

House Bill Would Let Court Name Prosecutor

Washington

A House Judiciary subcommittee, on a 5-to-4 party line vote, approved yesterday legislation to create a court-appointed special Watergate prosecutor.

The full committee will take it up today.

The measure, sponsored by Democrats disgruntled at President Nixon's firing of special prosecutor Archibald Cox, would provide that three judges on the U.S. District Court in Washington name a prosecutor for a three-year term and have the sole power to discharge him.

The full judiciary panel hopes to complete action on the bill by tomorrow, since it opens hearings Thursday on the nomination of Gerald R. Ford to be Vice President.

Approval is expected, with the full House to vote on the

measure November 26.

The Senate Judiciary Committee meets today for final action on a bill which would empower the chief judge of the U.S. District Court to name a prosecutor independent of the executive branch. That committee appears evenly divided on the issue, and a tie vote would kill the legislation.

Republicans opposed the House version of the bill because of fears it might be unconstitutional and subsequent court tests could further delay prosecution of anyone indicted by the Watergate Grand Jury.

To allay those fears, the subcommittee added language to provide for speedy appeal of any indictments to a three-judge court of appeals panel or directly to the Supreme Court. The appeal would have to be filed within 15 days after the indictment.

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