

Demo Victory on Impeach Witnesses

Washington

The House Judiciary Committee voted last night to call five key figures as witnesses before the impeachment inquiry, as Democratic members won a narrow, partisan victory.

Five other men will be interviewed by the inquiry staff and will be summoned as witnesses within the next two weeks if it appears that they can give crucial testimony.

The closed debate reportedly raised the most serious wrangling between the committee's Democrats and Republicans since the impeachment inquiry began last October, and, at times, the Democrats were divided among themselves.

The Democrats, for the most part, argued for calling as few witnesses as possible, believing, as Representative Joshua Eilberg of Pennsylvania said, that "we need some restrictions or this thing can go on indefinitely."

The Republicans, on the other hand, followed the lead of President Nixon's attorney, James D. St. Clair, and appeared unanimous in support of a more extensive witness list.

"We could bend over backward to let St. Clair have reasonable requests and his requests are reasonable," said Representative Tom RAILSBACK of Illinois, who added, "I say that as one who might vote for impeachment."

RAILSBACK is an influential, moderate Republican who has not made a decision about impeachment. It is expected that his final decision will carry considerable weight among his Republican colleagues.

Representative Peter W. RODINO Jr. of New Jersey, the committee chairman, and most other Democrats favored two separate lists of potential witnesses.

Those on the first list, un-

From Page 1

der their proposal, would definitely be called to testify. Those on the second list would be interviewed by the impeachment inquiry staff and would be called only if they had major revelations that would further the inquiry.

In any event, under the Democrats' plan, all testimony would be taken in seven sessions, beginning next Tuesday and concluding July 12.

The five men who are definitely to be called as witnesses are Alexander P.

Butterfield, a former White House official who is now head of the Federal Aviation Administration; Herbert W. Kalmbach, who was Mr. Nixon's personal lawyer; Henry E. Petersen, assistant attorney general in charge of the justice department's criminal division; John W. Dean III, the former White House legal counsel, and Frederick C. LaRue, a former official of the Nixon re-election campaign.

Those who will be interviewed and possibly called as witnesses later are Charles W. Colson, former special counsel to the presi-

dent; John N. Mitchell, former attorney general and Nixon campaign director; H. R. Haldeman, who was Mr. Nixon's chief of staff; William O. Bittman, the one-time lawyer for E. Howard Hunt Jr., who was convicted in the Watergate break-in, and Paul L. O'Brien, a lawyer for the Nixon re-election committee.

The questioning is scheduled to begin next Tuesday.

2 of 2

On the most critical vote of the day — on whether more witnesses should be called — the democratic majority prevailed on a 19 to 19 tie vote.

Two democrats — Representatives Wayne Owens of Utah and Walter Flowers of Alabama — joined all 17 Republicans in supporting an amendment that would have required additional witnesses. The other 19 democrats opposed the amendment.

Under House rules, amendments fail if the vote is a tie.

Some Republicans said that it was essential to hear testimony from Mitchell because he refused yesterday to be interviewed by the impeachment staff.

St. Clair did not attend yesterday's session, but he sent a letter to Rodino suggesting that Dean, Mitchell, Haldeman, LaRue, Bittman and O'Brien be called to testify.

Under the committee's rules, St. Clair has the right to suggest witnesses and to examine those who are called.

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