

GRAY QUITS THE F.B.I., RUCKELSHAUS NAMED;
A JUSTICE DEPT. MEMO SAYS LIDDY AND HUNT RAIDED OFFICE OF
ELLSBERG'S PSYCHIATRIST

A SUDDEN DECISION

APRIL 28 1973

Chief Resigns After Citing Reports He Destroyed Files

NYTimes

By WALTER RUGABER
Special to The New York Times

WASHINGTON, April 27—L. Patrick Gray 3d resigned today in the intensifying Watergate crisis and was immediately replaced as Acting Director of the Federal Bureau of Investigation by William D. Ruckelshaus.

President Nixon's selection of Mr. Ruckelshaus, who is Administrator of the Environ-

The text of Gray statement is printed on Page 14.

mental Protection Agency, was announced late this afternoon by the White House press secretary Ronald L. Ziegler.

Mr. Ruckelshaus said that he had asked for and received from the President assurances that "no matter who is involved [in the Watergate affair] there would be no sparing of anyone."

The new F.B.I. chief, appearing somewhat pale and glum, also told reporters that he did not expect to serve for more than two months or so. The post should go permanently to someone with a law-enforcement background, he added.

Gray Issues Statement

Mr. Gray's resignation followed the disclosure that he had destroyed documents obtained from a key conspirator in the Watergate scandal after receiving them at a meeting with two ranking White House officials.

"Serious allegations concerning certain acts of my own during the ongoing Watergate investigation are now a matter of public record," the outgoing F.B.I. chief said in a statement issued at mid-day. "As a consequence, I have today tendered my resignation as Acting Director of the Federal Bureau of Investigation, effective immediately."

He said that he was leaving "as a consequence" of reports that he had destroyed, without reading, two files taken from E. Howard Hunt Jr., a former White House consultant who has pleaded guilty to plotting to spy on the Democrats.

Unexplained Resignation

The Hunt files, according to Mr. Gray's statements to associates, were given to him during a meeting June 28 with John D. Ehrlichman, assistant to the President for domestic affairs, and John W. Dean 3d, counsel to the President.

Mr. Gray has said that he cannot swear that he was ordered to destroy the papers. But he was indicated to friends that when Mr. Dean handed them to him he suggested they "should never see the light of

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day."

The swift development at the F.B.I. overtook the abrupt and unexplained resignation late last night of Jeb Stuart Magruder, an Administration figure said to be under suspicion in the bugging case.

Mr. Magruder, a former deputy director of the President's campaign organization who is understood to have implicated Mr. Dean and former Attorney General John N. Mitchell in the affair, quit as an Assistant Secretary of Commerce.

Mr. Gray said that his immediate departure from the F.B.I. "is required to preserve in both image and fact the reputation, the integrity and the effectiveness" of the agency he has led since the death of J. Edgar Hoover last May 2.

Mr. Gray took pains in his statement to declare that the F.B.I. "has been in no way involv'd in any of those personal acts or judgments that may now be called into question." He added:

"The F.B.I. deserves the full trust of the American people: That is bedrock and must always remain so.

"I depart from the F.B.I. with a clear conscience, the knowledge that I have done my duty as best I have been able to see that duty. . . ."

One of Mr. Gray's supporters, Senator Lowell P. Weicker Jr. of Connecticut, said earlier today that he was "convinced Gray was abused . . . by those whom he had every reason to trust."

Te Republican legislator, a member of the Senate panel investigating the Watergate affair, asked why Mr. Dean had given the files to Mr. Gray and why Mr. Ehrlichman had "allowed this transaction to take place when by any criteria he knew it was wrong."

Mr. Weicker, who said that he had talked with Mr. Gray about the destruction of documents and who confirmed today's accounts of the activity, said that Mr. Gray had used bad judgment.

Leaves His Office

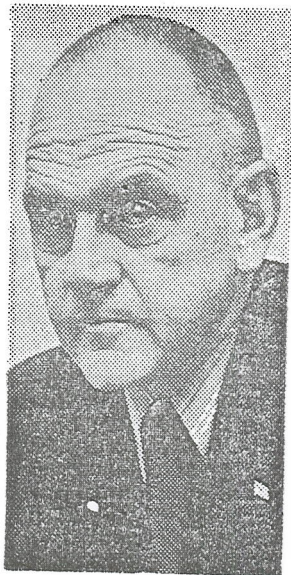
Mr. Gray was understood to have left his office on the fifth floor of the Justice Department building shortly after his statement of resignation had been read.

The former naval commander, a Nixon loyalist who has served as a lawyer in the Department of Health, Education and Welfare and in the Justice Department, had already been hobbled politically by criticism of his handling of the Watergate case.

His nomination as permanent Director of the F.B.I., a post he badly wanted, was withdrawn by President Nixon after it encountered difficulties in the Senate.

During committee hearings last month, Mr. Gray said that he had sent reports on the F.B.I.'s Watergate investigation to Mr. Dean and had allowed the President's lawyer to sit in on interviews with White House officials.

The news of Mr. Gray's departure reached Air Force One



The New York Times
L. Patrick Gray 3d

as the President returned from a one-day trip to Meridian, Miss., and Mr. Ziegler said that the resignation had been accepted.

The press secretary would not say whether the Acting F.B.I. Director's resignation had been sought by the President, but he reported that Mr. Nixon held "a long discussion" with Attorney General Richard G. Kleindienst last night.

Reports on the destruction of the Hunt files were already circulating at the time, and Mr. Ziegler said that the President had asked Mr. Kleindienst to take them up with Mr. Gray.

"This is all I can say," the press secretary said.

Ruckelshaus Summoned

Immediately upon his return to Washington, the President summoned Mr. Ruckelshaus for a 45-minute meeting. The environmental administration official then appeared with Mr. Ziegler at 5:12 P.M.

The press secretary said that an extensive search would be made for a permanent F.B.I. Director, a search that has presumably been under way since

the withdrawal of Mr. Gray's nomination.

The Environmental Protection Agency will be directed in the absence of Mr. Ruckelshaus by an acting administrator not yet selected, it was announced.

The new law enforcement chief said that Mr. Nixon had "made it clear to me he wants me to operate the F.B.I. in as vigorous and honest a way as I possible could." He promised to be "vigorous and fair" during his tenure.

While noted for his independence as director of the environmental agency, Mr. Ruckelshaus has also been politically active as a campaigner and was associated with some of the men implicated in the Watergate affair.

Asked whether he felt this would impair his ability to pursue the investigation, he said that he did not and added that he had "no personal knowledge" that anyone in the White House had tried to cover up the conspiracy.

Mr. Magruder resigned his Commerce Department post, which he had taken after serving as director of the Presidential inaugural committee, sometime within the last week.

Drops Out of Sight

The step was confirmed last night by his lawyer, James J. Bierbower. It was the first resignation in the current round of investigation, but Mr. Bierbower would not say that Mr. Magruder had left because of the Watergate affair.

The 38-year-old former special assistant to the President has dropped out of sight since he met with members of the United States Attorney's staff who are directing a grand jury investigation here.

Mr. Magruder is said to have told the prosecutors that he was present at a meeting in February, 1972, in which former Attorney General Mitchell, Mr. Dean and G. Gordon Liddy, a convicted conspirator, talked over the bugging.

Text of Gray's Statement

Special to The New York Times

WASHINGTON, April 27—Following is the text of a statement by L. Patrick Gray 3d announcing his resignation today as Acting Director of the Federal Bureau of Investigation:

Serious allegations concerning certain acts of my own during the ongoing Watergate investigation are now a matter of public record. As a consequence, I have today tendered my resignation as Acting Director of the Federal Bureau of Investigation, effective immediately.

This action is required to preserve in both image and fact the reputation, the integrity and the effectiveness of the F.B.I.

This superb investigative agency has been in no way involved in any of those personal acts or judgments that may now be called into question—and my own continued presence at the helm must not be permitted to create even the hint or implication of involvement, false though it is.

The F.B.I. deserves the full trust of the American people: That is bedrock and must always remain so.

I depart from the F.B.I. with a clear conscience, the knowledge that I have done my duty as best I have been able to, see that duty and with an admiration and respect for the men and women of the F.B.I. that only one who has led them and served with them can ever fully understand.