

19 Sep 73 ①

Tapes - Nixon's lawyers, in papers filed with Court of Appeals, hint they will reject compromise suggested by the court, saying Nixon will not delegate "his constitutional duties and prerogatives" to Cox; "that would move beyond accomodation to irresponsibility." Say also that permitting Sirica to ~~conduct~~ audit the tapes would be equivalent to giving him the power to judge Nixon's guilt or innocence; if he passed anything on to the grand jury he would be rejecting Nixon's statement that the conversations are "wholly innocent and in accord with his constitutional duties."

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NYT 20 Sep 73, Weaver

Colson refuses to answer questions put to him by Ervin committee in closed-door session, claiming his constitutional right against self-incrimination. Apparently will not be called to testify publicly, since the committee has not called those who would invoke the Fifth Amendment.

Colson could still be compelled to testify at public hearings even if he is indicted, according to David E. Rosenbaum in NYT. The committee could grant him limited immunity as it did with Dean, or it could, as it did with Mitchell and Stans, question him about matters other than the ones which were the subject of the indictment.

Colson asks the committee to grant him limited immunity; rejected unanimously after Dash reportedly tells committee members that nothing in Colson's 65-page statement warrants granting it. Baker suggests the question of immunity might be considered again once the matter of the indictment is settled. Lawrence Meyer in WXP says Colson's lawyer was unsuccessful in persuading committee to postpone today's executive session until after the grand jury had returned any indictments. Meyer says that it was 11 Sep, the day before the committee met to organize its second round, that Colson's lawyer met with Dash to tell him Colson had been informed\*he was a grand jury target. (See entry 12 Sep.)

Colson is described by "a source at the meeting" <sup>today</sup> as being "very torn by this thing," and as subdued and "contrite;" meeting is described as an "emotional" one.

NYT 20 Sep 73, Rosenbaum

WXP 20 Sep 73, Meyer

\*no date)

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\* WXP says spokesmen for Cox and WH confirm that several meetings have been held since Court of Appeals made its suggestion for compromise.

WXP 20 Sep 73, Lardner

19 Sep 73 (2)

Nixon - Date of European trip, originally scheduled for Oct or Nov, is now uncertain; aides say Nixon plans to concentrate on domestic problems until Congress recesses, so trip may be put off until next year. See entry 21 Sep.

Earlier, "senior staff members" had said Nixon would make more public appearances, but none is scheduled, and plans have been called off for appearance at dedication of Fort Worth-Dallas airport this weekend.

NYT 20 Sep 73 See also WXP 22 Sep 73, Kilpatrick

Rehnquist says it is "unfortunate" when major issues are decided by less than the full Supreme Court, and does not commit himself on the question of disqualification ~~and~~ when the case of the WH tapes reaches the Court. ~~Earlier in the summer he had told an audience~~ Remarks are from advance text of speech on judicial ethics, to be given tonight before Association of the Bar of the City of New York.

Earlier in the summer Rehnquist had told an audience that he probably would not sit in a case directly involving Mitchell; Mitchell's voice and that of Dean would appear in the tapes.

WXP 29 Sep 73, MacKenzie

Agnew - Warren, who yesterday would not comment on reports Agnew was considering resignation nor respond to questions about Nixon's support for Agnew, changes the script. Says stories are "false" which suggest that ~~the WH~~ "people in the White House" are pressuring Agnew to resign, or that WH is the source of these stories; "Beyond that I will not have any further comment until the Attorney General completes his assessment of this situation .... " Warren makes it clear that his statements yesterday and today came after direct discussions with Nixon. Victor Gold says of Warren's "no comments," "This is calculated by the White House to keep the Agnew story alive. .... The President is a calculating man. He knows what people will read into omissions."

WXP 20 Sep 73, Kilpatrick and Cannon

Liddy is brought to Los Angeles for arraignment.

SFC 20 Sep 73 [UPI]

(19 Sep 73) Amp

(A) - Petersen is quoted by Fred Graham 22 Sep as having said,  
"We've got the evidence. We've got it cold." (See entry ~~23~~  
23 Sep, under Agnew/Justice Department.) Apple gives date  
as 19 Sep. (See entry 1 Oct, beginning Agnew - White House  
confirms ... )

NYT 2 Oct 73, Apple