

The Worst U.S. Tragedy

Washington

The Watergate committee chairman, Senator Sam J. Ervin Jr., (Dem.-N.C.), said yesterday the wiretapping scandal has surpassed the Civil War as the nation's worst tragedy.

Unlike the Civil War, he said, Watergate has no redeeming features. The panel's vice chairman, Senator Howard H. Baker Jr., (Rep.-Tenn.) said the affair has reached the brink of a court test of the constitutional separation between Congress and the White House.

Both Ervin and Baker commented after the seven-man panel voted unanimously to issue subpoenas for tape recordings and documents that President Nixon has refused to furnish to the committee.

"I love my country," Ervin said. "I venerate the office of the president, and I have the best wishes for the success of the incumbent . . . because he's the only President this country has at this time."

Ervin said the Constitution gives the President the duty to see that laws are faithfully executed. And he said the President also has an obligation to furnish moral leadership "by reason of the fact that he holds the highest office given to the American people."

"And I think that high moral leadership demands that the President make available to this committee any information in the form of tapes or records, anything that would shed light on the question; 'How did it happen that burglars were caught in the office of the opposition party with the President's campaign funds in their pockets and in their hotel bedrooms at the time.'"

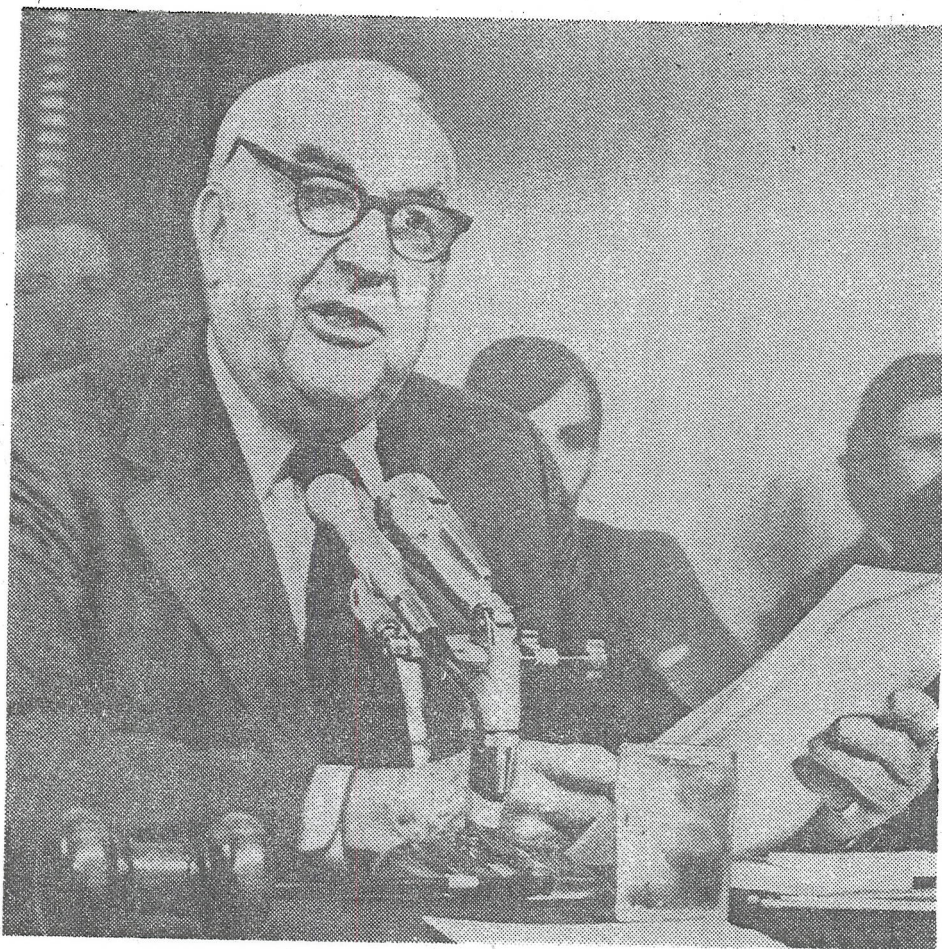
"And I don't think the people of the United States are

interested so much in abstruse arguments about the separation of powers or executive privilege as they are in finding the answer to that question," Ervin said.

"I deeply regret that this situation has arisen, because I think the Watergate tragedy is the greatest tragedy this country has ever suffered.

"I used to think that the Civil War was our country's greatest tragedy, but I do remember that there were some redeeming features in the Civil War in that there was some spirit of sacrifice and heroism displayed on both sides.

"I see no redeeming features in Watergate."



AP Wirephoto

CHAIRMAN ERVIN ANNOUNCED THE DECISION TO SUBPOENA
'Watergate is the greatest tragedy this country has suffered'

Baker said he wouldn't criticize anyone, and will delay his judgments until the committee writes its report, which is due Feb. 24, 1974.

But he said the subpoena was the only way left open to the committee after the President refused to cooperate voluntarily.

"As my colleagues on the committee know, I have tried as hard as I know how to find a way around this confrontation," Baker said.

He said he still hopes Mr. Nixon will reconsider, and a way can be found "to reconcile our differences in the conflict that impedes between the Congress and the executive department."

He said the material Mr.

Nixon is withholding is essential to the inquiry.

"I am unhappy that it is necessary for us to come to the brink of a constitutional confrontation, and although it is a hackneyed phrase, it is an accurate phrase, a constitutional confrontation between the Congress and the White House . . .

"I have no criticism of any person. I will not sit in judgment of any person, or the conduct of any person, until all the evidence is taken.

"But I can do no less than to try to gain all the information available on which to base such a conclusion later."

Associated Press