

Lawyers Draft Court Reply

By Carroll Kilpatrick
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President Nixon spent a long Sunday in his office conferring with aides about a possible report to the nation on his dismissal of Watergate Special Prosecutor Archibald Cox and the reply his lawyers will make this week in federal court here.

With criticism mounting over his dismissal of Cox and the resignations of Attorney General Elliot L. Richardson and Deputy Attorney General William D. Ruckelshaus, Mr. Nixon also worked on the statement he is preparing on the Watergate tape recordings for Sen. John Stennis (D-Miss.).

The first part of the President's summary of the tapes should be ready for Stennis by Tuesday, officials said as they also worked to complete the formal explanation to U.S. District Court Judge John J. Sirica of the compromise proposal on the tapes.

The lawyers are expected to make their presentation to the court in a day or two.

No decision on a speech or special statement by the President was made last night, officials said, but some of them strongly urged the President to defend himself on national television without waiting two or three weeks for Stennis to complete his review of the tapes.

The lawyers will argue that the president complied with the U.S. Circuit Court of Appeals order when he agreed to disclose the contents of the tapes to the court and to the Senate Watergate investigating committee after verification by Stennis.

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PRESIDENT, From A1

White House officials maintained that Mr. Nixon made a great concession by agreeing to release summaries of the tapes and to allow Stennis to listen to all of the tapes in question. These officials were taken by surprise when the proposed compromise was rejected by Cox and resulted in a new and alarming crisis with the resignations of Richardson and Ruckelshaus.

The White House position was put forward by presidential counselor Melvin R. Laird when he changed on NBC's "Meet the Press" program (WRC) that Cox refused to compromise as the courts urged.

Laird argued that Mr. Nixon made a "very substantial" compromise offer and "went much farther than I thought he would go from my original conversations about this matter."

But Cox, he said, "was willing to give nothing."

Stennis said he would begin listening to the tapes "as soon as arrangements can be made." Told that Laird said it might take two or three weeks to complete the process, the senator said, "I don't want to put any timetable of any kind on it."

Stennis said he expects to be given a "free hand" in his work.

"I'm going to do this work and prepare a statement," he said. When the work is completed, he said he would give one copy to the Senate investigating committee and one to the President. The White House is then expected to make a copy available to Judge Sirica.

Noting that he was unaware that Richardson and Ruckelshaus would resign when he agreed to monitor the tapes, Stennis said he was "surprised and disappointed" by their departure. "They're fine men," he said.

Sen. Howard H. Baker Jr. (R-Tenn.), vice chairman of the Watergate investigating committee, said it has been his understanding since he and Chairman Sam J. Ervin Jr. (D-N.C.) reached agreement with the President Friday that the committee would get summaries of all the tapes subpoenaed by the committee plus verbatim transcripts of portions relat-

ing to Watergate.

Baker said the White House would clean up "some salty language" in the transcripts, and a White House aide said that "some pungent" expressions would be deleted.

He and Ervin "promised nothing," Baker said. "We gave nothing away. We did not give up our right to continue to try to get the tapes through the courts. We were just taking what we could get now."

White House officials were obviously surprised by the avalanche of criticism in the wake of Saturday's announcement that Richardson, Ruckelshaus and Cox were departing.

One official who worked on the compromise announced Friday said the President thought he was "letting the steam out of the balloon" by agreeing to let Stennis listen to the tapes and decide which portions should be made public.

The President was trying to avoid a constitutional issue and to avoid a confrontation yet preserve the principle of confidentiality, the official said.

"If we can get past this hysteria the tapes will be on the record and the people can judge," the official commented. "We thought we had a great solution."

There was much criticism among White House officials of Cox for not accepting the compromise, as Laird said in his "Meet the Press" in-

White House staff members were thoroughly briefed yesterday on the President's position and many were eager to defend his actions in talks with newsmen.

Laird was the principal aide to put the arguments on the record. He said that "one individual can't become a fourth branch and set himself up as a supreme power."

Laird said Cox was asking for too much. "Now sometimes in this process of government you can win victories and not demand total surrender, and I don't believe that anyone should be in a position where they demand total surrender," he said.

Cox had hinted only hours before his dismissal that he might ask that the President be held in contempt of court for refusing to obey two court decisions that the tapes be turned over to Sir-

ica.

Asked several times why the President did an about-face on earlier promises to let the courts resolve the dispute, Laird said, "You cannot set one individual up supreme to the Congress of the United States, or supreme to the executive branch."

Laird insisted that the President, in offering his "compromise" proposal Friday night, was complying with both U.S. District Court and U.S. Circuit Court of Appeals decisions.

Laird predicted that Congress would take a "negative position" on expected moves to begin impeachment proceedings.

One member of the House Judiciary Committee, Rep. Jerome R. Waldie (D-Calif.), said flatly he would introduce an impeachment resolution when the House reconvenes, probably Tuesday. Rep. Ogden Reid (D-N.Y.) also said he will ask for impeachment

Washington Post staff writers J. D. Alexander and Tim O'Brien contributed to this story.