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Reinecke Defense Says Transcript Errs

By E. W. KENWORTHY

WASHINGTON, July 25—A court reporter from California, testified today in the prejury trial of Lieut. Gov. Ed Reinecke of California that he had found substantial errors in the transcript of a Senate Judiciary Committee hearing on which the indictment of Mr. Reinecke is based.

Mr. Reinecke is accused of lying when, in an exchange with Senator Hiram L. Fong, Republican of Hawaii, he testified that he first informed Attorney General John N. Mitchell at a meeting in September, 1971, of a \$400,000 pledge to the Republicans by the international Telephone and Telegraph Corporation if the party's national convention in 1972 was held in San Diego.

The Government and the defense rested this afternoon. After closing arguments tomorrow, the case will go to the jury.

The Government contends that Mr. Reinecke the pledge with Mr. Mitchell in a telephone call in May, 1971, during negotiations on a settlement of three antitrust suits against I.T.T.,

and not in September, six weeks after the settlement was reached.

Mr. Reinecke gave his testimony on April 19, 1972, during hearings by the Senate panel on the nomination of Richard G. Kleindienst to be Attorney General.

September Date Cited

In the exchange with Senator Fong, Mr. Reinecke said that he had no conversation or discussion with Mr. Mitchell on the I.T.T. pledge or the convention until September, 1971.

Today, his lawyer, James E. Cox, called Frank O. Nelson, a court reporter, as an expert witness. Mr. Nelson testified that in the transcript of the Reinecke-Fong exchange, he had found 39 places where insertions or changes had been made that created deviations from the actual stenotype notes made by Benjamin Firschein, the Senate reporter.

One on the changes described by Mr. Nelson was the supplying of the word "the" to make the transcript read "hold the convention" where the stenotypist's notes read "hold convention".

A second involved changing a phrase in the notes that read "so far always you know" to

make it read in the transcript "so far as you know."

A third change was from "anyone from the Justice Department" to "anyone in the Justice Department."

Punctuation Supplied

The other alterations, Mr. Nelson said, involved the supplying in the transcript of end punctuation—periods and question marks — which Mr. Firschein, who has been a Senate reporter for 35 years, omitted in his stenotype notes, and also the supplying of a final "l" on the name Mitchell and a final "s" on the name Gillenwaters.

Mr. Cox asked Mr. Nelson whether he considered the discrepancies between notes and transcript to be "minor matters or matters of substance relating to the meaning" of the exchange. Mr. Nelson said, "To me they are of substance related to the meaning."

Under cross-examination Mr. Reinecke has admitted that he told Mr. Mitchell of the I.T.T. pledge in the May, 1971, telephone call, but he insists that he did not lie to the committee because this call did not constitute a discussion or conversation.