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RODINO'S INQUIRY
VOTES TO SUMMON
5 KEY WITNESSES

**Dean, Kalmbach, Petersen,
Butterfield and LaRue to
Face Impeachment Panel**

DEMOCRATS WIN FIGHT

**5 Other Persons Are to Be
Interviewed by Staff on
Possible Testimony**

By **DAVID E. ROSENBAUM**
Special to The New York Times

WASHINGTON, June 26—
Democrats on the House Judiciary Committee won a major partisan fight tonight as the panel voted to call five key figures as witnesses before its inquiry into the possible impeachment of President Nixon.

Five other men will be interviewed by the inquiry staff and will be summoned as witnesses within the next two weeks if it appears that they can give crucial testimony.

Those to be definitely called as witnesses are Alexander P. Butterfield, a former White House official who is now head of the Federal Aviation Administration; Herbert W. Kalmbach, who was Mr. Nixon's personal attorney; Henry E. Petersen, Assistant Attorney General in charge of the Justice Department's Criminal Division; John W. Dean 30, the former White House legal counsel, and Frederick C. LaRue, a former official of the Nixon re-election campaign.

Colson on Second List

Those to be interviewed are Charles W. Colson, former special counsel to the President; John N. Mitchell, former Attorney General and campaign director; H. R. Haldeman, who was Mr. Nixon's chief of staff; William O. Bittman, former attorney for the Watergate conspirator E. Howard Hunt Jr., and Paul L. O'Brien, a lawyer for the re-election committee.

The closed debate reportedly raised the most serious disagreement between the committee's Democrats and Republicans since the impeachment inquiry began last October. At times, the Democrats were re-

portedly divided among themselves.

Meanwhile, Secretary of State Kissinger and Gen. Alexander M. Haig Jr. were listed among the tentative witnesses as the trial of four men in connection with the White House special investigations unit, known as the "plumbers," opened in Federal District Court. [Details on Page 36.]

Few Witnesses Favored

In the Judiciary Committee dispute, the Democrats, for the most part, argued for calling as few witnesses as possible, believing, as Representative Joshua Eilberg of Pennsylvania said, that "we need some restrictions or this thing can go on indefinitely."

The Republicans, on the other hand, followed the lead of President Nixon's attorney, James D. St. Clair, and appeared unanimous in support of a more extensive witness list.

"We should bend over back-

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ward to let St. Clair have reasonable requests, and his requests are reasonable," said representative Tom Railsback of Illinois, who added, "I say that as one who might vote for impeachment."

Mr. Railsback is an influential, moderate Republican who says he has not made up his mind about impeachment. It is expected that his final decision will carry considerable weight among his Republican colleagues.

Two Lists of Witnesses

Representative Peter W. Rodino Jr. of New Jersey, the committee chairman, and most other Democrats favored two separate lists of potential witnesses.

Those on the first list, under their proposal, would definitely be called to testify. Those on the second list would be interviewed by the impeachment inquiry staff and would be called only if they made major disclosures that would further the inquiry.

In any event, under the Democrats' plan all testimony would be taken in seven sessions, beginning next Tuesday and concluding July 12.

The Republicans insisted on calling all 10 men as witnesses, and there were some Republicans who wanted more witnesses to be called.

Some Republicans said it was essential to hear testimony from Mr. Mitchell because he refused today to be interviewed by the impeachment staff.

In addition, the Republicans vigorously objected to setting

the July 12 deadline for testimony.

Mr. St. Clair did not attend the session today, but he sent a letter to Mr. Rodino suggesting that Mr. Dean, Mr. Mitchell, Mr. Haldeman, Mr. LaRue, Mr. Bittman and Mr. O'Brien be called to testify.

Involved in Payment

All six, according to Watergate grand jury, were involved in the alleged \$75,000 hush-money payoff to Mr. Hunt.

Under the committee's rules, Mr. St. Clair has the right to suggest witnesses and to examine those called.

The four other men proposed as witnesses were suggested by the inquiry staff.

Democratic members argued that the Republicans were trying to stall the proceedings. "They'd like to call everybody and the man in the moon," remarked Representative Don Edwards, Democrat of California.

But the Republicans contended that they were merely

seeking all relevant evidence. Delbert L. Latta, an Ohio Republican, asked, "Why not call the witnesses? What are they afraid of? What are they afraid to hear? How can you get the whole truth without calling these guys and filling in the gaps?"

After four Democratic members joined the Republicans on a procedural vote this afternoon, the Democrats went into a 30-minute party caucus.

"They fled in disarray to the chairman's office," Representative Charles E. Wiggins, a California Republican, told reporters.

Asked about Mr. Wiggins' remark, Representative George E. Danielson, a California Democrat, thought for a moment and then replied, "It sounds to me like he's running for the Pulitzer prize."

Rodino Is Bolstered

In the caucus, Mr. Rodino apparently succeeded in strengthening his hand. When the committee went back into session, the earlier vote was overturned in the Democrat's favor.

Emerging from the hearing room, Representative Lawrence F. Hogan, a Maryland Republican, complained, "The sham is now very obvious. It all means Mr. Rodino got his troops into line, and Mr. St. Clair is not going to have the element of fairness."

Mr. Rodino has told the other committee members that he plans to sharply limit the scope of the witnesses' testimony, allowing only questions that fill gaps in the more than 7,000 pages of evidence that has already been presented to the committee.

Those restrictions raised further the ire of Republicans. The committee would be "discredited," Mr. Wiggins said, "the moment a very pertinent question is asked and the chairman rules it out of order."

Although the rules of the House permit each committee

member five minutes to question each witness, Democrats on the Judiciary Committee, in the interest of saving time, are planning to leave the questioning of impeachment witnesses to the inquiry counsel.

Republicans Plan Queries

Should the Democrats have specific questions they want to ask, they plan to pass them in writing to the staff lawyers. Some Republicans, on the other hand, are said to be planning to use their allotted time to interrogate the witnesses.

Mr. Wiggins said that he did not expect to ask questions himself, but he added, "It's going to require a superhuman effort

on the part of all of these attorneys who fancy themselves as superb cross-examiners to restrain themselves." All members of the committee are lawyers.

Mr. St. Clair's proposed list of witnesses was a further indication of the White House strategy of concentrating its efforts on disproving one key facet of the allegation that the President participated in the Watergate cover-up.

All six of those recommended as witnesses by the President's attorney were allegedly connected on one way or another with the payment of \$75,000 in hush money to E. Howard Hunt Jr., who pleaded guilty as a Watergate conspirator.

All were indicted or listed as co-conspirators by the Watergate grand jury in the cover-up indictment handed up March 1.

St. Clair's Approach

Mr. St. Clair presumably believes that their testimony would provide no conclusive proof that Mr. Nixon himself ordered the payment and that it might rebut the chronology of the alleged payoff that was established by the impeachment inquiry staff and the Watergate grand jury.

Mr. Rodino, however, disputed the suggestion that impeachment hung on the question of whether Mr. Nixon had ordered the payment of hush money.

"I don't think that is the central issue," the chairman declared. "Our inquiry is directed into areas that go beyond that."

Republicans generally supported Mr. St. Clair's request, but they had different reasons for doing so.

Mr. Nixon's strongest supporters were hoping that, in his examination of the witnesses, Mr. St. Clair could discredit those, especially Mr. Dean who have made accusations against the President.

Republicans who are wavering about voting for impeach-

ment expressed a different concern. They were counting on staff lawyers to elicit more concrete evidence to justify their votes.

Session Is Closed

The session today followed a 25-to-13 vote sealing the discussion off from public view.

Although the panel voted yesterday to make public the evidence it has collected, Mr. Rodino cautioned that the material would have to remain confidential until it was printed and published, a process that could take up to two weeks.

It was necessary to close the meeting today, he said, because some confidential material might be disclosed in the debate over witnesses.

One of those who supported closing the doors was Representative John Conyers Jr., a

Michigan Democrat, who has argued in the past for doing all the committee's business in public.

He said today that he would favor questioning all witnesses in private. He explained his switch by saying that he was "not about to give St. Clair the opportunity to call witnesses before the television cameras."

He said that the evidence produced by the committee's own investigation had not been presented to a national television audience and that it would "be absurd" to afford Mr. St. Clair "the largest audience any lawyer ever had."