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Agnew asks House for full inquiry to vindicate him, cites Constitution; jury to get U.S. evidence tomorrow

# Agnew's Lawyers And Justice Dept. Reach an Impasse

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WASHINGTON, Sept. 25—Vice President Agnew asked the House of Representatives today to begin a full investigation of allegations that he accepted bribes as a state and local official in Maryland.

In a letter addressed to Carl Albert, speaker of the House, Mr. Agnew said that he was requesting the Congressional inquiry after being advised by his attorneys that "the Constitution bars a criminal proceeding of any kind" against the incumbent Vice President.

"This request," he said, "is made in the dual interests of preserving the constitutional stature of my office and accomplishing my personal vindication."

The Agnew letter was read to the House shortly after Attorney General Elliot L. Richardson announced an impasse in negotiations between the Justice Department and the Vice President's lawyers, designed to resolve the case against Mr. Agnew. Mr. Richardson said that the department's evidence concerning Mr. Agnew would be presented Thursday to a Federal grand jury in Baltimore.

Mr. Richardson's announcement came several hours after an early morning meeting between Mr. Agnew and President Nixon and after Mr. Richardson and Henry E. Petersen, his assistant in charge of the Justice Department's Criminal Division, briefed the President on the Agnew investigation.

## Assurance Given to President

Mr. Nixon said later that the Vice President had personally assured him that he was innocent of any wrongdoing.

Mr. Nixon urged that the public "accord the Vice President the basic, decent consideration of presumption of innocence that are both his right and his due."

The Agnew move set off shock waves through the Capitol, where for the first time there was serious talk that Congress might face the possibility of impeachment proceedings against the Vice President.

The House leadership met to discuss the situation and what course of action to take. The talks continued into the night.

Republican Senators were hastily summoned to a caucus in the Old Senate Court Chamber, near the Senate Chamber, to be briefed by the party leadership on the Agnew letter and to be admonished to watch their comments about the Vice President's guilt or innocence in view of possible impeachment proceedings.

## Senators Cautioned by Scott

Senator Norris Cotton, New Hampshire, chairman of the Republican Conference, said the minority floor leader, Hugh Scott of Pennsylvania, had cautioned his colleagues that, because there was "remote possibility" of impeachment proceedings, it "might be wise" for the individual Senators to "temper" their comment about the possible guilt or innocence of the Vice President.

The House has sole authority to impeach a Vice President—that is, to bring charges that could result in his removal from office upon conviction. The Senate

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would sit as a jury in the case.

Mr. Agnew noted in his letter to Mr. Albert, an Oklahoma Democrat, that, because of what he believed to be his constitutional immunity to prosecution, he would "not acquiesce in any criminal proceeding lodged against me in Maryland or elsewhere."

There have been reports that a series of motions that Mr. Agnew's lawyers intend to file in Federal District Court tomorrow will argue essentially the same position, and ask that the grand jury investigating the kickback scandal be prevented from continuing its inquiry.

## Impasse Reached in Meetings

In a prepared statement released late today, the Attorney General confirmed that "meetings and discussions" he and other Justice Department officials had held with Mr. Agnew's representatives had failed to reach an accommodation between the two parties.

Mr. Richardson said that the talks, which until now his department has refused to confirm, had been undertaken with the approval of President Nixon and had been directed toward "the possible prompt resolution of problems which might otherwise result in a constitutional dilemma of potentially serious consequence to the nation."

Justice Department officials refused to characterize further the substance of the negotiations, but they reportedly concerned an agreement that Mr. Agnew would resign in return for an opportunity to plead guilty to a lesser charge.

Mr. Richardson's reference to a possible "constitutional dilemma" apparently referred to the question of whether it was legally possible to investigate or indict a Vice President until he had resigned from office or had been impeached.

But Mr. Richardson said that it had proved impossible to "reconcile the Vice President's interests, as represented by his counsel," with the Justice Department's "perception of its responsibility to assume that justice is pursued fully and fairly."

The Attorney General declined to respond to written inquiries from newsmen about Mr. Agnew's "interests" in this case, or of the "options available to the Vice President" that he said had been a topic of the discussions.

However, there have been reports that Mr. Agnew's lawyers were maintaining the position that he would consider resignation only if no charges at all were brought against him.

Mr. Agnew's letter cited the precedent established in the last century by Vice President John C. Calhoun, who asked the House to look into allegations of profiteering on his part in connection with military contracts in his tenure as Secretary of War, a charge similar to that Mr. Agnew now faces.

## Letter From Calhoun Is Quoted

Saying he could "better quote than rival" Mr. Calhoun's letter, Mr. Agnew said that when charges against a Vice President "assume the character of impeachable offences," he can "look for refuge only to the hall of the immediate representatives of the people."

Mr. Agnew asserted that since early August he had become the subject of public attacks that may "assume the character of impeachable offences," and called upon the members of the House "to discharge its constitutional obligation" by following the Calhoun precedent.

He assured the Representatives that they would have his full cooperation, and that he had directed his lawyers to deliver to the clerk of the House "all of my original records of which copies have previously been furnished to the United States Attorney" in Baltimore.

A Justice Department spokesman declined comment on whether the grand jury in Baltimore would turn over to the House any of the evidence it has gathered concerning Mr. Agnew. Nor would he say what effect, if any, the Vice President's request to the House would have on the course of the grand jury's inquiry.

The Vice President's letter was read to about 50 members of the House by the reading clerk, Charles W. Hackney Jr., after a hastily called meeting of Mr. Agnew, Mr. Albert and the House leadership at the Capitol.

Mr. Agnew reportedly requested the meeting in a telephone call to Mr. Albert around 4 o'clock this afternoon, and arrived at the Capitol a short time later.

As he emerged an hour and a half later, Mr. Agnew, dressed in a gray suit and dark red tie, told newsmen that the letter he had delivered "speaks for itself, and won't have any further comment at this time; I may have another comment in a few days."

Mr. Albert, leaving his office an hour later, would say only, "Nothing's ruled out. Nothing's ruled in."