

Judge Denies Limit Move By Connally

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U.S. District Court Chief Judge George L. Hart Jr. yesterday refused to dismiss parts of an indictment against former Secretary of the Treasury John B. Connally despite arguments by Connally's attorney that the charges were unnecessarily cluttered.

Although refusing to dismiss various counts of the five-count indictment against Connally, Hart suggested to the Watergate special prosecution force that a conspiracy count in the indictment against Connally be stricken by them before trial.

Connally is charged with conspiracy, perjury and receiving a bribe of \$10,000 as a payoff for his help in the Nixon administration's 1971 increase in the federal milk price supports.

In asking that the conspiracy count be dropped, defense attorney Edward Bennett Williams said he wanted to try the case on one issue:

"Did the defendant John Connally take money? No. He didn't take money for himself or anyone . . . We have a good defense."

Hart is to resume pre-trial hearings Monday in the case, and is scheduled to hear arguments at that time on a Connally request that the case be transferred from Washington to Texas.

Meanwhile, the Justice Department yesterday asked an appeals court in New Orleans to order a federal judge in Texas to accept a prosecutorial decision to drop all charges in a case against Texas lawyer Jake Jacobsen.

Jacobsen has agreed to testify against Connally in the bribe case on the basis that his guilty plea to bribing Connally wiped out all other possible charges against him.

In an effort to carry out that bargain, the Justice Department has refused to prosecute Jacobsen on charges in Texas growing out of a savings and loan scandal. The judge has refused to accept that position, and has appointed three special prosecutors to try the case.