

The Bill for President's Lawyers

By Lesley Oelsner
New York Times

Washington.

James D. St. Clair says he represents "the office of the presidency," not the occupant of that office "individually."

He says it over and over, firmly if politely, drawing the line for the public record — "I don't represent Mr. Nixon personally, I represent him in his capacity as President."

St. Clair's distinction, if it is accepted, may answer the questions that have been raised about who should pay the President's legal bills.

St. Clair's salary is \$42,500; he has seven lawyers working with him on President Nixon's Watergate defense team, and, he said in an interview, he may hire at least three more. He also has several nonlawyers on his staff. The total bill, should Mr. Nixon be impeached and this defense team continue working through the trial of the impeachment, could thus go as high as several hundred thousand dollars.

At the moment the entire staff is paid by government funds. But last January, at a news conference, Attorney General William B. Saxbe said that there might come a point when Mr. Nixon should take over the cost himself — paying the bills by a "defense fund," perhaps.

Saxbe said that the government should not pay the bills for the defense at a trial of impeachment charges, should such a trial take place. He also suggested that it would be improper for the government to pay the defense bills even before a vote on impeachment, if the impeachment inquiry were proceeding on the basis of criminal allegations.

The Justice Department has not developed its position on the question, beyond what was stated by Saxbe in January, Mary Lawton, deputy assistant attorney general for legal counsel, said this week.

The time for making a rul-



JAMES ST. CLAIR
It's not personal

ing on who should pay the President's legal bills, Miss Lawton suggested, would come when it becomes clear what charges, if any, the impeachment committee is considering.

If the charges are purely political, she said, it is at least arguable that the government could continue to pay the bill, although, she added, public relations might dictate a different course.

Mr. Nixon was asked at a news conference whether he intended to take over the cost of his defense. He brushed the question aside, joking that if the attorney general decided against him, he would find someone to lend him the money.

St. Clair, for his part, said that he did not think "it's all that clear, frankly."

If the impeachment involved "an issue of congressional encroachment on the office of the presidency," he suggested, it might be proper for the government to continue footing the bill.

President Andrew Johnson, at his impeachment trial, paid for his own attorney. His lawyer was the former attorney general, who had resigned to represent the President.

Some lawyers have said that this precedent means that Mr. Nixon should also pay for his lawyers, should he be tried. St. Clair questioned this, however, saying that Mr. Johnson's lawyer had resigned from his government job because he did not have time to be both attorney general and defense lawyer — and not because it was improper for a government-paid attorney to represent the President.