

# Cox: 'Not out to get Nixon'

Examiner News Services

WASHINGTON — Special Watergate Prosecutor Archibald Cox said today he is not "out to get the President" but will fight for what he thinks is right in the dispute over Nixon's secret tapes.

At a news conference called to explain his refusal to accept a White House compromise to avert a constitutional crisis, Cox said he didn't "feel defiant."

"In fact," he said with a smile, "I told my wife this morning that I hate a fight. But some things I feel very deeply about are at stake and I hope I can explain and defend them steadfastly.

"I'm not looking for a confrontation. I have worried a good deal in my life about posing too much of a strain on our constitutional institutions. I'm certainly not out to get the President of the United States . . . (but) in the end I decided I had to try to stick by what I thought was right."

Nixon last night announced he had reached a compromise in the unprecedented tapes dispute with the Senate Watergate committee but that Cox had rejected it. The President ordered Cox to halt all legal proceedings against him.

Meanwhile, Sen. John Stennis (D-Miss.) said he has "an absolute promise of a free hand" in authenticating Nixon's tape recordings, as Nixon proposed last night.

Stennis, a former circuit court judge, added that if he suspects the tapes have been tampered with he will seek some "technical advice."

Directly challenging the Nixon proposal, Cox told the news conference it is unlikely that a summary of White House tapes would be acceptable in prosecuting the Watergate case.

Taking a stand that sources close to the case believe could prompt Nixon to fire Cox, the special prosecutor said the President's instructions to halt pursuit of papers and tapes are inconsistent with the pledge given the Senate that "I would be given an independent hand."

Cox said there is "evidence of serious wrongdoing on the part of high government officials," adding that "the problem is unique because nearly all the evidence . . . is in White House papers and files."

He said he feels "it is my duty as the special prosecutor, as an officer of the court and as the representative of the grand jury to bring to the court's attention what seems to me to be noncompliance with the court's order."

As parts of the proposed compromise, Nixon let last night's deadline pass without challenging the U.S. Court of

—Turn to Page 6, Col. 1

—From Page 1

Appeals' ruling upholding U.S. District Court Judge John J. Sirica's order to turn over nine specific tapes so Sirica could decide whether they were relevant to the grand jury's Watergate probe.

Presumably Cox's statement means he will go before

Judge Sirica to seek enforcement of the order.

In a statement issued at the White House last night Nixon said he had agreed to let veteran Sen. John Stennis (D-Miss.) listen to the tapes to verify the accuracy of a presidential summary of their contents.

Nixon said he would not ask the Supreme Court to review a Court of Appeals decision upholding Sirica's order and he directed Cox to halt efforts to enforce his subpoena.

Cox issued a statement saying that if he complied with the President's instructions it "would violate my solemn pledge to the Senate and the country . . . I shall not violate my promise."

He said he would inform the courts that "no steps are being taken to turn over the important notes, memoranda and other documents that the court orders require."

It was understood that the President, who pointedly referred to Cox as "an employe of the executive branch," was ready to fire the prosecutor if he continued to press his court battle.

The President said he had the support of Sens. Sam Ervin (D-N.C.) and Howard Baker (R-Tenn.), the senior members of the Senate Watergate Committee, for his decision to let Stennis listen to the tapes.

Baker called it "a good decision and in the best interest of the country."

But Sen. Lowell Weicker (R-Conn.), another member of the committee, disagreed. "I reject the hollow deal to release a summary of the evidence rather than the evidence itself," he said.

Stennis, whom the President described as "a very distinguished man, highly respected by all elements in American life for his integrity, his fairness and his patriotism," said, "If I am called on to listen to the tapes and certify as to their content I will consider it a call to duty and render the service as best I can."

But a key figure in the proposed compromise was Sirica, and he remained silent.

It was understood he had not been consulted by the President before the White House statement was issued.

Nixon remained under a court order to surrender the tapes to Sirica, and it would be up to the judge to say whether he is willing to accept a summary in place of the tapes themselves.

Nixon said he has "the utmost confidence" in Sirica's "discretion and integrity." But, he said, "to allow the tapes to be heard by one judge would create a precedent that would be available to 400 district judges."

The President said he had agreed to prepare the summary "with greatest reluctance" and emphasized he was making it available voluntarily rather than in compliance with the court order.

Repeating an argument he has used throughout the long dispute, Nixon said that to obey the court order "would create a precedent that Presidents are required to submit to judicial demands that purport to override presidential determinations on requirements for confidentiality."

James Doyle, a spokesman for Cox, hinted later that Cox might be willing to accept some form of compromise.

He said Cox "didn't reject any proposal . . . We didn't buy anything but we never said that's completely unacceptable."