

Nixon Forces Firing of Cox;
Richardson, Ruckelshaus Quit

WXPost OCT 21 1973
**President Abolishes
Prosecutor's Office,
FBI Seals Records**

By Carroll Kilpatrick
Washington Post Staff Writer

In the most traumatic government upheaval of the Watergate crisis, President Nixon yesterday discharged Special Prosecutor Archibald Cox, and accepted the resignations of Attorney General Elliot L. Richardson and Deputy Attorney General William D. Ruckelshaus.

The President also abolished the office of the special prosecutor and turned over to the Justice Department the entire responsibility for further investigation and prosecution of suspects and defendants in Watergate and related cases.

Shortly after the White House announcement, FBI agents sealed off the offices of Richardson and Ruckelshaus in the Justice Department and at Cox's headquarters in an office building on K Street N.W.

An FBI spokesman said the agents moved in "at the request of the White House."

Agents told staff members in Cox's office they would be allowed to take out only personal papers. A Justice Department official said the FBI agents and building guards at Richardson's and Ruckelshaus's offices were there "to be sure that nothing was taken out."

Richardson resigned when Mr. Nixon instructed him to fire Cox and Richardson refused. When the President then asked Ruckelshaus to dismiss Cox, he refused, White House spokesman Ronald L. Ziegler said, and he was fired. Ruckelshaus said he resigned.

Finally, the President turned to Solicitor General Robert H. Bork, who by law becomes acting Attorney General when the Attorney General and deputy attorney general are absent, and he carried out the President's order to fire Cox. The letter from the President to Bork also said Ruckelshaus resigned.

These dramatic developments were announced at the White House at 8:25 p.m. after Cox had refused to accept or comply with the terms of an agreement worked out by the President and the Senate Watergate committee under which summarized material from the White House Watergate tapes would be turned over to Cox and the Senate committee.

In announcing the plan Friday night, the President ordered Cox to make no further effort to obtain tapes or other presidential documents.

Cox responded that he could not comply with the President's instructions and elaborated on his refusal and vowed to pursue the tape recordings at a televised news conference yesterday.

That set in motion the chain of events that resulted in the departure of Cox and the two top officials of the Justice Department and immediately raised prospects that the President himself might be impeached or forced to resign.

In a statement last night, Cox said: "Whether ours shall continue to be a government of laws and not of men is now for Congress and ultimately the American people."

The action raised new questions as to whether Congress would proceed to confirm House Minority Leader Gerald R. Ford of Michigan to be Vice President or leave Speaker of the House Carl Albert (D-Okla.) next in line of succession to the highest office in the land.

Richardson met at the White House in the late afternoon with Mr. Nixon, and at 8:25 p.m. Ziegler appeared in

the White House press room to read a statement outlining the President's decisions. OCT 21 1973

See TAPES, A3, Col. 1

TAPES, From A1

The President discharged Cox because he "refused to comply with instructions" the President gave him Friday night through the Attorney General, Ziegler said.

Furthermore, Ziegler said, the office of special prosecutor was abolished and its functions have been turned over to the Department of Justice.

The department will carry out the functions of the prosecutor's office "with thoroughness and vigor," Ziegler said.

Mr. Nixon sought to avoid a constitutional confrontation by the action he announced Friday, the press secretary said, to give the courts the information from the tapes which the President had considered privileged.

That action was accepted by "responsible leaders in the Congress and in the country," Ziegler commented, but the special prosecutor "defied" the President's instructions "at a time of serious world crisis" and made it "necessary" for the President to discharge him.

Before taking action, Ziegler said, the President met with Richardson to instruct him to dismiss Cox, but Richardson felt he could not do so because it conflicted with the promise he had made to the Senate, Ziegler said.

After Richardson submitted his resignation, the President directed Ruckelshaus to dismiss Cox. When Ruckelshaus refused to carry out the President's directive, he also was "discharged," Ziegler said. The President's letter to Bork said Ruckelshaus resigned.

Mr. Nixon then directed Bork to carry out the instruction. Bork did so in a two-paragraph letter to Cox, in which he said that at the instruction of the President he was "discharging you, effective at once, from your position as special prosecutor, Watergate special prosecution force."

Bork signed his letter as "acting Attorney General."

Richardson told the President in his letter that he was resigning with "deep regret." He explained that when named Attorney General "you gave me the authority to name a special prosecutor."

"At many points throughout the nomination hearings, I reaffirmed my intention to assure the independence of the special prosecutor," Richardson said.

He said he promised that Cox would not be dismissed except for "extraordinary improprieties."

"While I fully respect the reasons that have led you to conclude that the special prosecutor must be discharged, I trust that you understand that I could not in the light of these firm and repeated commitments carry out your direction that this be done," Richardson said.

Richardson expressed "lasting gratitude" to the President, under whom he also served as under secretary of state, Secretary of Health, Education and Welfare and Secretary of Defense. He became Attorney General in May after the resignation of Richard G. Kleindienst, who explained that because of his close association with former Attorney General John N. Mitchell and others involved in Watergate he did not believe he should stay in the post and carry out their prosecution.

"It has been a privilege to share in your efforts to make the structure of world peace more stable and the structure of our own government more responsive," Richardson wrote Mr. Nixon.

"I believe profoundly in the rightness and importance of those efforts, and I trust that they will meet with increasing success in the remaining years of your presidency."

The President replied with a one-sentence letter, addressed "Dear Elliot." It said: "It is with the deepest regret and with an understanding of the circumstances which brought you to your decision that I accept your resignation."

The White House did not release an exchange of letters between Ruckelshaus and the President. But Ruckelshaus

wrote a resignation letter and released it.

In a letter to Bork, the President, noting that by law he was acting Attorney General, said that Cox had "made it apparent that he will not comply with the instructions I issued to him."

"Clearly the government of the United States cannot function if employees of the executive branch are free to ignore in this fashion the instructions of the President," Mr. Nixon wrote.

"Accordingly, in your capacity of acting Attorney General, I direct you to discharge Mr. Cox immediately and to take all steps necessary to return to the Department of Justice the functions now being performed by the Watergate Special Prosecution Force.

"It is my expectation that the Department of Justice will continue with full vigor the investigations and prosecutions that had been entrusted to the Watergate special prosecution force."

At the Justice Department, where there were repeated requests by newsmen to interview Richardson and Ruckelshaus, department spokesman John W. Hushen said they had "no desire to come out and talk to newsmen."

Hushen quoted Bork: "All I will say is that I carried out the President's directive."

Hushen said that Richardson would hold a news conference "within a few days." Beginning about 8 p.m., Richardson spent an hour or so calling "relatives, friends and associates," Hushen said.

White House aides, visibly shocked by the developments, argued that when direct quotations from the presidential tapes are released they will restore confidence in the President.

Sen. John Stennis (D-Miss.), picked by Mr. Nixon to listen to all the tapes, will have "unlimited" access to the pertinent recordings and can decide what should or should not be disclosed.

Stennis is expected to begin listening to them soon, possibly early this week. Those requested by the special prosecutor run 10 hours and one minute. Stennis may decide to listen to all or parts of them more than once. He will be the only one to do so. The President's statement on the tapes and the excerpts from them will be delivered to the U.S. District Court here and to the Senate Watergate committee at the same time, officials said.