

ic disposition, it was a tough order to give, but it had to be done. Observers feared that he was spread too thin, and had not yet made a successful transition from the leisurely politicking of Capitol Hill to the continual decision-making grind of the White House.

Open and personable, Rumsfeld has the task of giving the President the protection he needs without sealing him off. A Ford ally when he served in Congress from Illinois, Rumsfeld was even considered for the vice presidency before Nelson Rockefeller was chosen. Though Rumsfeld held some high-ranking posts in the Nixon Administration—director of the Office of Economic Opportunity, director of the Cost of Living Council, Ambassador to NATO—he was not tarnished by Watergate. Once when H.R. Haldeman, Nixon's chief of staff, tried to shift him to a smaller office, he resisted: "Listen, I didn't resign a first-class seat in Congress to take a second-class office in the White House." Now he has Haldeman's office, though without the title and imperial trappings.

Rumsfeld's arrival coincided with the long-overdue departure of some hard-core Nixon holdovers, who were finally eased out last week. Among the resignations announced: Father John McLaughlin, a Jesuit priest who had offended his own order by so tenaciously defending Nixon's morals; Richard Moore, a presidential counsel who is reportedly to be added to the list of unindicted co-conspirators in the Watergate cover-up trial; Bruce Herschensohn, an assistant who was in charge of coordinating public support for Nixon.

Good Humor. Bolstering Ford throughout his busy week was his wife Betty's encouraging recovery. Because cancer cells were found in two of the 30 lymph nodes removed in the operation, she will have to undergo further treatment to prevent the spread of the disease. But she appeared to be in good humor. She was surrounded with cards, letters and bouquets from well-wishers. Particularly heartening were hundreds of messages from women who had undergone the same operation. One notable correspondent: Alice Roosevelt Longworth, 90, who had two mastectomies years ago.

Despite the First Lady's progress, her illness inevitably stirred speculation about her husband's plans for 1976. "He is greatly influenced by his family," says a presidential adviser who believes that Ford would bow out if his wife was not well. The leading contender for the G.O.P. nomination would then be Vice President-designate Nelson Rockefeller, a dismaying prospect for Democrats, who think he would be the toughest man to beat. Rocky is already filling in for the President at speaking engagements in Utah and California. But Ford will soon join him on the hustings. This week he is scheduled to begin a series of trips through 18 states in behalf of Republican candidates.

TIME, OCTOBER 14, 1974

WATERGATE

The Trial Begins, Minus Its Star

They were once inseparable, the guardians of the Oval Office in Richard Nixon's law-and-order Administration. Now they sat on the uncomfortable side of the law as defendants in a Washington federal courtroom, separated by a vacant chair—and a frosty silence. For 45 awkward, painful minutes, during a courtroom lull in the jury selection process, John Ehrlichman, baggy-eyed and subdued, bent purposefully over a yellow legal pad. The normally dour H.R. Haldeman, his crew cut turned sleekly long, glanced tentatively at his onetime friend, but got no encouragement. Before stepping out to smoke his pipe, a pale, drawn, considerably older-looking John Mitchell, 61, had sat aloof. Once the nation's chief law enforcer as Attorney General, he now faced criminal charges for the second time.

Far Apart. Certain to become one of the most celebrated trials in U.S. history, the Watergate conspiracy case poignantly dramatized how far this once triumphant trio had fallen—and how far apart they have grown. As Nixon's former chief of staff, Haldeman had a great deal to do with Ehrlichman's emergence as the Administration's domestic-policy boss. Now Ehrlichman's lawyers were expected to claim that Haldeman had worked deviously with Nixon to mislead their client about some of the 45 overt acts cited by the prosecution as part of a conspiracy to "commit offenses against the United States" and to obstruct justice. Mitchell, who never really trusted the palace pair, had learned from the Watergate transcripts that they had plotted with Nixon to make him the scapegoat in the 1972 wiretap-burglary of Democratic National Committee headquarters.

The other two defendants seemed almost incidental. Robert Mardian, a top Mitchell aide at both the Justice Department and on Nixon's 1972 re-election committee, warmly shook hands with his former boss. Kenneth W. Parkinson, who had been merely an attorney for the Nixon committee, sat apart from the

others on a front-row bench, almost as a spectator. Federal Judge John J. Sirica had separated the case of a sixth defendant, Gordon Strachan, because of legal complications caused by previous grants of immunity to him.

As Ehrlichman entered the courthouse on the first day, he was spat upon by a bearded, heavy-set man who identified himself as a Yippie. Inside the courtroom, everything was orderly as Sirica asked possible jurors, largely black and female, questions proposed by the

NIXON LEAVING HOSPITAL WITH FAMILY



EHRlichman LEAVING COURT



HALDEMAN HAILING CAB AFTER SESSION



defense and prosecution attorneys. By week's end Sirica had given preliminary approval to only twelve possible jurors; he would need at least 45 if the opposing attorneys exercise all of the peremptory challenges he has allowed. Many prospective jurors have been dismissed because they would suffer unduly if sequestered from family or business duties for the full length of the trial, which could go on past Christmas.

Although not physically present, the former President, for whom all of the defendants had worked, was and will remain a central figure in the trial. His lawyers presented motions to quash two subpoenas issued for his testimony at the trial—one from Special Prosecutor Leon Jaworski, the other from Ehrlichman. Sirica sealed the papers supporting the motions until after the jury has been sequestered. Nixon's health was cited as the major reason for his unwillingness to appear; national security was listed as another reason.

Mentally Sharp. Nixon meanwhile was released from Long Beach Memorial Hospital Medical Center after a twelve-day stay. Dr. John Lungren, his personal physician and a longtime friend, reported that the blood clot in Nixon's left leg was gone and the clot in his lung was no longer detectable. Exhaustive tests showed no signs of the cancerous condition that sometimes triggers such clots in phlebitis cases.

Lungren insisted that Nixon was "mentally sharp but physically extremely fatigued" and must not travel for as long as three months or even give a deposition for two or three weeks. He said that Nixon must be closely supervised while recuperating. The anti-coagulant pills he will take could cause hemorrhaging if Nixon had any accident, Lungren said. If Nixon were to sit, ride or stand for prolonged periods, this could cause "stagnation or sludging of the blood" in his left leg. Lungren said he was worried about turbulence in air travel. If the lawyers at the Watergate trial "have communication with the good Lord and can tell Nixon that he's going to have a perfect flight, then he can go," said Lungren. The possibility of travel by rail was not discussed. Lungren conceded that many people suspect that his advice to Nixon is more politically than medically motivated. "There are a lot of doubting Thomases—the country is full of them," said Lungren, "but this is my honest conception of what I think could happen to him during his recovery period."

Indeed, some experts in pulmonary disease said that on the available information they could not understand why the ex-President need be restricted from air travel for as long as three months or be excluded from testifying. After all, trial witnesses have often appeared in court in wheelchairs. What also puzzled other doctors was the cause and seriousness of Nixon's "fatigue." Lungren's explanation: "He's had 27 years without a vacation, 5½ years in the toughest

job in the world, and he's had recurrences of phlebitis since June."

Before he left the hospital, Nixon's mood clearly was irritable. When he emerged from a room in a wheelchair and spotted Photographer Kent Henderson of the Long Beach *Independent Press-Telegram*, he snarled an undeleted expletive: "You goddamn son of a bitch." The startled photographer neglected to squeeze off a shot.

Nixon's mood could not have been helped by news that the Senate overwhelmingly (56 to 7) passed a bill to cancel his agreement with President Ford that would have allowed the former President to retain control over his Watergate White House tapes and papers. The bill, expected to gain House approval and to be signed by Ford, keeps the

material under custody of the General Services Administration in Washington. It will be available to official Watergate investigators.

Nor could Nixon have been pleased by the fact that the House had chopped his transition funds from the \$850,000 requested by President Ford to \$200,000.* Taking particular aim at a \$25,000 item for Nixon's travel expenses, California Democrat George Danielson asked: "Where's he going? He's already gone."

*The \$200,000 does not include the \$220,000 in salaries of federal employees assigned to work with Nixon since he left office or some \$415,000, which, according to a Senate subcommittee, has already been spent on his support in the same period. By contrast, Lyndon Johnson, the only other President to benefit from the same laws, was given only \$370,276 spread over 18 months.

OLIPHANT—LOS ANGELES TIMES



"More?? You want more?!"

POLITICS

A Reform in Campaign Spending

The disaster of Watergate will yet benefit the U.S. if some lessons are learned, some long-range changes brought about. This week Congress almost certainly will approve a momentous reform that grew directly out of Watergate: the public financing of presidential campaigns.

The currying—or outright buying—of future governmental favors by private interests through campaign contributions to both parties has long been one of the most degrading features of U.S. political life. In Nixon's 1972 reelection campaign, it reached new depths. Last week the Greyhound Corp. became the 16th corporation to plead guilty to making illegal contributions.

The obvious cure for such real and apparent abuses is to consider the election of a President a public responsibility to be financed from public funds. That is the major provision in a campaign-spending reform bill agreed upon last

week by House-Senate conferees after months of backstage wrangling in both chambers. The bill does not apply the same funding principles, however, to elections for Senators and Congressmen.

Under the compromise, the public funding of presidential campaigns would work this way:

MAJOR PARTY CANDIDATES. A major party is defined as one whose candidate drew at least 25% of the vote in the previous presidential election. For the general election, if a sufficient pool of tax money has been built up, each such party's candidate would be allotted \$20 million in public funds to finance a campaign. The money would come from the income tax check-off system now in effect, by which each taxpayer can earmark \$1 of the tax he is paying for this purpose. The check-off fund is expected to total at least \$64 million by 1976. Beyond the \$20 million spending ceiling,