

# and a Deft Texas Lawyer

Leon Jaworski

By CHRISTOPHER LYDON

Special to The New York Times

11/2/73

WASHINGTON, Nov. 1— From the start, as the youngest lawyer ever licensed in Texas, Leon Jaworski has triumphed in legal assignments that nobody else wanted.

At the age of 20, during Prohibition, he won acquittal in bone-dry Baptist West Texas for a man charged with moonshining.

In 1960—by then the rich, widely recognized captain of a giant Houston law firm—he managed the litigation that allowed Lyndon B. Johnson to run simultaneously for the Senate and the Vice Presidency.

Two years later, Attorney General Robert F. Kennedy needed an independent lawyer to press contempt charges against Gov. Ross Barnett of Mississippi without making the segregationist a political martyr in the South. And the deft, drawing Mr. Jaworski took the case.

And once again today, accepting President Nixon's invitation to be the new special Watergate prosecutor, Mr. Jaworski took a job that "no self-respecting lawyer would touch," in the words of John Gardner, chairman of Common Cause, the citizens' lobby.

## 'Complete Assurance'

At a news conference in Houston this morning Mr. Jaworski was at pains to emphasize that he had been given not only "complete assurance of independence" but also the political means to fight for survival if President Nixon tries to dismiss him, as he dismissed Archibald Cox 12 days ago.

He will be freer, Mr. Jaworski said, than Mr. Cox ever was. Indeed, he added, he rejected feelers on the special prosecutor's job last spring, before Mr. Cox took it, because "I didn't think at the time the independence was there as it is now."

"There are no restraints on what I'm permitted to do," Mr. Jaworski said. "Should there be an impasse between the President and me about any phase of the investigation, it would be presented to the Representatives from the [Congressional] Judiciary Committees. From a practical standpoint, if they would back me up, that would be the end of it."

## Unanswered Questions

There were many unanswered questions about Mr. Jaworski's prospects today, including his plans for Mr. Cox's staff, and his interpretation of independence with respect to the scope, as well as the conduct, of the investigation. Some sympathetic Texans questioned whether Congress would tolerate a prosecutor who is so deeply enmeshed in Houston's oil, banking and insurance establishment.

"You don't go to Texas for this sort of job any more than you'd go to Maryland these days," said a Texas Democrat, referring to the Baltimore scandals that drove former Vice President Agnew from office.

"I'd be surprised," said an-

other Democratic lawyer and friend of Mr. Jaworski's, "if he didn't have clients that were under investigation by Cox."

## 'Can Expect Answers'

Yet Mr. Jaworski, calmly confident, seemed ready to go to work. "People can expect answers without waiting forever," he said of the scandals that have affected the Nixon Administration and preoccupied Washington for most of a year. "I would want to provide answers."

The 68-year-old Mr. Jaworski has long seemed a model of the brains, power and—to some—the smugness of the American legal establishment. An independent Democrat, he has shone in a variety of public roles, starting with his work, as an Army colonel, in the prosecution of Nazi war criminals in post-war Germany.

His political energies, however, largely within the legal fraternity. At 44 he was president of the Houston Bar Association; later he headed the American College of Trial Lawyers. Mr. Jaworski was considered by some critics a do-nothing president of the American Bar Association in 1971 and 1972, yet the speeches he gave in that post have heightened meaning now.

"My greatest concern today," he declared two years ago, is "the vanishing respect for law among young as well as the old." He called it a "disquieting development, spreading like a cancerous growth."

## Reverence for Law

He was privately shocked earlier this fall when John B. Connally, the former Texas Governor and Treasury Secretary and Mr. Jaworski's colleague in the Houston bar, argued that President Nixon might conceivably be justified in defying a Supreme Court order—even, perhaps, one involving the disputed Watergate tape recordings.

"It's exactly like saying to the community at large," Mr. Jaworski told a visitor, "that when you feel justified you can disregard the order of a court—that the law is not necessarily supreme."

Juris Doctor, a magazine that speaks for many young lawyers, wrote of Mr. Jaworski, as A.B.A. president, that there appears to be no fierce sense of moral outrage at social injustice gnawing at his gut." Yet none who know him doubt that his reverence for the rule of law is profound.

Mr. Jaworski was born in Waco, Tex., on Sept. 19, 1905. He has been married to the former Jeannette Adam since 1931. A rancher, fisherman and horse breeder in his spare time, he has often given priority to family life over business and politics.

When President Johnson once urged him to be his overnight guest at the White House, Mr. Jaworski excused himself because of a prior commitment in Houston. The commitment, it turned out, was a grandson's birthday party.