

Agnew Goes on Vacation As Lawyers Study Case

By CHRISTOPHER LYDON

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WASHINGTON, Aug. 9—Vice President Agnew flew off on vacation today to Frank Sinatra's oasis in the California desert, assured by voters' telegrams and political friends that his news conference yesterday on the criminal investigation involving him had made the best of an awkward situation.

Still unresolved, however, was Mr. Agnew's legal strategy in responding to a Federal prosecutor's request for personal financial papers that could bear on the inquiry into bribery, extortion and tax fraud in connection with government contracts in Maryland.

Mr. Agnew, who was Governor of Maryland from 1967 to 1969, dismissed as "damned lies" yesterday reports that he had taken kickbacks from state contractors. But he said that he had not yet judged the "unprecedented constitutional questions" posed by the first known

criminal investigation of a sitting Vice President.

Mr. Agnew's attorneys were granted an extension of the prosecutor's request for bank records and other documents. A letter from George Beall, the United States Attorney in Baltimore, notifying Mr. Agnew last week that he was under investigation, had asked that he deliver the papers today.

No Response on Immunity

The Vice President's attorneys were not responding today to inquiries about the relevance to their case of President Nixon's claim, in the Watergate case, of a constitutional immunity from prosecution while in office.

A spokesman for the Justice Department declined to answer questions about the Vice President's legal responsibility and would not say whether Attorney General Elliot L. Richardson was preparing to advise Mr. Agnew on the question.

Gerald L. Warren, the deputy White House press secretary, said today, without elaborating, that there was no comparison between the Watergate case and the Agnew investigation—and no parallel in the constitutional questions raised by investigators' requests for evidence.

Meanwhile, an informal sampling of comment by Republican state chairmen suggested that party officials, already shaken by months of bad news about Watergate, are determined to wait for more information in Mr. Agnew's case before estimating any damage to his political future. Mr. Agnew's prompt use of a news conference to confront the reports about him was widely noted as a point in his favor, in obvious contrast to President Nixon's silence under the Watergate siege.

Harry Rosenzweig, the Republican chairman in Arizona, said: "Let's put it this way: Whether it's true or not it comes as a shocker on top of everything else. But he shouldn't be convicted on rumors. I like his stepping before the TV cameras and the press right away."

Thomas S. Milligan, the new party chairman in Indiana, commented, "Out here in Indiana we would not consider him damaged until such time as he was convicted. I'm sure the American system will vindicate him."

Innocence Claimed

Clarke Reed, the Republican chairman in Mississippi who has looked favorably on Mr. Agnew as a Presidential candidate in 1976, remarked today that the "Watergate atmosphere" now tended to favor the accused. "People are so fed up with Sam Ervin and that circus act in Washington," Mr. Reed said, "Nixon would get 90 per cent of the vote here today. I think everybody thinks Agnew's innocent."

Mr. Agnew's office reported this afternoon that a partial count of the day's telegrams showed 214 messages of support, five of opposition. More than 200 phone calls brought cheers, a spokesman said; only three phone calls were hostile.

Mrs. Agnew accompanied the Vice President to Mr. Sinatra's walled estate in Palm Springs, Calif. The Agnews have been frequent guests of the actor, a man who has known controversy and undergone investigations himself. "He hasn't wavered," an Agnew spokesman said of Mr. Sinatra today.