

13 Sep 73 ①

Mrs. Mitchell, in early morning phone call to Helen Thomas, says she thinks the Mafia was involved in re-election campaign and that "Nixon was involved with the Mafia." Does not give the basis for these statements, or any elaboration. Says she is very upset over the delay in Mitchell's trial and that they could both "face the outcome better" if the affair is not prolonged.

SFC [UPI] 14 Sep 73

Mitchell-Stans - Government attorneys ask in motion today for quashing of Mitchell-Stans subpoenas on Nixon and Sen. Proxmire. See entry 31 Aug 73.

From NYT 14 Sep: "There was speculation that the defense lawyers might be attempting to prepare a new motion to dismiss the case on the ground that they were being denied 'exculpatory evidence' that might be contained on tapes that they could not obtain."

NYT 14 Sep 73, Lubasch

Nixon, physical appearance - Speaking informally to reporters, Nixon says, "If my eyes are swollen . . . I'm having my usual bout with hay fever. It starts about the fifth of September and lasts till around the third of October. . . . It hits me in the eyes. . . ."

Dr. Tkach says, "In all the years I've known him, he's never been known to have hay fever." Nixon's doctors have insisted he does not have any allergies.

SFC [UPI] 14 Sep 73

Kennedy says in Senate speech that if Nixon defies a Supreme Court order to release the tapes, it would be an intolerable exercise in "raw, naked power" leaving Congress no choice but to impeach him. Speaking to reporters later, he says that if Congress did not act to impeach under such circumstances, Nixon would in effect have achieved "a bloodless coup. It would be Chile, really, without the bloodshed."

SFC [UPI] 14 Sep 73

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Inouye, in office interview, says he has doubts about the committee's inquiry into campaign "dirty tricks," since the committee would be dealing with matters already covered by state laws on libel, larceny and fraud. "Should this matter be a federal concern?"

SFC [LATimes] 14 Sep 73

Hunt - Federal prisoners are not allowed visits from the press, but David Beckwith, Time magazine ^{reporter} got in to see him (no date) by identifying himself as an attorney. U.S. marshals find there is no action they can take against him because he is also a lawyer, licensed to practice in Texas.

WXP 13 Sep 73, Maxine Cheshire

Tapes - U.S. Circuit Court of Appeals, in memo approved by unanimously by the seven judges, proposes compromise: that Nixon permit Cox to audition the tapes with Wright and as a third party either Nixon himself or someone named by him, with a report to the court no later than 20 Sep on "whether the approach indicated in this memorandum has been fruitful." Memo emphasizes that the heart of its suggestion was "a voluntary submission of such portions of the tapes to the two counsel as satisfies them."

Cox quickly agrees to this suggestion; Warren will say only that Nixon's lawyers are studying the memo.

WXP 14 Sep, Lardner

Weaver points out that the court's suggestion would permit Nixon to excise material from the tapes and that the decision as to what was privileged would remain with him, says court did not specify whether he would cut privileged sections out of the tapes or merely delete them from a printed transcript. "One key to the success of the ... compromise would be the willingness of Mr. Cox to accept President Nixon's assurance that deleted portions of the tapes did not include any potential evidence of criminal activity."

NYT 14 Sep 73, Weaver

Wright "has returned to Austin, Tex., to resume his teaching schedule at the University of Texas Law School," according to Weaver. In another story by him (NYT 15 Sep) gives date as "after the tapes case was argued before the Court of Appeals on Tuesday [11 Sep]." Wright is called back to the WH 14 Sep.

NYT 14, 15 Sep 73, both by Weaver

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* For differences of opinion on what the Appeals Court meant in its memo, see NYT 15 Sep, Weaver.

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Coup - Excerpt from general critique of press coverage of Watergate, on private comments among Clark Mollenhoff, Jack Nelson, Richard Dudman, on possibility of a coup. Dudman doubts that Nixon could carry it off because "Nixon just isn't half the man Hitler was."

Rolling Stone, partial ~~transcrip~~ excerpt, 13 Sep 73

Nixon (physical health) - Nixon says it is hay fever which causes his eyes to "look swollen," says hay fever strikes him every year on 5 Sep, and that he finds hay fever shots "are worse than the hay fever." Dr. Walter Tkach says he has told Nixon repeatedly that his trouble is not hay fever and that "In all the years I've known him, he's never been known to have hay fever." NYT: "Dr. Tkach also said the President had described the trouble to him as an affliction known in California as 'walnuts.' Dr. Tkach said he had never heard of walnuts, the alleged allergy."

NYT 14 Sep 73, Notes on People - filed Nixon

- UPI story says Nixon says his hay fever "starts about the fifth of September and lasts till around the third of October. I don't get it in the spring." UPI: "His doctors [unnamed] have insisted he does not have any allergies."

SFC 14 Sep 73 [UPI] - pasted with clipping above