

Condition 'Serious' at Walter Reed

Justice Douglas Stricken on Vacation



WILLIAM O. DOUGLAS
... Ford sent plane

1-2-75
By Margot Hornblower
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Supreme Court Justice William O. Douglas, who has served on the court longer than any other man, was hospitalized in serious condition here yesterday after suffering a stroke while vacationing in Nassau.

The 76-year-old justice, perhaps the most controversial and individualistic justice ever, was reported alert and resting comfortably in the Walter Reed Army Medical Center's intensive care unit following an early morning flight to Andrews Air Force Base on a military plane supplied at the direction of President Ford.

Supreme Court spokesman Barrett McGurn refused to comment on whether Douglas, a robust outdoorsman, had suffered any paralysis, or impairment of his speech or vision—common symptoms of a stroke.

McGurn said Douglas' "vital signs are stable" following "an apparent cerebro-vascular accident," the medical term for a stroke.

Douglas had flown to Nassau Tuesday afternoon for a short vacation with his wife Cathleen, McGurn said. He suffered the stroke about 7:30 p.m. and was taken to Princess Margaret Hospital on the Bahama island.

The U.S. embassy in Nassau

notified the State Department of Douglas' condition; Chief Justice Warren E. Burger, reached at a New Year's Eve party, telephoned President Ford in Vail about 10:30 p.m.

The President arranged for two planes, one to fly Douglas' physician, Dr. Thomas N. Connally of Arlington, to Nassau, and another to bring Douglas back to Washington.

The first, a special air mission Jetstar, left Andrews Air Force Base with Connally at 11:30 p.m. and arrived in Nassau at 2 a.m. Connally decided to have Douglas transported to Walter Reed, McGurn said, and the second plane, a C-9

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medical aircraft, left Homestead Air Force Base in Florida at 4:30 a.m., arriving in Nassau 35 minutes later.

At 6:18 a.m., the plane left Nassau with Douglas, his wife and Connally. It arrived at Andrews Air Force Base at 8:40 a.m., and Douglas was transported by ambulance to Walter Reed. He was admitted at 9:20 a.m.

The justice has had an electronic pacemaker in his chest since 1968 to regulate his heartbeat, but apparently has been in good health since.

In Vail, where the President is vacationing, press secretary Ron Nessen said Mr. Ford is being kept advised on Douglas' condition. Ford, when he was House Republican leader in 1970, launched an effort to impeach Douglas for alleged conflicts of interest and leftist leanings.

Douglas' 35-year Supreme Court career, spanning a generation of conflict and change in the judiciary, has been filled with controversy, both personal and legal.

Born in Maine, Minn., he grew up in the mountains of central Washington state, where he still vacations, occasionally reaching court decisions in his cabin in Goose

Prairie. An avid sportsman, hiker and horseback rider, he represents to many people the rugged individualist and outdoorsman and self-made man who is a constant of American culture.

His father died when he was 6, leaving the family in poverty. He overcame an attack of polio through vigorous hiking and backpacking in Washington's Cascade Mountains. After working his way through high school and college, Douglas hitchhiked east from Washington and entered Columbia Law School in 1922.

After graduating second in his class, he practiced law in New York and taught at Columbia and Yale, where his field was corporate law.

Appointed to the Securities and Exchange Commission in 1936, he forced stock exchanges to reform themselves and shocked some members of the establishment by calling the New York Stock Exchange "a cross between a casino and a private club."

He is known sometimes as a lonely dissenter whose philosophical opinions, in some views, stretch the outer limits of legal interpretation. His pioneer spirit has led him into some of the most controversial thickets of American politics

and history, and he has weathered the storms undaunted.

Along with his former colleague Hugo Black, Douglas was a champion of the First Amendment. He cannot abide government censorship, such as efforts to restrict obscenity. A strong advocate of civil rights and the right to privacy, he would severely restrict search and seizure and any government intrusion on personal liberties.

Appointed at age 40 to the court in 1939 by President Franklin D. Roosevelt, Douglas was in the forefront of judicial activism over the last 30 years, but former President Nixon's appointment of four justices placed him in the minority camp.

He has ever been the bane of conservatives whose efforts to oust him culminated in the 1970 impeachment drive led by Mr. Ford. Mr. Ford attacked his service as president of a private foundation that had ties to Las Vegas gambling casinos, his advisory role in the liberal Center for the Study of Democratic Institutions and for the publication of excerpts from one of Douglas' books in *Evergreen*, a magazine featuring pictures of nudes and articles containing words considered obscene.

At the time, Ford accused

Douglas of advocating "hippie-hippie style revolution" and of being a "well-paid moonlighter" for the foundation. Douglas was cleared of the charges in a 924-page special House subcommittee report after an eight-month investigation.

It was at that time that Ford made the statement, later quoted in the context of the Nixon impeachment proceedings, that, "an impeachable offense is whatever a majority of the House of Representatives considers it to be at a given moment in history."

Ford said, however, at his nomination hearings, that he no longer thought Douglas should be impeached because the justice had stopped the activities he was criticized for in 1970.

Only a month ago, Douglas was a dinner guest at the White House.

Douglas has been married four times, most recently in 1966 to Cathleen Heffernan, a 23-year-old college student at the time of their marriage.

The author of 20 books and innumerable articles, he is the court's most traveled justice. Most recently, in August 1973, he visited China for three weeks to investigate conservative practice and the judicial system. Despite his unpopularity with the political right, he has always been a strong anti-communist.