

6 Sep 73 ①

to 24 Sep,
Nixon/tapes - Sirica grants WH lawyers two week delay/in
filing response to Ervin committee in its suit for release of
the tapes, making it virtually impossible to reach a final
ruling in the case before Congress adjourns 1973 session on
15 Oct.* Sirica rejects protests by Dash that permitting the
delay would amount to "ruling the Senate really out of court."

WH lawyers file with Court of Appeals a request to overturn
Sirica's ruling in Cox appeal (see 4 Sep); ask Chief Judge
David Bazelon and the eight other judges to hear the case
sitting as a group.

SFC [NYT] 7 Sep 73

*Over - A

Ehrlichman - Cox denies that government plans to call him as
witness against Mitchell and Stans.

SFC [NYT] 7 Sep 73

Justice William O. Douglas is rushed to hospital in Seattle
with what a hospital spokesman describes as a "gastrointestinal
illness;" taken there in ambulance which had been called to
Seattle [typo here - probably Seattle airport]. Story says
Douglas recently returned from a visit to China but does not
say - if typo refers to airport - if arrival was on return
from China. (7 Sep - diagnosis, stomach flu; recovering.)

SFC [AP] 7 Sep 73

F. Donald Nixon - Warren says he has discussed the matter
with the President and "If there was any monitoring of the
President's immediate family by the Secret Service, it would
have been related to the protective function of the Secret
Service. I'm not going to go beyond that." Despite
repeated questioning even refuses to say if the President
considered his brother a member of his immediate family and
therefore eligible for Secret Service protection.

Senator Joseph Montoya and Rep. Tom Steed, who head Senate
and House appropriations subcommittees responsible for the
Secret Service, ask for a full explanation from the Secret
Service.

SFC [WXP] 7 Sep 73

(Connally tells newsmen in WX that, as Secretary of the
Treasury during Nixon's first term, he had no knowldge that
the Secret Service - under his department - had tapped
Donald Nixon's phone.)

WXP 11 Sep 73, Broder

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Granting of delay ~~will~~ to 24 Sep will

(A) ~~This will~~ probably mean oral arguments will not be held until early Oct, followed by a decision in mid-Oct and consideration of appeals by the Court of Appeals and the Supreme Court that might not be finally concluded until late Dec or early 1974. Dash argues that if Sirica grants a delay, "we will not be able to get [the evidence of the tapes] in time for hearings."

NYT 7 Sep 73, Weaver

6 Sep 73 (3)

Ehrlichman will not be called as a witness against Mitchell; government prosecutors, in affidavit filed in U.S. District Court, WX, say they do "not now intend" to call Ehrlichman; no reason given.

WXP 7 Sep 73, Lardner

Kennedy says the country cannot ~~obey Nixon's~~ follow Nixon's suggestion that it get on to its other business, "when the President himself is the principal obstructionist over Watergate."

WXP 7 Sep 73, Witcover

~~From column by~~