

# PLEA FOR LENIENCY

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## A Dozen Expected to Face Indictment on Watergate Roles

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WASHINGTON, May 24 —

United States Attorney Harold H. Titus Jr. announced today that further indictments were expected in the Watergate case within 60 to 90 days. He said that one of the key figures in the case had agreed to plead guilty and serve as a prosecution witness at the trial.

That key witness was identified by Government sources as Jeb Stuart Magruder, second in command at the Committee for the Re-Election of the President last fall. Mr. Magruder was one of those whose testimony is believed to have reopened and greatly broadened the Watergate investigation last month.

Other sources said Mr. Magruder had been assured that if he pleaded guilty and testified for the prosecution that Government attorneys would ask the court to be lenient in his sentence. The source said that the prosecutors would make the strongest possible representations to the court on his behalf.

Mr. Magruder's lawyer, James J. Bierbower, declined to comment.

### Other Guilty Pleas

Mr. Titus said that other persons had admitted their guilt in the case. Similar exchanges of light sentences for guilty pleas are being negotiated with them, he indicated. Still others under investigation have been given immunity, he said. Mr. Titus named no names.

Mr. Titus said the indictments would be "comprehensive" and would "focus on the obstruction of justice which occurred after the Watergate arrest on June 17, 1972, but will include criminal activities beginning in 1971, which together with the Watergate break-in, motivated the massive obstruction."

Mr. Titus, who oversees the 148 assistant United States Attorneys here, also announced that the three prosecutors who have been handling the Watergate investigation since it began last June would stay on the job. However, the new spe-

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cial prosecutor, Archibald Cox, who is to be sworn in tomorrow, has told Mr. Titus that a final decision on retaining the three will be made later.

A Justice Department spokesman said that a copy of Mr. Titus's statement had gone to Mr. Cox and that he had no immediate comment.

Seven men—all of them directly tied to the break-in at the Democratic National Committee headquarters in the Watergate Hotel complex—were indicted last Sept. 15. Five pleaded guilty and two were convicted in a trial that ended in January.

At least a dozen former White House and Republican re-election committee officials are expected to be indicted in the new investigation.

### Key Men in Speculation

Among those allegedly linked to a White House cover-up—and thus possibly to obstruction of justice charges—are John N. Mitchell, the former Attorney General and head of Mr. Nixon's re-election campaign until shortly after Watergate; John D. Ehrlichman and H. R. Halde- man, Mr. Nixon's two chief advisers before their resignations April 30; John W. Dean 3d, former White House counsel who was dismissed April 30; and Frederick D. Larue, a former special assistant to the President.

Mr. Titus's announcement came after several days of what sources close to Elliot L. Richardson, the new Attorney General-designate, and sources close to the Justice department, described as a combination of power play, morale problem and ego-protecting move.

The three prosecutors, Earl J. Silbert, Seymour Glazer and Donald E. Campbell threatened on Tuesday to resign.

Mr. Cox met hurriedly with them yesterday and calmed them. One Justice Department source said the appointment of Mr. Cox "appears to be a slap in the face for them," explaining it might be interpreted by some as indicating they had done a bad job investigating Watergate.

Another source saw it as a "power play—professional jealousy" and explained it as an attempt to keep Mr. Cox from appointing a deputy to oversee the daily activities of the prosecutors.

Mr. Titus is their immediate superior.

In a letter to Mr. Titus following yesterday's 2½ hour meeting, Mr. Cox wrote in part:

"It is of great importance that there be no break or delay in the investigation. The public interest requires you as honorable and responsible public officials to carry on while I am familiarizing myself with all that has been done; and at that time we can see what is most appropriate for the future."

### Public Interest Cited

"As soon as I have taken office in the department I would, of course, expect to be consulted before any decisions were made.

"I assume that these are the terms on which all of you have expressed your willingness to continue for the interim."

In his statement today, Mr. Titus spoke of his office with-



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Jeb Stuart Magruder is to be a prosecution witness

drawing from the "ongoing investigation."

He said that "in deference to his [Mr. Cox's] request we agreed to meet with him, at which time he urged us, in view of the important work we were doing, that it was in the public interest that we carry on the development of the case."

Mr. Titus said the prosecutors had "developed and outlined before the grand jury a comprehensive and coherent theory of prosecution" and that the investigation was "at an advanced stage."

The prosecutors have been criticized by some persons for not going beyond the Watergate burglary itself during this first indictments and trial.

Chief Judge John J. Sirica, of the United States District Court, presided over the first Watergate trial and constantly pressed the prosecutors to get at the heart of the matter.

At the end the judge said he did not think the full facts had been brought before the jury.

There has also been criticism that the prosecutors did not use the tool of exchanging grants of immunity from prosecution for testimony, or in effect, turning state's witness to escape prosecution.

Mr. Dean is known to have been actively seeking such a grant of immunity.

### Plea-Bargaining Backed

President Nixon on April 17 announced that no such grant would be given but the new prosecutor has been given wide authority.

The prosecutors have defended their refusal to grant immunity by saying they did not want anyone to escape justice. They have said they would prefer to take all to trial and then bargain for lighter sentences, as they did in the original case and apparently have done now in the case of Mr. Magruder.

Such grants of immunity were written into Federal law at the urging of the President who, in 1969, described them as a valuable tool for getting at the higher-ups in organized crime.

Mr. Titus's announcement came just as Mr. Cox was preparing to take up his task as special prosecutor.

Mr. Richardson is to be sworn in as Attorney General at the White House at 12:30 P. M. tomorrow. He said he would then go to the Justice Department and swear in Mr. Cox.

Mr. Cox has already named two acting deputies, both Harvard Law School professors as he has been, and both, like Mr. Cox, with ties to the Democratic party.

### Previous U.S. Roles

The two are James Vorenberg, an aide to Senator George McGovern's Presidential campaign last fall, and Phillip B. Heymann, a State Department official during President Johnson's Administration.

Under the guidelines developed by Mr. Richardson for the job of special prosecutor, Mr. Cox is free to name an entirely new outside investigating staff if he chooses. He can be removed only by Mr. Richardson for "extraordinary improprieties."