

13 Aug 73 ①

Agnew - Mary McGrory on Nixon-Agnew: "[Nixon] seems to have momentarily forgotten that Spiro Agnew was a politician before he became a Nixon team-player and retained the deep survival instincts necessary to a man who clawed his way through the hard school of Maryland office seekers. Since the Watergate hearings have taught us that anything is possible, the possibility of Agnew's resignation must have crossed the Presidential mind at some point in time."

SFC 13 Aug 73

Nixon speech - "Sources" (not identified, but elsewhere in story White House sources are mentioned) say Nixon will speak 15 or 16 Aug, the speech to be an appeal to the "court of public opinion." A detailed "white paper" which will be similar to a legal brief and will respond ~~to~~ specifically to charges by Dean, and which has been in preparation for several weeks by Garment and Buzhardt, will be released at the same time.

SFC 14 Aug 73 [AP and UP]

Cox, in brief filed in U.S. District Court, says Nixon could not be "a proper judge" of whether the public interest requires him to release the tapes to a grand jury, because his "highest and closest aides and associates have been accused in sworn testimony" before the Ervin committee, that "the evidence on the tapes also may be material to public accusations against the respondent (Mr. Nixon) himself," and that even if Nixon could disregard his own stake in the case, "confidende in the integrity and impartiality of the legal system, as between the high and lowly, still would be impaired through violation of the ancient precept that no man shall be the judge of his own cause."

SFC [NYT] 14 Aug 73; WXP 14 Aug 73 Inserts p. 2

Weicker's office says (16 Aug) that he met with the four Cubans ~~in a meeting today in Danbury~~ ~~at Danbury~~ today ~~at Danbury~~ at Danbury. Meeting lasted six hours, and was held after Barker's daughter, Maria [?] Moffitt, called Weicker "last week" to ask him to visit them.

SFC 17 Aug 73 (See Anderson entry, p. 2)

United Citizens Lobby raising funds for newspaper ads supporting Nixon; "home base appears to be San Diego," according to Herb Caen. No other details.

SFC 13 Aug 73

13 Aug 73 (2)

Jack Anderson says he met with the four Cubans at detention center (no date) at request of wives. See also Weicker entry, p. 1.

WXP; SFC; Frederick (Md.) Post, 13 Aug 73

Insert, following Cox entry, p. 1 - From article by George Will, WX editor, National Review: ".... If he wins in court, the President will have protected the prerogatives of the office for future presidents. He will be free to surrender the tapes, uncoerced and without prejudice to the privacy of any future presidential dealings. If he wins in court, and lays to rest the idea that he can be compelled, then he must release the tapes voluntarily. Otherwise it will be clear that he is protecting himself, not the office."

WXP 13 Aug 73, George Will

Weicker

Insert, following Cox entry, p. 1 - Opinions by Nixon attorneys on impeachment and separation of powers, and opinions by other legal ~~authorities~~ authorities, given in article by Warren Weaver.

NYT 13 Aug 73, Weaver

Insert, following Cox entry, p. 1 - At several points in his brief, Cox quotes from textbook by ~~Wright~~ ~~Wright~~ ~~Wright~~ ~~Wright~~ ~~Wright~~ ~~Wright~~ on Federal practice and procedure, in which Wright says the courts should determine the validity of a claim of executive privilege, ~~and~~ that scholars had found little support for basing executive privilege on the separation of powers, and that ~~in~~ "in other cases in which the litigant's need for the information has seemed to outweigh the Government's interest in secrecy, the claim of privilege has been overruled and disclosure has been ordered."

NYT 14 Aug 73, Weaver

Insert, following Cox entry, p. 1 - Cox files subpoena memorandum with Sirica in which he spells out the time and place of recording of tape of 20 Jun 72; story is concerned ~~specifically~~ specifically with this tape, but supena memo ~~probably~~ may have listed the eight others as well. For listing see SFC, NYT, 25 Oct 73. AMP-A

SFEX 25 Nov 73 [unattributed]

- Original subpoena 23 Jul 73; see entry that date.

(13 Aug 73) AMP

① - Memo filed by Cox in federal court today gives description of 9 subpoenaed tapes. See WXP 22 Oct 73.