

Lobbyist's Lawyer Accuses Anderson and Kennedy

By FRED P. GRAHAM

Special to The New York Times

DENVER, March 27 — In a sharply partisan attack, an attorney for Mrs. Dita D. Beard charged today that Jack Anderson, the columnist, and Senator Edward M. Kennedy were conducting "a purely political game" in an effort "to get I.T.T. and the Administration" by alleging a deal over the settlement of three antitrust suits against the International Telephone and Telegraph Corporation.

David W. Fleming, a lawyer from Van Nuys, Calif., conceded at a news conference that his fees for representing Mrs. Beard, I.T.T.'s Washington lobbyist, were being paid by the company. He insisted, however, that if the interests of Mrs. Beard conflicted with those of the company, "I.T.T. goes down the drain."

In response to questions, Mr. Fleming and his law partner Harold E. White, said they are now and have been active in Republican politics in California, to the extent of contributing and lending funds and managing the campaigns of Republican candidates for Congress.

Lay Illness to Columnist

The two lawyers called the news conference to charge that Mr. Anderson's "cruel harassment" of Mrs. Beard was the direct cause of her present hospitalization with angina pectoris, a heart condition.

She suffered what her doctors described as a recurrence of symptoms of that condition yesterday, as a Senate Judiciary subcommittee was questioning her in a hospital room about a memorandum purportedly written by her and published last month by Mr. Anderson.

The memorandum linked a large contribution by a subsidiary of I.T.T. toward the expenses of the 1972 Republican National Convention with the Justice Department's settlement of the antitrust suits. Yesterday the Senators heard Mrs. Beard deny knowing of any link between the two incidents. They had questioned her for about two and one-half hours when her seizure prompted them to call off hearings scheduled for today and tomorrow.

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of Political Game 'to Get' I.T.T.

and White House

At this morning's news conference at the Rocky Mountain Osteopathic Hospital, Mr. Fleming presented Mrs. Beard's two physicians, Dr. Dave T. Garland and Dr. L. M. Radetsky. They said she was recovering "quite well" from yesterday's relapse.

Sees Hazard in Testifying

But Dr. Garland said it "would be very dangerous" to Mrs. Beard's health for her to come to Washington to testify within the next six months, and added that it would be difficult to say if she could ever testify in public hearings there.

Dr. Radetsky called upon the Judiciary Committee to quash its subpoena for Mrs. Beard's testimony to ease her mind. He said he had been given "some reason to believe that the subpoena will be quashed," apparently referring to an expected move by Senator Marlow W. Cook, Republican of Kentucky, to persuade the committee to lift the subpoena at the committee's executive meeting on Wednesday.

Mr. Fleming, a chunky, 37-year-old man who said he met Mrs. Beard at a Washington restaurant six years ago, issued a statement criticizing the fact that Brit Hume, Mr. Anderson's investigator, had given his reporter's notes to Mr. Kennedy's

staff a week before he turned them over to the committee.

Mr. Hume at first refused, on press freedom grounds, to surrender them when Senator Cook demanded them. But Mr. Hume gave them up "voluntarily" after it was disclosed that Senator Kennedy, a Massachusetts Democrat, had a copy.

"We feel that this is a purely political game and Mr. Kennedy and Mr. Hume are certainly working hand in hand to keep that way," Mr. Fleming said.

"After all," he added, "you get Red China off the front page by the letters 'I.T.T.' now. That's the name of the political game and they're playing it."

He also charged that Mr. Anderson's testimony before the Judiciary Committee indicated

"the zealotry of his desire to irreparably damage Richard Kleindienst and the Administration who nominated him."

Acting Attorney General Kleindienst's nomination as Attorney General is being held up in the Senate until the present controversy is resolved.

In response to questions, Mr. Fleming said that in 1970 he contributed \$500 plus a loan of \$3,500 to the campaign of Tom Hayden, the Republican nominee against Representative James C. Corman, Democrat, in the San Fernando Valley. Mr. Fleming said the loan had been repaid.

Mr. White, who is 53, confirmed reports that he had several times been campaign manager for Joe Holt, a Republi-

can candidate in earlier campaigns for the same House seat.

Mr. Fleming said that documents on file with the Judiciary Committee disclosed that I.T.T. agreed to pay Mrs. Beard's legal costs. The letters showed that he and Mr. White had billed I.T.T. for \$15,000 as their initial retainer, and that the company had questioned the hourly or daily lawyers' fee being charged, and has denied responsibility for her investigators' expenses.

Mr. Fleming made the assertion today for the first time that Walter Benning, an I.T.T. official from Fort Wayne, Ind., could testify that Mrs. Beard had denied to Mr. Hume that she wrote the memorandum. According to Mr. Fleming, Mr.

Benning "was never more than 11 feet away" in a nearby room of Mrs. Beard's house during the Feb. 14 interview, and that Mr. Benning "overheard the entire conversation." The lawyer said Mrs. Beard's secretary, Beverly Sincavage, was also present and overheard the conversation. Mr. Hume stated under oath that Mrs. Beard admitted having written

End of Hearings Urged

By JOHN W. FINNEY

Special to The New York Times

WASHINGTON, March 27—Senate Republican leaders, protesting that the Democrats were turning the investigation of the International Telephone and Telegraph Corporation into

"a political circus," called today for termination of the earnings after the Easter recess.

The Senate Judiciary Committee is scheduled to resume its hearings on Wednesday with further testimony from Harold F. Geneen, president of I.T.T. It is expected that the committee will call other witnesses.

The Senate Republican leader, Hugh Scott of Pennsylvania, a member of the committee, and Senator Roman L. Hruska of Nebraska, the ranking Republican on the committee, held a joint news conference to propose that the hearings be terminated and that the Senate proceed to vote on the nomination of Richard G. Kleindienst to be Attorney General. A similar view was expressed in a

statement by Senator Robert Dole of Kansas, chairman of the Republican National Committee.

The month-long investigation took a new turn today as the Judiciary Committee, according to an aide of Senator Kennedy, asked for a report from the Justice Department on how a memorandum by Mrs. Beard was obtained by the company for its own analysis.

The Beard memorandum, which touched off the controversy over whether three suits against I.T.T. were settled in return for a contribution for the Republican convention had been turned over by the committee to the Federal Bureau of Investigation for analysis.

The F.B.I. found that the memorandum had been written

about June 25, 1971, the date typed on it. I.T.T. later said that it had retained its own experts to analyze the memorandum and that they had found it was typed much later than last June and that therefore the memorandum was a fraud.

Where and how the company obtained the memorandum in recent days for its own analysis is still unclear. Committee aides have insisted that the committee turned the memorandum over only to the F.B.I. and not to the company.

The memorandum was given to the F.B.I. early last week and returned to the committee last Thursday, along with a four-page report on the analysis from J. Edgar Hoover, F.B.I. director.