

Mixed Views on Prosecutor's Post

Washington

The appointment of Leon Jaworski as special Watergate prosecutor brought conflicting reactions yesterday on whether Congress should provide by law that the courts fill the post.

Senate Democratic liberals said it now is essential that legislation be passed quickly, providing for judicial appointment of a prosecutor not subject to dismissal by the President.

House Democratic leaders said they will proceed with legislation to provide for a court-appointed prosecutor.

Representative Peter W. Rodino (Dem - N.J.), House Judiciary Committee chairman, said his committee is going ahead with consideration of legislation to permit a three-judge panel in the U.S. district court to name a special prosecutor.

Senator John L. McClellan (Dem - Ark.), presiding at a Senate Judiciary Committee hearing, said that with Jaworski's appointment "it may be we need to stop and

reassess the situation."

Senator Roman L. Hruska (Rep - Neb.) questioned whether "Congress can intervene at this point" and pass legislation to empower the court to appoint a special prosecutor.

Senator Adlai Stevenson (Dem - Ill.), a witness before the committee, said he is satisfied Congress has the constitutional authority to pass such legislation.

McClellan later told newsmen it would make no sense to have two prosecutors. If legislation is to be passed to provide for a court appointment, he said, it should specifically wipe out Jaworski's appointment.

Senator Birch Bayh (Dem - Ind.), a committee member, agreed with Stevenson that a special prosecutor and his independence should be provided for by law and not be "subject to a change of mind by the President."

The committee is considering various bills providing for a court-appointed prosecutor.

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