

Watergate Probe

No Special Deal
For Nixon Aides,
Sen. Ervin Says

Washington Post Service

Washington

Senator Sam J. Ervin (Dem-N.C.) yesterday rejected a White House suggestion that presidential aides appear informally before the Watergate investigating committee, observing that they are not "royalty or nobility" who can be excused from testifying under oath and in public. Ervin, who heads the seven-member investigating committee, said he would accept nothing less than the sworn testimony of presidential aides in public sessions and added: "Divine right went out with the American Revolution and doesn't belong to White House aides."

From Page 1

In San Clemente, presidential press secretary Ronald L. Ziegler responded with the stiff White House criticism of the Ervin committee, citing what he called "irresponsible leaks in tidal wave proportions" from a closed-door session last week.

President's re-election committee in pending civil suits stemming from the Watergate bugging. McCord has voluntarily testified before the Senate committee, and is scheduled to appear before the panel again tomorrow.

"I would encourage the chairman," Ziegler said, "to get his own disorganized house in order so that the investigation can go forward in a proper atmosphere of traditional fairness and due process."

IMPASSE

President Nixon was emphatic last month in stating that he would not allow present or former aides to testify in a "formal session" of a congressional committee. Without elaborating, Ziegler suggested last Friday that some informal testimony might be permitted before the Ervin committee.

contention that the presidential aides must testify in formal sessions.

At one point Ervin criticized the President's legal judgment. "I am going to suggest that Duke Law School give him a refresher course," Ervin said. President Nixon graduated from Duke, which is in Ervin's home state of North Carolina.

INTEGRITY

Ervin continued: "If all the allegations (about Watergate and other political espionage) are true, we have to consider this was an assault on the integrity of the process by which the President of the United States is chosen."

Those named included former Attorney General John N. Mitchell, presidential counsel John W. Dean III, former White House aide Jeb Stuart Magruder, and former special presidential counsel Charles W. Colson. All have denied any involvement in the Watergate bugging.

In holding firm to his position that public, sworn testimony is required, Ervin said that Mr. Nixon's assertion is "shooting the so-called executive privilege doctrine way out past the stratosphere . . . and a terrible disservice to the high office of the presidency."

"That is not executive privilege, that is executive poppycock," Ervin said. He said executive privilege does not apply to illegal or unethical behavior such as the Watergate bugging.

AFRAID

Ervin, a 76-year-old former state supreme court judge, said in answer to a question at a press conference, "the President is conducting himself in such a way as to reasonably engender in the minds of people the belief he is afraid of the truth."

Ervin made reference to Shakespeare, the Bible, a hymn, poetry and Supreme Court decisions at the press conference to explain his

"Every person — be he Republican or Democrat or Mugwump — should cooperate with the committee to try to determine the truth of these allegations."

Ziegler's reference to "leaks of tidal wave proportions" from the Ervin committee was an apparent reference to widespread news reports of 4½ hours of sworn, closed-door testimony by convicted Watergate conspirator McCord last week.

According to Senate sources, McCord testified that he had been told that some of the President's top White House and campaign aides had advance knowledge of the bugging operation.



AP Wirephoto

SENATOR ERVIN
'A terrible disservice'

See Back Page