

# SF Examiner Eight days in October SF Examiner

*They were shocking days. An attorney general quit. His deputy was dismissed. The special Watergate prosecutor was fired. Congress stirred to impeach the President. And Richard Nixon yielded his Watergate tapes. Eight stunning days in the history of a nation.*

By Saul Pett, Jules Loh and Richard Meyers.

Associated Press

WASHINGTON — Friday night, down to the wire. Letter from the President of the United States to the attorney general of the United States:

"... As part of these actions, I am instructing you to direct special prosecutor Archibald Cox... that he is to make no further attempts by the judicial process to obtain tapes, notes or memoranda of presidential conversations."

19 OCT  
Friday night, on the phone. Al Haig, the President's chief of staff, to the attorney general:

"Come on, Elliot. This is a really good proposal. Your constituents will like it."

For five days, the White House had tried to persuade Elliot Richardson not to rock the boat. They had appealed to his sense of perspective, to his concern for the strength of the presidency during a time of approaching crisis abroad. Now, they sought to stir his political instincts.

That didn't work either.

And now the lines were drawn. Another high noon — perhaps the worst — was inevitable in Washington. Confrontation, explosion, national trauma and a government in disarray were on the way again. And the name of the game was still Watergate.

A federal appeals court had ordered President Nixon to turn over his secret recordings of his conversations, memos and notes about Watergate for inspection by U.S. District Court Judge John J. Sirica. The President was given five days to comply or appeal, and this was the fifth day.

To comply would mean, in the President's argument, violation of presidential con-

fidentiality and the constitutional guarantee of separation of powers. He would do that, he had said, only on a "definitive decision" by the Supreme Court.

To appeal would mean months of litigation and, in his counsel's metaphor, the continued draining of a deep public wound.

The nation assumed he would appeal. So did his special counsel and constitutional expert, Charles Alan Wright. Wright went to bed Thursday night secure in the knowledge that his petition to the Supreme Court had been printed and the \$100 check for the filing fee written.

And now, on Friday night, Richard Nixon, who had stunned the nation before with sudden reversals of position, announced his decision: He would personally prepare a summary of the tapes. Sen. John Stennis of Mississippi, a Democrat and a man "highly respected by all elements in American life for his integrity," would listen to the originals and verify the summary. Summary and verification would be given to Judge Sirica and the Senate Watergate committee.

With one, big, towering condition: Cox would then foreswear attempts to get other presidential tapes or records.

In the behind-scenes discussions preceding the President's announcement, Cox made clear he would not accept the condition, and Richardson that he would not support it.

In seeking Richardson's support, the men around the President frequently reminded him that the whole package represented a major concession by the President. And that a crisis was

boiling up in the Middle East.

And Elliot Richardson, who had come to the White House to talk about the tapes, would overhear telephone interruptions like this:

"Yes, general, really? The bridges, too... I understand that Henry is going to Moscow, its' that serious..." "Now, then, Elliot..." the conversation would resume.

The White House announced the President's decision at 8:15 p.m. At 9:15, Archibald Cox replied: "For me to comply... would violate my solemn pledge to the Senate and the country to invoke judicial process to challenge exaggerated claims of executive privilege."

"I shall not violate my promise."

20 OCT  
Cox spelled it out the next day, Saturday, in a news conference with the easy, gently self-deprecating manner of a man at peace with his case. He made his points:

"It is simply not enough to make a compromise in which the real evidence is available only to two or three men operating in secrecy... I will not know, and no one else will know, what standards have been applied in deciding what to exclude from the summary... it is most unlikely that a summary of the tapes would be admissible in evidence..."

And, said the tall man from Boston, since the appeals court ruling had been neither obeyed nor appealed, he, Archibald Cox, might have to ask that the President of the United States be judged in contempt.

"I have sort of a naive belief — forgive me for being corny — that right will prevail in the end."

At 4:45 p.m., Richardson went to the White House to tell the President he was resigning. He spoke of the "integrity of the governmental process." He said he could

not "in good conscience carry out" the instructions about Cox. "The President," Richardson said later, "was very deliberate, very restrained in tone but absolutely firm in the course he had determined."

Others reported later that the President tried to talk Richardson out of resigning. The attorney general remained firm.

At 5 p.m. Richardson returns to his office at the Justice Department. Among others there are the No. 2 and No. 3 men in the department, William Ruckelshaus, deputy attorney general, and Robert Bork, the solicitor general.

"The deed is done," Richardson announces.

A secretary enters.

"Haig is calling..."

Richardson reaches for the phone.

"... For Mr. Ruckelshaus."

Ruckelshaus dashes to his office to take the call. He is told to fire Cox.

Haig: "Your commander in chief has given you an order. You have no alternative."

Ruckelshaus: "Other than to resign."

"Haig wants you," he says to Bork.

Leaving for his office to take the call, Bork says, "Someone has to obey the order of the commander in chief. I'll fire Cox. But I couldn't stay on and be regarded as an apparatchik."

The word means political executioner in a police state.

Richardson cautions Bork to think it over before resigning. Bork does not resign.

Richardson and Ruckelshaus begin drafting their letters of resignation.

At 8:30, the White House announces one resignation and two dismissals and the dissolution of the special prosecutor's task force.

At 9:30, Elliot Richardson, who has held more Cabinet posts than any other man is

OCT 28 1973

See also  
WXP 28 Nov 73  
STERN

driven home on his last ride in the official blue Cadillac.

At 9:45, a call from an assistant.

"The FBI, apparently on the President's orders, has sealed off your office."

"Dreadful," says Richardson, with equal parts of dismay and fatigue.

And so ended Saturday, Oct. 20, 1973, in the 197th year of the Republic. The world's oldest democracy now had no vice president, no attorney general, no deputy attorney general, no outside force to probe the suspected sins of its government, and no early promise of surcease.

At 7 a.m. Sunday, the President received on his Oval Office desk a 27-page document, his daily digest of Saturday's dizzying events as reported by the nation's press. It was not comfortable reading.

The digest reflected a national shock and anger that administration strategists clearly had not foreseen. A "miscalculation," one later called it.

"Impeachment had suddenly grown from a whisper to a roar and the wind swirled across the country with such heat and fury that Nixon's chief of staff could only liken it to a "firestorm."

"A reckless act of desperation" . . . "Richard Nixon is a lawbreaker" . . . "The administration is morally bankrupt" . . . "His deeds are dishonorable" . . . "Impeachment at the earliest possible moment . . ."

So ran the President's breakfast reading of comments in the news summary.

Across the Potomac, in the Sunday serenity of a house set among the tall trees overlooking the river, Elliot Richardson slowly became aware of a strange situation. He was watching the World Series, and for the first time in 12 years there were no government papers in his lap to be studied during commercials.

William Ruckelshaus? He went fishing.

Back at the White House,

Richard Nixon settled down before his TV to watch his favorite football team, the Redskins, defeat the St. Louis Cardinals. When the game ended, he phoned coach George Allen to congratulate him and inquire ankle.

Monday morning the firestorm burned hotter.

The morning news digest delivered to Richard Nixon carried more than 30 items of impeachment demands, mostly by members of Congress, and a statement by the head of the American Bar Association calling the President's actions "an assault of wholly unprecedented dimensions on the very heart of the administration of justice."

A supplemental digest brought later to the President included, in its clipped style, this item about the president of the AFL-CIO:

"Meany on all nets saying U.S. had 'had enough' and receiving unanimous rousing cheer in call for impeachment unless RN resigns."

And at the Justice Department, another late development: Richardson's and Ruckelshaus' top assistants resigned, eight of them in all.

Richardson announced he would hold a news conference the next day. Richardson was invited to the White House. He and the President discussed the forthcoming meeting with reporters and the questions likely to be asked. Richardson said later that the President did not suggest the answers.

"But," said a man at Justice, "there was implicit in attitude and tone, against the background of the mounting Middle East crisis, encouragement to be as gentle as possible."

The meeting over, the President again slipped unnoticed from the White House. With his wife, he motored to Camp David, his own place of quiet in the beautiful Billy Kilmer's injured nign Catoctin Mountains, now ablaze with the brave colors of autumn.

Tuesday, Oct. 23, noon. The House of Representatives. Speaking: Rep. Tho-

mas P. O'Neill Jr., majority leader.

"Mr. Speaker, let us review the action of the President of the United States.

"No other president in the history of this nation has brought the highest office of the land into such low repute. His conduct must bring shame upon us all . . ."

"It is the responsibility of the House to examine its constitutional responsibilities in this matter."

Moments later the dreadful seed sown in the public consciousness during the early stages of Watergate now ripened. Seven congressmen rose in turn to introduce resolutions to impeach Richard Nixon, co-sponsored by 29 Democrats and one Republican. The speaker sent the resolutions to the Judiciary Committee for action.

Down Pennsylvania Avenue, Elliot Richardson gave his farewell news conference at the department he had headed only five months. He entered to a stirring ovation from Justice employes in the galleries, cheering a man who rarely stirs hearts. His words had been carefully honed in two long meetings with advisers. "... And so I resigned.

"... I could not be faithful to this commitment for an independent prosecutor and also acquiesce in the curtailment of his authority. To say this, however, is not to charge the President with a failure to respect the claims of the investigative process.

Back in the Oval Office, an assistant relayed a blunt message to the President from Republican congressional leaders: they would not "go to the wall" with him to block impeachment

moves unless he made his tapes available to the courts.

"Damn all this executive privilege," Rep. Jack Edwards of Alabama said. "People are saying the tapes have to be turned over."

About noon, Richard Nixon made his decision. Prof. Wright was summoned and given instructions for his appearance before Judge Sirica.

At 2:07, Judge Sirica opened the hearing by reading his Aug. 29 order demanding the tapes and the ruling of the appeals court essentially upholding it.

The judge asked if Wright was prepared to file "the response of the President."

Wright moved to the lectern and said he was not.

"I am, however, authorized to say that the President of the United States would comply in all respects with the order of Aug. 29 as modified by the Court of Appeals."

Sirica, a giant in the expo-

sure of Watergate, appeared incredulous.

"You will follow the decisions or statements delineated by me?"

"Will comply in all respects with what your honor has just read," Wright said.

And yet again, a stunning turnaround, an abrupt capitulation. The news was electric.

24 OCT

On Wednesday, the gods of crisis rested, but the firestorm still smoldered. Debate still sizzled in Washington over the matter of replacing the special prosecutor, who had been dismissed for demanding what the President ultimately yielded.

The holiday of strung nerves was short. The President scheduled a televised speech for Wednesday evening. He then cancelled that and said he would have a news conference on Thursday instead.

26 OCT

But on Thursday, as if to test the ultimate endurance of a weary nation, the United States and the Soviet Union passed through the shadows of high crisis over what American officials saw as a possible threat of Russian intervention in the Arab-Israeli war.

In the hours before dawn, President Nixon ordered a "precautionary alert" for all American military forces around the world. The world, said Secretary of State Henry Kissinger, is "at a crucial point."

26 OCT

On Friday, the day after the foreign crisis, President Nixon said the "outlook for

permanent peace in the Middle East is the best it has been in 20 years."

On Friday, three days after the apex of his domestic crisis, the President said a new special Watergate pro-

secutor would soon be appointed.

The President said this at a singular news conference in the East Room of the White House. Between the portraits of Dolly Madison

and George Washington, he answered reporters probing his psyche.

"The tougher it gets, the cooler I get" . . . "I have what it takes . . ."