)

the receptionist in Indianapolis answers. "Oh, I'm sorry, sir. You just missed him, and he won't be back until tomorrow morning. May I take your name and number and have him call you

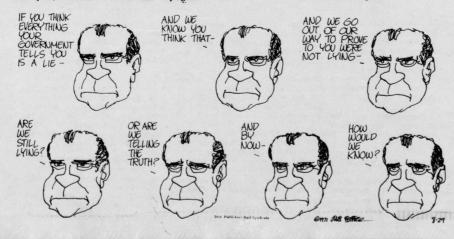
BY NOW I'M FIT to be tied, and I'd better be tied before I throw a fit.

Now, can you tell me if this phone call was placed before or after the strike was

If you've been a patient user of the General Tel system, you'll probably have to spend some time deciding, and even then you'll never know for sure

Which makes one wonder: the employees have a lot of gall to ask for raises when their absence has no apparent effect on the operation of the outfit.

> Mike Clark is a senior journalism major and the Managing Editor of The Kentucky Variat Kentucky Kernel.



Text of Nixon's letter to Ervin

WASHINGTON (AP) — Here is the text of the letter President Nixon sent Monday to Sen. Sam J. Ervin Jr., rejecting use of presidential tapes in the Senate Watergate investigation:

Dear Mr. Chairman:

I have considered your request that I permit the committee to have access to tapes of my private conversations with a number of my closest aides. I have concluded that the principles stated in my letter to you of July 6 preclude me from com-plying with that request, and I shall not do so. Indeed, the shall not do so. Indeed, the special nature of tape recordings of private conversations is such that these principles apply with even greater force to tapes of private presidential con-versations than to presidential

papers.

If release of the tapes would settle the central questions at issue in the Watergate inquiries, then their disclosure might serve a substantial public interest that would have to be weighed very carefully against the negatives of

Fire claims dairy barn

Fire destroyed a dairy barn on UK's Coldstream Farm Ex-perimental Research Station Saturday. The building was hit by lightning during an evening storm, according to George Pendergrass of management operations.

The barn was one of the original farm buildings and was being used as a maternity barn for cattle. Hay, grain, and farm equipment were stored there.

A Coldstream spokesman said only one of the 43 animals housed in the barn was lost.
"We lost a lost of research

equipment and a lost or research equipment and a lot of grain," the spokesman added. Some of the larger equipment items were saved however, he said. A tractor, a wagon and a jeep were salvaged. He said the animals, however, were of primary conissues before your committee. Before their existence becam publicly known, I personally listened to a number of them. The tapes are entirely consistent with what I know to be the truth and

However, as in any verbatim recording of informal con-versations, they contain comments that persons with different perspectives and motivations would inevitably interpret in different ways. Furthermore, there are inseparably interspersed in them a great many very frank and very private comments, on a wide range of extraneous to the committee's

Even more important, the tapes could be accurately understood or interpreted only by reference to an enormous number of other documents and , so that to open them all would begin an endless process of private presidential records totally unrelated to Watergate, and highly confidential in nature.

They are the clearest possible example of why presidential documents must be kept con-

Accordingly, the tapes, which have been under my sole per-sonal control, will remain so. None has been transcribed or made public and none will be.

On May 22 I described my knowledge of the Watergate matter and its aftermath in categorical and unambiguous my letter of July 6, I informed you that at an appropriate time during the hearings I intend to address publicly the subjects you are considering. I still intend to do so and in a way that preserves the constitutional principle of separations of powers, and thus serves the interest not just of the Congress or of the President, but

> Sincerely, Richard Nixon



in sight

A display or pocket knives seems to nave arrawn the attention of one curious shopper at a flea market last Saturday on the Georgetown Pike outside of Georgetown. Flea markets have become popular in rural America and have even spread to the cities in the form of garage and backyard sales. (Kernel photo by Kathi Millimet.)

President denies requests; tapes, papers under subpoena

Warren did not elaborate but apparently referred to letters delivered Monday to the Watergate committee and the special prosecutor in which Nixon formally refused access to

Nixon formally retused access to the tape recordings. Nixon also apparently can-celled a promised meeting with the chairman of the Senate Watergate committee, Sen. Sam J. Ervin Jr. (D-N.C.) The President said such a meeting at this time would be useless. The White House said later, however, the matter was still open.

of his decision, Mixon said that to turn over the tapes would be a violation of the doctrine of separation of powers. He added that he had listened to a number vf the tapes and they would not help answer the central questions surrounding the Watergate affair, including the extent of his involvement.

"The tapes, which have been under my sole personal control, will remain so," Nixon said in a letter to Ervin. He also said he thought the content of the tapes subject to misinterpretation.

The rejection to the special Watergate prosecutor, Archibald Cox, came in a letter from a consulting White House counsel, Charles Alan Wright. "I am instructed by the President to in-form you that it will not be possible to make avaible to you the recordings that you have requested," the letter said.

IN A STATEMENT, Cox said that any presidential claim to privilege in withholding the tapes "is without legal foundation," and said his effort ot obtain the

and said his effort ot obtain the tapes and other documentary evidence is proper.

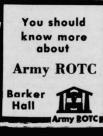
"They may tend to show that there was criminal activity-or that there was none," Cox said. "They may tend to show the guilt of particular individuals-or their

innocence. The one clear point is that the tapes are evidence bearing directly upon whether there were criminal conspiracy, including a conspiracy to obstruct justice, among high government officials.'

In opening the afternoon session of the Watergate hearings, Ervin announced that he was issuing two subpoenas, one to direct Nixon to issue the tapes and the other requiring Nixon to make available other

White Hosse papers.

Before disclosing the subpoenas, Ervin read a letter from Nixon which said, in part, "I know of no useful purpose that would be served by our having a meeting at this time." To which Ervin replied: "At long last I have something I agree with the President with on this matter. If the President doesn't think there is any useful purpose in our meeting together, I will not dissent from that view."









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Blue Notes

by Jay Rhodemyre

Santana, McLaughlin 'collide'

CARLOS SANTANA and Mahavishnu John McLaughlin collide on their new joint album, ove, Devotion, Surrender. However it is not a collision resulting in any kind of a catastrophe. The result is a cohesive album, naturally featuring Carlos and John wrenching amazing music from their respective guitars.

The album avoids all of the mistakes usually accompanying these joint ventures within the recording business. First of all they kept it down to a single album of exemplary merit rather than two albums of dull stuff. Secondly the two main players do not play over one another, but they take turns burning up their strings, complementing each other beautifully.



Santana and McLaughlin

THE ALBUM FEATURES material written by John Coltrane as well as by McLaughlin. The songs were obviously chosen for their adaptability for guitar and they were chosen wisely. Overall it is a fine piece of work as just about everything McLaughlin does these days.

Album and movie trends

STUDENT SERVICES reports that the top selling album for the week was Passion Play by Jethro Tull. Desparado by the Eagles was next followed by Cat Stevens' iew release, Foreigner Rounding out their top five were Dark Side of the Moon by Pink Floyd and Mannassas (No. 1) by Stephen Stills.

Sound 2000 also had Passion Play as No. 1 this week. Foreigner was second followed by Whatever Turns You On by West, Bruce and Laing. One Live Badger by a group called Badger, featuring former Yes keyboard ony Kaye, was fourth. A general run on all Pink Floyd albums was also noted.

BILLBOARDS TOP FIVE included Living In a Material World by George Harrison; Now and Then by the Carpenters; Dark Side of the Moon by Pink Floyd; There Goes Rhymin' Simon by Paul Simon and Red Rose Speedway by Paul Mc-Cartney and Wings.

The tope five movies according to Variety are Live And Let Die; Scarecrow; The Man Who Loved Cat Dancing; Shaft In Africa and 40 Carats

HERE IS A correction for you We reported to you that 2001 will be shown this fall as part of the fall Student Center Board Film Series. It will not be shown at any

Andrews signs pact with Indiana Pacers

Jim Andrews, UK's two-time All-Southeastern Conference center, has signed a contract with the American Basketball Association champion Indiana

Andrews, a 6-11, 235-pounder from Charleston, W. Va., led the Cats to SEC titles in 1972 and 1973, after serving in a reserve capacity in 1971.

ANDREWS' SIGNING was part of a four-player package revealed Saturday by the Pacers. Also signing were Tennessee's Mike Edwards, John Ritter of Indiana and Joe Wallace of Denver.

The four signees will report to the Pacers' rookie camp Sept. 5. Survivors will be invited to the team's training camp, which will open Sept. 10.

A Pacer spokesman said the four will likely be the only rookies at the camp. Free agents and veterans reporting early will fill out the squads used to evaluate the rookies

IF ANY OF the rookies survive the camp, they will find it more

difficult to land a place on the Indiana roster. Only 11 Pacers will answer the season's opening bell in mid-October; it is unlikely more than one rookie will be able to crack that select group.

UK basketball coach Joe Hall feels Andrews "has tremedous ability. I don't think it would be a gamble for them to keep Jim.

Andrews averaged 20.1 points and 12.4 rebounds per game in 1972-73, while leading UK to a 20-8 record and a berth in the National Collegiate Athletic Association (NCAA) Mideast Regional.

IN 1971-72, Andrews averaged 21.5 points and 11.3 rebounds while connecting on a school-record 57.7 per cent of his field goal attempts.

Andrews completed his UK career with 1,320 points, 12th best in Wildcat annals. All players above him on the scoring list were three-year starters at UK.

Big Jim set a career field goal percentage record, hitting 56.3 per cent. Andrews broke Issel's old record of 51.8 by 4.5 per



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