

17 Sep 73 (1)

Hunt, through long written motion by his lawyers, asks Judge Sirica to allow him to withdraw his guilty plea and dismiss all charges against him because, among other reasons, he thought that high White House officials had approved the Watergate break-in (~~Liddy~~ Mitchell, Magruder, Dean, Colson; also Liddy).

Motion says Hunt claims two "valid defenses": "The first is that his acts were lawful because they were performed pursuant to the President's power to protect the national security. The second, assuming (for the sake of argument) that the acts were not lawful, is that he was justified in believing they were lawful." Hunt was "coerced into abandoning these defenses," because the government "unconstitutionally deprived him of evidence*to support them." Motion points to destruction of materials from his White House safe by Gray, failure of the White House to disclose that Nixon had taped conversations in the White House, and instances of perjury by government officials before original Watergate grand jury and in his trial. *

Motion includes rather strong language about government misconduct "in the White House and down through the executive office of the President "

WXP 18 Sep 73, Robinson

Final ruling on Sturgis' Watergate sentence is due today; presumably the same is true of Hunt. Hunt is scheduled to testify before Ervin committee 24 Sep.

WXP [AP] 9 Sep 73

*Hunt's petition also says Liddy is his supporting witness and Liddy refuses to talk.

No date for new hearings set by Judge Sirica.

NYTimes 18 Sep 73

*(Notebook removed from his White House safe? Hunt describes it as containing names, pseudonyms, etc. of "every person that I dealt with" in Gemstone plan, and which could be "a ready handbook by which any investigator ... could quickly determine the parameters of" the intelligence operation. - NYT 26 Sep 73, Naughton.)

17 Sep 73 (2)

Segretti agrees (WX) to plead guilty to a four-count indictment; Cox's office says Segretti is "now cooperating" and hint that charges against him will be confined to the four misdemeanors in new federal indictment made public today. Federal grand jury in Tampa 24 Aug 73 secretly handed up the new indictment, which includes one count of conspiracy and three counts of illegally distributing political literature without identifying who was responsible for it.

WXP 18 Sep 73, Lardner

CRP files, which had been transferred to the National Archives (entries 5 Feb, 19 Apr 73) and later subpoenaed by * Ervin committee, have been found by "Watergate investigators" to contain internal memos from a number of federal regulatory agencies which contain information about enforcement and rate cases involving large corporations. Agencies involved include IRS, SEC and CAB.

SFC [NYT] 17 Sep 73

*W/gate grand jury and

Donald Nixon - Montoya meets with ~~Edward C.~~ two officials of the Treasury Department, Edward C. Schmultz, general counsel, and Brend Moody, Ass't Sec. for Law Enforcement, to discuss wiretapping of Donald Nixon. Says afterward they told him they could "neither confirm nor deny" that Nixon had ordered the wiretapping, and that he is assuming there was a tap on Donald Nixon's phone (in violation of Federal law) because otherwise "the legal answer would be a denial."

NYT 18 Sep 73

17 Sep 73 (3)

Agnew (resignation) - WXP "learns" that during the past few days Agnew has held lengthy discussions about the advisability of resigning; does not name those with whom Agnew talked but describes them as "a White House source who says he is 'tangentially involved' in the discussions," and "a senior Republican figure ... [a] party leader."

Quotes WH source as saying, "A story that goes beyond saying that he is considering and discussing [resigning] may be beyond the facts." Quotes the party leader as saying, "[It is] 99 $\frac{1}{2}$ % certain he will resign - and probably this week." According to the second source, who had two meetings with Agnew, Agnew gave two reasons for believing he should resign before beginning a full-scale legal defense. WXP: "One is the 'terrific tension and pressure' placed upon members of his family by his present effort to maintain and preserve his office and perform its public duties while simultaneously preparing for what could be a protracted legal battle. The second ... is the plain indication that the White House - and apparently the President himself - wants Agnew out."

WXP 18 Sep 73, Broder

Agnew (grand jury) - AP says jury may send its findings on Agnew to the House of Representatives. "The procedure would permit the Justice Department to avoid facing the controversial constitutional question whether a Vice President can be indicted before he is impeached. If Agnew were impeached by the House and convicted by the Senate, he would then be a private citizen subject to indictment without constitutional questions."

SFC 18 Sep 73 [AP]