

Jury Weighing Fate of Gurney In Bribery and Conspiracy Case

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TAMPA, Fla., July 28—A jury of six men and six women began deliberation on a verdict today at the trial in United States District Court of former Senator Edward J. Gurney and three co-defendants.

"Reach a just verdict regardless of the consequences," Judge Ben Krentzman urged the jurors. He then instructed them to begin deliberating shortly before noon.

Nine of the jurors are registered Democrats and three are Republicans, while Mr. Gurney, who represented Florida in the Senate from 1969 until 1974, and his three co-defendants are all Republicans.

Mr. Gurney, 61 years old, a former member of the Senate Watergate committee, is charged with seven felony counts of conspiracy, bribery, unlawful compensation and making false statements to a grand jury. If convicted, he faces a maximum penalty of 42 years in prison and fines of more than \$80,000.

The charges arose from an unreported fund-raising operation, supposedly in support of Mr. Gurney's planned 1974 re-election campaign. Mr. Gurney, the first Republican to represent Florida in the Senate since Reconstruction, did not seek re-election after being indicted on July 10 last year.

Larry E. Williams, 30, of Orlando, a former finance director of the Florida Republican party, testified at the five-month-long trial that he raised about \$400,000 for Mr. Gurney from builders seeking favored treatment from Federal housing agencies.

Mr. Gurney, testifying in his own defense, said he never hired Mr. Williams and did not know about any illegal activities until the summer of 1973, when he asked the Justice Department for an investigation.

Also charged with conspiracy at the trial are Joseph Bastien, 33, Mr. Gurney's former aide in Winter Park, Fla.; K. Wayne Swiger, 61, former director of the Tampa office of the Federal Housing Administration and Ralph M. Koontz, 51, former assistant to the Florida area director of the Department of Housing and Urban Development in Jacksonville. Mr. Bastien is also charged with receiving unlawful compensation.

The all-white jury, which includes only two college graduates and one person under 30 years of age, has been sequestered since last Tuesday at a downtown motel.

Before deliberations began today, Judge Krentzman ordered four alternate jurors to remain sequestered while deliberations are in progress. He instructed Federal marshals to transfer the four to a different motel from the one housing the deliberating jurors.

The judge said he was taking the unusual step in case a jury member becomes ill before deliberations conclude.

Among the items of evidence sent to the jury room was a bag containing \$56,000 in \$100 bills. William F. Pelski, former director of the Miami F. H. A. office, testified that the money was part of kickbacks he received from builders in exchange for Federal mortgage insurance for their projects.