

Nixon's health improves

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WASHINGTON (AP) — Richard M. Nixon's lawyer said Thursday the former president will probably be healthy enough to testify at the Watergate cover-up trial in three weeks or a month.

After hearing the optimistic report from Herbert J. Miller, the attorney, U.S. District Judge John J. Sirica put off any decision on Nixon's testimony for three weeks, pending a new medical report.

Sirica said he preferred Nixon to make "an appearance in open court," instead of answering questions under oath at his San Clemente, Calif., estate.

Before Sirica held a short hearing on how to handle Nixon's request to be excused from testifying, the jury heard the first and second of more than 30 White House tapes. Watergate prosecutors plan to introduce into evidence.

Jurors, defendants and spectators alike donned earphones and listened to the private, frequently profane conversations of the former president and his closest aides.

The first tape brought to life a Sept. 15, 1972, meeting among the prosecution's

star witness, John W. Dean, defendant H.R. "Bob" Haldeman, and Nixon in the Oval Office of the White House.

From the witness stand, Dean heard himself report to Nixon on the progress of the cover-up on the same day the seven men arrested in the original Watergate break-in were indicted by a grand jury.

Haldeman's daughter, Susan, was among those listening to the tapes in the otherwise eerie silence of the courtroom. Another defendant, former Atty. Gen. John N. Mitchell, held only one earphone to an ear and listened impassively.

The second tape played for the jury recorded a phone call in November 1972 between convicted Watergate conspirator E. Howard Hunt and former White House aide Charles W. Colson.

Hunt was seeking help from Colson in obtaining money from the White House for the original Watergate burglars.

Dean testified that a copy of the tape later was played for Ehrlichman, Haldeman and Mitchell.

Sirica called the hearing on Nixon's possible testimony after excusing the jury for the day.