

# ERVIN, CITING AGE, TO RETIRE IN '74

Head of Senate Inquiry, Now  
77, Will Not Run Again—  
Says 'Time Takes Toll'

By DAVID E. ROSENBAUM

WASHINGTON, Dec. 19 — Senator Sam J. Ervin Jr., the 77-year-old legal scholar and raconteur who gained national prominence this year as chairman of the Senate Watergate investigating committee, announced today that he would not run for re-election next year.



United Press International  
Senator Sam J. Ervin Jr.  
at news session yesterday.

The North Carolina Democrat said that his age was the only reason for his retirement.

"If I should seek re-election in 1974," the Senator said in a written statement, "I would be asking North Carolinians to return me to the Senate for a term which would extend beyond the 84th anniversary of my birth.

"Since time takes a constantly accelerating toll of those of us who live many years, it is simply not reasonable for me to assume that my eye will remain undimmed and my natural force stay unabated for so long a time."

### Opponents Strong

Senator Ervin was appointed to the Senate in 1954 to fill a vacancy and was elected over only token opposition in 1956, 1962 and 1968.

However, had he decided to seek re-election next year, in the opinion of North Carolina political experts, he would have faced formidable opponents for the first time.

The popular Attorney General of the state, Robert Morgan, a Democrat, said earlier this year that he would try for the Senate seat regardless of whether Mr. Ervin was running, and he now appears to be the leading candidate to succeed Mr. Ervin. Henry Hall Wilson, a White House legislative aide in the Kennedy and Johnson Administrations, has also announced that he is a candidate for the Democratic nomination.

The most likely Republican candidate is said to be Representative Wilmer Mizell. North Carolina elected Republicans to the Senate and the governorship last year for the first time in this century, and the experts believe that Mr. Mizell would stand a good chance against any Democrat.

### 'Strength Increased'

Senator Ervin said this afternoon at a news conference for North Carolina reporters that he was confident he could have been re-elected. His stewardship of the Watergate hearings and his political battles with President Nixon, he said, had "increased my political strength in North Carolina."

Mr. Ervin came to the Senate after a career as a lawyer and judge in his home state, and he built a reputation as an authority on the Constitution and other legal matters.

He took a leading role in Congressional attempts to thwart civil rights legislation in the nineteen-sixties, arguing that the Constitution left such issues to the states. At the same time, he was the foremost advocate in the Senate for protecting individuals from interference by Government agencies.

But it was not until this

year that Mr. Ervin became a figure of national renown. He began by challenging the President's authority not to spend money appropriated by Congress and not to provide information to Congress on the ground of executive privilege.

### Into National Limelight

Then, in May, the televised Watergate hearings began, and Senator Ervin's double chin, twitching eyebrows, folksy anecdotes, verbatim quotations from the Bible and Shakespeare and his adroitness as an interrogator became familiar to viewers from coast to coast.

The hearings turned into a constant struggle between Mr. Ervin and the President, especially over the issue of whether Mr. Nixon was required to supply tapes and documents to the committee.

After Senator Ervin placed his statement that he would not seek re-election in the Congressional Record this afternoon, he sat at his desk in the Senate chamber and signed more subpoenas for White House material.

There is little doubt that the Watergate committee will have disbanded by the time Mr. Ervin's term expires and he leaves the Senate in January 1975. His position as chairman of the Government Operations Committee will most likely pass to Senator Edmund S. Muskie, Democrat of Maine.

### 5 Others Leaving

Mr. Ervin is the fifth Senator to announce that he will not run for re-election next year. The others are Harold E. Hughes of Iowa and Alan Bible of Nevada, both Democrats, and Norris Cotton of New Hampshire and Wallace F. Bennett of Utah, both Republicans. In addition, Senator William B. Saxbe, Republican of Ohio, is to leave the Senate next month when he is sworn in as Attorney General.

Senator Ervin said he would return to his home in Morganton, N.C., when he retires and that "the first thing I'm going to do is go fishing."

Then, he said, he and his wife hope "to dwell for a time among the people who have known us best and loved us most and to watch the sun set in indescribable glory behind Table Rock and Hawk's Bill Mountain."