

# Reinecke and Prosecutor Differ on Immunity Pledge

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## Coast Official Says His Cooperation on I.T.T. Inquiry Was Sought NYTimes

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Special to The New York Times

WASHINGTON, May 13—Ed Reinecke, Lieutenant Governor of California, testified today that the special Watergate prosecutor's office had led him to believe he would receive immunity from prosecution if he cooperated in the investigation of the International Telephone and Telegraph Corporation.

Mr. Reinecke's testimony was affirmed by his former lawyer, Frank J. Pagliaro, who represented him in discussions from July, 1973, through March, 1974, with Joseph J. Connolly, the Watergate special assistant prosecutor in charge of the inquiry into relationships between I.T.T. and Nixon Administration officials.

Mr. Connolly and a former assistant, Stephen Bryer, denied that any pledge precluding indictment had been offered Mr. Reinecke in return for his cooperation.

### Seeks Dismissal of Indictment

Mr. Reinecke, who is in a close primary race for the Republican nomination for Governor, testified in Federal District Court here in support of his motion to dismiss the indictment on three counts of perjury, handed up on April 3 by one of the Watergate grand juries.

He contends that in return for what he regarded as a firm pledge of immunity, he had provided evidence to Mr. Connolly that was then used to indict him.

The principal perjury charge involved Mr. Reinecke's informing former Attorney General John N. Mitchell that the corporation had pledged up to \$400,000 for the Republican national convention in 1972.

Dita D. Beard, a former I.T.T. lobbyist here, linked the pledge to a settlement of the Justice Department's antitrust suit allowing the conglomerate to retain the Hartford Fire Insurance Company. Her internal memorandum on the subject was published by Jack Anderson, the columnist.

Immediately following publication of the memo, Mr. Reinecke told several newsmen in early March, 1972, that he informed Mr. Mitchell of the pledge during a visit to Washington in mid-May of 1971, at a time when negotiations were going forward on a settlement of the suit.

However, Mr. Mitchell testified before the Senate Judiciary Committee on March 14, 1972 that he had not talked to Mr. Reinecke about the convention until September, 1971. His testimony occurred during hearings on the nomination of



United Press International

Lieut. Gov. Ed Reinecke of California leaving court in Washington.

Richard G. Kleindienst to be Attorney General.

When Mr. Reinecke testified before the same committee on April 19, he said he had been mistaken about meeting with Mr. Mitchell in May and had told him about the pledge on Sept. 17, six weeks after the antitrust suit was settled.

The issue in the perjury suit comes down to whether Mr. Reinecke's testimony at the Kleindienst hearings was "inadvertent" because he was tired and misunderstood the questions, as he contends, or whether he was purposefully not telling the truth about a May meeting.

### Areas of Agreement

The four witnesses today in agreement on the following that Mr. Pagliaro met here for at least three hours on July 13, 1973, with Mr. Connolly and Mr. Bryer, during which Mr. Pagliaro initiated talk of cooperation by Mr. Reinecke. That during that meeting Mr. Connolly suggested to Mr. Pagliaro that he tell Mr. Reinecke not to talk to reporters because his contradictory statements might impair his credibility later as a witness.

That Mr. Reinecke and Mr. Pagliaro met again with Mr. Connolly on July 30, 1973, at which there was further talk of cooperation and Mr. Connolly expressed doubt that Mr. Reinecke was telling all he knew.

That Mr. Reinecke provided Mr. Connolly with photostats of his phone bills, showing calls to Mr. Mitchell, delivering some documents and offering to help secure evidence.

Mr. Reinecke said in an affidavit, "I was told by my lawyer that Mr. Connolly [on July 23] advised they would be willing to forgo any possible charges against me for my full cooperation."