

to pursue Watergate and its related scandals to the end, even if it takes years. Cox expects to be in Washington a long time—long after Richard Nixon, for example. Once he considered resigning if the White House did not supply the documents he wanted, but now he is determined to stay the course, no matter what. The Administration was exerting some counterpressures. Last week the White House extracted from Attorney General Elliot Richardson, Cox's boss at the Justice Department, a statement criticizing Cox's position on the tapes and documents.

Professor Leonard Ratner, a University of Southern California expert on constitutional law, advances an interesting argument: "The President is having considerable difficulty relying on the claim of Executive privilege, where if he refused to turn over the tapes on the grounds that they might be self-incriminating—in other words, called upon the Fifth Amendment—that claim of privilege would be upheld. But he clearly does not want to make that claim."

Ultimately, unless a compromise is reached, the issue will be decided by the Supreme Court. Eventually, if the Supreme Court rules that the issue is appropriate to judicial review, it should hand down a decision in anywhere from six weeks to three months—and Nixon passed the word last week that he will abide by the court's decision, provided it is "definitive," whatever that means.

Close Vote. Although no one has suggested it as a presidential motive, it is obvious that Cox will be hard-pressed to prosecute additional criminal cases in the scandal without access to the tapes. Courts have often thrown out indictments when the Government has refused to produce possibly exculpatory information on the demand of defendants. Thus if, say, John Dean insisted that a taped conversation with the President would clear him, and Nixon refused to give up the tape, Dean would likely have his case dismissed.

It is possible, however, that the court may attempt to avoid the constitutional issue and rule on the cases narrowly. The Justices might decide, for example, that the President had to give up certain tapes simply because he had previously waived Executive privilege and allowed aides who were present during the conversation in question to testify about it before a grand jury or a Senate committee. In that way, the court would skirt the absolute questions of privilege. Some experts predict that a Supreme Court vote would be close. The judgments of the four Nixon appointees may be interesting. The President chose them specifically to give the court a stricter law-and-order direction—and refusal to honor a subpoena hardly represents the spirit of law-and-order.

For all of the floodwaters around the foundations, the White House is determined to project an upbeat mood. Says one aide: "Now that the President has stopped rolling over, it'll have a real

impact." The hard-liners argue that the odds are far greater that Nixon will survive Watergate than that he will be forced out.

One Nixon adviser says that, in the hospital, "Nixon had a chance to rest and to reassess an awful lot of things. He came out with the renewed conviction that the American people ultimately will put this whole thing in its proper perspective." Another puts his perception of Nixon's new mood much more bluntly. Says he: "Don't overlook the President's hardheadedness and stubbornness. That's a big factor in this. He's come to see the Ervin committee as partisan and the Cox crowd as a bunch of Democratic left-wingers—Kennedyites and McGovernites." If that is true, Nixon seems to be ignoring the profound opposition and anger of a great many fellow Republicans.

On the surface, at least, Nixon him-

self seemed relaxed enough last week, perhaps because he could immerse himself in foreign affairs and forget Watergate for the moment. The Shah of Iran came to call (*see THE WORLD*), offering elaborate praise, and Nixon absorbed it like a man sunbathing. "When you said that we were going to get out of Viet Nam with honor and dignity," said the Shah, "with all those things you have said, you realized them one by one, in an inexorable march toward attaining those noble goals."



NIXON LAWYERS LEONARD GARMENT, CHARLES WRIGHT & FRED BUZHARDT
The evidence was susceptible to different interpretations.

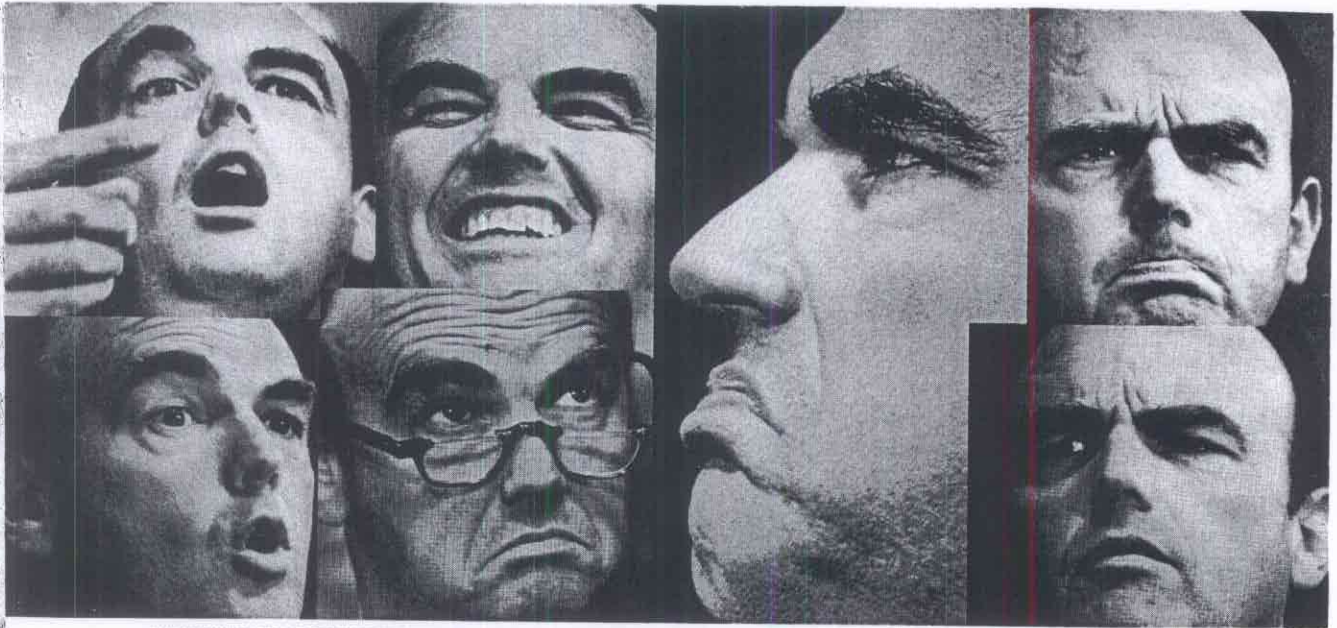
Nixon believes that the polls have probably bottomed out, that the public is wearying of the hearings and would just as soon get back to *Let's Make a Deal*. Around the White House, no crisis atmosphere was allowed to show. Television sets work only intermittently during the day, doubtless in deference to Nixon's own defiant refusal to tune in the Senate proceedings.

The atmosphere contained an almost alarming quality of self-deception. Last week John Connally resigned as a

special adviser to the President. It was well known that he had taken an aggressive line on Watergate and that his advice was not welcome. More embarrassing revelations about secret bombings and covert military activity in Cambodia and Laos continued to spill out. Both the House and Senate have passed bills to curb Nixon's power to impound funds appropriated by Congress. Even such a comparatively trivial sign as Kissinger's postponing his trip to Peking, which had been set for early August to discuss a Cambodian settlement with Chou En-lai, aroused speculation. Kissinger is concerned that Watergate has eroded the President's—and his own—ability to conduct foreign policy, and that the longer the crisis goes on, the more damaging and potentially dangerous it is to the nation.

There was occasion, too, to speculate about Nixon's deeper motives in releasing the tapes—for example, that he might be biding for time, on the theory that the closer the nation comes to the 1974 congressional elections, the less willing Congressmen will be to involve themselves in an impeachment process. Or that the more time that passes, the less palatable an interim Agnew presidency would be, and the more the American people would be likely to stick with a diminished Nixon for such of his term as might remain.

Some took comfort from the fact that in the ominous murk of Watergate the legal process was at last in operation. Actually, there is a dual process at work in the U.S. now. The nation's institutions have submitted their cases of principle and conflicts of powers to the courts. There, Richard Nixon's argument will be decided as an issue in the collision of separate branches. Simultaneously, Nixon is being tried in the minds of his fellow Americans. The verdict there may be less clear, but it could be far more damaging.



THE MANY FACES OF FORMER PRESIDENTIAL ADVISER JOHN EHRLICHMAN AS HE TESTIFIED BEFORE THE ERVIN PANEL

THE HEARINGS

The Ehrlichman Mentality on View

"It's hard to believe that a man of your intelligence could have been involved in so much complicated complicity and knew nothing about it."

—Senator Herman E. Talmadge

"What a liar."

—Senator Daniel K. Inouye, muttering to himself but picked up by a live microphone.

However injudicious, those conclusions reflected the frustrations of the Senate Watergate committee as the seven Senators grappled futilely with the superbly prepared, unyielding testimony of a long-awaited witness: John D. Ehrlichman, President Nixon's former domestic affairs adviser. Bobbing and weaving with both body and word, the confident and combative Ehrlichman admitted to not a single impropriety, regretted nothing, professed to have had an amazing unawareness as the scandal gradually engulfed the White House. Through four days of surprisingly ill-focused questioning, the loquacious aide insisted upon a similar uncomprehending innocence on the part of his boss, Richard Nixon.

If the Senators learned little that was new about how the wiretapping and burglary of the Democratic national headquarters had been plotted and how laws had been willfully broken in order to conceal all evidence pointing toward Nixon's associates, they learned more than they seemed to want to about Ehrlichman's personal and political ethics.

This amoral view from just outside the Oval Office embraced burglary as legal in safeguarding national security even when not specifically authorized

by the President, job overtures to a judge handling a politically charged trial as proper, snooping and tailing to determine the sexual and drinking habits of candidates as legitimate practices in political campaigns. Stealing psychiatric records, recording phone calls from friends seeking advice, arranging for a former Cabinet officer to avoid confronting a grand jury—all were unobjectionable to Ehrlichman.

In his chilling concept, it does not matter that there is both a law and an ethic to protect every man's conversations with his psychiatrist. Nor does it matter whether such information serves any legitimate purpose; Ehrlichman expressed doubts about psychiatry. If Government wants it, there ought to be a way to get it. After all, insurance adjusters, any private detective, seem to find a way to bribe a nurse or pose as a doctor. Why not the White House?

Easily the most defiant and least contrite of all the Watergate witnesses thus far, Ehrlichman's mastery of the situation was impressive, his debating skill sharp, his language fascinating, his face an all-too-expressive reflection of his inner disdain and contempt for his questioners. When the nomination of the hapless L. Patrick Gray as FBI director was doomed, Ehrlichman did not urge its withdrawal, but suggested coldly: "We ought to let him hang there. Let him twist slowly, slowly in the wind."

Ehrlichman's opening statement sarcastically challenged the portrayal by fired John Dean of a White House obsessively concerned about war protesters and the President's critics. "The President is not paranoid, weird, psychotic on the subject of demonstrators

or hypersensitive to criticism," Ehrlichman said. There was no "White House madness." There was instead, he insisted, a legitimate concern about the bombings of buildings, organized attempts to shut down the Government, violent street demonstrations and a campaign "to force upon the President a foreign policy favorable to the North Vietnamese and their allies."

Throughout the questioning, Ehrlichman stuck stoutly to his denial of every illegal or improper act. That did not mean he refuted them convincingly. To believe Ehrlichman in every instance meant the Senators would have to disregard contrary testimony given either publicly or privately by an array of other witnesses. They include John Dean, Jeb Stuart Magruder, Herbert Kalmbach, John Mitchell, Hugh Sloan, Patrick Gray, Richard Helms, Lieut. General Vernon Walters, General Robert E. Cushman and David Young. If Ehrlichman spoke the truth, all these men had lied.

Forcefully and emphatically, Ehrlichman challenged charges that he had: **TOLD HUNT TO LEAVE THE COUNTRY.**

Dean has testified that on June 19, 1972, just two days after the original Watergate arrests, Ehrlichman told him to pass orders by telephone to E. Howard Hunt Jr., a White House consultant and member of the leak-plugging plumbers unit that reported to Ehrlichman, "to get out of the country." Hunt's name and phone number were carried by the arrested burglars. Ehrlichman flatly denied making any such suggestion; all he knew about the topic, he said, was that Charles W. Colson, a White House special counsel, claimed that Dean had made such a suggestion to Colson.

PRESSURED CIA TO INHIBIT FBI PROBE.

Former CIA Director Richard Helms, Deputy CIA Director Vernon Walters, Former Acting FBI Director L.

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Patrick Gray and Dean have all testified in various forums that Ehrlichman and White House Chief of Staff H.R. Haldeman (as well as Dean) tried to get the FBI to limit its investigation of Watergate on the theory that it might expose covert operations of the CIA.

Helms claims that he quickly reassured Ehrlichman and Haldeman at a meeting on June 23, 1972, that the CIA had no involvement at all with Watergate. Walters testified that the White House aides expressed special interest in the FBI's investigation in Mexico, where Nixon campaign funds used by the burglars had been channeled to conceal their source. Helms said Haldeman flatly ordered that the FBI not push the investigation into Mexico. Walters said he did ask Gray to go slow on the Mexican connection, but Gray insisted he could not do so without a written declaration that some CIA operation in Mexico could be compromised. Walters replied that he could not supply this because it would not be true.

Ehrlichman testified that both Walters and Helms were wrong about the intent of the meetings. The concern was security, not politics, and, on orders from the President, Walters and Gray were merely asked to get together to see if there really was a CIA problem. When Walters finally decided that there was no CIA problem, Nixon called Gray and told him "to go full speed ahead."

ORDERED EVIDENCE DESTROYED.

Dean has testified that Ehrlichman suggested to him that some "politically sensitive" documents taken from Wiretapper Hunt's safe in the Executive Office Building be "deep-sixed." Ehrlichman is said to have asked: "You drive across the river on your way home at night, don't you? Well, when you cross over the bridge on your way home, just toss the briefcase into the river." Later, according to Dean, these papers were instead given to Patrick Gray by Dean and Ehrlichman in the latter's office. Gray has said that he was given the admonition: "These should never see the light of day." Gray has admitted destroying the documents.

Ehrlichman simply had "no recollection" of any conversation about deep-sixing the documents. After ticking off all the people present when Hunt's safe was opened, Ehrlichman argued that he had wanted "the 20 bishops" present so "the chain of evidence" would be protected. The papers were given to Gray solely to protect their confidentiality. Ehrlichman said that staff people around Gray were leaking information to newsmen. When Gray told him he had destroyed the documents, Ehrlichman testified, "that totally nonplussed me."

APPROVED PAYMENT OF HUSH MONEY.

Dean has testified that before asking Herbert Kalmbach, Nixon's personal attorney, to raise funds for the Watergate defendants, he got approval from Ehrlichman. Kalmbach has stated that after raising such money for a

time, he became concerned and asked Ehrlichman about the propriety of this. Kalmbach: "I am looking right into your eyes... and it is absolutely necessary, John, that you tell me that John Dean has the authority, that it is a proper assignment and that I'm to go forward on it." Ehrlichman's reply, according to Kalmbach: "Herb, John Dean does have the authority, it is a proper assignment, and you are to go forward." Ehrlichman denied this conversation too. "I made no such solemn assurance," Ehrlichman said, that the payments were "proper or legal." But he did not specifically deny telling Kalmbach to go ahead. "Well, obviously, Mr. Chairman, he is not my employee, he is not my vassal. I hold no sway over him." Ehrlichman said that Kalmbach had been acting under Dean's instructions, not his.

Predictably, Ehrlichman aroused Ervin's ire by arguing that money raised for the defendants was not aimed at keeping them quiet about the involvement of higher officials but was similar to the defense funds collected for Daniel Ellsberg and Angela Davis. Ervin pointed out that appeals for those funds were advertised publicly, and asked: "Do you not think most of the people

Nixon at a press conference could restate and apparently relax his restrictions on Executive privilege so that no criminal acts would be protected, and order that no aides be granted immunity or allowed to refuse to testify before the grand jury or legislative committees. He could also reveal that he had learned of "damaging evidence" and ordered it reported to the U.S. attorneys; then Hunt's testimony would be an "anticlimax." Nixon did make some such announcements at an April 17 news conference, but if Hunt testified adversely, this was not reported publicly.

π - President
 Λ - Law
 (e) - evidence
 γ - between
 π - Consideration
 7 - From
 (C) Constitution
 φ - Section
 Σ - Statute
 ⊖ - Theory
 Φ - Philosophy

Beat to punch -
 H: "Dean said
 v. the country"
 DS:
 E see Fred Fielding
 has much info
 S: 1- Restate Exec Priv
 as crim. conduct.
 Never intended to cover J
 Noone immune → any
 inquiry by GS or legis comm
 re: act outside scope of
 duties criminally -
 C: 1- An investigator reports
 to π
 E & FF
 damaging ⊖
 2- π orders it be given US Atty
 3- Then H.H. Ehrlichman on Mon
 S: Have π make interview Liddy
 Ray: no pardon
 only clemency cases in talking to π
 Calam: 3

contributed their funds because they believed in the causes they stood for?"

Ehrlichman: I assume that.

Ervin: Well, certainly, the Committee to Re-Elect the President and the White House aides like yourself did not believe in the cause of burglars or wiretappers did you?

Ehrlichman: No. I didn't contribute a nickel, Mr. Chairman.

When Kalmbach later asked Ehrlichman's advice on how he should testify before the grand jury, Ehrlichman secretly taped the telephone conversation. Subpoenaed by the committee, the transcript showed that Ehrlichman admitted he had told Kalmbach that "it was necessary" to pay the defendants

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but that Kalmbach would testify that "it was strictly for the humanitarian" purpose, not for a cover-up.
OFFERED EXECUTIVE CLEMENCY.

Dean has testified that he discussed with Ehrlichman a possible offer of Executive clemency for Wiretapper Hunt and that, apparently after checking with the President, Ehrlichman assured him that such an offer could be suggested to Hunt but not guaranteed.

Ehrlichman scoffed at Dean's charge, noting variations between a leaked version of the story and Dean's testimony before the committee. He accuses Dean of giving the story "an out-of-town tryout" and when that "wouldn't wash," changing his story. The testimony, Ehrlichman said, "like-wise is not going to wash." Ehrlichman declared that he had never given Dean such an assurance on clemency, claim-



NEXT WITNESS H. R. HALDEMAN
Cleaning the files.

ing as proof his contention that the President had flatly ruled out any clemency offers. He had discussed the matter with Nixon in July 1972, Ehrlichman reported, and the President "wanted no one in the White House to get into this whole area of clemency with anybody."

Aside from his own innocence, Ehrlichman said, "I have great difficulty in believing" that Dean told the President on March 21 that so many top associates—including Mitchell, Magruder, Haldeman and Ehrlichman, as well as Dean himself—were implicated in Watergate. The President gave no sign that he had such information in meetings immediately after that date; he asked none of his aides about such charges. Either Nixon was still convinced that they were not implicated, Ehrlichman said, or "he was involved in setting a few snares on the trail and was playing it cool." But by March 30, Ehrlichman continued, Nixon was convinced that

"Dean is in this so deeply" and asked Ehrlichman to take charge of the White House investigation, replacing Dean.

Ehrlichman turned to his task energetically, interviewing ten White House or Nixon-committee officials, secretly taping some of the interviews. He produced notes from these conversations written with personal shorthand symbols (see cuts page 25), and he is certain to be grilled about them when he resumes his testimony this week.

While assailing Dean for failing to keep the rest of the White House staff fully informed on who might be implicated in the scandal, Ehrlichman revealed under questioning that Dean had never been asked to carry out an investigation—contrary to the President's claim. It was merely "assumed" that Dean's job as "conscience of the White House" meant that this was automatically his duty. To ask Dean to do his duty would have been to "insult his intelligence."

Strangely, Ehrlichman got into his greatest difficulty and the committee became most intrigued by a matter not directly related to Watergate, though it involved some of the same personnel and tactics. That was the burglary of the office of a Los Angeles psychiatrist who had been consulted by Pentagon Papers Defendant Daniel Ellsberg. The burglary was directed by White House Plumbers Hunt and Liddy. They reported to White House Supervisors Egil Krogh and David Young, both of whom reported to Ehrlichman. Ehrlichman's contention that the operation was legal touched off a long constitutional debate before the cameras (see box page 12).

Quite apart from that colloquy, Ehrlichman ran into a buzz saw of committee questions when he claimed that 1) he had not authorized the burglary, 2) it was necessary because FBI Director J. Edgar Hoover had resisted an effective probe of Ellsberg out of friendship for Louis Marx, the wealthy father of Ellsberg's wife, and 3) "foreign intelligence" was involved in the Ellsberg case because copies of the Pentagon papers had been given to the Soviet embassy. Ehrlichman was on thin ground on all three points:

1) A memo sent from Young and Krogh to Ehrlichman before the burglary indicated that Ehrlichman had approved "a covert operation . . . to examine all the medical files still held by Ellsberg's psychoanalyst." Ehrlichman's handwritten caution: "If done under your assurance that it is not traceable." Ehrlichman argued that he had not had burglary in mind. "Covert" meant only that he did not want the operation identified with the White House. He blandly suggested that there were all kinds of ways of handling the job that were routine, such as getting another doctor, a nurse or nurse's aide to reveal the information—or having investigators pose as persons entitled to the information. That was one of a number of fairly horrifying windows into a

White House mentality of casual regard for ethics, individual rights and accepted norms of fair play.

2) Weicker revealed that he had talked to Marx and learned that Marx had been interviewed by the FBI and that he and Hoover were not close friends; "the last time they ever met was 30 years ago in Dinty Moore's," a restaurant in Manhattan. The committee produced a letter to Krogh in which Hoover offered to proceed with all relevant interviews. Ehrlichman dismissed this as "papering the file." The agent who authorized the Marx interview, TIME has confirmed, was disciplined by Hoover because he had ignored the director's cantankerous objection to the interview. But Marx had been quizzed and had revealed nothing of significance.

3) TIME has learned that there is no solid evidence at all that the Pentagon papers were given to Soviet officials. An unverified report of that circulated within the FBI. Recalls one FBI agent familiar with it: "It was so vague that it was almost impossible to check out, other than ask the Soviets about it—and that would have been a waste of time." The report also surfaced in another form. A convicted Boston murderer claimed that the man he had killed had got some of the papers from Ellsberg in a blackmail scheme and had sold them to the Russians. FBI officials have dismissed this as a story designed to get the murder conviction overturned.

TIME has also learned that Senator Ervin had a point in asking Ehrlichman whether the White House had turned to the plumbers because Hoover would not approve a burglary—although Ervin misjudged Hoover's motives. In his earlier years as FBI director, Hoover allowed his agents to conduct such "bag jobs." But in his later years, the savvy bureaucrat was increasingly defensive about his image and considered such illegal acts too risky. If discovered, they would ruin his reputation.

Embattled but giving no ground, Ehrlichman ran into new hostile questions when he defended his two talks with Judge William Matthew Byrne, when the latter was presiding over the Ellsberg trial, about a possible appointment as FBI director. Ehrlichman said that he had done so at Nixon's direction: he had told the judge the matter was not "urgent" and could be discussed later, but Byrne had not objected to talking about it then. They had met once at San Clemente and later in a Santa Monica park. On both occasions, Ehrlichman said, the judge had expressed "a strong interest" in the job (a contention Byrne flatly denied last week), but both had agreed it could not be offered then. Although newspapers carried almost daily stories about the progress of the trial, Ehrlichman said that he had not been aware what stage the trial was in at the time. Actually, it was just before Byrne would consider defense motions to dismiss the case.

The Ehrlichman testimony wound

up in a fascinating clash between Weicker and the witness over Ehrlichman's contention that the political investigations conducted by Anthony Ulasewicz, a former New York City cop who had been given secret assignments for a time by Ehrlichman, were proper. Ulasewicz has testified that his gumshoe chores amounted to "dealing in allegations of dirt"—the sexual activities, drinking habits and domestic problems of candidates. Ehrlichman, a teetotaling Christian Scientist, launched into an animated defense of the relevance of such personal habits to politics.

Nodding toward the Capitol chambers, Ehrlichman declared: "You can go over here in the gallery and watch a member totter onto the floor in a condition of at least partial inebriation. I think that is important for the American people to know. And if the only way it can be brought out is through his opponents in a political campaign, then I think that opponent has an affirmative obligation to bring that forward."

Weicker shook his head and leaned forward, his voice rising. "Do you really want to bring the political system of the United States, of our campaigns, down to the level of what you are talking about right now?" Ehrlichman dodged that, suggesting to Weicker: "I know that in your situation your lifestyle is undoubtedly impeccable and there wouldn't be anything of issue like that." Replied Weicker: "I'm no angel."

Talking Paper. Attention will undoubtedly shift this week to Nixon's other former close aide, Bob Haldeman, who is scheduled to follow Ehrlichman before the Ervin committee. Haldeman was directly implicated last week by his assistant, Gordon Strachan, a precise, apparently candid witness, who served as Haldeman's liaison with the Nixon re-election committee.

Pointedly praising John Dean's credibility, Strachan said that before the Watergate break-in he had passed along to Haldeman a memo noting John Mitchell's approval of "a sophisticated political intelligence-gathering system." It called for a budget of \$300,000. Strachan also prepared "a talking paper" on this plan for a meeting between Haldeman and Mitchell on April 4. Haldeman had indicated that he had read both papers, Strachan said.

Three days after the Watergate arrests, Strachan testified, Haldeman had ordered him to "be sure our files are clean." He went through Haldeman's files, took out the two papers and several others and shredded them. Later he told both Dean and Haldeman that he had done this—and Haldeman did not disapprove. "Since no other intelligence plan was under consideration at the time, that would make Haldeman aware in advance of at least the broad outlines of Liddy's operation—and a party to the destruction of evidence at the beginning of the cover-up and the now so fateful Watergate scandal.

THE PRESIDENCY/HUGH SIDNEY

The Country Lawyer and Friends

A goodly portion of the nation's lawyers seem to be in considerable anguish over the way the Watergate panel is questioning the witnesses. The letters, calls and telegrams pour in to Committee Chairman Sam Ervin with suggestions for questions, psychological tactics, and denunciations for missing opportunities to bludgeon witnesses to pulp.

In Washington, where there may be more attorneys per square foot than in any other city, the conversations are dominated by legal despair. The lawyers believe Ervin is doing an awful job in cross-examination. Young barristers and law school professors, freshly steeped in their textbook cases, are sure of it and can give you a lecture on how it should have been done.

There is now a hint in the mail that some of the public may want in on the act. Wives and husbands are arguing about separation of powers, reporters are being forced to carry copies of the Constitution with them. And all those people who were reared on Perry Mason, whose steel-trap mind is always ahead of everybody else's, are wondering how come those fellows on the committee stammer, halt, fumble and they never get a witness to break down in tears and say "I did it. Take me away." I wonder.

I wonder if old Sam Ervin from Morganton, N.C., isn't a little wiser than all those kibitzers. Ervin is running an educational forum and not a court, and he knows it. The arguments are rooted in the Constitution, that is true, but now they transcend that. The big issue at this point is what each citizen thinks in his mind and feels in his heart about the President.

A big part of Ervin's job, as he sees it, is to bring all the President's men before the public, as well as the committee, and let anybody interested see them and hear them. He is resolute in his belief that there is something magic about truth. The folks after a while get some notion of who is lying and who is not. That emerges most often in small natural increments, not in blinding flashes of acrimony. The witnesses kind of do it themselves.

So old Sam runs a down-home operation with a bunch of good old boys on his committee. There's a war veteran with an arm missing and a camera bug and an Ivy Leaguer and a fellow who used to cure country hams. There is some courtliness, a little cussing beyond earshot, some poetry, and a lot of Bible.

The White House does not see it that way, however. Over there they have decided that Ervin is out to get the President, that behind the "sweet little ole country bumpkin" façade lies a monster. Memories are short in this town. The Ervin committee is about as gentle as they come.

Though Sam is sore because he believes that his Constitution and his Government have been violated, there is remarkably little personal bitterness. After the day's hearings, he will tell you that he still would like this cup to pass from him, to put it in his kind of language. Nothing would please him more than for Nixon to come there and drop all those documents and tape recordings on the committee table, exonerating himself. Or even, if not quite innocent, admit his errors openly and fully. Ervin gives the impression of a man willing to forgive a great deal if Nixon did that, and he thinks the country would be equally forgiving. Then Sam could go back to watching some of his favorite TV programs (*Guns, Smoke* is one of them) and get a little time in the cool hills of his beloved North Carolina.

But so far the President will not yield on any front. So Sam goes on trying to open things up, goes on in his own way, which is not to press too hard, not to be overbearing or obnoxious—just kind of average American.

Something is happening out there. Almost all the polls are moving—against Nixon. There are no dramatic cave-ins, just steady erosion. Maybe that is what frightens the White House now. But Sam Ervin did not point the direction. Talking with him, one feels certain he would be about the same person if the polls were moving the other way—for Nixon. He is not after anybody. He is after something bigger—truth and honor.

If John Dean after a week of talking before the nation seems to be a threat to Nixon's professions of innocence, well, maybe that is the way it should be. And if John Ehrlichman after four days before the unblinking camera eye comes across as Attila the Hun, perhaps that, too, is a step toward the truth.

Sam Ervin said it. Rather, he borrowed from the Bible. "For whatsoever a man soweth, that shall he also reap." Sam believes it.



SENATOR SAM ERVIN