

# No. 2 Man at Justice

Harold Russell Tyler Jr.

By ARNOLD H. LUBASCH

When he was offered the post of special Watergate prosecutor almost two years ago, Harold Russell Tyler Jr. turned the job down. He decided that he would rather remain on the bench of the Federal District Court in Manhattan. Judge Tyler has now succumbed to the lure of Washington, however, and he welcomed his nomination yesterday to become the Deputy Attorney General.

The tall, lean, bald 52-year-old judge said that he was prepared to take on the job as the No. 2 man in the Justice Department because he wanted to help Attorney General Edward H. Levi in the "restoration of the organization, the personnel and the soul, really, of the department."

"There have been some scars left by what was generally known to all of us as the Watergate business," Judge Tyler remarked. He stressed a desire to reconstruct the Justice Department with professionalism and without partisanship.

Judge Tyler, who described himself as a registered Republican who had never been active in party politics, said that he had not met Attorney General Levi until last week. Mr. Levi was said to have selected Judge Tyler because he wanted an experienced judge as his deputy. When the judge was asked who had suggested him to the Attorney General, he replied, "He didn't tell me—I haven't a clue."

## Named by Kennedy

In addition to his service as a Federal judge since 1962, when he was appointed by President Kennedy, Judge Tyler has been a Wall Street lawyer, an Assistant United States Attorney here and Assistant Attorney General for civil rights in the last year of the Eisenhower Administration.

His love of the law developed when he was a young boy growing up in the small community of Waterville, near Utica, where he was born on May 14, 1922. His parents, who still live on a farm in Waterville, knew a noted lawyer who made a powerful impression on the youth. And he decided at an early age that he wanted to be a lawyer.

After attending a local school in Waterville, the future judge was graduated from Phillips Exeter Academy in 1939 and from Princeton University in 1942. He then entered the Army, serving as a field artillery captain in Europe, where he fought in the Battle of the Bulge and in other combat across Germany until the end of World War II.



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*Wants to rebuild with professionalism, not partisanship.*

Judge Tyler was discharged from the army in 1946, when he went to work for a New York publishing company "with dreams of glory of being a great editor." But the low pay soon persuaded him to return to his interest in the law. He was graduated from Columbia Law School in 1949.

## Served in Korea

Following a year with a Manhattan law firm, he was called back to military duty and served as an artillery captain in the Korean War until late 1952. He then spent a year with Baldwin, Todd & Lefferts, a Wall Street law firm. Long after he left, it merged with another firm that became Mudge, Rose Guthrie and Alexander, where Richard M. Nixon and John N. Mitchell became partners.

His career took a new turn in 1953, when he became a Federal prosecutor under the then United States Attorney, J. Edward Lumbard, now a senior judge on the Federal appeals court here. In 1955, Judge Tyler returned to private law practice with the firm of Gilbert and Se-gall, where he remained until he was named an Assistant Attorney General in 1960.

He rejoined Gilbert & Se-gall in 1961, and he also served as a member of the Waterfront Commission here, before being appointed to the Federal bench the following year at the age of 40.

Judge Tyler is generally regarded as a competent, articulate, energetic judge who knows the law. He can become testy when lawyer fail to meet his standards of competence in the courtroom. Some lawyers contend that he sometimes pontificates from the bench.

His most notable case was probably the trial of Carmine G. De Sapio, the former New York Democratic leader, who was convicted of conspiracy to bribe former Water Commissioner James L. Marcus. Judge Tyler sentenced him to two years in prison.

Recently, Judge Tyler maintained his judicial calm when he learned that a defendant he had sentenced to four years for stock manipulation had been arrested on a charge of plotting to kill the judge.

The judge is married to the former Barbara L. Eaton. They have two sons, Bradley, a graduate of the University of Colorado, and John, a recent Princeton graduate, and a daughter, Sheila, who attends Middlebury College in Vermont.

For recreation, Judge Tyler

enjoys refinishing furniture and gardening at his five-acre home in Bedford, in Northern Westchester. He is also an active tennis player throughout the year. After the White House called to inform him of his new nomination, he went out and played some vigorous tennis.

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