

Thought For Today

"He who receives a prophet because he is a prophet shall receive a prophet's reward, and he who receives a righteous man because he is a righteous man shall receive a righteous man's reward."—Matthew 10:11.

Welcome Competition

More than four months still remain before candidates can officially file for the 1974 primary races, but already one man has announced his intention of challenging an incumbent West Virginia congressman and another has made wind-testing noises.

Darrell McGraw of Charleston, brother of State Senator Warren McGraw of Pineville, has announced he will try to unseat Rep. John Slack of the Third District.

Former Governor Hulett Smith of Beckley is the fellow who has a wet finger upraised to test the breeze. He says he is considering opposing Rep. Ken Hechler in the Fourth District's Democratic Primary.

Hechler, who has the only admirable record among West Virginia's four-man congressional delegation, had a hearty greeting for his "old friend Hulett" at the Raleigh County Democrat picnic Saturday at the County 4-H Camp, and said he would welcome Smith's entrance in the race. "Competition is very healthy for the democratic process," Hechler said. "It would make for an exciting

race and bring issues out clearly."

So far Rep. Slack, the fellow who believes the expenditure of \$10.5 million of taxpayers' money on President Nixon's private homes was entirely justified and whose voting record, worst in the West Virginia delegation, has put him at the side of big business in every confrontation with the common man's interest, has not welcomed the opposition of Mr. McGraw.

Well, we'll do it for him. Welcome aboard, Darrell. Like Hechler, we believe competition will put good politicians on their mettle and may even provide us with better politicians.

And while we're at it, let's hope opposition from able men develops for Robert Mollohan in the First District and Harley Stagers in the Second. Their records could stand some upgrading too.

With bumbling Jim Keegone, West Virginia's representation in the House is not as bad as it once was, but it is still among the poorer of the 50 states. A change of about three faces might work wonders for it.

From The Book Shelf

Talking to Nixon, either before or during his Presidency, left the visitor enlarged in his own repatterning of facts. The mind of the President was not philosophical. Fatalistic, yes. But questioning, no. . . . When George McGovern spoke of peace all through the campaign of 1972, one understood that the word "peace" meant, for McGovern, brotherhood between all peoples of the world. I have never heard Nixon use the word "brotherhood" privately; if he has used it publicly, it must

have been with his fingers crossed behind his back. For Nixon, peace was a need of the American people, to be won by hard, tough negotiations and deals with other hard, tough governments overseas who took the word "brotherhood" as skeptically as did he. Once peace was won, it was his conviction, the American people at home would be able to find their own way into the future, with a minimum of control from the government.—Theodore H. White, *The Making of the President*

Economy Move

The administration has announced that about \$10 million in federal funds has been spent in the past 4½ years on President Nixon's homes at San Clemente and Key Biscayne. The money was spent, officials said, for security and communications installations.

What a happy circumstance it is that Mr. Nixon was elected for a second term. Just

think, if Sen. McGovern had won, we would have had to spend that much or more on two or three homes for President McGovern.

The British, though, have an even better idea. They scatter palaces around their islands that last for centuries and centuries as reigning monarchs come and go.—Gainesville (Ga.) Times



The Innocent Bystander

De-fense! De-fense! De-fense! De-fense!

By ARTHUR HOPPE

We have only just now obtained the text of the locker room statement issued by the ace quarterback of the University Plumbers last week after their bitter clash with their arch rivals.

Seven Plumbers were tossed out of the game for illegal play stealing, five more were suspended on charges of unsportsmanlike conduct and the team was assessed a record 615 yards in penalties. The text follows.

First, let me say to you, that I did absolutely nothing wrong. And I'm sorry.

Let me repeat that I never played dirty. I never knew any of my teammates were playing dirty and nobody can prove it.

Nor do I question the right of the referee to call 'em as they see 'em, no matter how lousy those calls were—and no matter that it's become increasingly clear that they're out to get me, the quarterback, personally.

But because certain of my overzealous teammates broke the rules under my quarterbackship, I accept full responsibility—no matter how many of them have to go to jail.

Let me explain to you what I did when seven of my teammates were tossed out of the game for illegal play stealing. Right then, I went back in the huddle and said right off, "Are any of you guys in this huddle involved in playing dirty?" They all denied it. So I told them, "What really hurts when overzealous people in these games play dirty is if you try to cover it up. If you play dirty, tell the referees you played dirty. That's the decent way to play the game."

So on the second play, our scab-back Dean, draws 15 yards for gouging. "Dean," I said to him in the huddle, looking him straight in

the eye, "did you or did you not gouge?"

And he assured me at that time that neither he, nor anyone else in the huddle had gouged. I immediately directed him to launch an intensive investigation to determine whether he or anyone else in the huddle had gouged.

Throughout the first half, as the penalties mounted, I continued to press the question of who was playing dirty. And I continued to get the same answer: no one.

Because I trusted my teammates conducting these investigations and because I believed the reports I was getting, I was convinced there was no cover-up because I was convinced no one was playing dirty.

It wasn't until the fourth quarter that Dean, after we'd been penalized 535 yards, informed me someone was playing dirty. Without asking him who, I kicked him out of the game.

Now it is true I bugged the huddle and the tapes would prove me innocent. But to release those tapes would destroy my teammates' freedom to talk openly and candidly with me, knowing what they say is in the strictest confidence. Which is why I bugged the huddle in the first place.

Now let me say I reject the cynical view that football is a dirty game. Just because the other guys played dirty and didn't get caught, it's no reason we should have played dirty. Which I didn't.

An I pledge to you that some of the results of this game will be a new level of good sportsmanship in American football. So let's forget about it and support me and what teammates I have left in the great season of decency and fair play that lies ahead.

Go to bless us, every one.
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'They Don't Realize The Gravity Of The Situa---'



President Is Using The Law To Obstruct Justice

By MORTON KONRAD (C) 1973, Chicago Sun-Times
WASHINGTON—President Nixon wants to shut off the Senate hearings and "turn Watergate over to the courts." At the same time, he is doing his level best to frustrate prosecution of the case.

By refusing to release his secret White House tape recordings to special prosecutor Archibald Cox, Nixon is not only depriving the courts of possible evidence against himself and others, but he may also be pursuing a legal strategy designed to save former White House and campaign aides from jail. If indicted, the aides could declare in defense that material demonstrating their presence in the tapes, was being withheld by the government. If this is a strategy it amounts to using the law to obstruct justice.

It is ironic enough that Mr. Nixon, the aggressive advocate of law and order, should be refusing to cooperate fully with the prosecution and the grand jury. In fact, he is doing more than that. Through his lawyers, Nixon has said that his right to secrecy may be more important than any criminal prosecution and that it is up to him, and him alone, to decide when it is. The President is raising no co-operation with the courts to a constitutional level. A legal brief filed in Nixon's behalf last week said it as follows: "There is no power in the judicial branch to decide

that the public interest requires that a criminal investigation or prosecution to continue if the executive branch has determined that other governmental interest dictate to the contrary."

At the same brief, Nixon's lawyers declared: "We have not undertaken to assert in any way that the President is above the law. What we have undertaken to assert is . . . that the office of the presidency is treated differently under the law, that the presidency has certain unique attributes, few in number, but indispensable to its character and effective operations."

Well, as they are being asserted, the powers may be few in number, but they are potent indeed. One referred to by Nixon's lawyers is the "absolute" power—the word, "absolute"—to decide when his papers and communications can be divulged. Another cited by the lawyers is an immunity from criminal indictment until after impeachment and conviction by Congress and removal from office.

If Nixon chooses, he may be able to extend his own claim of immunity to cloak Vice President Spiro T. Agnew, in case there is serious evidence of corruption on his part. Agnew's lawyers have observed that the constitution's provisions on tenure of office make no distinctions between the President and the Vice President. If Nixon agrees with this, he could simply order Atty. Gen.

Elliott Richardson to refuse to prosecute Agnew unless he is first impeached or resigns. As a subordinate of the President, Richardson would have to decide whether to obey or quit.

There is a proper place for resolution of all these controversies and it is, as Nixon has said, in the courts. The Supreme Court could uphold Nixon's conception of the presidency but it seems incredible that it would do so. For, Nixon is asserting that the constitution created, not three co-equal branches of government, but one pre-eminent one, which may thumb its nose at the others. Nixon is asserting a presidency of absolute powers and immunities from the law, which is the stuff of royalty.

If the Supreme Court upholds the royal presidency, so be it. But if it does not, what will Nixon do? His press spokesman has indicated that he will obey a "definite" decision of the court, but his lawyers wrote on Aug. 7 that "the courts are without power to compel compliance with a decision overruling a claim of (executive) privilege by the President himself." The lawyers said that "the President is answerable to the nation, but not to the courts."

If Nixon disobeys an order to turn over the tapes, he will be acting in what amounts to contempt of court. Then the nation would have to decide whether to accept a President above the law, or demand his impeachment.

Perpetrator, Not Victim

Nixon Initiated First Cover-Up, Is Continuing Second

By WILLIAM V. SHANNON (C) N. Y. Times News Service
The inner history of the Nixon administration is a series of cover-ups because there is much to be concealed. The unifying fact beneath these cover-ups is the President's direct, personal relationship with the seamy side of his administration. He is not the preoccupied, innocent victim of his "overzealous" aides. The style of politics that the White House has played during these Nixon years is a style that he inspired, encouraged, and approved.

When John Ehrlichman in April, 1969 employed a retired New York City police detective to find out personal "dirt" about important Democratic politicians, he was not collecting that material because he was trying to please the boss. When Charles Colson in the 1970 campaign "leaked" embarrassing information to Life Magazine about former Sen. Joseph Tydings' financial investments, he was not conducting a political vendetta. He was playing politics in the way he knew Richard Nixon wanted it played.

When high administration officials arranged favorable settlements of the I.T.T. case and other anti-trust cases, they knew they were following the President's policy of using government power to help the administration's friends in private industry. Watergate is a messy, sprawling story that seems to lead everywhere because Richard Nixon's influence was in a really "everywhere" way in the administration. Still, there is another way Watergate is not a self-contained scandal; it is the concealed soft underbelly of this regime.

The President is in deep trouble today because the irregular methods and the habit of concealment were so endemic in his administration that when the Watergate burglars were caught, a conspiracy to obstruct justice was immediately organized.

Such a conspiracy was almost inevitable because a thorough inquiry would lead to the President's campaign manager who allegedly approved the burglary, his finance chairman who financed it, and his chief of staff—H. R. HALDEMAN—who received copies of the information gained in the previous burglary and wiretap operation, the "Gemstone" papers.

When the Watergate burglars were arrested, it was the President himself who used the C.I.A. play to deflect the investigation. It was the President who arranged for John Mitchell's nominal resignation as his campaign manager.

Dean. But why would he turn for yet another report to the very man who, according to Nixon's own account, was responsible for all the untrue reports he had been receiving for the past months?

The President then goes on to say that when Dean failed to produce a report, he turned to John Ehrlichman and to Attorney General Richard Kleinfelder. But Ehrlichman, already the object of a blackmail effort by E. Howard Hunt, one of the convicted Watergate defendants, could hardly be a disinterested investigator. Even so, Kleinfelder has testified that he received no special instructions from the President between March 21 and April 14. In short, the President's explanation of what he did in those three weeks lacks credibility.

Even more provocative is what Nixon did after April 14. Henry Petersen, assistant attorney general for the criminal division, has testified that on that day he warned the President that Ehrlichman had been criminally "got rid of them immediately."

Petersen further advised him not to fire Dean because that would create the impression that the President was naming anyone who cooperated with the prosecutors.

What did the President do? He promptly asked Dean for his resignation. He directed Halde-man to review the tape transcript of the crucial conversation of March 21. Those two moves do not prove but they suggest that the President had decided to make John Dean the scapegoat and to bring right with the rest of the insiders in the cover-up. If so, the second Watergate cover-up had begun. It is that cover-up which the public rightly fears may still be in operation.



Bug Dust

Tuesday Is Music Lovers' Night On WSWP-TV

By BOB WILLS

An anonymous follower of this column sent in the following two items which he apparently thought worth passing on. Both, he noted, were from church bulletins. The first:

To find out what really happened when the earth was created, engineers spent weeks gathering information, checking and rechecking it and feeding it into the computer. The great moment came: all was complete, everybody was ready, a button was pressed, the great computer spun into action, relays opened and closed, lights flashed and bells rang; finally, a typed message emerged: "SEE GENESIS 1:1."

Worried about her husband who had gone fishing the previous day, a young wife sent a note to her priest which read: "James having gone to sea, his wife requires the prayers of the congregation for his safe return."

What a difference a comma or two can make!

I trust that the fellow who sent in the two items above isn't the same guy who called and took up about 10 minutes of my time the other Saturday night.

He asked if I was familiar with all the horrible things that were going on in the world, and if I ever read the Bible.

He referred me to a specific chapter and verse (Matthew 24:15, I believe) and asked if I knew about "The Abomination?"

Turns out he claimed he was IT, that he had some responsibility for all the woes of the world, and that I better walk gingerly or else.

Before it was all over I was convinced. CONVINCE, that is, that if he wasn't "THEE," he was at least an AN.omination.

The Gilber and Sullivan's life is not altogether a bed of roses.

Speaking of Gilbert and Sullivan,

Prologue To A Tragedy?

Executive Privilege And Power

By ANTHONY LEWIS (C) 1973, N. Y. Times News Service

The lawyers begin arguing in court this week about President Nixon's privilege and the issue of executive privilege come alive for the public as it never has before. Anyone can see that it is an issue not of legal doctrine alone but of power. If a President can decide whether to accept that his privacy outweighs other public interests, he becomes a kind of a king, above the law.

But the case of the tapes is only a special and dramatic example of a growing problem in American government—the problem of presidential secrecy. The arguments over the tapes should be viewed by the public, and by the courts, in the larger historical and political context.

Scholars have recently done some reckoning on claims of executive privilege in American history. Perhaps 75 times since the founding of the republic, they say, the executive branch has formally refused to give some information to Congress, claiming privilege. Two thirds of these occasions have come in the last 20 years; about one third have come in the 4½ years of Richard Nixon's presidency.

That is a graphic illustration of the accelerating trend toward executive secrecy. The subject of such withholding of information is, of course, not usually something so extraordinary as verbatim records of presidential conversations that are arguably provide evidence of crime. It is usually the stuff of major government decisions.

For example, in the Kennedy administration, Gen. Maxwell Taylor, as chairman of the Joint Chiefs of Staff, declined to testify about the Bay of Pigs invasion. In the Nixon administration, John Connally, Secretary of the Treasury, refused to discuss the government's loan to the Lockheed Aircraft Corporation.

As these examples make clear, secrecy is an aspect of the movement toward centralization of power in the executive branch of the federal government. Without information on crucial issues, Congress is enfeebled.

But formal refusals of information are not by any means the only device used to keep executive activity in secrecy. Another, perhaps even more significant, has been the shifting of functions from the cabinet departments to the White House. What was once a modest executive branch, under Nixon, an establishment of more than 2,800 persons.

Any president, we may agree, is entitled to a few intimates who advise him—or entertain him on the more private basis. Few of these intimates are "advisors" in the sense that proposition is precisely and dangerously distorted when the "advisors" effectively administer the government's health, education,

let me recommend the WSWP-TV television program (10 to 11 p.m. on Tuesday nights) which so ably brings back the magic program two men 19th Century Englishmen.

Gilbert and Sullivan were masters of superb music and musical satire, and their operas are as fresh and enjoyable today as they were when they were written and composed in the last half of the last century.

I didn't recognize and don't remember the names of the artists, but last night's production of excerpts from "The Pirates of Penzance" was excellent, and I am looking forward to next week's program from "Iolanthe."

In fact, Tuesday night on the local educational channel is a real music lover's delight. It provides three solid hours of great music, beginning with the "Evening at Pops" at 8 p.m. with conductor Arthur Fiedler and the Boston Symphony Orchestra (last night's program had some great operatic and popular solos and duets by tenor Richard Tucker and baritone Robert Merrill of the Metropolitan Opera Co.); followed at 9 p.m. by "International Performance," which last night featured the O.R.T.F. Symphony Orchestra performing Tchaikovsky's Seventh Symphony and Prokofiev's Classical Symphony; and ending with the previously mentioned Gilbert and Sullivan hour.

It is notable entertainment.

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Bon Wicks



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