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**Top Lawyers Score Nixon
And Ask Congress to Act**

By LESLEY OELSNER
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WASHINGTON, Oct. 22—Shocked and angered by what they consider to be an unprecedented attack on the nation's system of justice, the leaders of America's legal profession began mobilizing today to rebuff President Nixon and, if need be, to urge his impeachment.

Deans of 17 law schools signed a petition asking Congress to create a committee to "consider the necessity" of impeaching Mr. Nixon.

The petition, to be sent to Congress as soon as other deans can be reached and their signatures obtained, also calls for the creation of an independent Watergate prosecution office.

In other action, the president of the American Bar Association, Chesterfield Smith, called on the courts and Congress to take "appropriate action"—including but not limited to the creation of a special Watergate prosecution to "repel" the "attacks" that he said Mr. Nixon was making on the system of justice.

'Menace to Security'

In a statement issued by A.B.A. headquarters in Chicago, Mr. Smith accused Mr. Nixon of trying to "abort the established processes of justice." He added:

"There can be no menace to our security from within and none from without more lethal to our liberties at home and fatal to our influence abroad than this defiant flaunting of laws and courts."

[The full statement by Mr. Smith appears on the Op Ed Page.]

The president of the Association of the Bar of the City of New York—generally considered the second most influential legal group in the nation, after the A.B.A.—spent much of the day working by telephone with Congressional staff members to devise a statute that would set up a special prosecution office.

"I think it's a real crisis, a real constitutional crisis, and responsibility at the moment obviously lies with the Congress," the association president, Orville Schell, said.

In addition to setting up a

special office to handle the Watergate prosecutions, he went on, "they've got to consider impeachment."

Mr. Schell also noted that the association had an "actively pending" investigation look-

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ing into possible disbarment proceedings against various members of the New York Bar in Watergate-related crimes—including Mr. Nixon, who is a member of both the New York and California bars.

Nader to File Suit

In Washington, Ralph Nader, the consumer advocate, announced that his public interest law firm, Private Citizen, would file suit in Federal District Court here tomorrow challenging the removal of Archibald Cox as the special Watergate prosecutor.

And in law schools across the country, both students and faculty members pondered what action they or anyone else might take in the controversy.

At Columbia, for instance, students set up a group called the Columbia Law School Committee on the Constitutional Crisis and began putting together what they hope will be a large, interschool delegation to go to Congress next week to lobby for Mr. Nixon's impeachment.

The legal community, already shaken by the disclosure earlier this year that a parade of lawyers was involved in the Watergate break-in and cover-up, is concerned with two specific actions by the President. They are his refusal to comply with Judge John J. Sirica's order that he turn over to the court the disputed White House tape recordings bearing on Watergate crimes, and his dismissal of the special Watergate prosecutor, Mr. Cox, and abolishment of Mr. Cox's office.

Mr. Nixon's counsel contend that by offering to submit a "summary" of the contents of the tapes, Mr. Nixon is "satisfying" the Sirica order. But leaders of the legal profession seem almost unanimous in thinking that, the "summary" plan notwithstanding, Mr. Nixon is violating the law.

"The bottom line," said Mr. Schell, "is that Nixon is setting himself up as the sole arbiter, the sole judge of what goes on in this country, and

that is contrary to all our principles of separation of powers. And certainly, it is a devastating blow to the rule of law."

The petition of the law school deans, after recommending the creation of an independent Watergate prosecution office, referred to the President's action on the Sirica order, saying, "The President's stated refusal to comply with court rulings requiring him to produce relevant evidence raises a serious question as to whether he will cooperate fully with a Congressionally established prosecutor."

The only way to "protect against the contingency," the petition went on, is to consider the possibility of impeachment.

The following university law school deans have signed the petition thus far:

Albert Sacks, Harvard; Michael I. Sovern, Columbia; Abraham Goldstein, Yale; Robert B. McKay, New York University; Phil C. Neal, Chicago.

Also, Theodore St. Antoine, Michigan; Bernard Wolfman, Pennsylvania; Thomas Ehrlich, Stanford; Clinton Bamberger, Catholic; Adrian S. Fisher, Georgetown.

'Assult' on Justice

Also, Herbert O. Reid, Howard; Gordon Christiansen, American; Monroe H. Freedman, Hofstra; Kenneth L. Penegar, Tennessee; Otis King, Texas Southern; Willard D. Lorensen, West Virginia; Lindsay Cowen, Case Western Reserve.

Mr. Smith, in his statement, decried the Nixon plan to give the courts a summary as the substitution, "by Presidential fiat of a makeshift device," for the

type of evidence that the law traditionally requires. This substitution, he said, is "an assault of wholly unprecedented dimension on the very heart of the administration of justice."

There was also vast, if somewhat less total, agreement among leaders of the bar law schools regarding Mr. Nixon's dismissal of Mr. Cox.

Prof. Alexander Bickel of the Yale Law School contends that the dismissal was a lawful exercise of the President's right to oust one of his employees in the executive branch. Other than that notable exception however, there are few lawyers who were defending the action, publicly at least.

Both Mr. Schell and Mr. Smith took care to point out that some lawyers, at least, had acted with what they called legality in the latest chapter of the Watergate affair. They cited Mr. Cox; Elliot L. Richardson, who resigned as Attorney General rather than dismiss Mr. Cox; and William D. Ruckelshaus, who was discharged as Deputy Attorney General when he, too, refused to carry out Mr. Nixon's order to discharge the special prosecutor.

"As a citizen and member of the bar I am infinitely proud of them," Mr. Schell said. Mr. Smith said that the three had emphasized to the people of this nation that they are lawyers who honor and cherish the tradition of the legal profession and that they are lawyers who properly and without hesitation put ethics and professional honor above public office."