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Nixon's lawyers attempt to quash tape subpoenas

United Press International

WASHINGTON — Richard Nixon's lawyers moved Thursday to quash two subpoenas for tape-recorded conversations between him and his aides in two civil suits arising from the Watergate burglary.

The subpoenas were issued Aug. 23 and served on Philip W. Buchen, counsel to President Ford in the White House, where the disputed Nixon tapes and transcripts are still being held.

One was issued in the case of R. Spencer Oliver, a former director of the Association of Democratic State Chairmen who, in that capacity, was bugged at Democratic national headquarters in the Watergate.

The second was requested by James W. McCord Jr., a defendant in a case brought by the Democratic National Committee. McCord was one of those who broke into the Watergate in June 1972.

U.S. District Judge John J. Sirica set a hearing on the motions to quash for 11 a.m. EDT Monday.

In seeking to dismiss the subpoenas, Nixon lawyer Herbert J. Miller Jr.

contended that the conversations in question are covered by the claim of executive privilege since they occurred while Nixon was still president.

Both Oliver and McCord had served subpoenas on Buchen, commanding him to appear before their lawyers and produce materials described as "all tapes and transcripts of conversations of Richard M. Nixon and/or his aides recorded in the White House."

McCord's subpoena covered the period from Jan. 1-31, 1973, while Oliver's covered conversations from May 26 to June 21, 1972.

Miller claimed presidential privilege is fundamental to the operations of our government and if litigants seeking civil damages can breach this privilege of confidentiality, the very reason for the privilege will be undercut.

Oliver sued the Nixon re-election committee for \$5 million in damages. He did not settle out of court as did a number of other Democratic party officials who brought suit against Nixon's re-election committee following the Watergate bugging and burglary.



H.R. Haldeman leaves the Watergate prosecutor's office after a meeting between prosecution and defense lawyers on procedural matters for the Watergate cover-up trial to get underway Oct. 1.

Nixon subpoenaed in Watergate trial

by Cheryl Arvidson
United Press International

WASHINGTON—Special Prosecutor Leon Jaworski officially summoned private citizen Richard M. Nixon Thursday to testify as a government witness in the Watergate cover-up trials beginning Oct. 1. Jaworski's office said he issued a subpoena Wednesday night for the former President to appear in the trial of six of his

former White House aides on charges of conspiracy and obstructing justice.

Meanwhile, a Senate committee scheduled action on a resolution by Democratic Leader Mike Mansfield to take public custody of Nixon's tapes and documents and prevent the destruction of any Watergate tapes.

Nixon had previously been subpoenaed as a defense witness by former aide John Ehrlichman. But the government's cross

examination, in that case, would have been limited to subjects introduced by the defense lawyer.

As a witness for both the defense and the prosecution, Nixon can be questioned on any phase of the Watergate burglary and cover-up.

"He has been subpoenaed to testify. We expect him to be a witness," a spokesman for the prosecutor said.

He did not discuss the current speculation that Nixon may invoke medical reasons to avoid testifying.

Nixon is suffering from a recurrence of phlebitis, a vein inflammation complicated by blood clots in his left leg. Former White House physician Walter Tkach said after examining him last week he had recommended hospitalization.

His daughter, Julie, flew to California Thursday for a visit amid new reports that Nixon would enter a hospital soon, although he had strongly resisted such a move earlier.

Court sources speculated that if he declined to testify because of ill health, District Judge John D. Sirica could send a court-appointed physician to make an independent judgment on whether the former President could stand the rigors of a court trial.

If Nixon were found to be fit but failed to appear, he could be cited for contempt.

Additionally, since President Ford's absolute pardon means that Nixon cannot be tried on criminal charges for any acts committed during his term in office, he no longer has the legal right to refuse testimony on the Fifth Amendment grounds of self incrimination.

The Mansfield resolution not only would negate the agreement negotiated on the Presidential materials but would direct them to be made public. It was only part of a growing clamor in Congress for a full report on Nixon's actions in the Watergate scandal.

It provided that all the White House documents and tapes compiled during the Nixon years would become public property, and all would be made public except those protected by national security.

Under the agreement between Nixon and the White House, the former President would get custody of the materials in three years, and would be allowed to destroy them. The agreement provided that the tapes would be destroyed should Nixon die sooner.

Craige grad center can now join RHA

by Frank Griffin
Staff Writer

The Men's and Women's Residence Councils approved an amendment to the Residence Hall Association (RHA) constitution Wednesday that will allow students in Craige Graduate Center to

petition RHA for membership.

The new amendment will allow former RHA President Mike O'Neal to run for office again. O'Neal resigned Sept. 13 because of a conflict between the constitution's housing requirement and his housing assignment.

O'Neal said Thursday he is still undecided about whether he will run for RHA president again.

Thirty of the 37 men and 21 of the 26 women voted for the amendment. A two-thirds majority was required in each council to pass the amendment, which calls for striking the word "undergraduate" throughout the constitution.

Craige president Alton Anderson said Thursday he did not anticipate any move by graduates or undergraduates to join RHA at this time.

"We've been discussing the issue here and it seems most grads are not interested in joining," Anderson said. "However, there has been some concern about the undergraduates here, but one of the vice-presidents on the Craige Council is an undergrad, as are some representatives on the council, so they are represented in the dorm. If the sentiment changes, however, we will make an effort to join."

Acting co-president of RHA, Jim Cohn, said the petition for recognition of undergraduates in Craige by RHA had been withdrawn, but said the important aspect of the amended constitution was that it gave Craige residents the opportunity to join RHA should they ever wish to.

Cohn said the undergraduates in Craige could not join RHA independent of graduates in Craige. "They'll have to work through the dorm if they want to join," he said.

In other business, copies of the new RHA treasury laws were distributed to all dorm treasurers. The laws establish uniform and standard requisition and appropriation requirements for all RHA dorms without restricting how a dorm spends its social fee.

The fee, \$5 a semester for each student, is administered through the Student Activities Fund Office.

Old Well tenants may have case

Tenants of Old Well apartments in Carrboro who have complained no appliances have been installed in their apartments may have a legal case against their landlord, Roberts Associates, UNC business law instructor James Johnson said Thursday.

Newspaper and billboard advertisements have represented the apartments as being ready for occupancy.

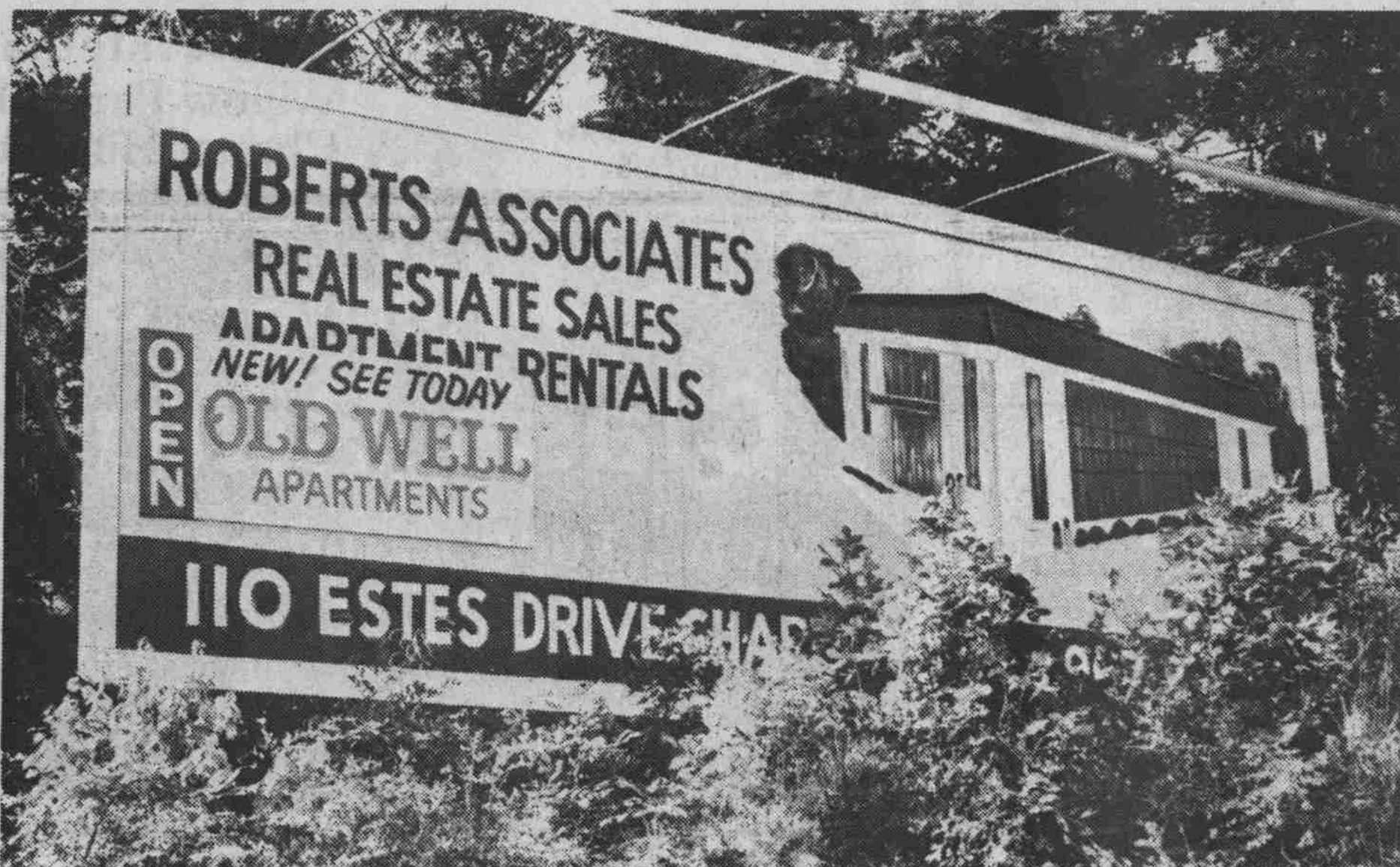
A July 31, 1974 supplement to the Chapel Hill Newspaper contained an ad for Old Well Apartments entitled "Immediate Occupancy." It described the apartments as including carpets, drapes, disposal and dishwasher.

A billboard along N.C. 15-501 proclaims the apartments "open."

"If the ads specify that certain appliances exist and a contract results from the ad, then the tenants of Old Well do have a case," Johnson said.

During a Monday night meeting with Old Well tenants, Roberts Associates representative Lewis Bobbit constantly reminded the tenants they were not solicited to live in the apartments. "We didn't think so many people would live in apartments without appliances."

"Well, we didn't make anyone live there," Brent Bobbit of Roberts Associates said Thursday. He also said the ads are still running.



Roberts Associates representatives have said they never solicited tenants, but this sign has been up since spring

Chinese acupuncturist researching at UNC

by Alan Murray
Staff Writer

Eula Holley had tried everything.

A cancer victim suffering from chronic headaches and severe pain in her left arm, Holley devoured antibiotics and underwent for half a year almost every known conventional pain treatment, including spinal surgery, but nothing worked.

Then, in July, at the request of her physician, she agreed to try acupuncture treatment at UNC's medical school.

At the time, she had no idea what it was or what it did.

"I'd been through terrible pain," she said. "I hadn't been to work since Jan. 15. I figured it couldn't hurt, so I tried it."

Holley took five half-hour treatments from Dr. Willie Mao, a Chinese-trained acupuncturist who is in Chapel Hill on a one-year research grant from the National Heart and Lung Institute. After the therapy, the headaches were gone and the pain in her arm subsided.

Holley, a 52-year-old native of Four Oaks, was not cured by any new or revolutionary method. The Chinese have been practicing acupuncture since 1,000 B.C.—long before the days of Excedrin, Sinarest or even Marcus Welby. The fact that she was cured, not in China, but in the United States is new and revolutionary.

Three years ago acupuncture was a subject discussed in the United States only by Asian historians and science-fiction writers. The Chinese acupuncturist held a place in the national mind similar to that of Dr. Frankenstein. Ex-President Nixon's trip to China, however, changed that image. New

lines of communications were opened, and since then acupuncture has become a subject of tremendous concern to the medical profession.

"From all the information we have so far, acupuncture definitely has its place in medical practice everywhere, Mao said. A native of mainland China, he was trained in acupuncture at the China Medical College and received a doctorate in physiology at N.C. State University.

Mao's comment is, in fact, an understatement. Mao himself has treated patients successfully for severe chronic headaches, sinus headaches, arthritis, rheumatism and pain from cancer.

In Los Angeles, acupuncture is being used to relieve the symptoms of heroin withdrawal. Dr. Yoshio Manakal, in "The Layman's Guide to Acupuncture," shows that the treatment has had favorable response in 90 per cent of its cases involving pain, liver disorders, muscular contractions and heart problems; in 74 per cent of the cases involving the bladder; and in over 60 per cent of the cases dealing with kidney problems.

It has been used with success in treating such diverse ailments as eczema, peptic ulcers, car sickness, heartburn, acne and even the common cold. In many cases, it has helped victims of polio, multiple sclerosis and other forms of paralysis to regain certain degrees of movement and muscular control.

Despite its proven effectiveness, many people, including doctors, are skeptical. They want to know why it works—a question that is as yet unanswered. But this question is also unanswered for common aspirin, Mao said.

Mao's research does not deal with why acupuncture works. "Right now we're just concerned with what kind of ailment can be most effectively treated by acupuncture. After this we can go one step further and ask why."

Mao arrived in Chapel Hill with his wife and daughter last February. His research team consists of three other doctors and a number of volunteer assistants. He administers all of the actual treatments.

His primary area of study has been the use of acupuncture as an anesthetic. By inserting needles in specific points on the bodies of his assistants he is able to induce numbness in other parts of the body.

Eventually Mao hopes that acupuncture will be used as a surgical anesthetic, leaving the patient fully conscious during the operation. The method, Mao believes, is much safer and healthier than conventional drug anesthetics, which often have dangerous side effects.

In China, doctors now use acupuncture as a surgical anesthetic. In these cases, however, there is always a conventional anesthesiologist standing by in case the acupuncture fails. "It's not effective for everyone," Mao said. "We don't know why."

No apparent scientific connection between the acupuncture point and the area affected exists, Mao said. Anesthesia for dental work, for instance, is achieved by placing a needle between the thumb and index finger.

The acupuncture points, of which there are several hundred known, have been found through a process of trial-and-error, and new points are being found continually.

Please see ACUPUNCTURE, page 4



Dr. Willie Mao indicates one of the points of needle entry used in acupuncture treatments

Showers?

Scattered thunder showers might fall from partly cloudy skies in inland sections Friday night and along the coast Saturday.

Highs Friday will be in the low to mid 80s, lows Friday night 50s in the mountains and 60s elsewhere. Saturday will be cooler with highs mostly in the 70s.

Chance of rain is 30 per cent today and tonight. Winds are from the south at 5-10 miles per hour.