

Percy urges new prober

By Carl Irving

Sen. Charles Percy, the man who first urged in Congress the appointment of a special prosecutor in the Watergate affair, vows he will do all he can to restore the office.

The Illinois Republican said that he might propose a new prosecutor, appointed by Congress this time, to pursue the investigation begun by Archibald Cox, the discharged special prosecutor.

Percy added that President Nixon's firing of Cox could imperil Senate confirmation of Rep. Gerald R. Ford as Vice President.

The 54 year old senator, regarded as a leading contender for the GOP presidential nomination in 1976, spoke at a news conference at the Fairmont Hotel yesterday. He is visiting here with a son, Mark, a freshman at Stanford, and a daughter, Gail, a junior at the University of California at Santa Cruz.

Last May, Percy was chief sponsor of a bi-partisan proposal in the Senate to appoint a special prosecutor to

direct the Watergate investigation.

He noted here that he warned at the time the prosecutor would have to be independent of the executive branch:

"As I said then, 'a simple and very basic question is at issue: should the executive investigate itself?' Quite simply, the answer is 'no.'"

Now, said Percy, he would do all he could to restore, "in appropriate jurisdiction, the special prosecutor, his staff, and all of the papers and documents developed by them over the past several months."

That jurisdiction, he noted, could be either within the federal court or empowered by Congress. He said he hadn't thought it through, but noted that Nixon himself while in Congress had once proposed congressional appointment of a grand jury.

"I can't see how Nixon could oppose congressional appointment (of a prosecutor)" Percy commented.

The senator ducked questions about impeachment of the President. He said that was a matter for the House of Representatives, as pro-

vided in the Constitution. He, as a senator, would come into the picture later as a juror, to decide the verdict. But he added that "unfortunately, and tragically," chances for impeachment "have improved over the weekend."

He said the White House staff had once again displayed a remoteness from reality over the weekend, by evidencing surprise at the public reaction to the firings.

His own soundings, Percy added, indicate that America faces crises of "unparalleled magnitude." One involves the confrontations between the branches of government; the other, fading public trust in government.

Restoring that trust, he said, requires that the judiciary process be allowed "to work its will." He said he believed that the 60 members of Cox's staff will be allowed to stay on and finish the investigation.

He noted that Nixon had asked earlier this year for the Watergate affair to be left to the courts. "But all of this would now seem either frustrated or undone," he said.