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JUN 26 1974

NYTimes

Maheu Damage Suit Is Sent to the Jury On Trial's 69th Day

Special to The New York Times

LOS ANGELES, June 25 —

United States District Judge Harry Pregerson submitted Robert A. Maheu's \$17.3-million defamation suit against Howard R. Hughes's Summa Corporation to a six-member jury shortly before noon today on the 69th day of trial.

Mr. Maheu was dismissed in 1970 after a 14-year association with the billionaire. He became Mr. Hughes's official spokesman and chief executive in Nevada. In a telephone interview in 1972, Mr. Hughes asserted that he had discharged him because he "stole me blind."

The judge characterized Mr. Maheu as "affable, intelligent, imaginative, articulate" but also as a man "whose personal affairs were in a state of disarray."

The defense attorneys contend that Mr. Maheu's stewardship was in such disarray that more than a million dollars of Hughes funds wound up in his possession.

Mr. Hughes's failure to testify in his own defense, even by written deposition, became a central issue in the case. Summa Corporation, wholly owned by Mr. Hughes, argued that it had no power to produce him as a witness.

The jury is considering the Maheu suit in two phases. It will bring in a verdict limited to the liability in the case. It will then consider any damages in a separate action.

Summa Corporation has a \$4.4-million counterclaim against Mr. Maheu.

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