

## Nixon-Papers Case Goes to the Jury

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CHICAGO, Nov. 11—The case of Ralph G. Newman, a literary appraiser and Lincoln Scholar who is accused of lying and helping former President Richard M. Nixon claim an illegal \$450,000 tax deduction, went to the jury in United States District Court here tonight.

The jury of nine men and three women began deliberations nearly two weeks after the start of what is regarded as one of the last of the Watergate trials.

Today's session, before United States District Court Judge Frank J. McGarr, was devoted to summations by Jay Horowitz, a prosecutor for the Watergate Special Prosecution Force, and William E. McDaniels, a Washington lawyer who is representing Mr. Newman.

### Reported as a Gift

Mr. Newman, 64 years old, is president of the Chicago Public Library Board. He was indicted last February along with Mr. Nixon's tax lawyer, Frank DeMarco Jr., on charges of conspiring to back-date papers dealing with Mr. Nixon's terms as Vice President. The charges against Mr. DeMarco were dismissed in Los Angeles recently when a judge ruled that the conduct of the special Watergate prosecutor had prevented a fair trial. The Government is appealing that ruling.

The papers, which, according to Mr. Newman, had a value of \$576,000, were reported on Mr. Nixon's 1969 income tax return as a gift to the United States.

The deduction of about \$450,000, was eventually disallowed by the Internal Revenue Service. The Government contends that the gift of the papers was deliberately back-dated to

March 27, 1969, to void the strictures of the Tax Reform Act of 1969. The new tax law, which took effect on July 26, 1969, drastically curtails the amount that a taxpayer can deduct for a charitable contribution to the Government of papers.

During the trial, Mr. McDaniels, Mr. Newman's lawyer, said his client had made some mistakes in his affidavit and again when he was interviewed by internal revenue investigators. But, Mr. McDaniels said,

a year ago Mr. Newman later realized those errors and admitted them to a Congressional investigating committee.

Summing up today, Mr. McDaniels told the jury that "the key question is whether the statements are intentionally mistaken." The lawyer argued that Mr. Newman had nothing to gain by deliberately falsifying information.

"In a human way, even in the work of the President of the United States, a mistake can occur," he said.