

INVESTIGATIONS

Animals in the Forest

The outcome of the Watergate investigation may hinge to a considerable degree on the tangled White House tapes. Last week the Central Intelligence Agency admitted that it had destroyed several other tapes that were recorded at the agency's Langley, Va., headquarters and could have had a direct bearing on the case.

Two weeks ago, Senator Howard Baker of Tennessee, Republican vice chairman of the Ervin committee, learned that the CIA's offices until recently were equipped with a tape-recording system similar to the one that was in the White House until last summer. Since there were known to have been meetings or telephone calls between the White House "plumbers" and CIA personnel, it occurred to Baker that he might be able to get tape recordings of these conversations from the agency's files. When he asked about the tapes, however, he was told that they had all been destroyed on Jan. 18, 1973. That was exactly one day after the CIA had received a letter from Senate Majority Leader Mike Mansfield requesting that all evidence relevant to the Watergate investigation be safeguarded.

CIA Director William Colby, who has been on the job only since last September, says that the tapes may have been destroyed inadvertently, but he has promised to cooperate fully with Baker in an investigation. For a start, Baker has requested a report on why the material was destroyed after Mansfield's letter arrived, and a reconstruction, if possible, of the contents of the tapes.

Says Baker of the episode: "It's possible, of course, that the Mansfield letter was somehow lost in channels before the destruction occurred. But when you recall all the talk of CIA involvement and the President's own statements about the possibility that the CIA might be compromised, and then when you hear that the CIA had original documentary evidence and 'routinely' destroyed it—well, it seems to me at best to be questionable judgment."

Subtle Motives. Baker learned about the CIA tapes while conducting his own private investigation of the national security aspects of the Watergate affair—everything from the Pentagon papers case, which led to the formation of the plumbers' unit in June 1971, to the Pentagon's spying on the National Security Council, which first came to light last month (TIME, Jan. 28).

Some Democratic observers in Washington openly question the Senator's motives in pursuing his private investigation. They speculate that he may

be making a subtle effort to rescue the Administration, perhaps by announcing on the eve of an impeachment vote in the House that the President had been right, and that grave matters of national security were, after all, inextricably intertwined with the Watergate affair. Baker maintains that he is simply trying to get to the bottom of the President's repeated assertions that the White House was anxious to limit the Watergate inquiry not to cover up wrongdoing within the Nixon Administration but to prevent probes from compromising the nation's security. "There are animals crashing around in the forest," says Baker. "I can hear them, but I can't see them."

TOPEKA CAPITAL JOURNAL



GOVERNOR ROBERT DOCKING

POLITICS

The Kansas Kickbacks

He seemed so sincere that in a state poll taken last May, his fellow Kansans rated him the most trustworthy public figure—just ahead of Walter Cronkite. With that kind of image, Democrat Robert Docking, 48, was elected to an unprecedented four straight terms as Governor in a traditionally Republican state. A shrewd yet kindly-looking man with warm brown eyes, Bob Docking was such a formidable vote getter that for a time he was unable to decide whether to try for a fifth term this fall or run for the Senate against Incumbent Robert Dole, who had the bad luck to be the Republican national chairman when Watergate broke.

Last week Docking's once-promising future was clouded by a series of indictments handed down by a Shawnee County grand jury under the direction

of State Attorney General Vern Miller, a Democrat himself. The indictments charged that Richard L. Malloy, Docking's former appointments secretary, and George R. (Dick) Docking, the Governor's brother and a prominent Kansas City attorney, had participated in a 1972 kickback deal. The architectural firm of Marshall & Brown-Sidorowicz was said to have received a fat \$500,000 contract in return for handing over \$30,000 to help cover Docking's television advertising expenses during his 1972 campaign.

The Governor immediately professed that he knew nothing about the incident. In terms unfortunately reminiscent of those used by another politician under fire, he claimed that he had been too busy running the state to bother with such trivial matters as raising campaign funds.

Before deciding whether to run for any office next fall, Docking is planning to study the polls closely during the weeks ahead. The first quick survey was favorable: 81% of those polled for WIBW radio and TV said that they had not changed their minds about the man who could put Walter Cronkite in the shade when it came to projecting a sense of honesty.

JUSTICE

Hughes Off the Hook

In a Reno courtroom last week, U.S. District Court Judge Bruce R. Thompson left absolutely no doubt about his low opinion of the Government's case. "The worst criminal pleading I've ever encountered," he snapped. With that, Thompson dismissed charges of stock manipulation, conspiracy, wire fraud and other offenses brought against Billionaire Howard Hughes and four co-defendants for their part in a successful effort from June 1968 to April 1970 to acquire the foundering Air West airline (now Hughes Air West). Thompson, regarded as a tough but fair-minded judge, found no clear criminal activity in the indictment and agreed with defense attorneys that the charges were ineptly drawn. Said the exasperated judge: "It would be a perversion of justice to require any defendant to go to trial under this particular indictment."

Deeply embarrassed, federal prosecutors confessed that the indictment had been hastily drafted; because of the case's complexity, the feds finished preparing their charges only four days before the statute of limitations was due to run out. The prosecutors vowed to redraw and resubmit the charges in as little as three weeks, though they have six months. "The matter is going back to the grand jury because we feel we have a case," said U.S. Attorney V. De Voe Heaton. Added another federal prosecutor: "This thing isn't dead yet, not by a long shot."