

NY Times Federal Jury Begins Deliberations on

By E. W. KENWORTHY

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WASHINGTON, July 26 — A United States District Court jury began its deliberations today in the perjury trial of Liet. Gov. Ed Reinecke of California.

Judge Barrington Parker sent the case to the jury at about 2 P.M.

Richard J. Davis, an assistant special prosecutor, said in his closing argument:

"Reinecke deliberately lied for one reason — to protect the still very powerful John Mitchell, a man who could help him become Governor."

All of Mr. Davis's 35-minute summation of evidence was based on this assertion.

In his closing argument, James E. Cox, Mr. Reinecke's counsel, represented his client as an honest man who had "made mistakes" while under oath because "the big dummy" had yielded to the urging of Clark MacGregor, former White House Congressional liaison, to fly all night to Washington and take the witness chair at Senate hearing when he was fatigued and confused with loss of sleep.

Mr. Cox also argued that the transcript of the hearing record had many errors, although he did not point out how they altered his client's testimony.

Kleindienst Case Involved

Mr. Reinecke, a Republican, was indicted on a charge by a Watergate grand jury last April 3 of lying to the Senate Judiciary Committee on April 19, 1972, during its hearings on the nomination of Richard C. Kleindienst to be Attorney General.

Mr. Reinecke was accused, when responding to several questions by Senator Hiram L. Fong, Republican of Hawaii, of lying when he said that he told former Attorney General John N. Mitchell at a meeting on Sept. 17, 1971, of a \$400,000 pledge for the Republican convention by the International Telephone and Telegraph Corporation. The Government charge that he informed Mr. Mitchell in a telephone conversation on May 21, 1971.

On the latter date, negotiations were under way on a settlement of three antitrust

suits against I.T.T. that permitted the giant conglomerate to retain the Hartford Fire Insurance Company. The September date was six weeks after the settlement.

His testimony squared with a press release issued by Mr. Reinecke in Sacramento, Calif., on March 3, 1972, three days after Jack Anderson, the columnist, published a memo by an I.T.T. lobbyist, Dita S. Beard, to her boss, William Merriam, the corporation's vice president, connecting the likelihood of an antitrust settlement desired by the company to the "noble commitment" of \$400,000.

The Reinecke press release stated that he had been mistaken when, a day earlier, he told three reporters that he had informed Mr. Mitchell of the corporation's offer at a meeting in May. The meeting, he said, did not take place until September. The press release said nothing about informing Mr. Mitchell in a phone call in May.

May Report Confirmed

During the trial, Mr. Davis drew from Mr. Reinecke an admission that he had informed Mr. Mitchell in May by phone. But Mr. Reinecke denied he had lied to Senator Fong, insisting that he had been thinking in terms of a meeting when he said he had had no conversation with Mr. Mitchell until September.

Mr. Davis also drew from Mr. Reinecke an admission that he had corrected his account to reporters after he had received a phone call from Assistant Attorney General Robert C. Mardian, who soon became an assistant to Mr. Mitchell, who had just resigned to become head of the committee for the reelection of the President.

Mr. Reinecke testified that Mr. Mardian had told him that his account of informing Mr. Mitchell in May was in conflict with Mr. Mitchell's records. Mr. Reinecke related how Mr. Mardian had "dictated" the critical last paragraph of his corrective press release, in which Mr. Reinecke said the September meeting was "the first time" he had discussed the I.T.T. offer with Mr. Mitchell.

Mr. Cox suggested that Mr.

Reinecke's troubles had been largely caused by Mr. MacGregor, who had asked him to testify at the Kleindienst hearings. Before going to the hearing, Mr. Reinecke was briefed by Mr. MacGregor and John

Reinecke Perjury Charge

W. Dean 3d, at a White House breakfast.

Mr. Cox said some of The Senate Judiciary Committee were after "bigger game." He suggested that the White House had decided to have Mr. Rein-

ecke testify to lend support to Mr. Mitchell, who had said that he knew nothing about the convention financing until September, 1971. Thus, Mr. Cox suggested that the White House had set Mr. Reinecke up.