

The Case for Impeaching

Washington

A Republican and a Democrat on the House Judiciary Committee disagreed yesterday over whether the evidence they have heard is enough to impeach President Nixon.

Representative William Hungate, (Dem-Mo.) said the evidence is "not strong" for Mr. Nixon—"It's at least a prima facie case against him."

But Representative David Dennis (Rep-Ind.) said, "I don't think a terrifically strong case against the President has been made."

Their disagreement reflected the partisan split that has emerged in the committee during its six weeks of closed impeachment deliberations.

Both men said they want to hear arguments by Mr. Nixon's lawyer, James D. St. Clair, before coming to a final decision on whether to

recommend impeachment to the full House.

They were interviewed on ABC's "Issues and Answers."

Dennis said an impeachable offense "Has got to be something exceedingly serious and it's got to be of a criminal nature."

Hungate took a wider view, saying the cumulative effect of all the allegations about a Watergate coverup, the ITT scandal and the milk contributions could add up to an impeachment.

"Sometimes these things are cumulative," Hungate said. He later added, "I don't know how much of a career you can make out of not knowing what's going on in your office."

Dennis called such grounds "pretty thin. It sounds like the type of thing you might do when you have a lot of cases that aren't

quite enough to make a case and then you try to add them up and say, "We've got something in the sum greater than the whole of its parts." That's bad math and I don't think it's very good law, either.

"I don't think the House or the public are going to accept an impeachment unless you've got something really bad which the President has really participated in."

Both men said a refusal by the President to abide by a Supreme Court ruling against him on executive privilege grounds would make the impeachment case more serious. Hungate said it "might be the final straw."

Dennis said he doubted the President would refuse a Supreme Court order.

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