

Impeach Rockefeller Over Attica, a Buffalo Assemblyman Demands

By FRANCIS X. CLINES
Special to the New York Times

ALBANY, Jan. 25—A resolution calling for the impeachment of Governor Rockefeller for "lawless acts of officialdom" in the state's handling of the Attica correctional facility uprising was introduced in the Assembly today and immediately set off bitter exchanges.

The resolution was offered in impassioned tones by Assemblyman Arthur O. Eve, a Buffalo Democrat who was a member of the Attica observers' panel that unsuccessfully sought a peaceful ending to the inmate rebellion last September. A short while later, the Governor's office accused Mr. Eve of "personal political grandstanding."

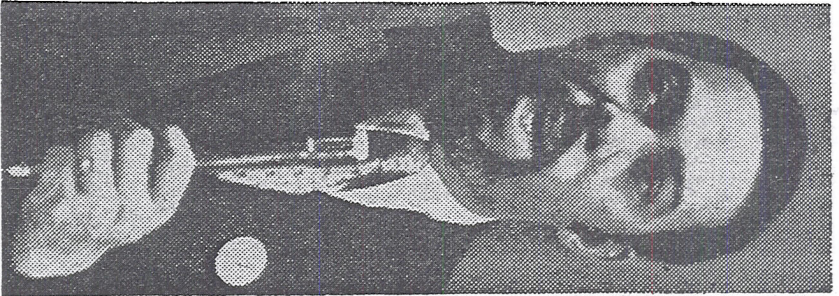
It was near the end of a pro-forma Assembly session ending a brief, unproductive work week that Mr. Eve rose to speak of impeachment and brought groans of surprise from the Republican side.

A few Republicans glared at Mr. Eve and others ignored him and read newspapers as he described the Governor as "diabolical" in his handling of the Attica affair. The uprisings ended when state troopers stormed the prison. Thirty-two prisoners and 11 hostages died as a result of the rebellion, with the troopers' gunfire blamed in most of the deaths.



Governor Rockefeller with Earl W. Brydges, Senate majority leader, after Arthur O. Eve, at the right, made speech

United Press International



Associated Press

'Difference of Opinion'

Mr. Eve emphasized that Mr. Rockefeller had refused to go to Attica despite repeated requests from the observers' panel, and he challenged Republican members of the panel to contradict this point. They did not.

Instead, Assemblyman James L. Emery, a Republican of Genesee who was a member of the panel, rose to say that he had "a difference of opinion" with Mr. Eve,

Another Republican, Frank Walkley, who represents the Attica area, limited his remarks to a denial that Attica guards had ever been brutal toward inmates, despite court testimony to the contrary.

The impeachment resolution was referred to the rules committee, where it is expected to wither. Some lawmakers obviously were angry that it had been attempted even as a device to bring the Attica issue before the chamber.

Assemblyman John L. Kingston, of Nassau County, the Republican majority leader, said, "I don't believe that any fair-minded man could agree today with some of the remarks about the character of Nelson Rockefeller." The state had agreed to a long list of prisoner demands, said Mr. Kingston, who scowled as he denounced those who seek "political advantage on the backs of 43 dead men."

Device Rarely Used

Mr. Eve shot to his feet, demanding the floor. As he was gavelled out of order he shouted: "I have value for human life!"

The Assembly's impeachment prerogative rarely is used. A majority of the Assembly votes are needed to bring charges against a Governor. The accusations then are heard by the Senate and the members of the Court of Appeals, with a two-thirds vote being required for removal from office. Only one of New York's 49 Governors was removed from office this way. It happened in 1913, when Gov. William Sulzer was deposed on malfeasance charges related to campaign contributions.

Mr. Eve's call for impeachment came on a day when a special state committee appointed by Mr. Rockefeller and the legislative leaders following the Attica uprising recommended extensive reforms in the prison system.

In the Assembly exchange, Mr. Eve charged that the Governor's culpability included his refusal to go to Attica and talk with observers, the tactics and firepower employed in the assault and "widespread lies" from state officials about hostage executions and mutilations that never occurred. In addition, he charged that there was a "plot" by the Governor to encourage inmates to attack observers so the state would have a reason to go into the prison with force.

Before the legislators left town today, the Assembly minority leader, Stanley Steingut of Brooklyn, announced a task force to study the fiscal problems of public and private universities.

And, in an unusual alliance, Assemblymen John T. Flack, Republican-Conservative of Queens, and Peter A. A. Berle, Democrat of Manhattan, called for an investigation of the Harness Racing Commission and harness-track interests for opposing the plan of the city's Offtrack Betting Corporation to televise races.