

Dear Jim,

10/21/ 73

Had a chance to think a bit while I was mowing this afternoon. The timing of Nixon's newest fascist demonstration did not immediately make sense. One example: why did he not go to the Supreme Court? He might have won. He might also have had a signal that he would not. Neither accounts for the rush with which he acted and the gravity of his action.

One explanation of that is the typical fascist need to control the machinery of justice. He got the pseudo-goodguys out and there may be many resignations. Lesar, who phoned about another matter (yeah, me helping Bud free again, on the McCord case and in legal rather than investigative matters), seems to think this will be true of the younger and newer ones.

That still doesn't account for timing. The one thing that had occurred to me immediately is bitterness over Cox's leniency, as Nixon would see it with Dean.

Another is that he had reason to expect new indictments. Haldeman was before the grand jury this week. This delays them at the least. They may have been near.

The only other event of the week that seemed at all relevant was the interest in El Bosom. The Hughes money, the atypical storage of it, the contradictory explanations of all facets, even the use, for there is only Bebe's word that he kept it in his safe box in his own bank. Why can't he know? However, if he doesn't keep large hunks of cash around just in case of GL's need and if he did not have that loot in his box, records might disclose the withdrawal of \$100,000 at about the time he repaid it.

This one means he is picking a real fight. He has the three top guys at Justice to get passed the Senate Judiciary Committee and the Senate. Now I don't think he can depend even on Eastland, unless Eastland is going to retire on all that soil conservation loot he has been stashing for years. I believe a temporary officer of confirmation rank has only a month he can serve without confirmation, if the Senate chooses to make an issue. Maybe the House, too. Anyway, he'll not ever get another easy one through. Each nominee can be asked the most embarrassing questions, including the hypotheticals. With Justice, all questions about WG are relevant as hypotheticals, too. "Like what ~~you~~ would you do if you learned that the President was on the take? Suborned perjury? Obstructed justice? Sub-questions: "would you consider it an obstruction of justice if a President...." ad nauseum.

THEN, what does GL do? He ain't the takin' kind, except with money.

Maybe the Cox office was on the track of the hoisting of Spiro?

I caught a local newscast at about 2, while working on a mower, and none later except the evening TV news on the local ABC (DC) station (punk). Oh, yes, CBS net radio at 5. Well, the local station reported that a deal had been made with the Cox staff to stay on under Petersen. Chalk a small one up to reaction (no WH statistics on the overwhelming support on this one!). It seems that enough of the staff has let it be known that if there is not a vigorous pre-section there will be mass resignations.

Without news stories I can't be sure, but if the radio account I heard early a.m. is correct, Kelley and his FBI had to have been in on the operation at the end and before it went public, otherwise how be sure of having the FBI guard to station at the Cox offices? Wash. Field Office is a large one, but it was a (very nice) weekend night. He must really have expected that ~~his~~ papers would be stolen. Which could mean he knows what he does not want leaked.

That will be another problem if there is a whitewash. There will be more leaking. There has to have been some dissatisfaction because there have been Cox-office leaks to the Post at least.

Were the immediate prospect not so grim, it could be fascinating.

Best,