

# INQUIRY GOES ON UNDER PETERSEN

Justice Aide in Charge Until  
Richardson Is Confirmed

By JOHN M. CREWDSON  
Special to The New York Times

WASHINGTON, April 30—

The Government's investigation of the Watergate affair will remain in the hands of Assistant Attorney General Henry E. Petersen until Elliot L. Richardson is confirmed as Attorney General, a Justice Department spokesman said today.

In a statement this morning announcing the resignation of Attorney General Richard G. Kleindienst, President Nixon said that he had asked Mr. Richardson, the present Defense Secretary, to "involve himself immediately in the investigative process surrounding the Watergate matter."

The spokesman said that, pending Mr. Richardson's confirmation, his involvement would take the form of briefings by Justice Department officials on the complex case, and that, in the meantime, Mr. Petersen would continue reporting directly to Mr. Nixon.

Two weeks ago, the President announced that "major developments" in the burgeoning political-espionage and sabotage case had led him to undertake, with Mr. Petersen's assistance, a personal investigation of the matter.

Mr. Kleindienst subsequently withdrew as head of the Justice Department's Watergate investigation, citing evidence that individuals with whom he had had personal and professional associations might be implicated in the scandal. His withdrawal left Mr. Petersen, who heads the department's Criminal Division, in charge of the investigation.

The Justice Department said today that Mr. Kleindienst would remain as Attorney General until his successor was confirmed.

As allegations of the involvement of officials and former officials of the Nixon Administration in the Watergate case have mounted in recent days, there has been increasing pressure on the President from Congress and elsewhere to appoint a special prosecutor in the matter.

However, Justice Department sources noted that Mr. Richardson had not been publicly linked to any aspect of Watergate, and they speculated that his nomination as Attorney General had been intended to obviate the need for a special prosecutor.

NYT  
5-1-73

In another development, William M. Byrne Jr., a United States District judge in Los Angeles who is presiding over the Pentagon papers trial, disclosed in court today that he had met with President Nixon and one of the President's top aides in California about a month ago.

Judge Byrne said that his conversation with John D. Ehrlichman, Mr. Nixon's adviser for domestic affairs, had had "absolutely nothing to do, even remotely," with the trial of two men accused of stealing and copying the secret Defense Department study of the Vietnam war.

Mr. Ehrlichman has been a possible future assignment in Government." The judge added that he had told Mr. Ehrlichman that he "could not and would not give consideration to any other case until this case is concluded."

White House sources confirmed today that Judge Byrne had been asked by Mr. Ehrlichman about his availability to be director of the Federal Bureau of Investigation.