

U.S. Jury Seen Getting Evidence in Agnew Probe Soon

By Edward Walsh
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BALTIMORE, Sept. 18— Federal prosecutors here plan to begin presenting evidence against Vice President Spiro T. Agnew to a grand jury either next week or the following week, reliable sources said today.

The federal grand jury is next scheduled to meet here this Thursday when it may return more indictments involving officials of the Baltimore County government, which Agnew headed from 1962 to

1966 before becoming governor of Maryland.

The same grand jury last month indicted the present Baltimore county executive, Dale Anderson, a Democrat, on 39 counts involving charges of extortion and bribery. Anderson, who succeeded Agnew as head of the Baltimore County government, was the original target of the investigation that now centers on Agnew.

George Beall, the U.S. attorney for Maryland who has headed the nine-month investigation of possible political cor-

ruption in Maryland, notified Agnew Aug. 2 that he is under investigation for possible violations of bribery, extortion, conspiracy and tax laws. Last week, Attorney General Elliot L. Richardson ruled that the grand jury may hear evidence about Agnew, but he did not decide whether the grand jury has the constitutional authority to indict the Vice President while he is in office.

Partly because of this undecided question of authority, reports of an impending vice presidential resignation were generally greeted with skepti-

cism here and among Maryland political observers in Annapolis. These observers noted that a resignation would prevent Agnew from arguing that he cannot be indicted by a grand jury before he is first impeached and removed from office by Congress.

Agnew's lawyers are known to be considering using such an argument, perhaps by filing a lawsuit to prevent the grand jury from hearing evidence concerning Agnew. Richardson's deferral of a decision on whether a Vice President must be removed from

office before he can be indicted on criminal charges has given Agnew's lawyers additional time to chart such counter moves to the investigation.

Agnew reportedly has discussed resigning with close associates, and one high-level Republican leader has said he is almost certain the Vice President will resign this week. Agnew himself has refused to comment on the reports of his impending resignation.

According to Agnew's lawyers, Jay Topkis and Judah Best, they have two main op-

tions in countering the investigation—both based on the lawyers' contention that the Constitution prohibits criminal proceedings against a Vice President who is in office.

One option, the lawyers say, would be to file suit in U.S. District Court in Washington or Baltimore seeking to prevent the Justice Department from continuing the investigation of Agnew. Such a suit would argue that only Congress has authority to act against Agnew while he is in office.

The other main option, ac-

ording to Topkis, would be for Agnew to take the initiative by asking the House of Representatives to conduct its own investigation of his activities and either clear him of charges or begin impeachment proceedings.

Both of these possible counter measures are available to Agnew only as long as he is Vice President. Agnew's lawyers acknowledge that they have considered both options, but they also say they may wait until after the grand jury has heard evidence involving the Vice President before making any counter moves.

At the federal courthouse here today there were few signs that the Agnew investigation may be approaching a climax. U.S. Attorney Beall refused to speak with reporters, but his assistants strolled the corridors here, appearing relaxed and unrushed.

Sources here say the details of the Agnew probe are being closely held by Beall and three young assistants who are working with him on the case. Other members of Beall's staff, the sources say, know little or nothing about the case.