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### 3 Congressmen Ask Court To Declare the War Illegal

WASHINGTON, April 7 (AP). —Three Congressmen today asked the United States District Court here to declare the Vietnamese war illegal and to order it stopped in 60 days unless Congress approves it.

"This is something we hope will not be just another futile gesture," said Representative Michael J. Harrington, Democrat of Massachusetts. The suit was filed by Mr. Harrington and Representatives Parren J. Mitchell, Democrat of Maryland, and Benjamin S. Rosenthal, Democrat of Queens.

Since the Constitution gives Congress the right to declare war, they said, the Nixon and Johnson Administrations violated their right as Congressmen to decide whether the nation should fight.

It is the first time members of Congress have sought such a court test. The Supreme Court has consistently refused to hear other suits against the war.