

Cover-up Trial May

Watergate Proceeding Opens Tuesday

By George Lardner Jr.
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H. R. (Bob) Haldeman has been practicing the guitar, getting his medium-long hair styled at O'Rourke's, and sailing a tiny Sunfish sailboat off Newport Beach, Calif.

John N. Mitchell has just returned from a summer on Long Island with his 13-year-old daughter, Marty. John D. Ehrlichman did some hiking in the Cascade Mountains and took delight in his oldest son's success at an important Seattle law firm where he clerked for the summer.

Tuesday will change all that. At the stroke of 9:30 a.m. or a few minutes later if U.S. District Court Judge John

J. Sirica's habits hold true, a court bailiff will proclaim "God Save the United States" and the Watergate cover-up trial will begin.

Some have billed it as "the trial of the century." Others have already denounced it as a "public lynching." Most will look to it for what it discloses about the man who was until Aug. 9 President of the United States. Yet the basic text is a 50-page indictment that does not once mention "Richard M. Nixon" by name.

The Watergate grand jury originally indicted seven men in the cover-up case last March 1. The first to drop out was former White House counsel Charles W. Colson, who had all other charges against him dismissed when

he pleaded guilty to an attempt to smear Pentagon Papers defendant Daniel Ellsberg. Now it appears almost certain that former White House aide Gordon C. Strachan will be granted a separate trial because of complications involving his indictment.

For Haldeman, Mitchell, Ehrlichman and the two other men still facing trial with them, Robert C. Mardian and Kenneth Wells Parkinson, the central charge is conspiracy to obstruct justice in the Watergate scandal in its broadest sense.

They were indicted for trying not only to conceal those responsible for the Watergate bugging and break-in

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Give Insight on Nixon

COVERUP, From A1

but also to prevent the disclosure of "other illegal and improper activities" involving the Nixon White House — like the Ellsberg caper — which have since come to light.

The allegation is a minefield, checkered with White House tapes and the statements and deeds of unindicted "co-conspirators," of whom there are 19, starting with Mr. Nixon himself.

Once the most powerful men in the country next to the President, Haldeman, Mitchell and Ehrlichman surely never anticipated criminal indictment when on June 17, 1972, that "third-rate burglary" at Democratic National Committee headquarters here was discovered. Now, all too abruptly, according to the lawyers who represent them, it is time for trial. It is one of the few common threads left unless you count everyman's concerns about wives, children and the high cost of living.

Haldeman, 48, looks more relaxed than he did at the White House. He was Mr. Nixon's alter ego, a crew-cut martinet whose word was generally considered a presidential command. Now he has a California suntan, a medium-long contemporary haircut (styled monthly for \$15 at O'Rourke's, an exclusive shop on Wilshire Boulevard's Miracle Mile), and a fondness for Western casual sports clothes.

"He's unbelievable," says his sister, the former Betsy Haldeman, now Mrs. Francis Raine. "I don't understand how anybody can be like this, kind and happy. He doesn't seem to be weighed down by the burdens. I just admire him so much. I feel like Julie when she talks about her dad."

Aside from frequent trips to Washington to consult with his lawyers, Haldeman spent much of the summer working on his book (projected title: "Inside"), playing tennis at the exclusive Los Angeles Country Club and plying his sailboat around Newport Beach harbor where his father-in-law has a home.

Hopes of a pardon from Mr. Nixon fell through with the President's resignation Aug. 9. The resignation also seems to have put Haldeman's book in

limbo. He began to work in earnest on his case amid serious financial problems. A close member of the family said they are living off returns on investments, but would not say what they are. Meanwhile, Haldeman is paying off a home he bought last year in the genteel Hancock Park section of Los Angeles that must have cost at least \$130,000.

The former White House chief of staff had been hoping to get a \$1 million advance for his book, but that no longer seems likely. Haldeman had already written 50,000 words in longhand by summer (apparently he never uses a typewriter) when he contacted Hollywood promoter Hank Saperstein through a mutual friend.

Saperstein got in touch with 14 publishers at an asking price of \$1 million in advance. The outline suggested 13 to 15 chapters, only one of them on Watergate. Others: Cambodia, the Battle with the Pentagon, Kissinger. By the beginning of August, Saperstein claims, he had three publishers interested. Then Mr. Nixon resigned and Saperstein quit.

"The possibility of a book by Bob earning that kind of money had changed," Saperstein said. "The resignation put the lid on things. I felt that whatever was to be said from that point would be yesterday's news. Besides, Nixon announced he was going to do a book. Who would want to read Haldeman's version if they could get Nixon's? I didn't think I could close at a realistic price. As a pragmatist, I dropped out."

The day Mr. Nixon announced he would resign also signaled the start of a fund-raising drive on Haldeman's behalf. The costs of being a defendant in the cover-up trial will run to several hundred thousand dollars at least, not to mention the expenses from the fallout of civil lawsuits. On Aug. 8, a close friend, Los Angeles businessman Z. Wayne Griffin, sent out 1,500 letters asking for contributions to a Haldeman legal defense fund.

"Bob is now facing legal expenses expected to exceed \$350,000—possibly considerably more," Griffin said in part. "I have known Bob and his family most of his life and I know that, in spite of some reports to the contrary, there is no way he can assume this

burden alone, nor should he, in any event . . . Because of the constant demands of the legal process on his time and attention, he has not even been able to re-establish himself in private business . . .

"As usual, it will be up to a handful of compassionate people who understand the situation to get the fund started. A few really sizable gifts are urgently needed."

According to Griffin, nearly one-third of those solicited sent back replies, although some were angry denun-



H. R. (BOB) HALDEMAN
... book put in limbo

ciations of his efforts. The fund, it seems safe to say, is still far from its goal. The November elections are creating competition for money and, says Griffin, the Nixon "pardon news reduced the flow."

Despite the financial headaches, Haldeman's daughter, Susan, a 23-year-old law student at the University of California's Berkeley campus, says the family hasn't had to cut back yet on its usual activities. "We haven't been strapped financially," she says.

To Susan, her father is "amazing . . . He's not upset, not bitter, not angry, not remorseful."

Part of the reason is that Haldeman has turned to his Christian Science religion as a source of strength. "He spends a lot more time working with Christian Science," studying and meditating, his daughter says. "He's always been a Christian Scientist, but he's never really used it before in such an immediate type situation. He's never had any real personal problems to deal with before."

On the lighter side, Haldeman plays the guitar and sings "Pete Seeger-type stuff" like "They're Rioting in Africa," and "Oh You Can't Get to Heaven." He's started studying a guitar book to learn how to move from playing chords to playing melody. "He can carry a tune very well," says Susan.

The other half of the "Berlin Wall" that once stood between President Nixon and the outside world, John Ehrlichman, 49, has even more legal problems to preoccupy him.

Besides the cover-up trial and some 17 civil suits at last count, Ehrlichman is also fighting to overturn his conviction in July on conspiracy and perjury charges stemming from the break-in by White House "plumbers" at the offices of Daniel Ellsberg's psychiatrist. Ehrlichman already faces 20 months to five years in prison as well as possible disbarment. The jut-jawed Seattle attorney came to the White House after impressing Mr. Nixon with his clock-like efficiency as an advance man in the 1968 campaign.

He had been "The zoning lawyer" in Washington state. Half of the state's basic zoning law is said to have his imprint on it in one fashion or another. Until his trial in connection with the Ellsberg break-in, he had been practicing law once again, holding seminars on environmental laws (including one in Seattle at \$100 a head), working out of an office in the ivy-covered Rainier Club.

Now the phone has been disconnected. Ehrlichman was temporarily suspended as a lawyer by the Washington state bar association on Aug. 9 pending disciplinary proceedings. His wife, Jeanne, has started working three days a week as coordinator of family concerts for the Seattle Symphony Orchestra.

Tall and tanned, Ehrlichman himself is still described by Seattle attorney David Williams as "phenomenal—always cheerful, healthy-looking, the sort of person you wouldn't think had a care in the world."

Some associates, however, suspect that unfriendly thoughts about Mr. Nixon have been taking hold.

"The dam is about to burst," asserts another lawyer close to Ehrlichman. "They've no longer any reason for holding back on Nixon's role in the affair."

The Ehrlichmans, who are also Christian Scientists, live with their five children in the sheltered Hunts Point enclave on Lake Washington, across from Seattle. Their neighbors are devoted to them.

"The family is carrying on normally," Williams says. The oldest son, Peter, a 24-year-old law student at Stanford University, clerked as a major Seattle law firm this summer and did so well he was offered a place in the firm after graduation.

But like Haldeman, his classmate at the University of California at Los Angeles after World War II, Ehrlichman has to be concerned about the high price of his legal defense.

"He's still doing better than 99 per cent of the men I know could do," says one close associate. "But for a change, he is starting to think about himself. The biggest ogre he faces is finances. John isn't a rich man."

Ehrlichman has a legal defense fund, created last December with Williams as managing trustee. Williams says he'd like to raise at least \$200,000, but some predict the bills for all the criminal and civil suits and appeals will gobble up \$500,000. And contributions have dropped since reports last February that Ehrlichman had entered a short-lived round of plea bargaining with Watergate prosecutors.

Before that, says Williams, he was getting contributions of \$500 and \$1,000. Now he says, money is trickling in the door in denominations of \$1 and \$5.

Across the country in New York, John N. Mitchell, 61, former Attorney General of the United States, has been packing up and moving every so often in an effort to preserve some privacy. Daughter Marty went with him when he walked out on his wife, Martha, last year, leaving her their opulent, 14-room Fifth Avenue apartment.

Until recently, Mitchell had been living in J. Willard Marriott's Essex House Hotel on Central Park South, brooding over his misfortunes, occasionally shifting from one suite to another to avoid what he considered a hostile press, and rarely going outside. Even immediately after his acquittal at the Vesco trial last April, he remained reclusive for a while, but associates say his mood and social life have since perked up a bit.

"He's still got a very good sense of humor," says one friend. "And he'll take a drink every now and then—unlike some of the other defendants. He's got a great capacity."

About a month and a half ago, Mitchell left the Essex House, moving under an assumed name to an apartment at an undisclosed location on Manhattan's East Side.

Marty stayed with him for the summer and the two spent a lot of time on Long Island, fishing and swimming. Mitchell likes to visit with old friends in Westchester County and New York City, but he tries to avoid public places where he will be easily recognized.

"Wherever he goes, he gets mobbed," says Plato Cacheris, one of his Washington lawyers. "A guy like that in this kind of situation doesn't like to go out in places where 8,000 strangers come up to him and bother him," adds Marvin B. Segal, the New York attorney handling Mitchell's matrimonial problems.

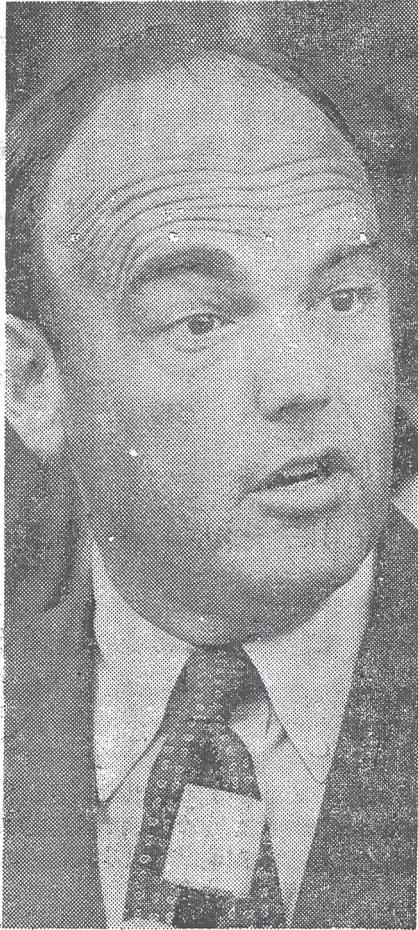
Martha Mitchell began suit for a legal separation in July, reportedly asking for \$3,500 a week in support and maintenance payments. Attorneys for both sides say a negotiated settlement is near.

Custody is not shaping up as a big issue in the suit, partly because both want to avoid a tug of war over Marty, partly because she is in boarding school anyway, an hour's drive from Manhattan. During the school year, she spends most of her time there.

Mitchell apparently is still receiving income from Mudge, Rose, Guthrie & Alexander, the law firm that he and Mr. Nixon helped put together in a 1967 merger. The firm has removed the Mitchell nameplate, but one of his friends say he is just on "a leave of absence."

"What financial arrangements he has with them I don't know," the friend said, "but John Mitchell did a lot to make that law firm. Anyway, he's paying his bills and he's paying Martha's bills and to pay Martha's phone bills, you have to have some income."

Legal bills are something else, but Mitchell, as the former top official of the 1972 Committee for the Re-election of the President, has had some help on that score, too. The price of his defense for the 48-day Vesco trial



JOHN D. EHRLICHMAN
... fighting July conviction

in New York was \$393,346 plus \$79,044 in expenses. Since Mitchell was acquitted, the tab has been paid, or soon will be, by the trust fund in charge of leftover funds from the Nixon campaign.

Mitchell's lawyers in the cover-up case, William G. Hundley and Cacheris, can presumably look to the fund if they win an acquittal. But friends say that none of their bills has been picked up by the trustees since the cover-up indictment was returned.

The two other defendants, Robert C. Mardian and Kenneth W. Parkinson, inevitably wind up drawing less attention than the old heavy hitters of the Nixon administration, and they are perfectly happy to keep it that way.

A muscular man and determined adversary of the antiwar left in the Nixon heyday, Mardian, 51, was an enthusiastic assistant attorney general in charge of internal security, a Mitchell man who became a political coordinator at the Nixon re-election committee in the spring of 1972. Mardian had hoped to be deputy director of the campaign. He was beaten out, to his chagrin, by Jeb Stuart Magruder, who is now on tap as a key witness for the prosecution.

Apparently the best off financially of all the defendants, Bob Mardian is the youngest of four brothers who preside over a \$25-million-a-year construction and development empire in Arizona. He has worked regularly in the family business as president of Mardian Development Co. since returning to Phoenix from Washington.

"We've carried on our work every day and Bob has been able to step right into all aspects of the business," says his brother, Sam Mardian Jr., a former mayor of Phoenix. Sam Mardian said his brother worked his way through college as a carpenter and "understands the construction business."

"He's too patriotic to have done anything wrong," another brother, Aram, was quoted as saying at the time of the indictment.

Bob Mardian has been living at Regency House, a prestigious Phoenix high-rise, for the past several months, but building personnel say he is often gone for four to five days at a time. Some friends say he has "dropped out of sight." Arizona State GOP Chairman Harry Rosensweig, active in Phoenix social circles, said "I haven't seen Bob in six months."

A lawyer for the Nixon re-election committee, the bespectacled Parkinson, 47, had been known as a respected civil lawyer around town, a civic leader who was once president of the Junior Chamber of Commerce and worked on various public councils and committees. A member of the law firm of Jackson, Laskey & Parkinson, he has served as president of the Legal Aid Society and chairman of the admissions committee at the D.C. Court of Appeals. He lives in Westmoreland Hills.

According to the indictment, Parkinson served as a middleman between the original Watergate defendants and the White House and re-election committee officials allegedly involved in the cover-up. According to his lawyers' courtroom pleadings, he was consistently "misled" and "misdirected" by Mitchell and Mardian in the course of his efforts to defend the President's re-election committee against a civil suit stemming from the Watergate breakin.

According to Parkinson's secretary, he has been too busy, both for the firm and with his own case, to return many phone calls. The firm's clients include Aetna Life & Casualty Co.; United States Fidelity & Guaranty Co.; Doctor's Hospital; Sibley Memorial Hospital, and the Washington Hospital Center.



JOHN N. MITCHELL
... seeks to retain privacy

The trial is expected to last at least three months and perhaps, some defense lawyers say, as long as five. Nearly 1,000 prospective jurors have been summoned for what promises to be a prolonged search for a fair and unbiased panel. That search will start in the U.S. courthouse's big ceremonial courtroom on the sixth floor and include shuttles to Judge Sirica's second-floor courtroom for secret questioning of potential jurors who pass preliminary muster upstairs.

Once the evidence starts tumbling in, Sirica's courtroom will at times resemble the inside of a cross-country jet with everyone plugged in to expensive Koss Pro 4-A headsets (on loan from the company and the House Judiciary Committee, which bought a batch) for the playings of the White House tapes. Court officials, instead of stewardesses, will hand them out and then pick them up again when each recording is done.

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