

25 Sep 73 (1) Witness: E. Howard Hunt (2)

Howard Hughes, Hank Greenspun - Background story occasioned by Hunt's testimony on plan to break into Greenspun's safe. Story deals in part with Justice Department anti-trust suit against Hughes in Jun 68, Hughes' contribution of \$100,000 channeled through Rebozo, and lifting of anti-trust suit. Money was in cash and never accounted for (not required under the law in 1968) and has been rumored to have been used in purchase of San Clemente. Material of this sort, and information politically damaging to Muskie, was rumored to be in Greenspun's safe.

Story includes many names: Robert Maheu, Ralph Winte (Hughes' security chief), Donald Nixon, Rebozo, Richard Danner (operator of Hughes' Sliver Slipper casino), John H. Meier (Hughes aide), Robert F. Bennett, Mitchell, Magruder, Herbert G. Klein, Kalmbach, Richard Hannah (Hughes spokesman), Benjamin F. Schemmer (editor, Armed Forces Journal), Paul Laxalt (Governor of Nevada in 1968). Story quotes from Hughes' memos, in possession of Schemmer.

WXP 25 Sep 73, Hanrahan

Henry Petersen, described by Joseph Kraft as "a tough prosecutor with a strong sense of right and wrong," "has been refusing to be party to any fix" in Agnew case.

WXP 25 Sep 73, Kraft

Agnew resignation. Joseph Kraft says it is clear that Nixon wants Agnew out, because "with Mr. Agnew out, the President would have a chance to designate his successor. That is important to Mr. Nixon not only for the future of the Republican Party. It is important because Mr. Nixon would be extremely vulnerable if a Democratic administration took over in 1976. Even a mildly energetic Democratic attorney general would probably find, in the dozens of scandals growing out of Watergate, a field day for prosecution.

"So, far more than most sitting presidents, Mr. Nixon has a positive interest in having as the next president a Republican deeply in his debt. That is why he is not only pushing the Vice President to get out, but smoothing the path for John Connally to come in. For Mr. Connally would owe almost everything to Mr. Nixon, and he could be counted on to turn a blind eye to the wrongs of the present administration."

WXP 25 Sep 73, Kraft

(2)

25 Sep 73 (2)

Nixon - Two articles on corruption in Nixon Administration, one by Tom Wicker and the other by William V. Shannon, deal with Nixon's effort to minimize in the public mind the implications of Watergate. Both refer to the "inquiries, suits, trials and bargaining now going on in connection with the activities of a President and his closest associates." (Entry 23 Sep.)

Wicker: "The possibility of corruption on such a scale and on so many fronts ... can hardly be the result of some plot by Democrats, liberals, the press or people unreconciled to Mr. Nixon's re-election last year. And if any or all of the alleged activities had other parallels in past Administrations, in no other were so many criminal actions on such a scale alleged to or suspected of so many so high in authority. For these reasons, it is factious to argue that if Mr. Nixon can be shown to have known nothing of the Watergate break-in or its cover-up, then he is blameless for anything; and that once that narrow question is settled, he can lead the nation on to other "important business," as if nothing had happened."

Shannon: "While all this is going on, Mr. Nixon greets foreign visitors, deplors the drug traffic, and lectures Congress on its deficiencies. After nearly five months of sullen brooding and seclusion, the President is desperately pretending that normality is returning. Now the country is being told that Watergate is a thing of the past, and that it is really - almost - practically over. The Administration's propaganda line is that it is backward-looking, destructive, divisive, almost impolite to bring the subject up. If ... the matter is allowed to drop, what does that do to the moral image that Americans have of themselves and their country? The Watergate crimes are real crimes. Is the man accused of being the chief perpetrator of those crimes to go his way unchallenged?"

NYT 25 Sep 73, Tom Wicker

NYT 25 Sep 73, William V. Shannon

25 Sep 73

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Ehrlichman. Charles McCabe on exchange between Talmadge and Ehrlichman, in which Talmadge cites Anglo-Saxon rule of law that "no matter how humble a man's cottage, even the King of England cannot enter without his consent," and to which Ehrlichman replies, "I am afraid that has been considerably eroded over the years." McCabe: "If Ehrlichman, that new American, is right, then 'internal security' as interpreted by the man at the top is excuse enough to annul every single right secured in that long and terrible revolution that freed our country and put it on its own. If Talmadge and the Bill of Rights are correct, the mere existence of Ehrlichmans in high places is the deepest sort of national treason - to the ideal that made us free and responsible."

SFC 25 Sep 73, McCabe

Agnew, in letter to Carl Albert, speaker of the House, asks House of Representatives to begin a full investigation of allegations against him; says request is made after being advised by his lawyers that "the Constitution bars a criminal proceeding of any kind" against an incumbent Vice President, and is made "in the dual interests of preserving the constitutional stature of my office and accomplishing my personal vindication."

Letter is read to the House shortly after Richardson announces an impasse in negotiations between Justice Department and Agnew's lawyers. Richardson says department's evidence will be presented 27 Sep to Federal grand jury in Baltimore. Richardson's announcement is made several hours after early morning meeting between Nixon and Agnew, and after he and Petersen brief Nixon on Agnew investigation. OVER - C

Nixon says "later"*(~~after briefing?~~ after meeting with Agnew? after Agnew letter is read?) that Agnew had personally assured him that he was innocent of any wrongdoing; ask public "accord the Vice President the basic, decent consideration of presumption of innocence that are both his right and his due." OVER E

See story for details, also WXP OVER - B

NYT 26 Sep 73, Crewdson OVER - D

*"Tonight" - NYT 26 Sep, Apple; Agnew met with Albert shortly after 4 p.m. , and after a hastily called meeting of Agnew, Albert and House

(4) Over A

- A leadership, Agnew's letter is read to members of the House. -
NYT 26 Sep, Crewdson.
- B Nixon statement says Agnew "has served his country with
dedication and distinction," but makes clear this refers to
period of "[the] past four-and-a-half years." - NYT 26 Sep,
Apple. ~~Same story gives rough time table of meetings, etc.,
beginning at 8:30 a.m.~~
- C " ... a meeting at mid-morning, requested by Mr. Nixon ... "
- WXP 26 Sep 73, p. 11, Broder. Same story gives rough
time-table of meetings, etc., beginning at 8:30 a.m.,*
- D Story by Cohen and Walsh, WXP 26 Sep 73, p. 12, quoting
"sources," says charges against Agnew also involve his tenure
as vice president. "The prosecutors, sources said, have
been told that Agnew was given cash while Vice President to
use his influence in obtaining certain federal contracts or
jobs."
WXP 26 Sep 73, p. 12, Cohen and Walsh
*as does story by Thomas B. Foley,
Los Angeles Times 26 Sep 73.
- E From unattributed story, SFC: "One middle-level official
said later [following Nixon-Agnew meeting], 'the deal has
been made and Agnew's through.'
SFC 26 Sep 73, unattributed story

25 Sep 73 (4)

Liddy is given permission by Superior Court Judge James G. Kolts to hear, in his Los Angeles County jail cell, tapes of testimony at Ervin committee hearings; request had been made by Charles Gessler, public defender. Liddy is still held in Los Angeles in connection with Fielding break-in, after having been brought from Federal prison at Danbury, Conn.

NYT 26 Sep 73, AP

Tapes - Clark MacGregor says he believes tapes would substantiate Nixon's version of Watergate affair; "The President knows that history will know every word on the tapes." MacGregor says (in AP paraphrase) "that the people involved in the Watergate affair lacked a 'sense of accountability' to the public. Every public office is 'a temporary stewardship' to which politicians must be held accountable," he added."

NYT 26 Sep 73, AP

Hunt testimony, second day, deals in part with Baldwin as double agent, visit to Dita Beard, his inability to account for money received. Also missing notebook? (Check.)

NYT 26 Sep 73, partial transcript See entry, 16 Oct.

Hunt/CIA - Dr. Bernard M. Malloy's affidavit on preparation of psychiatric profile of Ellsberg by CIA, which had been submitted to Ervin committee (no date), made public today. Affidavit is dated 9 May 73.

Affidavit makes clear that Hunt knew he was not popular at the CIA. Malloy, describing White House meeting 12 Aug 71 with Young, "a Mr. Linney (probably Liddy)" and Hunt, says Hunt (line or lines missing here, but meaning seems to be that Hunt in the presence of the group referred to acquaintances at the CIA, but remained to speak to Malloy after the others left) asked him not to tell anyone at the CIA that he had been present at the meeting.

NYT 26 Sep 73, p. 25, text of Malloy affidavit

25 Sep 73 (5)

Ehrlichman's lawyer, Douglas Dalton, says in Los Angeles that at ~~an~~ a hearing before Superior Court Judge James G. Kolts 26 Oct, defendants will try to obtain a court order for WH tapes; Dalton will not be more specific ~~but~~ about why they would be relevant beyond saying "They may contain exculpatory material beneficial to the defendants and therefore it is of paramount importance to be in possession of the tapes."

Judge Kolts grants request for this hearing 26 Oct and also another "defense" request (unclear, but presumably for all defendants) for delay ~~of a hearing initially scheduled~~ ⁰¹ until 19 Oct/a hearing initially scheduled for 3 Oct, this one focusing on a defense motion to dismiss the charges due to insufficiency of evidence.

WXP 26 Sep 73, William Farr

Elmer Davis - Mark Shwartz, of KPFA News, "last month" sent information on the case of Elmer Davis to Ervin committee, "last week" received a reply from Talmadge, who says he has sent the information to the committee's legal staff. (See entry 30 Apr 73, and, for more detail, KPFA News transcript, NYT 1 May 73.)

Impeachment (Agnew) - Article giving differing views and citing various precedents, on whether indictment should precede impeachment or vice versa, dealing only with the case of a Vice President.

SFC 26 Sep 73, LATimes

Robert N. Benz, Martin Douglas Kelley - Court papers disclose that Ervin committee voted to confer limited immunity on Benz and Kelley, and that Cox has not asked for his right to delay conferring immunity on either of them.

UPI story says Benz was named as a co-conspirator with Segretti when latter was indicted for illegally publishing unauthorized political statements, but that there is no information on Kelley's identity or whether he was connected with Segretti's activities.

NYT 27 Sep 73, p. 29, UPI

25 Sep 73 (6)

Robert A. Maheu (Nixon/Hughes contribution) - Maheu, as part of his \$17.5-million libel suit against Howard Hughes, says in deposition that Hughes made contributions totaling \$100,000 to Nixon campaigns; contributions*were delivered to Rebozo through Richard Danner, managing director of Sands Hotel in Las Vegas, owned by Hughes. (No dates*)

Says Hughes also donated \$50,000 to Hubert Humphrey, 1968, and \$25,000 to Robert Kennedy, ~~maxdite~~ but this was not delivered until after his assassination and was given to Democratic National Committee chairman, Larry O'Brien.

NYT 27 Sep 73, UPI

*were in two payments, in cash, and

*See entry, Danner, 30 Aug 73.

See NYT 1 Oct 73, Turner, filed Nixon, real estate