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No End in Sight for Prosecutor's Job

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WASHINGTON, April 30—Few observers ever thought the job of Watergate special prosecutor would be quick and tidy.

Now, 11 months after the job was created and 22 months after burglars surrendered inside Democratic national headquarters at the Watergate office building, there seems no end in sight for the sprawling, shifting series of court actions and investigations.

The special prosecutor has eight appeals to handle, 16 individuals and two corporations under indictment, five men awaiting sentencing and 23 men and corporations whose cases are closed.

More indictments are yet to be handed up by the three grand juries still sitting. Investigations—one of them brand new—are still under way.

The special prosecutor's office will say next to nothing about the future or about how long its lawyers will be on the job or when the investigators will be done.

But there are two major cases that could easily drag out their work for years, even if no further indictments were ever handed down.

One is the alleged attempt to cover up the original Watergate burglary. It lists seven defendants—H. R. Haldeman, John D. Ehrlichman, John N. Mitchell, Robert C. Mardian, Gordon C. Strachan, Charles W. Colson and Kenneth Wells Par-

kinson—and 24 criminal counts. All seven men are charged with conspiracy to obstruct justice. This charge alone covers 45 overt acts that the special prosecutor will try to prove in court.

A blizzard of motions is expected. There have already been requests by the defense that Federal District Judge John J. Sirica remove himself from the case.

There will be arguments from the seven defense lawyers. Rulings may be appealed along the way. A jury verdict can be appealed by the defense.

The case, tentatively set for Sept. 9, could easily stretch out for several years until the last paper is stamped and filed, the last defendant's guilt or innocence pinned down.

The second major case is the so-called plumbers indictment of six for conspiracy. There are Bernard L. Barker, John D. Ehrlichman, Charles W. Colson, Eugenio R. Martinez, Felipe de Diego and G. Gordon Liddy.

A similar case under state law—dismissed when the Federal case was brought—began in California. It bogged down in attempts to call President Nixon as a defense witness.

Presidential Immunity

The President's lawyer, James D. St. Clair, said Mr. Nixon would not appear. He spoke of a "compelling necessity for Presidential immunity from judicial process."

Mr. St. Clair used Thomas Jefferson's argument that a President could be "constantly trudging" from one court to the next answering subpoenas while

his constitutional duties fell by the wayside.

But at the same time, the Sixth Amendment guarantees a defendant's right to subpoena witnesses to defend him.

The clash of these two positions would tie the case up for some time.

The investigating continues, meanwhile, with the new subject of the President's income taxes just handed to special prosecutor Leon Jaworski (he had no tax specialists on his staff) added to the continuing maneuvering over Presidential tape recordings, the shifting inquiry into whether Federal officials did favors to those giving big donations to Mr. Nixon's campaigns. And the complex study of contributions from the dairymen.

Archibald Cox, the first special prosecutor, recruited the staff for at least a two-year stay in Washington. He always viewed the job as a long one.

With a sense of regret for things undone as a law professor, he was known to tell his Watergate lawyers that he might never get back to Harvard University before retirement. He was 61 years old at the time.

'An Awesome Thing'

"It is kind of an awesome thing to be called upon to play God—it really is," the crew-cut professor said last spring at Harvard.

But sorting the facts for evidence of wrongdoing and placing blame became his lot. It was a task, he said, to be done "with thoroughness and fairness, which conflicts with speed."

After the Saturday night massacre of Mr. Cox last Oct. 20, he was replaced by Mr. Jaworski, a Texas trial lawyer who brought with him a sense of urgency.

He used to speak to the staff of winding the whole thing up in three months. That was in December and January. He hoped to move things along but he, too, spoke of the need for fairness and thoroughness.

Mr. Cox took a house in the Georgetown section. Mr. Jaworski to this day still rents in a downtown hotel.

"His emotion and desire is to be here as short a time as possible," said one man who knows the special prosecutor.

If anything, the case looks much bigger today than it did a year ago, according to some of those who have worked on it since the beginning.

The tapes alone supply a sort of geometric progression: they are said to refer to other meetings and other decisions at other times leading to the need for further tapes that refer to still further meetings and decisions and tapes.

The first Presidential subpoena was for only nine conversations; the latest one was for 64.

Still the investigators fan out through the ranks of politicians, Federal officials and campaign contributors. The grand juries listen to evidence, and the lawyers prepare for their days in court.

If there is light at the end of the tunnel, few have seen it.