

# Levi to Keep a Watergate Prosecutor

By JOHN M. CREWDSON

Special to The New York Times

WASHINGTON

Sept. 19—Attorney General Edward H. Levi has decided to let the special Watergate prosecutor's office remain open indefinitely to prepare arguments against pending or expected appeals filed by convicted Watergate figures.

Henry S. Ruth, the current prosecutor and the third lawyer to hold the post since it was created two and a half years ago, is known to have argued against keeping the office open after the release of its long-awaited final report on the Watergate cases, now scheduled for early October.

But Mr. Levi's view, which reportedly prevailed in his discussions with Mr. Ruth over the future of the special prosecution force, was that some of the lawyers who were familiar with the details of the various Watergate prosecutions should be retained to handle appeals arising from those convictions rather than having the appeals shunted abruptly to regular Justice Department lawyers.

### No Wrongdoing Found

Meanwhile, the prosecutor's office disclosed that it had ended its investigation into whether L. Patrick Gray 3d, the former acting director of the Federal Bureau of Investigation, had violated Federal law in destroying documents related to the Watergate cover-up.

A spokesman for Mr. Ruth was quoted as saying that a letter was being sent to Mr. Gray's attorney informing him

that the investigation had been concluded with no finding of wrongdoing by Mr. Gray.

According to associates, Mr. Ruth will resign shortly after the prosecutor's report is made public. He is expected to take a position with the Urban Institute, a Washington-based research organization.

Justice Department officials said today that for the time being the prosecutor's office would remain an independent arm of the Justice Department, but that its staff would be "somewhat reduced" in size.

No decision has been made on who will replace Mr. Ruth as its chief, the officials said.

There are a number of pending appeals of convictions on

Watergate-related crime, including some filed by the defendants in the Watergate cover-up trial that ended last January. Other appeals are possible if further convictions are gained in a trial now underway in Los Angeles, involving possible fraud in connection with President Nixon's tax pay-

The Watergate prosecutor's office has continued to investigate a number of aspects of the political scandal, including the possible misuse of campaign contributions by Mr. Nixon and some of his aides, but there is little likelihood that any of these inquiries will result in indictments before the issuance of the prosecutor's final report.

9-20-75  
NYT