

# ERVIN IN A CLASH WITH WHITE HOUSE OVER WATERGATE

Rebuffs Offers of Informal  
Cooperation With Inquiry  
and Demands Testimony

ZIEGLER REPLY IS SHARP

He Charges 'Irresponsible  
Leaks' by Special Panel  
Studying Bugging Case

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WASHINGTON, April 2—  
Senator Sam J. Ervin Jr. and  
the White House engaged to-  
day in a blunt and spirited  
exchange over the Watergate  
case. The clash held significant  
implications for the current  
Congressional investigation of  
the affair.

Senator Ervin, the North  
Carolina Democrat who is the  
chairman of a select commit-  
tee to investigate the conspi-  
racy, opened this morning with  
a rare and colorful news con-  
ference at which he rejected  
Administration offers of infor-  
mal cooperation.

Members of the White House  
staff are not "nobility and roy-  
alty," Mr. Ervin said, and "I'm  
not going to let anybody come  
down at night like Nicodemus  
and whisper something in my  
ear."

## 'Ruler of Jews'

In the Gospel according to  
John, Nicodemus, a "ruler of  
the Jews," went to visit Jesus  
under cover of night apparent-  
ly because he feared being rec-  
ognized and ostracized by his  
colleagues. By contrast, the  
Senator said, Administration  
officials will have to testify  
openly on political espionage  
and sabotage or face arrest by  
the Senate.

The White House press sec-  
retary Ronald L. Ziegler, re-

plied to Mr. Ervin this after-  
noon, saying that the Senator  
should "get his own disorgan-  
ized house in order so that  
the investigation can go for-  
ward in a proper atmosphere  
of traditional fairness and due  
process."

Mr. Ziegler, in a statement  
issued from the Western White  
House in San Clemente, Calif.,  
said:

"It would seem that, as  
chairman of a select committee  
plagued by irresponsible leaks  
of tidal wave proportions, we  
might have expected some con-  
structive assurances from the  
chairman concerning improve-  
ment of the conduct of the  
business of his committee."

Both sides thus stressed  
what they apparently regard as  
their strongest arguments in

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what is expected to be an ex-  
tended political and constitu-  
tional struggle.

Mr. Ervin suggested that if  
the President refused to allow  
his advisers to testify in public  
and under oath the public could  
conclude that "he is unwilling  
for people to know the truth."

The White House, on the  
other hand, is capitalizing on  
the fact that the Ervin com-  
mittee did not prevent large  
amounts of uncorroborated  
hearsay testimony from escap-  
ing a secret session last week.

The names of a number of  
mentioned by James W. McCord  
Jr. in a closed hearing, and the  
subsequent leaks were said by  
some observers to have dam-  
aged the committee's cred-  
ibility.

The seven-member panel is to  
meet on the problem tomorrow,  
and sources said they expected  
it to take measures designed to  
limit sharply the circulation of  
raw investigatory material.

Mr. Ervin, A 76-year-old for-  
mer judge in North Carolina  
who is widely regarded as the  
Senate's leading constitutional

authority, held what an aide  
said was only his third sched-  
uled news conference in Wash-  
ington.

The president's contention  
that under the constitutional  
separation of powers no White  
House officials would appear  
at committee hearings was not  
ator said, "it's executive poppy-  
cock."

## 'Past the Stratosphere'

Mr. Ervin, flourishing copies  
of Supreme Court decisions, as-  
serted that the President had  
sought to extend the privilege  
"way out past the strato-  
sphere."

"If I was President," he de-  
clared, "I'd fire in not more  
than two minutes any aide that  
would not go down and testi-  
fy."

The Senator said he would  
issue "engraved invitations" to  
Administration figures and that,  
if these were ignored, he would  
serve subpoenas on them. If  
they still refuse to testify, he  
said, he will recommend that  
the Senate issue warrants for  
their arrest.

If the Supreme Court finds

that the Senate has jurisdiction  
in the case, the Administration  
aides will have no recourse to  
habeas corpus proceedings, the  
Senator said, and "that would  
be the end of the pea picking."

Public appearances by the of-  
ficials are important not only  
to provide for their cross-exam-  
ination under oath, the Senator  
said, but also to permit the ob-  
servation of their "conduct and  
demeanor on the witness  
stand."

Mr. Ervin said that President  
Nixon, a graduate of the Duke  
University Law School in Dur-  
ham, N. C., appeared to need a  
"refresher course" on the laws  
of evidence.