

# Refused 'To Go to The Wall'

## House Group Backed Role Of Prosecutor

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House Republican leaders bluntly warned President Nixon yesterday that they would not "go to the wall" with him in blocking impeachment proceedings unless he made his Watergate tapes available to the courts. They also urged him to continue the office of Watergate special prosecutor.

Soon after this message was carried back to Mr. Nixon by counsellor Bryce N. Harlow, the President reversed himself and decided to turn over the tapes to U.S. District Court Judge John P. Sirica.

"Damn all this executive privilege," Rep. Jack Edwards of Alabama told Harlow. "People are saying the tapes have to be turned over."

White House officials, in both on-the-record and background conversations, gave a variety of reasons for the President's change of heart. Among them was the threat of impeachment, the strongly negative reaction from Republican congressmen and the public to Mr. Nixon's firing of Watergate Special Prosecutor Archibald Cox, and the press conference yesterday by Elliot L. Richardson, who resigned as Attorney General rather than dismiss Cox.

"Elliot's press conference was pretty tough on the President," said one highly placed official.

At a White House press conference, Alexander M. Haig Jr. said that the President's turn around on the tapes issue did not stem just from impeachment threat, which he discounted, but "the whole milieu of national concern" that developed after the weekend's events.

The President's decision was made yesterday morning. See **PRESIDENT, A11, Col. 1**

*President Nixon's speech at 9 tonight will be carried by Channels 4, 5, 7, 9, 26.*

### **PRESIDENT, From A1**

ing after "very painful and agonizing discussions" with his staff, Haig said. At noon, the President instructed Charles Alan Wright, a University of Texas law professor who is serving as special counsel, to tell Sirica that the tapes would be turned over to him.

Haig and Wright acknowledged that they miscalculated public reaction to the Friday night announcement that the President would make the tapes available through Sen. John Stennis (D-Miss.).

Wright said that his own mood Friday night after the President's decision was announced was "euphoric." He said he checked out of his hotel Saturday morning thinking his White House work was done.

"We did not think Cox would take the action he did," Wright said.

"But the crisis heightened and the President thought that the way to put an end to the crisis was to take the action he did," the law professor said.

Harlow's mission at yesterday's morning meeting with the GOP congressmen had been to explain the reasons for Mr. Nixon's action in firing Cox. But he was met with a hostile group of Republicans.

Rep. John Anderson of Illinois, leader of the House Republican Conference, told Harlow that it was necessary for the President to turn over the tapes if he wanted Republicans to de-

fend him in the House. He was strongly supported by Rep. John Rhodes of Arizona and Rep. Leslie Arends, the GOP Whip.

Minority Leader Gerald R. Ford of Michigan, designated by Mr. Nixon as his new Vice President, was not present at the leadership meeting. But when he was advised of the President's decision just before speaking to the Pennsylvania Legislature in Harrisburg, Ford said the action had avoided "a constitutional crisis between the courts and the White House."

According to congress-

sional sources, Harlow promised to carry back the message about the tapes from the Republican leaders to the President, but did not give any indication that Mr. Nixon might change his mind.

Harlow, accompanied by White House special counsel J. Fred Buzhardt, returned for an afternoon meeting with the congressmen and told them of the tapes decision. He also said that the President did not intend to name a special prosecutor. This was denounced as "idiocy" by Anderson, who said the result would be Senate Judiciary Committee hearings into the dismissal of Cox and the failure of the President ever to win Senate confirmation of a new Attorney General.

But Rhodes indicated there is less unanimity among the GOP leaders on the special prosecutor question than on the issue of the tapes.

"The investigation of the Watergate situation and any cover-up should be continued," Rhodes said. "But we don't need a fourth branch of government, which is what the investigation was becoming under Archie Cox. I have every confidence in the ability of (Deputy Attorney General) Henry E. Petersen to do the job."

There have been persistent reports that Petersen will follow Richardson's example and quit if the White House interferes with his efforts in the Watergate prosecution.





By Harry Naltchayan—The Washington Post

**White House special counsel Charles Wright and Alexander Haig brief newsmen.**



The official White House view was that Mr. Nixon fired Cox as the aftermath of an effort to reach a genuine compromise on the Watergate tapes. Haig said that on the weekend of Oct. 13 the President determined that he would make "a herculean effort to resolve the constitutional crisis." The result was the agreement to permit Stennis to listen to the tapes and report on them.

On the weekend of Oct. 13, the President decided to seek a compromise for two reasons, Haig said:

On the domestic front, the tapes issue "had progressively begun to polarize our body politic." The threat to impeach the President raised the possibility that Mr. Nixon might be removed with no Vice President in office. That would mean "a turnover of the government to a party which did not win November's election."

If the President took the issue to the Supreme Court the debate would be intensified over a substantial period of time and "would result in an even more intense political line-drawing, more intense disunity and more intense doubt and conflict here at home," Haig said.

On the international front, any foreign leader, friend or foe, would have to take into account the disunity in America and make calculations as to the "unity, the permanency, the strength and the resiliency of this government." The President acted "for these two fundamental reasons and no others," Haig said.

Haig said Stennis was selected to listen to the tapes for four reasons: "no one was better able to assess the national security aspects" than Stennis; his "honesty and integrity" were unquestioned; he is a former judge, and he is a Democrat.

Having obtained Stennis' agreement, Richardson attempted to win the acquiescence of Cox, Haig said, and he spent several days on that task.

By Thursday, it was apparent that Cox could not accept the proposal because of "his strong desire" to pursue additional tapes and papers "involving private conversations of the President," Haig said.

That was "not the kind of cooperative effort we had hoped for," Haig said. Nevertheless, Senators Ervin and Baker agreed to the proposal on Friday "and we set in train the chain of events that brought us to Saturday's firestorm," Haig said.

The President believed he was making a fundamental concession in the national interest, Haig said. He instructed Richardson to inform Cox that he would proceed.

On Friday night, when the decision was announced, "we all assumed" that Cox had three options, Haig explained. He could accept the fact that he was receiving the information he sought; he could have determined that the prohibition on his seeking additional documents was not acceptable and resign; or he could rebut and challenge the President.

When he took the latter course and defied the President in a televised press conference Saturday, Haig said Mr. Nixon had no alternative but to dismiss him.

Both Haig and Wright said that they had not heard the tapes. However, they expressed confidence that the tapes would support the President's explanation of his lack of knowledge of the Watergate coverup.

When asked if he had given the order to the FBI to seal off the special prosecutor's office after he was dismissed Saturday night, Haig replied: "Guilty."

He said he was informed that members of Cox's staff were "leaving with huge bundles of documents under their arms" and that he acted to preserve the files.

Haig acknowledged that there had been criticism of Cox at the White House, and particularly of some members of his staff, who were suspected of "partisanship." He said he did not agree with those who said that Cox was "out to get the President."

Two White House officials and an official in the Justice Department pointed to Richardson's press conference as influencing Mr. Nixon's decision.

"The President had hoped that Richardson, the one great symbol of credibility in this administration, would come to his defense," the source said. "Instead, while Richardson gave a fair appraisal of the President's views, he really came to Cox' defense."