

MAR 7 1972

# Doctor Says Dita Was 'Irrational'

SFChronicle

N.Y. Times Service

Washington

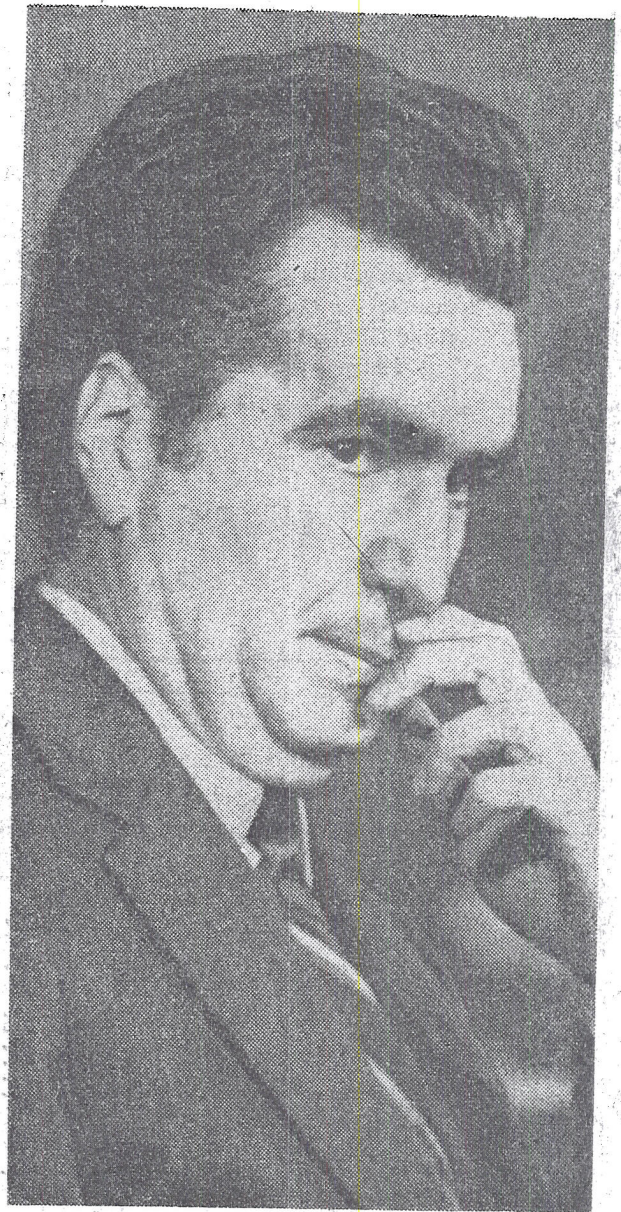
The heart surgeon for Dita D. Beard, the International Telephone and Telegraph Co. lobbyist, said yesterday that she had been suffering from periodic "distorted and irrational" behavior when she wrote a memorandum about the settlement of three antitrust suits against ITT.

Dr. Victor L. Liszka told the Senate Judiciary Committee that Mrs. Beard never meant to imply in her memorandum that there was any connection between the Justice Department's settlement of the merger cases and a contribution by an ITT subsidiary of money to the 1972 Republican convention in San Diego.

The committee was also given information bearing upon Attorney General-designate Richard G. Kleindienst's assertion that he had nothing to do with the handling of the settlement.

A statement from Solicitor General Erwin N. Griswold was read, stating that Kleindienst asked him to seek a

*See Back Page*



UPI Telephoto

HEART SURGEON VICTOR LISZKA  
'Mrs. Beard had periods of distorted behavior'



## 'Periodic Distorted Behavior'

From Page 1

delay from the Supreme Court in one of the cases after Lawrence E. Walsh, a New York lawyer for ITT, asked the government to review its anti-merger policies.

Walsh said in an interview that Kleindienst informed him by telephone later that the Justice Department had decided to seek the delay he had requested.

Liszka said that Mrs. Beard, who is isolated in the coronary ward of a Denver hospital, has at times been so disoriented that she would have been incapable of a legal act, such as signing a will or contract.

He linked her mental lapses to inadequate blood circulation to the brain caused by her weak heart, and also to the periodic heavy use of alcohol, sometimes together with tranquilizers. He said that he did not consider her mentally ill.

### MEMO

Liszka quoted her as saying she as "mad and dis-



AP Wirephoto

WASHINGTON LOBBYIST DITA BEARD  
She told of a "dressing down" by Mitchell



turbed" at an unidentified person when she wrote the memorandum, and that a "mental block" prevents her from remembering composing it.

According to Liszka, Mrs. Beard telephoned him last year in a state of high excitement, saying she had met Attorney General John N. Mitchell at a Kentucky Derby party in Kentucky and tried to argue the merits of ITT's case with him.

She said he gave her "a dressing down such as I never had in my life," saying that "I should proceed in proper channels," and refusing to discuss the matter.

The current controversy was touched off when columnist Jack Anderson published Mrs. Beard's memorandum, which linked ITT's hope for a favorable settlement to "our noble commitment" of some \$400,000 in convention expense money. The memorandum said "Mitchell is definitely helping us, but cannot let it be known."

#### CHARGE

After the hearing yesterday, Anderson's investigator, Brit Hume, charged that "We have been told she is going to be thrown to the wolves and now we have seen the beginning of that process."

He said he was astonished to hear Liszka testify that Mrs. Beard had told him nothing of what had happened when she went to ITT's New York headquarters in the wake of publication of her memorandum.

In an interview last night Liszka conceded that Mrs. Beard had told him that the ITT officials had been "unpleasant" to her, had told her to "get lost," and had refused to let her talk to ITT's president, Harold S.

Geneen. Liszka said he had not mentioned this to the committee because it was "negative" information.

He said he had examined her in Denver over the weekend, and had estimated that she should be well enough to leave the hospital in one or two weeks.

Senator James O. Eastland (Dem-Miss.), chairman of the Judiciary Committee, said that a subcommittee of senators might be sent to Denver early next week to take her testimony in the hospital.

However, some committee members are said to feel that the hearings will drag on until she recovers enough to testify here.

#### OFFICE

The statement from Griswold stated that on April 18 or 19 he was summoned to Kleindienst's office, where he and Richard M. McLaren, then chief of the Justice Department's Antitrust Division, were waiting.

According to Griswold's statement, he was told of the letter from Walsh, "requesting that the government re-examine the question whether conglomerate mergers should be reviewed by litigation or through requests of further legislation.

Kleindienst then asked Griswold to obtain a delay from the Supreme Court for the filing of a government appeal in its suit to make ITT sell the Grinnell Corp.

The Supreme Court granted the delay. The Justice Department never appealed the case and the eventual settlement allowed ITT to keep a portion of the Grinnell Company.

Walsh, a former deputy attorney general in the Ei-

senhower administration and formerly President Nixon's personal representative to the Paris peace talks, said his law firm had not been involved in the litigation of any of the three ITT cases before he had been asked by Geneen to ask the Justice Department for the delay.

Walsh said his firm, Davis, Polk and Wardwell, is ITT's primary legal counsel and had advised it on the legality of two of the three mergers involved in the settlements.

He said he had asked for the delay on the ground that various branches of the government are consulted before there is a change in policy through legislation, and that therefore the Treasury and Commerce Departments should be consulted before a change is made in the antitrust law by appealing the ITT - Grinnell suit to the Supreme Court.