

A Key Move in The Agnew Probe

Baltimore

Attorney General Elliot L. Richardson has decided to let evidence against Vice President Spiro T. Agnew go to the federal grand jury that is investigating alleged political corruption in Maryland, government sources in Washington said yesterday.

The purpose of the move to the grand jury, the sources said, is to review the substance of the case assembled thus far by the U.S. attorney for Baltimore, George Beall, and not to seek an indictment at present.

No decision has been made by Richardson on whether the evidence collected thus far would call for an indictment, nor has he ruled on the constitutional question of whether a sitting vice president can be charged with a crime or if he

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must first be removed from office.

PURPOSE

The sources stressed that it was not a move to indict the Vice President, but instead was a move to look deeper into the evidence gathered thus far.

"In a case of this magnitude, they want to make sure that they are not surprised (by unexpected evidence) and that what a witness says under oath before a grand jury is the same as what he says in the prosecutor's office," one source said.

The grand jury could decide on its own to bring an indictment against the Vice President. But before any such indictment could go to court, it would require the signature of Richardson, or Beall acting with his approval.

Thus, Richardson still must face the two key questions on constitutionality and on the weight of the evidence before any legal action is taken against Agnew.

STEP

However, the mere taking of the case to the grand jury appears to be a significant first step.

In Washington, John W. Hushen, the Justice Department spokesman, said there would be "no comment" on the matter.

In Baltimore, Beall told

reporters that there would be "activity" next week and that the grand jury would meet. He would not elaborate.

The grand jury has been meeting since January and investigating political corruption in the state.

On August 1, Beall wrote Judah Best, one of Agnew's lawyers, notifying him that the Vice President was under investigation for possible tax fraud, extortion, bribery and conspiracy.

On August 25, the grand jury indicted W. Dale Anderson, Agnew's successor as elected executive of suburban Baltimore county.

ACTION

Anderson was arraigned on the charge yesterday before U.S. District Court Judge Joseph H. Young. Anderson pleaded not guilty to a 39-count indictment that charges extortion, bribery and conspiracy.

The key witness against Anderson is William E. Fornoff, who resigned June 4 as the county director of administration, a post he held under both Anderson and Agnew.

Fornoff pleaded guilty to an income tax charge and agreed to work with the government prosecutors. The indictment against Anderson names Fornoff as a conduit for cash payments to the county executive.

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