

## 3 Representatives Decry Arrests on Capitol Steps

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WASHINGTON, May 5—“Don't you guys believe in the Constitution?” Representative Bella S. Abzug, her gaucho hat askew on her head, shouted at Representative Roman C. Pucinski, Democrat of Illinois, at the foot of the House steps.

On the steps, one by one, the chanting Mayday demonstrators, who said they had come to petition Congress for peace in Vietnam, were being arrested by the District of Columbia police and herded into buses.

“How are they violating any constitutional rights?” Mr. Pucinski asked.

“The police are violating constitutional rights and ours,” Mrs. Abzug, a Manhattan Democrat, replied, sticking her face right up to Mr. Pucinski, “because they are interfering with the constitutional right of petition.”

In gentler terms, the same point was made by Representative Ogden R. Reid to Speaker Carl Albert when the Speaker walked out onto the Capitol steps more than an hour after the arrests began. “Carl,” the Westchester Republican whispered, “there is a problem of giving them a chance to leave peacefully.”

### Deny Notice Is Given

For a few minutes the Speaker wavered, as reporters pressed around him asking who had given the orders to arrest the protesters and pointing out that Mrs. Abzug and Representative Ronald V. Dellums, Democrat of California, were contending that the police had given the protesters no notice to move before the arrests began.

“Where's the chief?” Mr. Albert called out.

“It's too late to make such an announcement,” James Powell, chief of the Capitol police, told the Speaker. “It would be unfair to all the busloads that have gone.”

The Speaker walked back

alone into the Capitol as the arrests continued.

The protesters had been invited to the Capitol steps by Mrs. Abzug, Mr. Dellums, Representative Parren J. Mitchell, Democrat of Maryland, and Representative Charles B. Rangel, Democrat of Manhattan, to present their “people's peace treaty” for ending the war. The arrests began while Mr. Dellums was still speaking to the crowd from the top of the steps and continued as one of the protest leaders read the text of the “peace treaty.”

### Protest to Police Chief

“We are here at the invitation of Congressmen, and the people have a right to petition their Congressmen,” one protester called out.

Mrs. Abzug and Mr. Dellums stormed down the Capitol steps to Chief Powell to protest in vain against the arrests.

Mr. Powell, according to the two Congressmen, took the position that “they came here to be arrested, so they are going to be arrested.”

Mrs. Abzug and Mr. Dellums, who were on the steps in the middle of the crowd when the arrests began, also protested that no notice had been given to the protesters to move on or face arrest.

Mr. Powell later told reporters that he had called out “Attention!” several times over his megaphone and had attempted to notify the protesters that they would be arrested. When reporters pointed out that neither Mrs. Abzug nor Mr. Dellums had heard any warning of arrest, the police chief said that his words must have been drowned out by the protesters' chants.

### Chief Voices Doubt

Asked what right the police had to arrest the protesters when they were being addressed by members of Congress, Mr. Powell replied, “Members of Congress don't have the right



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to invite people here to violate the law."

The police chief also expressed doubt that, with "all the ranting and chanting and vulgarities being called out," the protesters "could have heard the people who were talking."

Just who gave the orders to arrest the protesters while the Congressmen were still talking was unclear.

The Capitol grounds come under the jurisdiction of the Speaker of the House and the Vice President, in his capacity as president of the Senate. Speaker Albert said, "I gave no instructions one way or the other that they be arrested."

On the Senate side, conservative Republicans charged that some politicians were encouraging the demonstrations.

Senator Clifford P. Hansen of Wyoming said, "I do not charge that every act of lawlessness and violence is a direct result of encouragement, either ex-

PLICIT OR IMPLIED, by politicians seeking to exploit a growing weariness with the war in Southeast Asia. But I do charge that much of the brazenness, the callousness of those many, so much in evidence on Monday, was encouraged by politicians."

Senate Republicans praised the Nixon Administration's handling of the demonstrations, although liberals in the upper house complained that many people had been arrested without cause and that the police were carrying out illegal preventative detention.