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PROSECUTORS QUIT
WATERGATE CASE

3 U.S. Attorneys Maintain Earlier Investigation Was Forthright and Vigorous

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WASHINGTON, June 29 —

The three original Watergate prosecutors withdrew from the case today, maintaining that their investigation had been "conducted forthrightly, vigorously and professionally."

The three men — Assistant United States Attorneys Earl J. Silbert, Seymour Glanzer and Donald E. Campbell—had

Letters of resignation and Cox reply, Page 19.

offered to resign from the case when the special Watergate prosecutor, Archibald Cox, took office last month. Mr. Cox asked them to stay on for a while to assist him.

Today, in a letter to Mr. Cox, they said that "the transition now, in our view, is basically complete."

They went on to say that they believed it was time for them to withdraw because they might be called as witnesses before the Senate Watergate committee or, perhaps, even the grand jury.

Mr. Cox, in accepting their resignations, wrote the men that "there are points on which my judgment might have varied from yours."

But he added that "thus far in the investigation, none of us has seen anything to show that you did not pursue your professional duties according to your honest judgment and in complete good faith."

The day-to-day investigation of the Watergate affair and coordination with the grand jury is now being handled by one of Mr. Cox's chief assist-

Continued on Page 19, Column 1

Continued From Page 1, Col. 7

ants, James F. Neal.

The three prosecutors said that they would return to the Justice Department and continue to serve as Assistant United States Attorneys.

They have been the subject of considerable criticism for not having found earlier that high officials of President Nixon's Administration and his Re-election Committee were involved in planning the Watergate break-in and subsequently trying to cover up the facts.

The seven men who were originally indicted and convicted in the case were, if testimony before the Senate committee is accurate, relatively minor figures in the over-all case.

Prodded by Judge

The prosecutors took some credit today for the fact that more details had emerged after the trial last January. Because none of the seven men would turn state's evidence, the prosecutors said at a news conference, they developed a strategy of first convicting them and then granting them immunity from further prosecution in order to compel their testimony.

"The initial grand jury investigation was conducted under inherently conflicting pressures to have the most thorough and exhaustive investigation in the shortest possible time," they wrote to Mr. Cox. They continued:

"Moreover, as the evidence now shows, many Government officials and others who, unbeknownst to us, had critical evidence, either withheld it or made false statements to the grand jury and the prosecutors, thus, whether innocently or not, aiding and abetting the cover-up."

During the trial last January,

the three prosecutors were repeatedly prodded by the judge, John J. Sirica, Chief Judge of the United States District Court here, to bring out more detail and background.

But today they insisted time and again that they had touched every possible base in their initial investigation, and they answered some of the criticism that has been brought against them as follows:

They said that they had no solid evidence that Jeb Stuart Magruder, the former deputy campaign director, was perjuring himself at the trial in January, a fact that Mr. Magruder now acknowledges.

They said that Hugh Sloan Jr., once the re-election Committee's treasurer, had not convinced them or the grand jury that Mr. Magruder had asked him to lie.

They said that they had not called Robert Riesner, Mr. Magruder's assistant, to testify because they had no reason to believe then that Mr. Riesner had evidence to give.

They said that they had agreed to allow high-level officials, such as Maurice H. Stans, the campaign finance chairman, to give sworn depositions rather than testimony before the grand jury because they wanted to limit publicity surrounding the case.

At no time, the prosecutors said, were they ever subjected to intimidation or suggestions that they not pursue the case vigorously.

Petersen Is Backed

They said that Henry E. Petersen, chief of the Justice Department's Criminal Division, was a "man of unquestioned integrity" and that they knew of nothing improper that he had done. John W. Dean 3d, the former Presidential counsel, told the Senate Watergate committee this week that he had worked closely with Mr. Peter-

sen in obtaining information about the prosecution.

Judgments of experienced lawyers often differ on questions of tactics and strategy, Mr. Silbert said at the news conference, and "with the benefit of hindsight, there are many things we'd do differently."

But he declined to specify what these things were, just as he and the others would not talk about details of the current investigation.

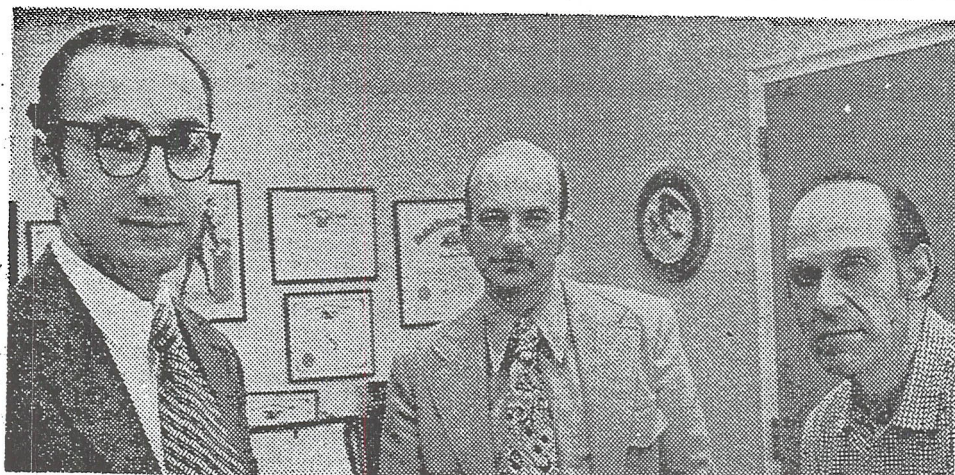
The Senate committee has expressed interest in calling the three men as witnesses in an effort to determine whether the original prosecution was diligent. They all said they would testify.

"We are sensitive to the problems that our being both investigators and potential witnesses could create in any investigation and subsequent litigation and, therefore, have concluded that the wisest course of action for us is to withdraw from the investigation at this time," they wrote in their joint letter to Mr. Cox.

"At the very minimum," they wrote, they would "submit a written response" to the criticism against them.

"We emphatically reject any allegations of impropriety or lack of diligence which have been or might be made," they declared.

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Earl J. Silbert, left, Donald E. Campbell, center, and Seymour Glanzer, original prosecutors in Watergate case, have submitted their resignations to the special prosecutor.

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