

Woman, Man Hunted in Hoax Call To Ervin Offering Nixon Tapes

WASHINGTON, July 20 — The FBI is searching for the perpetrators of a telephone hoax that embarrassed the Senate Watergate Committee chairman and dashed hopes that a possible presidential-congressional clash had been averted.

For nearly 30 minutes Thursday, the committee and millions of television viewers had reason to believe President Nixon agreed to surrender without a fight the tapes of recorded conversations between Mr. Nixon and key figures in the investigation.

"It is just an awful thing for a very trusting soul like me to find there are human beings, if you can call them that, who would perpetrate a hoax like this," said Chairman Sen. Sam J. Ervin Jr. (D., N. C.).

The hoax began a little after noon Thursday when Dan Smith, one of Sen. Ervin's aides, received a phone call in the senator's office, supposedly from Treasury Secretary George P. Shultz.

"This is Secretary Shultz's office," a woman said. "The secretary wants to talk with Sen. Ervin."

MR. SMITH put the call on hold but the call was lost in an attempt to connect it with the confidential telephone number used by the committee staff.

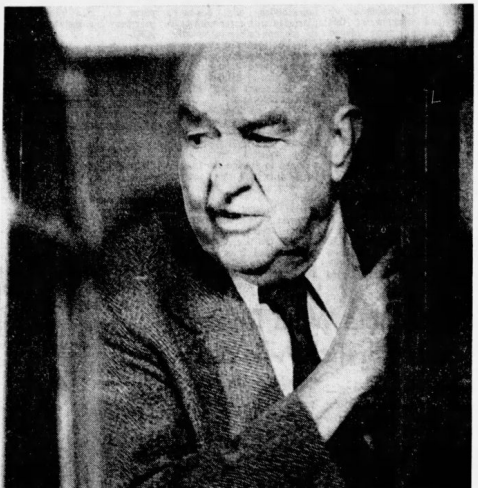
The woman called back and Mr. Smith explained that Sen. Ervin was in the hearing room and said he would transfer the call there. He then went to tell Sen. Ervin the call was on the way.

Rufus Edmisten, Sen. Ervin's personal counsel, took the call in the committee room. "I picked up the phone and the voice said, 'Secretary Shultz for Sen. Ervin,'" Mr. Edmisten said. "I thought it was about the Secret Service, and I called the senator to the phone."

Sen. Ervin was on the phone several minutes. "I am not familiar enough with the voice of the secretary to be able to identify it and I just assumed that the person at the other end of the line was Secretary Shultz," Sen. Ervin said later.

THAT THE Treasury secretary might be calling had the ring of plausibility. The Treasury Department is in charge of the Secret Service, which has custody of the tapes. Mr. Shultz had contacted Sen. Ervin at the President's request early in the week.

So Sen. Ervin made his announcement and he and Sen. Howard H. Baker (R., Tenn.),



ERVIN LEARNS HE WAS FOOLED—Sen. Sam J. Ervin Jr., chairman of the Senate Watergate committee, leaving phone booth after Treasury Secretary George P. Shultz told him that a previous call from a Shultz impersonator offering Nixon tapes was a hoax.

the committee vice chairman, expressed their delight and commended the President. But minutes later White House counsel Leonard Garment called Samuel Dash, the committee's chief counsel. "Mr. Garment was very upset and told me that no agreement had been made to surrender the tapes," Mr. Dash said.

Audience Applauds Ervin Bible Quote

WASHINGTON, July 20 — Sen. Sam J. Ervin (D., N. C.), chairman of the Senate Watergate Committee, told a witness Thursday that "the laws of man and the laws of God were nullified for temporary political advantage." As Frederick C. LaRue of Jackson, Miss., a former Nixon re-election committee officer, completed his testimony, Sen. Ervin said he could not resist the temptation to philosophize. He said that "possibly the efforts to nullify the laws of man might have succeeded if it had not been for the courage of a federal judge, Judge (John J.) Sica, and a very untiring set of investigative reporters." "But I come from a state like the state of Mississippi where they have great faith that the laws of God are imparted in the King James version of the Bible.

Nixon Will Refuse To Give Up Tapes, Times, Post Say

WASHINGTON, July 20 — President Nixon intends to tell the Senate Watergate committee Monday that he will not furnish tapes of his White House conversations about the scandal, the New York Times and the Washington Post reported today.

The newspapers, quoting informed sources, said that Mr. Nixon, as of Thursday, had decided to stand by his July 7 announcement that he would not give the committee access to presidential documents, including recordings.

The White House late Thursday night would not comment on the reports. The President is planning to draft a letter to the committee this week-end while recuperating at his Camp David retreat from a bout of viral pneumonia.

Refusal to provide the crucial tapes would plunge the White House and Congress into a confrontation over the doctrines of separation of powers and executive privilege. The Watergate committee has indicated it is determined to have the tapes, which would presumably settle once and for all the question of whether the President knew last year of the high-level Watergate cover-up.

A majority of the committee is on record as favoring a subpoena to obtain the tapes if negotiations fail to obtain them voluntarily from the White House.

N. Y. Ballet to End Season SARATOGA SPRINGS, July 20 (AP) — The New York City Ballet will wind up its season at the Saratoga Performing Arts Center with performances of "A Midsummer Night's Dream" July 25-28.

The committee asked the FBI to investigate but found the President had made the same request to the Justice Department moments before. Impersonation of a federal official is a federal crime.

Mr. Dash said neither the committee nor the White House suspected each other of "malicious intent."

Watergate Panel Split Over Interim Report

WASHINGTON, July 20 — The bipartisan harmony of the Senate Watergate hearings is being threatened by a behind-the-scenes conflict over whether the panel will produce an interim report this summer.

Chief Counsel Samuel Dash is urging an interim report as soon as the current phase of the hearings concludes, probably in early August. The report, Mr. Dash says, probably would not be issued publicly until September.

But Mr. Dash's recommendation is strongly opposed by Sen. Howard H. Baker (R., Tenn.), vice chairman of the committee. "I won't sign an interim report," Sen. Baker said. "I don't believe there should be any report until all the facts are in."

Chairman Sam J. Ervin Jr. (D., N. C.) has not taken a position on the question, his aides say. "It is inconceivable that we wouldn't issue an interim report," Mr. Dash said. "The resolution calls for us to do that."

He referred to the Senate resolution that created the committee. It said that in addition to a required permanent report before Feb. 28, the committee "may also submit to the Senate such interim reports as it considers appropriate."

Sen. Baker said he expects "an orgy of electoral reform" to flow from the committee's work, and he said it was "important that it not be done piecemeal."

The second phase of the hearings this fall will explore the so-called "dirty tricks" allegedly employed by Republican campaign officials

Second Grand Jury Is Empaneled for Watergate Probe

WASHINGTON, July 20 (AP) — U. S. District Court Judge John Sica signed an order Thursday empaneled a second Watergate grand jury at the request of special prosecutor Archibald Cox.

In a letter to Judge Sica, Mr. Cox asked that the second panel be formed to investigate possible violations of the campaign contributions act, obstruction of justice and conspiracy to defraud the United States, including illegal contributions by banks, corporations and unions.

Members of Mr. Cox's staff said the second panel was required because of the volume of material being investigated.

Liddy Shredded \$100 Bills to Avoid Arrest, Probe Told WASHINGTON, July 20 (UPI) — G. Gordon Liddy, leader of the Watergate burglary, shredded soap wrappers and \$100 bills in his zeal to escape arrest, the Senate Watergate committee has been told.

Robert C. Mardian, an aide to former Nixon campaign manager John N. Mitchell, said Thursday that Liddy told him he shredded the \$100 bills in his possession because they were serialized and shredded the soap wrappers because the soap came from hotels Liddy had stayed in.

Mr. Mardian did not know the amount of money Liddy destroyed. He said Liddy's actions "may seem comical now, but they certainly didn't seem comical at the time."

Liddy is in jail, having been convicted of burglary, conspiracy and illegal wiretapping.

Dean Refuses to Testify Before House Committee

WASHINGTON, July 20 (AP) — Former White House counsel John W. Dean III refused to repeat to a House subcommittee Thursday details of his admitted involvement in trying to involve the CIA in the Watergate break-in.

Chairman Lucien N. Nezi (D., Mich.) of the House Intelligence Subcommittee said Dean refused to answer 67 substantive questions put to him on grounds of his Fifth Amendment rights against self-incrimination.

Nezi said the subcommittee asked Dean for more details on his public testimony before the Senate Watergate committee that, among other things, he has asked the CIA if it could support the Watergate break-in defendants.

Nezi said Dean refused to answer questions because he did not have immunity from prosecution on the basis of his testimony there as he did before the Senate committee.

Stocks Rise, Then Fall Over Hoax Call on Tapes NEW YORK, July 20 (Reuters) — When word reached the New York Stock Exchange that President Nixon was going to release Watergate-related tapes, prices rallied smartly in a flurry of activity.

When word reached the exchange that the report was a hoax, most of the gain was surrendered.

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