



Charles E. Wiggins, left, of California, and Wiley Mayne of Iowa, Republicans, at yesterday's debate

The New York Times

Wiggins, Sandman, Dennis: For Nixon, Outnumbered

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Special to The New York Times

WASHINGTON, July 29—

One is a small-town lawyer whose district includes the model for "Middletown, U. S. A." Another is a master of sarcasm who sounds like W. C. Fields. The third is a prototypical Southern Californian who would feel at home in the pages of a Ross MacDonald detective novel.

They are President Nixon's chief defenders on the House Judiciary Committee, the leaders of the outnumbered band of 10 bitter-end opponents of impeachment: Representatives David W. Dennis of Indiana, Charles W. Sandman Jr. of New Jersey and Charles E. Wiggins of California, Republicans all.

They know they don't have the votes; they know they can't change any minds; but they fight on anyway.

Why? Because, as Mr. Dennis said today, "someone has to make the case for the President so it will be in the record when this matter gets to the floor of the House and perhaps to the Senate, and so the public will understand what is at stake."

Benign Explanations

Their tactics, largely devised by Mr. Wiggins, have been these: construe the evidence as narrowly as possible, require ironclad proof, propound benign explanations of information seemingly damaging to Mr. Nixon.

Last week, for example, Mr. Wiggins was assailing a provision of the proposed Article I of the bill of impeachment that accused the President of "approving, condoning, acquiescing in and counseling witnesses with respect to the giving of false or misleading statements."

How could Mr. Nixon have counseled perjury by Jeb Stuart Magruder, Mr. Wiggins demanded, when he found out about Mr. Magruder's false statements after they were made? Like the canny lawyer the committee acknowledges him to be, Mr. Wiggins focused only on the word "counseling" omitting any mention of "approving, condoning or acquiescing in," words much less favorable to his argument.

Three-Level Battle

Today, the 46-year-old Chuck Wiggins—in a gray checked suit, gray checked necktie and white-on-white shirt, with three-tired bags under his eyes—fought a three-level battle.

First, he argued that "abuses of power," the focus of Article II, did not constitute an impeachable offense because it was so vague as to constitute a bill of attainder. The chairman ruled him out of order.

Undaunted, Mr. Wiggins tried to push through seemingly innocuous "perfecting amendments" to provisions in Article II — amendments considered about as innocuous as a tarantula by the majority, since, in their expressed view, the changes would have let the President off the hook. In two roll-calls, he lost by 28 to 9 and 24 to 14.

Finally, the Californian moved to strike whole sections from the article, again with no noticeable success.

Mr. Wiggins is the generalissimo of the President's forces on the committee because he knows the facts far better than any of the other defenders, because the ranking minority member — Representative Edward Hutchinson of Michigan—has shown little inclination to lead, and because Mr. Wiggins has a gift for organizing and articulating his thoughts.

"We have no right," said Mr. Wiggins this morning in a summary of his views, "to impose our notions of morality and propriety upon other

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and make it their legal duty to comply therewith."

But Mr. Wiggins has no real power over his colleagues, so the defense has been haphazard at times.

On Saturday night, his usual calm evaporated when Representative Joseph J. Mariziti, Republican of New Jersey, used the last of the time allotted to the opponents of impeachment with a rambling attack on Mr. Nixon's accusers. Mr. Wiggins kept asking his colleague to yield, and Mr. Mariziti kept refusing. Mr. Wiggins could only knead his hands and watch the last seconds tick away.

Mr. Wiggins insists that the White House has done little to aid the defense. Last Wednesday, he said in an interview, he talked with Dean Burch, a Presidential counselor, urging that the President give the committee the tapes it has sought. Today, he said, he called the Congressional liaison office to ask when Gordon Strachan and Mr. Magruder had left Government employment.

Not Very Useful

"That's it," he remarked. "Hell, I wouldn't know what to ask if the President himself called me."

From time to time, Malcolm Howard, a member of the staff of James D. St. Clair, Mr. Nixon's lawyer, has been seen passing notes to friendly committee members. Mr. Wiggins said that he has not found them very useful.

If Mr. Wiggins is the ablest of the President's defenders, and even the Democrats concede that he is, Mr. Sandman, he of the bulky frame and the sardonic tongue, gets the most laughs, and Mr. Dennis, whose hot temper seems at odds with his pedantic tendencies, is the expert on the fine points of law.

Mr. Sandman spends his time "talking to the Republican hard-core out there in televisionland, trying to turn them on," Mr. Wiggins said.

Mr. Sandman, an unyielding conservative who has run unsuccessfully three times for Governor of New Jersey, has turned them on sufficiently to produce an avalanche of letters and telegrams from his new fans.

With his glasses perched on the end of his nose, a pencil grasped between his hands, Mr. Sandman looks toward the majority and heaps scorn on their arguments.

"Maybe I overlooked something," he said the other evening. "Maybe there is a tie-in with the President. All right. There are 37 of you. Give me that information. Give it to 202-million Americans, because up to this point you have not."

Again and again, to point up an inconsistency, he asks in his nasal accent, "Isn't it amazing? Isn't it surprising? Isn't it just astonishing?"

Most of the time, Mr. Dennis seems dry as dust. He is conservative in manner, conservative in ideology and conservative in dress, in keeping with his district, a strip of eastern Indiana centering on Muncie, which served as the model for the early sociological study, "Middletown, U.S.A."

A graduate of the Harvard

Law School like his father, Mr. Dennis takes a genuine intellectual delight in arcane legal lore. He once said, of his Congressional service, "I think I've had more fun trying a good lawsuit than anything else."

Waving and Thumping

Yet he can become extremely agitated, waving his arms and thumping the table, startling his colleagues by comparing some of their arguments—as he did last week—to the "Nazi penal code."

"Sometimes he sounds like Faust," a Republican friend said of the bespectacled, 62-year-old Indianian.

The supporting cast for Messrs. Wiggins, Sandman and Dennis consists mainly of the older members of the Republican contingent on the committee. The average age of the Republicans voting "aye" on Article I was 43; the average age of those voting "no" was 55.

For the most part, they tend to make an occasional speech, yielding to the three leaders more often.

Representative Henry P. Smith 3d of upstate New York and Mr. Hutchinson are probably the most silent

Republicans. Representative Wiley Mayne of Iowa is the specialist on questions about milk-fund politics.

Three first-termers—Representative Maraziti, Trent Lott of Mississippi and Carlos J. Moorhead of California—provide back-up speeches.

The 10th defender, Representative Delbert J. Latta of Ohio, is something of a puzzle. A hard-line Nixon backer, he was placed on the committee at the last minute to help make the President's case, but he has not taken a prominent role.

Superficially, his style resembles that of Mr. Sandman. But he has irritated many colleagues, one of whom accused him of introducing "divisive partisanship" into a committee in which it had been largely lacking.

No one ever accuses Charlie Sandman of that, perhaps because he laughs at himself. One night recently, he was holding forth on his view that Mr. Nixon would ultimately be exonerated.

And if not? "Jerry Ford will be a great President," said Mr. Sandman, a smile splitting his face.