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nm 1/91

Part 10

September 20, 1974

Dear Mrs. Swanson:

Thank you very much for your letter of September 8, 1974 concerning President Ford's announcement of a pardon for the former President.

I realize from your letter that you strongly disagree with President Ford's decision although I note that you would not have liked to see Mr. Nixon serve a prison sentence. In part, President Ford's decision was intended to prevent the inevitable divisiveness of a long trial. On the other hand, he had to consider at what stage a pardon would be appropriate, if at all. I can only assume that you would have favored a pardon after trial before service of sentence. But, this would have caused our nation to endure the pain of such a trial and the accompanying polarization of our people. The President's early decision was a just compromise calculated to prevent such an occurrence. It was born of his own sense of mercy.

I hope in the months ahead you will come to believe that President Ford did make the best decision. I do thank you, on his behalf, for expressing your concerns.

Most sincerely yours,

**Philip W. Buchen
Counsel to the President**

**Mrs. Valerie Swanson
1327 Monte Vista Avenue
St. Helena, California 94574**



summary, September 8, 1974

Dear Mr. Buchen:

On Sunday, December 6, 1941 we had the attack on Pearl Harbor. Today, a shock just as great shook me up, just as much.

It is incredible that President Ford would pardon Mr. Nixon at this time. We are asked to have compassion for him and his family. But I also have compassion for those men and their families who have served jail sentences, who are about to serve jail services and now I ask, as the President's counsellor whether these men too will be pardoned. Will their states be wiped clean? Will they be cleared of felony charges? And why not? Their suffering is no less than Mr. Nixon's. Who can say which man has suffered enough.

For 25 years, I worked in Southern California with a well known public relations firm specializing in political campaigns - I was a campaign organizer. I am not a dewey eyed idealist - I know the political scene. I do not want to see Mr. Nixon in jail. But I insist that the word of his involvement - that it was he who motivated and indeed was the force behind the two year cover-up - the cover-up which is still going on? That is the awful question to me.

If one can forget the misery of all the men indicted or jailed, can you, can the President forget the agony of the American people for two years. Has Mr. Nixon suffered enough for the 200 million of us? I think not!

There is only one reason which would be acceptable to me for the President's pardon - if Mr. Nixon is really ill - not depressed, my God, we all are. His loved ones are no different from the loved ones of other men caught in the web Mr. Nixon spun.

I am now living in the northern part of the state, away from air and political pollution - but this morning I had three phone calls from Southern California expressing amazement at this morning's press release.

The Nixon Administration made some very bad calculations regarding the temper of the people - this may be the first miscalculation of the Ford administration.

Sincerely yours.

Valerie Swanson
(Mrs.) Valerie Swanson



Pardon

September 26, 1974

Dear Dr. and Mrs. Miller:

Thank you very much for your telegram of September 11, 1974 concerning the pardoning of former President Nixon.

I believe that our courts and juries must administer justice, but justice must and should be tempered with mercy. The pardon power is the President's exclusive right under the Constitution to show mercy. The case of the former President grossly divided our nation; to show mercy to him is also to bind our country's wounds. I hope in time you will come to believe that President Ford did make the right decision.

Most sincerely yours,

Philip W. Buchen
Counsel to the President

Dr. and Mrs. William Miller
8309 Talbot Street
Kew Gardens, New York 11415



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2-003197E254 09/11/74
ICS IPMMTZZ CSP
2124410270 MGM TDMT KEW GARDENS NY 215 09-11 0125A EDT
ZIP 20500

western union Mailgram



PHILLIP BUCHEN COUNSEL TO THE PRES
WHITE HOUSE
WASHINGTON DC 20500

DEAR MR BUCHEN, PRESIDENT FORD WAS PUT IN AN IMPOSSIBLE POSITION THE RESULT WAS A TERRIBLE MISTAKE FIRST HE MUST EXPLAIN WHY HE DECIDED TO PARDON NIXON THEN HE MUST APPOLOGIZE FOR THE ABRUPT MANOR IN WHICH IT WAS PRESENTED IN THIS HE WAS ESPECIALLY WRONG. THEN MOST IMPORTANTLY HE OUGHT TO EXPLAIN HOW UNFAIR IT WAS FOR HIM TO HAVE TO DECIDE ON SUCH A PERSONALLY ANGUISHING CASE HE WAS HIRED TO GOVERN AN ENTIRE NATION JURIES ARE CREATED TO DECIDE PARDONS OR ACQUITTALS WHY SHOULD A PRESIDENT WITH ALL HIS OTHER WORRIES BE THROWN INTO THE IMPOSSIBLE POSITION OF UNDOING THE WORK OF IMPARTIAL JURIES WHEN HE CAN NOT HELP BUT BE PARTIAL HE KNEW NIXON FOR YEARS HE HEARD REPORTS ABOUT HIS HEALTH IT WAS ABSURD THAT SUCH A DECISION BE LEFT IN HIS HANDS ~~THE CONSTITUTION IS WRONG MR FORD OUGHT TO PROPOSE THE ERADICATION OF THIS WEAK LINK IN THE CONSTITUTIONAL CHAIN TAKE AWAY PRESIDENTIAL PARDONING POWER IT IS TOO OFTEN ABUSED IT IS RIPE FOR ABUSE HONEST AND A NEW IDEA WILL RALLY THE PEOPLE TO HIS SIDE HE IS A GOOD MAN LET US HEAR HIM SO THAT WE WILL BE REMINDED OF HIS GOODNESS IN THESE CYNICAL TIMES~~

DR AND MRS WILLIAM MILLER 8309 TALBOT ST KEW GARDENS NY 11415

03129 EDT

MGMWSHT HSB



September 20, 1974

Pardon

Dear Mrs. Oberwatter:

Thank you very much for your telegram of September 9, 1974 to the President concerning his decision to grant a pardon to former President Nixon. I know the President appreciates your thoughtful expression of support and I will communicate your words to him. The decision which he made was extremely difficult and very personal. I know the President remains strongly convinced that he has correctly decided this issue and your telegram is a welcomed breath which helps support his conviction.

Most sincerely yours,

Philip W. Buchen
Counsel to the President

Mrs. E. R. Oberwatter
1917 Sharp Place
Houston, Texas 77019



MGMWSHT HSB
1-004545E252 09/09/74
ICS IPMBNGZ CSP
7135224875 MGM TDBN HOUSTON TX 100 09-09 0207A EDT
ZIP 20500



Mailgram



PRESIDENT GERALD FORD CARE PHIL BUCHEN
WHITE HOUSE DC 20500

BEHIND YOU 100 PER CENT ON NIXON PARDON WHAT COMPASSION YOUVE SHOWN
MRS E R OBERWATTER 1917 SHARP PL HOUSTON TX 77019

10:29 EDT

MGMWSHT HSB



September 20, 1974

Pardon

Dear Mr. and Mrs. Wainright:

It was very thoughtful of you to take time and send a telegram to President Ford expressing support of his decision granting a pardon to the former President. On behalf of the President I would like to thank you for your expression. The decision was very difficult but he is convinced that it was the right one.

I will tell the President of your telegram.

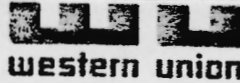
Most sincerely yours,

Philip W. Buchen
Counsel to the President

Mr. and Mrs. William Wainright
1917 Sharp Place
Houston, Texas 77019



MGMWSHT HSB
1-004496E252 09/09/74
ICS IPMBNGZ CSP
7135224875 MGM TDBN HOUSTON TX 100 09-09 0205A EDT
ZIP 20500

western union

Mailgram



PRESIDENT GERALD FORD CARE PHIL BUCHEN
WHITE HOUSE DC 20500

WHAT COURAGE YOU HAVE SHOWN SUCH COMPASSION WE ARE BEHIND YOU ALL
THE WAY NOW AND ANY TIME IN THE FUTURE
MR AND MRS WILLIAM WAINRIGHT 1917 SHARP PL HOUSTON TX 77019

10:27 EDT

MGMWSHT HSB



Pardon

September 19, 1974

Dear Mr. Franklin:

Thank you for your letter of September 1 presenting your opinions and comments concerning former President Nixon.

Your views were given every consideration before the President made his final decision, and it is hoped that you will come to share President Ford's judgment concerning the pardon.

Most sincerely yours,

**Philip W. Buchen
Counsel to the President**

**Mr. Robert B. Franklin
2716 Northfields Road
Charlottesville, Virginia 22901**



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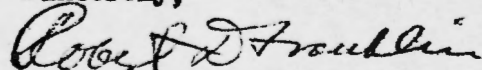
Sept. 1, 1974

Mr. Philip Buchen
White House Counsel
The White Houses
Washington, D.C.

Dear Mr. Buchen:

Many Americans, like me, who want President Ford to restore integrity to the Presidency, are anxious that he not make the irrevocable mistake of prematurely pardoning Richard Nixon. People I know in this relatively conservative area agree with the argument I have published in the enclosed letter. I hope you will take time to read it, and if you will, convey it or its message to Mr. Ford. Thank you.

Sincerely,


Robert D. Franklin

(for identification, if desired, you may consult Who's Who in America)



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Calls For Nixon

Prosecution

Editor, The Daily Progress:

Let's not be fooled by the chorus of pronouncements that Nixon "has been punished enough, he shouldn't be drawn and quartered." Nobody has yet punished Nixon at all. The prospect of im-

The Daily Progress

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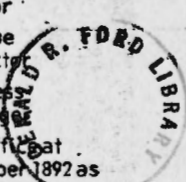
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September 18, 1974

Dear Tom:

It was good to hear from you and to have your favorable comments about the President's actions.

I'll be glad to put a copy of your letter in the hands of Mr. Ford's appointment secretary.

All best wishes.

Most sincerely yours,

Philip W. Buchen
Counsel to the President

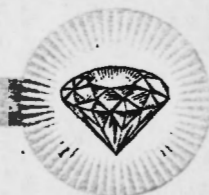
Mr. Thomas S. Fox
Fox's Jewelers
83 Monroe Avenue
Grand Rapids, Michigan 49502



FOX'S Jewelers

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83 MONROE AVENUE - GRAND RAPIDS, MICHIGAN 49502



FOX'S
SELL MORE DIAMONDS
THAN ANY JEWELER
IN GRAND RAPIDS

September 10, 1974

Mr. Phillip W. Buchen
% Office of Telecommunications Policy
Room 740
Executive Office of the President
Washington; D.C. 20504

Dear Mr. Buchen;

It must be very thrilling for you to be working with your long time friend who is now President of this great country. I've also watched with pride as President Ford has taken over this office. I'm glad to see that he is not afraid to do what he feels is right regardless of public sentiment. I personally am in complete accord with his handling of the Nixon situation, even though I feel his timing was a little off.

I would like to ask a slight favor of you. The Retail Jewelers of America, of which I am a past Vice-President, have asked if there is any possibility of the President and Mrs. Ford to attend either their Spring or Fall International Trade Fair and Convention. I know that large volumes of mail do arrive at the White House daily and would appreciate it if you could give me the name of the President's personal secretary who I could contact regarding this. If you could send me this information I would be most indebted to you.

With best personal regards,

Tom
Thomas S. Fox

TSE/laa

cc: Phillip Buchen's Grand Rapids Office



ONLY AREA MEMBER - DIAMOND COUNCIL OF AMERICA

MISS KITTIE C. STURDEVANT
ATTORNEY AT LAW
303-4 BOSTON BUILDING
105 NORTH BROADWAY
TELEPHONE 236-5803
OKLAHOMA CITY, OKLAHOMA 73102

*Pardon for
letter
sent by
Philip
Buchen
Sturdevant
Kittie*

September 16th 1974

Mr Philip W. Buchen
Counsel to the President
Washington D.C.

Dear Mr. Buchen:

1st. Approval:

A lot of us around here heartily approve the pardon granted for former President Nixon, and are grateful for your participation in working out an agreement admitting the presidential papers belong to Nixon. We remember the extraordinary service that Richard Nixon has given to this country and consider any offense, if any, as insignificant.

2nd. Suggestion:

TerHorst says that the Ford bring-overs to the White House feel demeaned on account of their association with the Nixon holdovers in the White House.

Apparently these bringovers forget that President Ford is himself a Nixon selection and appointee. Hence if Nixon's appointment disqualifies any person from White House service, President Ford is likewise disqualified and dishonored to remain there any longer than is essential. Dean Burch, Anne Armstrong and others in the White House have rendered outstanding service to the Republican party and the country. Haig's services entitle him to the highest respect and consideration both as a patriot and White House staff member. If the Ford bring-overs to the White House feel contaminated by breathing the air of such outstanding republicans, then the bringovers are the ones to be eliminated.

If President Ford intends to surround himself only with anti-Nixon folks, then those of us who admire and love Nixon for his remarkable services just as well start now to work towards Ford's return to private life at the earliest possible time.

When TerHorst in his first syndicated column advertises dissension between the new and old groups, a fact (if true) he learned from his employment in the White House, he proves that Ford's selection of him was a mistake in the first place. He sounds like a turncoat babbler. TerHorst's resignation is a blessing.



MISS KITTIE C. STURDEVANT
ATTORNEY AT LAW
303-4 BOSTON BUILDING
105 NORTH BROADWAY
TELEPHONE 236-5803
OKLAHOMA CITY, OKLAHOMA 73102

2nd Suggestion:

The selection of Nelson Rockefeller was difficult to swallow but most of us had determined to accept him if Ford felt he could work best with Nelson.

The mandate evidenced by Nixon's election in 1972 embodied his announced policies as well as the man himself. If Ford persists in turning around and adopting the kind of policies which George McGovern would have attempted to enforce, then Ford has completely ignored the expressed wishes of a great per cent of voters and there is surely no use in supporting him and Rocky for another term and no point in trying to work up any loyalty to Gerald Ford. It makes us wonder whether perhaps Ford and Rocky were secretly working for Nixon's downfall.

Yours truly

*Kittie
Sturdevant*

kcs s



<sup>Pardon for
Congress</sup>
287 Avenue C
New York, N.Y.
10009

September 13, 1974

Richards
Viola

My dear Mr. Bucher:

I feel very strongly
that further aid to Israel at this
time is especially ill advised con-
sidering all our needs and concerns
here at home. I am very thankful
that President Ford pardoned Mr.
Nixon. As a close friend and advisor
I wish you luck.

Yours truly,

Viola M. Richards

(Mrs. J. J. Richards)

September 13, 1974

Dear Mrs. Lundberg:

Thank you for your postcard of September 2, 1974 presenting your views and comments concerning former President Nixon.

Your views were given every consideration before the President made his final decision and it is hoped that you will come to share Mr. Ford's judgment concerning the pardon.

Sincerely,

Philip W. Buchen
Counsel to the President

Mrs. Charles E. Lundberg
Niner Road, Route 2
Finksburg, Maryland 21048

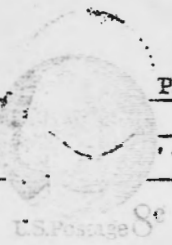


... will ever see this, but "Hope Springs
eternal"! The President is doing
himself a grave disservice by stating
Nixon has "suffered enough". The President
is the same man who told us for months
that Nixon was innocent & should be
impeached while the Judiciary Committee
was considering impeachment. That was
unfair to the Committee & his being unfair
to himself. Since Nixon has admitted
his guilt, & since Congress can go no further
in its duty bound to resolve the
question by indicting, or Nixon will lose
claim innocence, as Agnew would do.
Mary W. Runderberg

MR. GRANT LAMBERG
HOLMERS, INC. / 10741043



Samuel Adams



Mr. Philip W. Buchen
Counsel to the President
White House
Washington, D.C.



3614 T Street, N.W.
Washington, D.C. 20007
September 13, 1974

Wolfowitz
Paul

Mr. Philip Buchen
The White House
Washington, D.C. 20500

Dear Mr. Buchen:

I am enclosing a copy of a letter,
containing some unsolicited advice, which
I have sent to Mr. Robert Hartmann.
I thought that perhaps it could make a
useful contribution to your present
deliberations.

Sincerely, yours,

Paul D. Wolfowitz
Paul D. Wolfowitz



*Pardon
from Potters
sent by Philip
Buchanan*

3614 T Street, N.W.
Washington, D.C. 20007
September 13, 1974

Honorable Robert T. Hartmann
Counselor to the President
The White House
Washington, D.C. 20500

Dear Mr. Hartmann:

I write as a private citizen, with a personal interest in seeing the authority of the President preserved intact. I have admired the tone and style of many of President Ford's public statements, particularly his moving expression of hope that the "President who brought peace to millions . . . find it for himself."

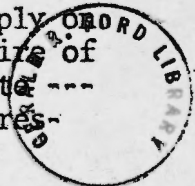
I believe that the decision which President Ford has just taken was one which did have to be faced sooner or later. Some of the hardest decisions a President must take are those which avert some unseen disaster; for if they succeed, they end by depriving him of his most self-evident justification. I am prepared to believe that the timing of the pardon for former President Nixon may have been a decision of this character.

However, the public explanations to date of the President's action have failed to emphasize adequately what I believe to be the true grounds and justification for granting President Nixon a pardon: This nation owes the former President a debt of gratitude for acts of courage and statesmanship from which the country may still be benefitting when the word "Watergate" has become as remote in memory as "Teapot Dome" is today.

If this consideration were added to the present public discourse, it could help secure greater public understanding for the decision that has already been taken. It would also have two other important consequences:

1) It would help preserve a basis for continued prosecution and punishment of others who have committed Watergate-related crimes. If a pardon for the former President is based simply on compassion for his suffering, then we are led into a quagmire of cases --- including ones having no connection with Watergate --- all having some claim on our compassion. They have no corresponding claim on our gratitude.

2) It would open the way for the President to speak with his customary candor about the crimes which Mr. Nixon very evidently committed. The President needs this; and so does the nation, to place the Watergate episode in a non-partisan perspective. Watergate



Mr. Robert Hartmann

-2-

episode in a non-partisan perspective. Watergate must not be allowed to become a basis for self-righteous moralizing but should serve as a lesson that even small crimes can lead to larger ones, and undo even the greatest deeds.

Please note that this is not a pro forma expression of sentiment. It is offered, in all humility, as advice, with the hope that it can be useful. I hope it will receive the personal attention of a member of your staff, as urgently as possible.

Sincerely yours,

Paul D. Wolfowitz
Paul D. Wolfowitz

cc: Mr. Philip Buchen
Mr. Benton Becker



Thursday 9/12/74

4:10 John Wilson called. Says if you're interested in this rhubarb that's in the paper about Haldeman's effort to get a pardon by Mr. Nixon.

Feels he can help you. Would like the chance to explain what they know about it, which is entirely proper. Impression is that Haldeman blackmailed the President. That did not occur.

Need not return call



WATERGATE AMNESTY IDEA RILES IOWANS

Few in Congress
Favor Move

By Clark Mollenhoff

(The Register's Washington Bureau Chief)

WASHINGTON, D.C. — White House confirmation that President Ford is considering pardons for all Watergate defendants brought a storm of protests from Congress Tuesday.

Very few supported the idea, and most reactions ranged from moderate disapproval to fury.

"I hope this will get no further than a study," said Senate Democratic Whip Robert C. Byrd of West Virginia. "Making a second mistake won't help matters. Pardoning all those connected with Watergate would complete the cover-up of the cover-up."

Members of the Iowa con-

DES MOINES REGISTER SEPT. 11 PAGE 1.

9/11/74

Pardon from
letter
sent by
Philip Buchen
Ascham,
Roger

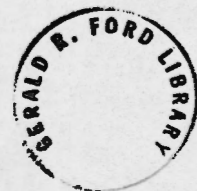
Dear Mr. Buchen,

I am inclosing a newspaper clipping you may be interested in as Bill Scherle is the dumbest Republican I have ever met in my life. I am not one to be this interested in politics generally but I hate to see a man stabbed in the back and Scherle has sure been shooting off his mouth lately. Must have just had his teeth capped or something.

Yours truly,

Roger O. Ascham

Roger O. Ascham
2919 Oaklang
Ames IOWA



September 11, 1974

*copy
made*

President Gerald R. Ford
The White House
Washington, D.C.

Dear President Ford:

In your September 8th statement preparatory to granting Richard M. Nixon "a full and absolute pardon" you stated that "There are no historic or legal precedents to which I can turn in this matter, none that precisely fit the circumstances of a private citizen who has resigned the presidency of the United States." Indeed, there are no supporting precedents; what cases of reference there are can be properly distinguished. But there is the language of Article II, Section 2 of the Constitution, the expressed and implied intent of the framers of the Constitution as to the purpose and use of the pardon authority and the legal history of Presidential pardons and existing pardon regulations. Nothing in this body of law contemplates or permits an exercise without limit of the Presidential pardon.

As I am sure you will agree, the authority for a Presidential pardon cannot be unlimited. Otherwise, the Constitution would have little meaning as a bulwark against the tyranny which the use of an unlimited pardon power could facilitate. But, the limits on the pardon authority should not be restricted to the Congressional authority to impeach. It should be limited, also, by the courts interpreting the Constitution, laws and regulations of the land. The courts may have an additional right not to permit usurpation of their own Constitutional missions by the exercise of any arbitrary or capricious power, including the pardon power.

Important questions are being asked by many concerned Americans about your decision last Sunday. What are the Constitutional limits? Is it necessary for a pardon to follow sentencing or conviction or, at least, indictment or the issuance of formal charges? Can a pardon be proper if the "corpus" of an offense or offenses does not exist at the time because none have been charged by the constituted authority or even admitted by the person to be pardoned? Can a pardon cover undisclosed offenses that might be brought to light after the pardon? Should a pardon proclamation be required to specify what offenses are being pardoned?

These are important questions for today and tomorrow, for both legal and civic reasons. These questions relate to the just operation of a legal system under intense stress. They involve the comparative rights of all individuals subject to the law, the people as a civic entity, the ultimate judgment of the so-called "Watergate" associated offenses and that most important "feeling" by Americans that the right course was taken and that it was taken Constitutionally



in accordance with established procedures. Your proclamation did not answer these questions and, consequently, took on the absolutist character of a regal decree, ~~of-rule-by fiat~~.

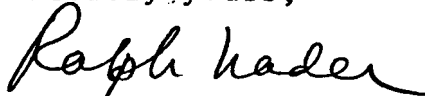
Whatever challenges may be raised by the special prosecutor, the grand jury, the courts and the Congress to the pardon of Mr. Nixon and its legal consequences is up to their sense of their authority and judgment. But the citizens of this country deserve an opportunity to exercise both their legal rights and civic judgments as well. They can only do this by obtaining full disclosure of the background materials and understandings, written or oral, which shaped this precipitous pardon.

Pursuant to the Freedom of Information Act, 5 U.S.C. sec. 552, I request access to (or a copy of) all correspondence, memoranda, affidavits and any other documents which comprise the negotiating or communicating process between your office (as Vice President and President) and Richard M. Nixon and his agents or representatives, including all written communications between your office and Mr. Nixon and his representatives leading to the September 8th decision to pardon.

Pursuant to assurances that your Administration will be a candid and open one, would you promptly release, without regard by you to any claim of Executive Privilege, any internal memoranda, correspondence or other documents used or submitted for the background deliberations leading up to the decision to pardon Mr. Nixon? These materials would include any legal memoranda or other documents justifying or questioning the September 8th pardon and explaining why it was not deemed necessary to follow the pardon regulations issued by President John F. Kennedy. In addition, the public should have access to any materials prepared by the Justice Department, White House legal counsel or private counsel submitted to the White House on the question of what, if any, written assurances were or should have been provided you by Mr. Nixon to warrant your extraordinary pardon of any offenses against the United States which "he may have committed," as distinguished from any offenses which he "has committed."

The public response to your September 8th proclamation and pardon has been sufficiently intense and widespread to invite your immediate appearance before the representatives of the media to respond to the important inquiries concerning the issuance of this highly consequential pardon.

Sincerely yours,



Ralph Nader



Pardoned Nixon Was Being Probed in

At the time of his pardon Sunday, former President Richard M. Nixon was under investigation for possible criminal violations in 11 areas, ranging from misuse of governmental agencies to tax fraud to the Watergate cover-up.

A list of these areas was



relating to the gift of pre-presidential papers — In 1969, Nixon donated his vice-presidential papers to the National Archives, and over the first four years of his presidency took tax deductions on the gift totaling \$482,019.87. He had planned to take a fifth deduction

relating to the gift of pre-presidential papers — In 1969, Nixon donated his vice-presidential papers to the National Archives, and over the first four years of his presidency took tax deductions on the gift totaling \$482,019.87. He had planned to take a fifth deduction

tap which could not possibly have been motivated by national security factors.

5. MISUSE OF IRS information — Prior to the 1972 presidential election, former Nixon aide John D. Ehrlichman ordered a politically motivated audit of


audits as to "enemies" — During his Senate Watergate testimony, Dean produced an "enemies" list which he and Colson had a hard time preparing. The idea behind the list was to attack these enemies, Dean said, and one way was to harass them through tax audits.

raised the federal milk price support level, resulting in a multimillion dollar windfall for the milk-producing industry.

Evidence has shown that at the time of the decision to raise the level, Nixon was aware that milk producers had pledged \$2 million to his

order. Post's sense of political damage. "The Post damn this challenge supporters

ed Nixon Was Being Probed in 11 Areas



relating to the gift of pre-presidential papers — In 1969, Nixon donated his vice-presidential papers to the National Archives, and over the first four years of his presidency took tax deductions on the gift totaling \$482,019.87. He had planned to take a fifth deduction to bring the total up to the

tap which could not possibly have been motivated by national security factors.

5. MISUSE OF IRS information — Prior to the 1972 presidential election, former Nixon aide John D. Ehrlichman ordered a politically motivated audit of the taxes of then Demo-

audits as to "enemies" — During his Senate Watergate testimony, Dean produced an "enemies" list which he and Colson had a hand in preparing. The idea behind the list was to attack these enemies, Dean said, and one way was to harass them through tax audits.

Last fall, IRS Commis-

raised the federal milk price support level, resulting in a multimillion dollar windfall for the milk-producing industry.

Evidence has shown that at the time of the decision to raise the level, Nixon was aware that milk producers had pledged \$2 million to his re-election campaign. The

ordered a challenge to the Post's renewal of the license for those stations for political reasons.

"The main thing is the Post is going to have damnable problems out of this one," Nixon said. A challenge, filed by Nixon supporters in Florida, is still pending.

to plead guilty last summer to a misdemeanor charge of failing to testify fully and accurately, a controversial decision.

10. THE HANDLING of campaign contributions by Rebozo for the personal benefit of Nixon — The Senate Watergate committee found that Nixon's close

SKIPPED JUSTICE OFFICE

**Ford Bypassed Routine
In Giving Nixon Pardon**

By Orr Kelly

Star-News Staff Writer

President Ford has com-



In three proclamations issued following World War II and the Korean War; Tray-

Wednesday 9/11/74

2:20 Reba Hardin called from suburb in Virginia with words of ^{wait to} encouragement. It seems like the news media couldn't/jump on withal four feet. Impressed with the President who has the guts -- he's done what has to be done. Know he's been bombarded on all sides by a certain element. Whenever he receives calls, etelegrams, etc. ---- there are over 200,000,000 people out here; I'm one of them; take heart -----

The President doesn't have to consult with everybody with what he's doing. After all, the President has the Constitutional right. I don't think he has to ~~ckky~~/kowitz to those people in Congress ---- Rainsback, Waldie, Mansified. (((I think he has his head screwed on wrong)))

Just back from Canada. Judiciary Cmte. that wanted to reopen and start impeachment proceedings all over again.

Rodino seems to be the only one who has his head screwed on right.

There are an awful lot of us out here that are with him and th few complaints he's getting don't make up this country.



Pardon

RAYMOND L. WISE

745 North Shore Drive

Miami Beach, Florida 33141

Hon. Phillip Buchen,
Counsel to the President
The White House
Washington D C

September 11, 1974

Dear Mr. Buchen:

As a practicing lawyer for 55 years, I am delighted we finally ⁷¹⁰⁷ have a lawyer advising a President who really understands the constitution and the law. I congratulate you.

As a contribution to unifying the nation, I respectfully suggest that the 59% who were opposed to the Nixon pardon might be happier with it if you would widely publicize the fact that the Supreme Court of the United States has held that the acceptance of a pardon is a confession of guilt.

Perhaps unwittingly, Nixon has at last admitted he committed a crime! ^{Crime!}

In *Burdick v. United States* (1915) 236 U.S. 79, the court held unanimously that the acceptance of a pardon is a confession of guilt. At p. 86, Mr. Justice McKenna said "Circumstances may be made to bring innocence under the penalties of the law. If so brought, escape by confession of guilt, implied in the acceptance of a pardon, may be rejected...." Mr. Burdick, denying his guilt, refused to accept the pardon tendered to him by President Woodrow Wilson. The court upheld him without a dissenting vote.

On a happier subject, I am the author of *Wise "Legal Ethics"*. I enclose a reprint from the New York Times which indicates that the ^{book} probably is in your White House Law library. The book also contains a pocket part supplement on judicial ethics.

If at any time I can be of assistance to the administration on any matter of legal or judicial ethics, please do me the honor of calling on me.

With best wishes to the President and to you for success,

I am sincerely,

Raymond L. Wise

Raymond L. Wise



MR. Philip Buchen
Counsel TO The President
Washington D.C.

[ca. 9/10/74]

Pardon
from letter
sent by
Philip Buchen
Perlman
Nathan

Dear sir,

I am forwarding some comments which are a bit lengthy to our President through you. Given the rush of mail I felt it better that your office be the intermediary. I am confident that when people judge President Ford's action as the act of one human being to another that they will recognize it as an act of deep humility ~~and~~ compassion. Our Constitution does not require us to forsake those principles of our Judaeo-Christian heritage in order to be faithful to it. Quite the contrary the right of the Chief Executive to grant pardons is but part of this heritage.

Respectfully

Nathan Perlman

103 Park Ave

N.Y.N.Y. 10017

Nath Perlman



On Justice

During the past several days there has been much discussion about the word "Justice". At the very same time few have defined it. Intuitively each of us believes we know what conduct is just and what is not. In this sense justice is but the application of the community's sense of what is right and what is wrong.

Upon closer inspection this definition however does not suffice.

Such a definition makes justice synonymous with the popular will. It is clear however that the popular will is not sufficient a standard. For example it is clear that the great preponderance of the populace in Nazi Germany were not at all offended by the barbarous policies of the Nazis yet few outside that society could consider such conduct just.

The essential question then is how does the aggregation of a society's individual consciences become the moral force we call justice. The reply must be that justice is developed from that principle which Kant called the moral imperative; namely that conduct is ultimately good which when universally applied result in benefitting all. The converse being what is evil

We have defined justice in theory but in reality justice is a far more difficult concept to handle. Lawyers commonly refer to justice as the workings of the legal system from the beginning of a process to its end or what we call due process of law. However human institutions are by their nature imperfect and there is no ~~certainty~~ that the legal institutions achieve their ultimate purpose.



2

This can be seen best by example. Assume that a guilty man is acquitted by a jury one who we clearly perceive is guilty then we are not satisfied with the judicial system/. We call this result a miscarriage of justice even though all precepts of the judicial process were followed. Let us now consider the case where a vigilante group exercises its judgment on one who is clearly guilty. Here justice in the sense of *lex talionis* may have been served but the legal concept of justice has been violated for it is outside the law.

A fundamental purpose of law and government is to protect the weak from the strong, the minority from having their rights violated by a majority. That is in modern society we do not depend on the family to avenge our grievances but allow the state to substitute for us. We do this because in the long run we all benefit best from such a system.

Now it is clear that the vast body of law we have inherited and are writing today has many sources. The simplest derives from the golden rule and the Bible. We all recognize that murder, rape and larceny can not be tolerated by a society unless it becomes a jungle and then government is meaningless. We also recognize crimes that are *mala se prohibita*, namely forbidden because the State rules so. The test of a law abiding citizen is whether he wishes to honor those laws he personally does not agree too..



To argue then as have some that we ought to tolerate crimes which are simple like the violations of the second half of the Ten Commandments because the perpetrator is of low economic status , has a different color than his victim, is younger or is located on a "protected ground " (college) is quite clearly zany and muddled thinking. Tounge

To argue that we ought to severely prosecute those who commit crimes against the state or as we call them in the U.S.A. constitutional crimes has some merit . Certainly if we are to opt for government and not anarchy then public officials must be subject to law.

It is no stretch of a man's imagination however can one argue however tohty strict enforcement and punishment be cast upon public officials or citizens when they commit crimes against the state and be condoned when they commit crimes against the person. Certainly equal justice under the law does not mean this.

In the light of this let us examine the furor over the pardon of former President Nixon:

a) The forces aligned for severe judgment of him are precisely those who are in favor of lenient treatment of rapists, murderers , muggers and drug pushers. To them they will dedicate editorials and funds as does the American Civil Liberties Union , the N.Y. Times and the networks. So a

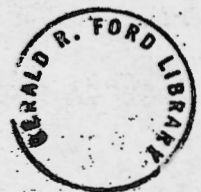
after senator Barry Goldwater raised the issue of law and order it is true that the Bill of Rights and the Constitution exist for the defense of the criminal . The Ordinary citizen has



4
has no rights . He can be assaulted today killed and robbed and
no bar association will issue a protest , no law professor will
gather the faculty to issue a statement . No Senator will issue
a resolution on his behalf and no hearings will be held on the
Television in his behalf . His story will not be told in the
history books . or championed by banner headlines .

However these very same people who reject justice for the
victim of crime when the name of the victim is Kopechne and the
perpetrator is Kennedy are outraged and determined to "decapitate
" Nixon ". Their motive today or three months ^{from} ~~for~~ now is not law
but revenge , not justice but malice not concern for our country but
partisanship and malice and it is about time the shots be
called as they really are .

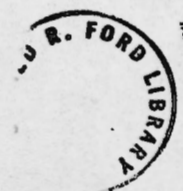
b) The purpose of a judicial proceeding is not to write
history . When lawyers write history like Jenner and Chief Justice
Warren in the matter of Lee Harvey Oswald then we get poor law
and poor history . Richard Nixon as private citizen is no
more the property of court historians in the U.S. Senate
then was Andrew Johnson after he filled out his term in
1868 . . Beyond which suppose he had destroyed the tapes as he
was counselled ~~na~~ and would he tried today would anyone argue
that he is being tried so that Arthur Schlesinger can write
another book . The idea is so preposterous that were it not for
the partisan mood in the capital it would be recognized as sheer
idiocy .



d) a pardon is issued not so much at times on the behalf of the defendant as in the hope of restoring domestic tranquility. Its a statement that in this case the long run interest of a country is best served by a pardon than by exercising the normal process of law. This was the spirit of Abraham Lincoln when he issued and wished to issue pardons to the rebels in the Civil War.

e) finally the vox populi and the Gallup poll do not belong when questions of pardon are considered. It would be as much wrong to issue a pardon because a majority were for it as if it were against it. A pardon should only be issued on its merits. As J.F.K. put it in Profiles in Courage certain actions must be taken & even if they are against the public will. /

In the perspective of hindsight I am sure that the people will come to see your act as ~~an~~^{act} of mercy. Some may resent your act to him who they do not wish mercy and compassion to be granted. Yet one can take a lesson from the Creator of us all who ~~inxxx~~ requests we be merciful to others so that we can be worthy of his mercy to us.



9/10/74

1:35
~~2:00~~

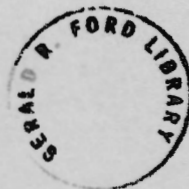
Mrs. Stanley Smith, 1 Gelding Court, Olney, Md. 20832

Our family is all for it.

We have so many committees in Congress. Select a committee on investigating committees. I think some of these Congressmen might smooth it down a little bit. If the President were to suggest a Committee to investigate our system to see what the load of our system has been.

We have a great nation ---- terrific nation. Some of those who are speaking up right.

I would suggest a committee consisting of the executive branch, legislative branch and judicial and investigate all separation of powers and do a spot check. 20 Congressmen and 20 Senators.



Grosse Pointe Emergency Secretarial Bureau

76 119 Kercheval on the Hill

Grosse Pointe Farms, Mich. 48236

Telex 4-7367

*Pardon from
letter sent
by Philip
Buchen
Estelle,
Lena*

Lena Estelle

Notary Public

September 10, 1974

Honorable Philip Buchen
The White House
Washington, D.C. 20500

Dear Mr. Buchen:

The decision the President of the United States made to pardon Mr. Richard Nixon was a good one and not only was it good for Mr. Nixon but good for the country and the world.

Sincerely,

(Miss) Lena Estelle

76 Kercheval on the Hill
Grosse Pointe Farms,
Michigan 48236



OFFICE OF THE VICE PRESIDENT
WASHINGTON, D.C.

To: Bill Casselman

From: Phil Buchen

Date: 8/10/74

Time 3:30 a.m.
p.m.

Merrill Doran placed a call to me yesterday; since I didn't know him, my secretary called to see if she could help.

Mr. Doran is a CPA in Altoona, Pa. (R.D. 1, Box 635 --- phone: (814) 943-7427), and had called to extend his congratulations to President Ford and wish him the best of success in his new office.

Also wanted to request that the President do anything he can to prevent a criminal action against Mr. Nixon.



August 1974

Bunny took
a
Phone Call:

"Our family feels Nixon should be pardoned!"

Mrs. Stanley Smith



Pardon

September 23, 1974

Dear Mr. Lenihan:

Thank you for your letter of September 3 presenting your opinions and comments concerning former President Nixon.

Your views were given every consideration before the President made his final decision and it is hoped that you will come to share the President's judgment concerning the pardon.

Most sincerely yours,

Philip M. Buchen
Counsel to the President

Mr. Liam K. Lenihan
35 Orange Street
Brooklyn Heights
New York, New York 11201

