

Byrd: Court Rules Don't Bind Senate

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The Senate will make its own rules of evidence if it sits in trial of President Nixon and need not be bound by strict court standards, Sen. Robert C. Byrd (D-W.Va.) said yesterday.

Byrd, the Senate Democratic whip who has become one of the chamber's leading experts on impeachment trials, was asked about a televised statement by Rep. Charles E. Wiggins (R-Calif.) that "you can put all of the admissible evidence [from the 38 books of House Judiciary Committee material] in half of one book."

Wiggins, one of Mr. Nixon's strongest supporters on the impeachment inquiry panel, said most of the transcripts and documents compiled by the committee "is just material. It is not evidence and it may never surface in the Senate because it is not admissible evidence."

"I don't know what he is talking about," Byrd remarked. "I see no problem in the Senate getting all the evidence needed. Impeachment should not be confused with a court trial."

Byrd said the Senate, sitting in an impeachment trial with the chief justice presiding, is not bound by the strict rules of evidence which apply to courts.

"I would assume the House managers would want to present most of the evidence the House has," he said. "The Senate itself decides what evidence is relevant."

"In the first instance the chief justice makes a ruling. But the Senate can support it or not as it sees fit. The Senate can compel the attendance of witnesses. It can compel the production of statements," Byrd said.