

investigations

Cox Picked as the Prober

THIS IS a task of tremendous importance. I'm overwhelmed by its scope. Somehow, we must restore confidence, honor and integrity in government."

With that, 62-year-old Harvard law professor Archibald Cox agreed nine days ago to serve as the Justice Department's special prosecutor on Watergate — thus ending a sometimes frantic search by Attorney General-designate Elliott Richardson that has lasted more than two weeks. (The selection of Cox also eased Richardson's own confirmation by the Senate last week.)

Richardson's first choice, Federal Judge Harold Tyler Jr. of New York, had turned down the job, citing his reluctance to step down from the bench, particularly when the ground rules for the prosecutor's post had not yet been settled.

Another of the four "finalists" for the job, former Deputy Attorney General Warren Christopher, took himself out of the running, 11 days ago, declaring that he saw no "reasonable probability" of securing "the requisite independence."

Call to Berkeley

The withdrawals had only served to reinforce doubts about how much independence the prosecutor would be permitted. And they also raised questions about Richardson's own prospects for Senate confirmation.

Finally, a week ago last Wednesday, Richardson put in a call to Berkeley — where Professor Cox was giving a lecture at the University of California.

An expert in labor and constitutional law, Cox had been considered earlier and passed over, because of a relative lack of experience in trial work and criminal prosecutions. As a consequence, Richardson explained, Cox's chief deputy, to be named as soon as possible, would be "a lawyer with extensive experience in litigation."

Unflappable

Despite his lack of experience in criminal prosecutions, however, complex and sensitive investigations were nothing new to Archibald Cox.

A Democrat, Cox was a member of the late John Kennedy's brain trust in the 1960 presidential campaign against the then Vice President Richard Nixon. He served as solicitor general, the third-ranking post in the Justice Department, from 1961 to 1965, when he re-

joined the faculty at Harvard Law School.

In 1968, Cox served as chairman of a commission which investigated the violent student disorders at Columbia University; the commission's findings on the origins of those disorders filled a book.

In the fall of 1969, the governing body at Harvard delegated complete authority to Cox to call the shots for the administration during nearly two years of intermittent student disturbances. "I have never seen him flustered in some of the most

'The documents set no limit on the amount of burglary'

trying times," commented a colleague. "He weighs his words with the utmost care."

'Full Authority'

And it was with the utmost care that Cox accepted the most politically sensitive assignment of his career — only after revised guidelines prepared by Richardson gave the special prosecutor "full authority" over investigation of the Watergate

break-in and all offenses arising out of the 1972 presidential election.

The guidelines also gave Cox "full authority" over grand jury proceedings, evidence, immunity of witnesses, the conducting of prosecutions, and dealings with Justice Department personnel and congressional committees.

"I'm more overwhelmed by the guidelines' scope than by their limitations," Cox assured the Senate Judiciary Committee last week. "I can't see anything in them that would prevent me from doing my job."

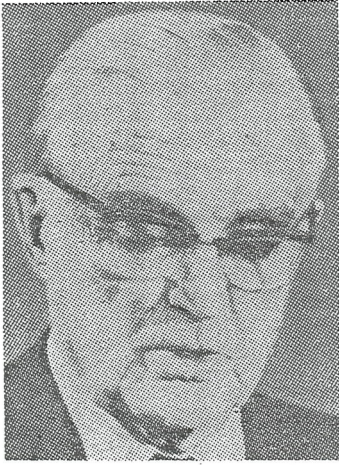
"Would you be inhibited

from going beyond the IOC (wiretap) statute and follow any trail?" asked Senator Robert Byrd (Dem-W.Va.). "I can promise the committee that," replied Cox. "Even if that trail leads to the Oval Office of the White House itself?" Byrd pressed. "Wherever that trail may lead," answered Cox.

Meantime, key Watergate figures were involved in other investigations and other indictments last week, as the ramifications of the case continued to expand and spread — beyond the Senate's Ervin Committee (see Page 7).

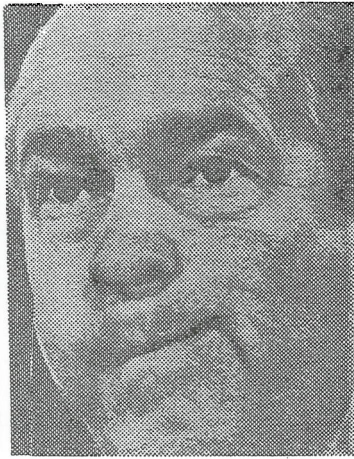
● Former Attorney General John Mitchell and former Commerce Secretary Maurice Stans pleaded innocent in a Federal Court in New York to charges of perjury and conspiracy in a plot to obstruct a federal investigation of President Nixon's top campaign contributor. The proceedings represented the first time in 50 years that former cabinet officers had been charged with criminal acts.

Harry Sears, a prominent New Jersey Republican politician; also pleaded innocent to similar charges arising from a secret \$200,000 contribution to Mr. Nixon's



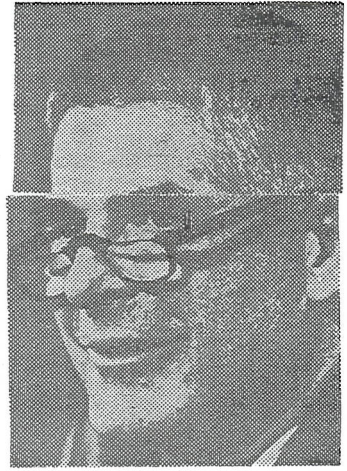
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COX

1972 presidential campaign by Robert Vesco, a multi-millionaire financier.

Vesco, also a defendant in the case, did not appear to answer charges and a fugitive warrant was issued for his arrest. Last seen in April at his home in Nassau, Vesco recently was reported to be living in Costa Rica, where he holds millions of dollars worth of investments, and where a political storm has developed around his presence.

● Herbert W. Kalmbach, President Nixon's former personal attorney, reportedly told federal investigators that the White House direct-

ed him to undertake a money-raising effort that netted at least \$210,000 for the seven men arrested in the Watergate break-in last summer. At the time, the Finance Committee to Re-Elect the President had at least \$10 million in cash on hand, but under the election-financing disclosure law that took effect in April, it would have been obligated to report expenditures for the defendants to the General Accounting Office.

● Senator Stuart Symington, acting chairman of the Senate Armed Services committee, disclosed that he had obtained secret White House documents that revealed a plan to use the CIA and the Pentagon to gather intelligence information within the U.S. The Missouri Democrat said some of the proposals were in documents hidden by Dean in a safety deposit box at a suburban Washington, D.C. bank.

'Difficult to Visualize'

The documents "set no limits" on the amount CIA and the Department of Defense could have been involved in, said Symington. He also disclosed that new data just given to the Senate Armed Services Committee (in the form of 11 memorandums summarizing discussions between the White House and the CIA) made it "even more difficult for me to visualize" that the President knew nothing about White House attempts to use the CIA to cover up the Watergate affair.

● Lieutenant General Vernon Walters, the deputy director of the Central Intelligence Agency, made a written allegation that White House chief of staff H. R. Haldeman told him "it was the President's wish" that the CIA seek to block an important phase of the Watergate investigation (see Page 9). NOT FOUND

● Richard Helms, former director of the CIA and now U.S. Ambassador to Iran, confirmed Walters statement that Haldeman had conveyed the President's desire that the CIA approach the FBI to discourage an investigation related to the Watergate case.