

Cox Fears Harm Of Senate Probe

F Post 6/2/73

WASHINGTON (AP) — The heads of two major investigations into Watergate and other political espionage will meet soon to iron out problems arising out of the Senate probe.

A preliminary meeting Wednesday between special prosecutor Archibald Cox and committee counsel Samuel Dash gave rise to published reports of pressure by Cox to delay the Senate hearings, which are due to resume Tuesday.

Cox and Dash, in separate

statements Friday, did not discuss that aspect of the report. But Cox denied he had threatened to go to court to stop the committee from continuing.

He said that among topics discussed "were the risk of serious damage to investigations and any resulting prosecutions, and the various possible ways of reducing the harm."

The three assistant U.S. attorneys who have guided the Watergate grand jury since

February have complained privately that the Senate's public hearings may prejudice some prosecutions. A number of witnesses before the committee have received limited immunity for their testimony.

Dash called the Wednesday meeting "an exploratory discussion concerning the relationship between the special prosecutor and our select committee." He said it was preparatory to a meeting Cox plans

See COX, page B-2

COX

(Continued From Page A-1)

to have with Sen. Sam J. Ervin, D-N.C., the chairman.

Ervin has said the Justice Department has had nearly a year to bring forth indictments and trials and that the Senate cannot wait.

He told a reporter in North Carolina he knew of the Cox-Dash talks but not their content.

"The committee has the same powers under the Constitution to conduct hearings that the courts have to initiate prosecution," he said. "The courts cannot force the U.S. Senate to halt the hearings."

Said Cox:

"Questions of immunity were discussed, but there was no mention whatsoever — and I have never considered for a moment — 'court action to make the hearings stop.'"

The Washington Post quoted two Senate sources as saying "Cox is said to have told Dash that if the committee did not agree to drop the hearings, Cox would consider court action to have them stopped."

Dash said the Post story did not come from him or, to his

knowledge, from any committee staff member. He said parts of it were inaccurate.

Cox met Friday with District Attorney Joseph Busch of Los Angeles, where a county grand jury is looking into the burglary of the office of Daniel Ellsberg's psychiatrist.

Afterward, Cox said he had made no request to Busch to delay that grand jury's proceedings, as reported Friday by the Los Angeles Times.

The Times had said Cox's staff blocked the release of Watergate conspirators E. Howard Hunt, Bernard L. Barker and Eugenio Martinez to testify before the grand jury when it begins its sessions next week.

Cox said he had authorized the federal Bureau of Prisons to make the men available. The three are in federal prison in Danbury, Conn., awaiting final determination of their sentence in Washington June 15.

"As a result of our meeting, Mr. Busch and I agreed that full cooperation would exist between the Los Angeles County inquiry and the many investigations under way under the direction of the special prosecutor," Cox said.