

Nixon Offers Summary of
Tapes, 'Orders' Case Ended

Cox Won't Halt Bid to Get Tapes

Washington

Archibald Cox, the Justice Department's special Watergate prosecutor, declared last night that he would not accept President Nixon's order to stop trying to obtain the White House tapes through judicial action.

In a brief but strongly worded statement, Cox said that to comply with the presidential directive would "violate my promise" to the Senate and the nation to use the courts to challenge "exaggerated claims of executive privilege," that is, presidential privilege.

He said the President, in his judgement, was in contempt of the federal courts in refusing to make available tape recordings notes and other documents that had been subpoenaed for presentation to the Watergate grand jury.

AGREE

Cox rejected the summary of the contents of the tape recordings that Mr. Nixon has agreed to provide as inadequate and said he would bring his position "to the attention of the court and abide by its decision."

It was unclear from the Cox statement to which court he was referring. The special prosecutor declined to answer questions, but aides aid that he would hold

a news conference today.

Asked whether Cox was intimating that he would carry his quest for the presidential documents and recordings to the Supreme Court despite Mr. Nixon's directive, a spokesman replied only that "it's not as simple a question as you think."

Nevertheless, it was clear from the statement's language that Cox considered the President's orders a threat to the whole of his broad investigation into the Watergate case and othalle-gations of wrongdoing.

He noted that if Mr. Nixon's order were allowed to stand, it would "apply to all such matters in the future," and would hamper attempts to prosecute officials "who abused high government office."

Cox declared in July that

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he would either resign or seek "some public recourse" if anyone attempted to block the criminal investigations over which he has been given jurisdiction.

One of his aides said last night ahat "there will be no resignation" by the special prosecutor. Asked if Cox believed his job was not in jeopardy, the aide replied only that "as a matter of law, it's not clear" whether Mr. Nixon could discharge the special prosecutor, even though he was appointed by Mr. Nixon's attorney General Elliot L Richardson.

Richardson indicated at his confirmation hearings before the Senate in May his intention to give Cox latitude to conduct an unimpeded inquiry into the Watergate

scandals.

The statement by Cox last night asserted that the Nixon order was "inviolation of the promises which the attorney general made to the Senate when his nomination was confirmed."

Although Mr. Nixon said earlier last night that Cox had "rejected" his proposal to let Senator John C. Stennis of Mississippi provide independent verification that any White House summary of the recordings was accurate, Cox's aide said that, "we did not reject any proposal.

"Is it rejecting a proposal to raise questions about the propriety of this proposition?" he asked. "If it's not, we didn' reject it." He would not elaborate.



AP Wirephoto

SPECIAL PROSECUTOR ARCHIBALD COX
He said he wouldn't comply with Nixon's plan

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