

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.