

J.P. Paul
10/15/73



Washington Merry-Go-Round by JACK ANDERSON

WASHINGTON—At 1:30 p.m. Wednesday, Judah Best, the principal attorney for Vice President Spiro T. Agnew, picked up a phone in the Baltimore courthouse and, using a credit card, called a direct number inside the White House.

The call was answered by George Kaufmann, the constitutional scholar at Best's Washington firm, Colson & Shapiro.

"Is the secretary in his office?" Best asked.

Kaufmann said he was, and waiting.

This was the dress rehearsal for Agnew's resignation. From our sources, we are able to tell the minute-by-minute details of the drama behind the resignation.

WEST WING OFFICE

A 1966 law stipulates that such resignations "must be delivered in to the office of the Secretary of State." It was arranged for Secretary of State Henry Kissinger to be in his West Wing office, rather than at the State Department.

Best then went to Judge Walter E. Hoffman and told him it would be necessary to use the judge's telephone later. Hoffman gave his permission.

The courtroom was crowded with spectators who had come to hear motions on Agnew's subpoenas of newsmen, an attempt to learn the source of stories attributed to Justice Department officials. Assistant U.S. attorneys were also there, sitting in the jury box. And a number of edgy Secret Servicemen, trying to appear inconspicuous, guarded the room.

A Washington lawyer who was seeking to intervene in the newsmen's case tried to go behind the bar, but was ejected

by marshals. He then tried to seat in the jury box. Secret Servicemen moved toward him.

"Get him out of here before they kill him," one of Agnew's lawyers whispered to a marshal, and the lawyer, still unaware of what was happening, was hustled away.

At 1:58, Baltimore's U.S. Attorney George Beall entered the courtroom, and there were gasps when the spectators realized he was accompanied by Attorney General Elliot Richardson and Assistant Attorney General Henry Petersen. They stood in a receiving line, and shook hands with Best and Agnew's two New York lawyers, Jay Topkis and Martin London.

"Mr. Attorney General, are you prepared to honor the agreement?" Best asked.

"Certainly I am," Richardson said, and he showed Best his 40-page statement.

The agreement had been hammered out between 12:15 and 3 a.m. Saturday at the Marriott hotel at the Miami airport. The negotiators were Best and White House counsel Fred Buzhardt. It was a climax to the weeks of earlier plea bargaining, which had been bogged down by ponderous language and heavy ideas.

People close to the final negotiations told my associate George Clifford that Buzhardt and Best were able to pick up the bargaining where it had been abandoned in September. They also insisted that press stories about the bargaining had nothing to do with the temporary suspension.

"Buzhardt did what he had to do," one source told us. "When the deal was cut, he stepped out of the picture and turned it over to Richardson."

Agnew and Richardson approved the settlement on Tuesday, and Agnew called some loyal friends that night after a speech in New York. "All he said was 'Thank you,'" one Agnew friend told us. He said Agnew did not mention his plans to resign.

COURTROOM GASPS

There were more gasps in the courtroom when Agnew entered, surrounded by more Secret Servicemen, and walked to the defense table.

"Mr. Vice President, I have received the word of the Attorney General of the United States that he is prepared to honor his agreement," Best whispered. "Do you authorize me to cause the resignation to be delivered?"

"Oh, yes," Agnew said firmly.

Best called the White House number again, and Kaufmann answered: "You are authorized to deliver the resignation to the Secretary of State," Best said.

Best stayed on the line while Kaufmann walked into Kissinger's office. Kaufmann, a naturalized citizen from Austria, handed the paper to the naturalized citizen from Germany. With a fine-point pen, Kissinger initialed a copy "HK," and wrote the time—"1405."

Kaufmann delivered another copy with a letter for the President to Gen. Alexander Haig, then went back to the phone and told Best the grim ceremony was complete.

Best whispered to Agnew the letters were delivered, and passed a note to Topkis.

In a few more minutes, the former Vice President of the United States stood in the court to plead nolo contendere to charges he did not pay taxes on \$10,000 of his income. The drama was complete.

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