

Kalmbach Is Contradicted On Gift by Milk Producers

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WASHINGTON, Nov. 16—A former lawyer for milk producers has given a sworn statement indicating that Herbert W. Kalmbach, one of President Nixon's chief fund raisers, solicited campaign contributions a year earlier than he testified to before the Senate Watergate committee.

Jake Jacobsen, a former lawyer for Associated Milk Producers, Inc., said in a deposition that his law partner had told him that Associated gave \$100,000 to Mr. Kalmbach in August, 1969.

On July 16 of this year, Mr. Kalmbach read to the Watergate committee a prepared statement saying, "I agreed to solicit early pledges of financial support for the President's 1972 campaign beginning in November, 1970.

The significance of the conflict is that Mr. Kalmbach or Mr. Jacobsen could be charged with perjury. A spokesman for the special prosecutor's office declined to comment.

Neither Mr. Kalmbach nor his lawyer, James H. O'Connor, could be reached for comment. However, Mr. O'Connor's secretary said that Mr. O'Connor had been informed of reporters' questions, and that he had said that any suggestion that Mr. Kalmbach might have committed perjury was "grossly unfair."

"Mr. Kalmbach's testimony at all times has been in accord with everything being printed now, the secretary quoted Mr. O'Connor as saying.

'Trustee' of Funds

In the deposition, Mr. Jacobsen said that his law partner in 1969, Milton P. Semer, had called on Mr. Kalmbach at the suggestion of former Attorney General John N. Mitchell, and that "Kalmbach said he [Mr. Semer] ought to make a contribution, and he did make a contribution."

In a telephone interview, Mr. Semer denied that Mr. Kalmbach had solicited a milk contribution from him. Mr. Semer said that he had just been a "courier" and had not known how much money Associated was giving to Mr. Kalmbach until he watched Mr. Kalmbach count it in his office.

Mr. Semer said that he did not know who had set the amount of the contribution.

Mr. Kalmbach was the "trustee" of surplus 1968 campaign funds, but Mr. Jacobsen offered no indication that the gift from Associated was a postelection contribution.

Instead, Mr. Jacobsen said, his law partner got in touch with Mr. Mitchell "to find out how to get a more sympathetic understanding of the dairy industry problems in this Administration."

Mr. Jacobsen's deposition, which was referred to in court

today, complicates an already complex story of allegedly illegal contributions by the milk lobby to President Nixon's 1972 campaign.

A lawsuit by the consumer advocate Ralph Nader charges that last year the Administration ordered a large increase in milk price supports in exchange for \$422,500 in campaign money. There have also been suggestions that the President reduced import quotas on at least two dairy products after the dairy industry had pledged a \$2-million contribution to the Nixon campaign.

According to Mr. Jacobsen, Robert Lilly, the secretary for the political arm of Associated, withdrew \$100,000 from its bank account and turned the money over to Mr. Semer. Mr. Semer then delivered the cash to Mr. Kalmbach, Mr. Jacobsen said.

The Wall Street Journal reported today that after Mr. Kalmbach had received the money in his California office, he arranged for representatives of the milk industry to be received at the White House.

'Cleared for Receipt'

James H. O'Connor, Mr. Kalmbach's lawyer, was quoted as saying that the milk money had been "cleared for receipt" by H. R. Haldeman, then Mr. Nixon's chief of staff.

Mr. Jacobsen was mentioned as one of two men handling the \$2-million milk pledge in a memo dated Feb. 1, 1972, from Gordon Strachan, a former White House aide, to Mr. Haldeman. Harold Nelson, the general manager of Associated, was the other man mentioned in the memo.

Mr. Strachan reported that Mr. Kalmbach "believes that Jacobsen and Nelson will deliver, though they have cut the original 2,000 [White House shorthand for \$2-million] back to 1,000."

In the questioning for the deposition, Mr. Jacobsen often said that he could not recall specifics. He remembered that Associated officials had talked about large contributions to the campaign, but he could not recall an exact amount—"maybe two million, a million, big amounts."

He said that he had talked with John B. Connally, then Secretary of the Treasury, about the problems of dairy men and the need for increased milk price supports. But Mr. Jacobsen could not recall the dates of the two meetings, and he could not recall mentioning political contributions for the President from the dairy farmers, "But I may have," he said.

Mr. Connally told the Watergate committee staff under oath last night that he had "no association at all—professional, political or personal—with Associated Milk Producers, Inc."