

# Resignation Preferred By Mills

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Rep. Wilbur D. Mills (D-Ark.), perhaps the most influential member of the House, said yesterday that President Nixon should resign rather than subject the nation to a bitter impeachment struggle on the House floor.

Mills first told newsmen he felt the President should resign if and when the House Judiciary Committee recommends that he be impeached for Watergate or other matters. He said he didn't know whether the committee would recommend impeachment, but added that "everything I hear" points that way.

Later, Mills seemed to harden his remarks by saying that if Mr. Nixon "were looking to me for advice I would say resign in the near future."

And he said that "under existing circumstances we would be better off with Jerry Ford as President."

Mills also made what appeared to be a direct plea to the President to step down for the good of the country.

"If it takes legislation granting him immunity from criminal prosecution after leaving office for him to resign, I would be willing to sponsor it," Mills pledged.

Mills, chairman of the Ways and Means Committee, is considered the House's most skillful legislator. What he says is important because he sits at the center of the House establishment, and as a moderate Southerner is very influential with the center group in the House whose votes would be needed for impeachment.

Mills said he doubts there is sufficient proof on the public record that Mr. Nixon has committed the "high crimes and misdemeanors" the Constitution makes grounds for impeachment.

But he said the President should step down before the

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issue, reaches the level of a fight in the full House because this struggle, whatever the outcome, would "bring about the worst schism in the country since the Civil War."

Asked about revelations of gaps in White House tapes of Watergate conversations, Mills said:

"That eliminates the candor operation. It produces more doubt by the public as to his credibility. If he is not credible, it's hard for him to lead the country in difficult times."

Mills also said the investigation by the Joint Committee on Internal Revenue Taxation, which he heads, as to whether Mr. Nixon properly took large tax deductions for donating his vice presidential papers to the government should be completed in 30 to 40 days.

Mills said the committee's findings will be made public and submitted as a report to the House Judiciary Committee for its impeachment deliberations.

Other comments on impeachment:

• House Minority Leader John J. Rhodes (R-Ariz.) said after a meeting with Mr. Nixon at the White House that they discussed this year's legislative program and impeachment. He said the President did not appear "particularly frightened" by the possibility of impeachment.

• Rep. Jack Brooks (D-Tex.), a senior member of the House Judiciary Committee, said the flow of revelations of gaps in White House tapes seems to be a "pattern of obstruction of justice." Brooks indicated that he agreed with James Madison, principal author of the impeachment provisions in the Constitution, that a President can be held responsible and impeached for acts by his subordinates. Under this theory, it need not be proved that the President himself erased tapes or committed any impeachable act,

but that one of his close aides did

• Rep. Peter W. Rodino (D-N.J.), Judiciary Committee chairman, said the question of whether the President is responsible for acts of his subordinates is being researched by the committee staff. Rodino would not express an opinion on it.

Rodino said a subcommittee of the committee's 15 senior members will meet again with the impeachment staff next week for a progress report. A resolution giving the committee subpoena powers for its inquiry is being prepared but probably will not be sent to the House for two weeks or more, he added.