## Special Prosecutor, Faced With Move

NYTIMES BY ANTHONY RIPLEY

WASHINGTON, July 23— Special Prosecutor Archibald

the matter at a news confer-phasized three points in his ence in the next few days.

and would comment further on statement, the prosecutor em-

WASHINGTON, July 23—
Special Prosecutor Archibald
Cox, who said last May 21 that
he would either resign or seek
"some public recourse" if anyone attempted to block his
criminal investigation of the
Watergate scandals, ran into a
block today. He did not resign.
He went to court.

Mr. Cox announced at a brief
meeting with newsmen that he
would seek to subpoena tape
recordings of eight specific
White House conversations he
considered important to the
case. He also said that he had
been seeking other documents,
presumably without success,

There are other pending requests for information from the
White House," he said, adding
that he would discuss those requests "when we're in a better
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would be the target of his subould be the target of his subous conspiracy would set no damyother details.

He said he would try to resolve the problem through the
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## to Block Inquiry, to Subpoena Tapes

said the matter involved executive privilege based on the separation of powers among the courts, the Presidency and said able," the professor said.

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Mr. Cox answere the public interest to make the tapes available, the professor said.

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Mr. Cox answered:

"If it were a matter of the slightest importance, yes—
unless you are talking simply hearings on the confirmation of Elliot L. Richardson as Attorney General, Mr. Cox spoke of executive privilege and the possibility that someone might try to block his investigation into the public interest to make some of those communications public.

The President must weigh whether the public interest is better served by witholding information from a criminal investigation or preserving the confidentiality of his personal communications, Mr. Wright continued.

"In this intance, the Presidency and Congress.

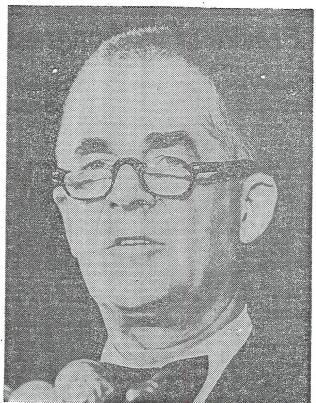
dent has concluded that it would not serve the public interest to make the tapes available," the professor said.

Last May 21, during Senate to Elliot L. Richardson as Attorney General, Mr. Cox spoke of executive privilege and the possibility that someone might try to block his investigation into the block his investigation into the doctrine of executive privilege of executive privilege particularly in this matter," Mr. Cox answered:

"It at thought it was a matter of the slightest importance, yes—unless you are talking simply doout the budgetary matter.

"But if I thought it was a matter of the conduct of the investigation and was in any way an attempt to block some-thing that I thought was not only less than important, even significant, well, I would either resign or find some public recourse.

"The majority whip, Senator Robert C. Byrd, Democrat of West Virginia, questioned him at the time asking, "If you were overruled by [Mr. Richardson], quired of me."



Archibald Cox, special Watergate prosecutor, telling reporters that he would subpoena the Presidential tapes.