

Inquiry on Impeachment Backed By A.B.A. Chief to Settle Doubt

By WARREN WEAVER Jr.

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WASHINGTON, Nov. 27 — Chesterfield Smith, president of the American Bar Association, said today that Richard Nixon's "continued right to the Presidency" should be decided through a Congressional impeachment investigation as the only legal forum that could resolve deep national doubt about his guilt or innocence.

Mr. Smith came out strongly against attempts to persuade or force the President to resign without testing the truth of charges against him. Such action, he said, could set "a very bad precedent which would ultimately cause tremendous mischief to governmental stability."

"A forced resignation of the President," Mr. Smith told the American Life Insurance Association, "could only leave with the breasts of many of our people a feeling that perhaps evidence sufficient to justify impeachment was not really here and that the whole affair was nothing more than a political assassination."

Maintaining that the bar association should not take a position on this kind of political question, its president said he was urging, as a lawyer and individual citizen, that the House Judiciary Committee proceed with its impending investigation of whether or not the President should be impeached and tried for removal from office.

The House committee, which has delayed the impeachment inquiry while considering the nomination of Representative Gerald R. Ford to be Vice President, is expected to begin the inquiry within a few days. The committee is to vote on the Ford nomination Thursday.

Representative Peter W. Rodino Jr., Democrat of New Jersey, who is chairman of the committee, has narrowed to two candidates his search for chief counsel to conduct the study of whether a bill of impeachment should be approved and sent to the floor for House action.

"It is my personal position," Mr. Smith said in one of the longest speeches on impeach-

ment by a national professional leader, "that there can be no matter more important to us on the domestic scene, nor more detrimental to our foreign relations, than a continuation of this political never-never land where a majority of our citizens do not believe the President and suspect his motives and every move he makes."

During his luncheon appearance at the Shoreham Hotel, the bar president criticized a number of the legal procedures and leading personalities of the Watergate case in making the following points:

¶The legal profession "must be concerned" about Chief Federal District Judge John J. Sirica, who presided at the trial of the Watergate burglars, using the criminal sentencing process as a means and tool for further criminal investigation of others. . . no matter how worthy his motives or how much we may applaud his results."

¶Prosecutors should not confer limited immunity on suspected conspirators "to encourage and sometimes possibly even to demand what might be at best questionable testimony."

¶The one-sided character of televised Congressional hearings, in which witnesses have no right to cross-examine a rebut damaging testimony, has made them "a growing cancer on the fair administration of justice. But Mr. Smith, added that the Senate Watergate committee "has on the whole conducted itself with admirable restraint and fairness."

¶Lawyers "must be concerned about a Presidential aide who, with Presidential knowledge and approval, offered a job to a judge then presiding over the criminal trial of an accused person whom the President was seeking to convict."

Pioneer 10 Gets Checkup

MOUNTAIN VIEW, Calif., Nov. 26 (UPI)—Scientists gave Pioneer 10 a final rocket thrust and made crucial communications adjustments Monday in preparation for the space probe's fly-by of the planet Jupiter.