

Connally Prosecution Rests

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Watergate prosecutors rested their case against former Treasury Secretary John B. Connally yesterday after presenting 12 final witnesses to try to add corroboration to the trial testimony of the main government witness, Texas lawyer Jake Jacobsen.

Jacobsen testified that he paid Connally \$10,000 in cash in his Treasury Department office for his backing of a 1971 milk-price support increase. He was the only direct testimony presented by the prosecutors concerning any actual payments of illegal cash to Connally.

Defense attorney Edward Bennett Williams is expected to argue Monday morning, the next day of the trial, that his client should be acquitted by the judge even before the defense begins its case. If granted, the directed verdict of acquittal would end the first bribery case of a former Cabinet official since 1929.

If U.S. District Court Chief Judge George L. Hart Jr. denies Williams' request, the trial will continue with the presentation of the defense case. Connally is expected to testify if the case continues.

The Connally trial, which has lasted seven days and in which the government presented 35 witnesses, differs greatly in terms of evidence from previous Watergate cases.

In contrast to the Watergate cover-up case, there are no White House tapes that are incriminating to the defendant. In contrast to the White House "plumbers" case, there is no series of documents involving the defendant in an alleged illegal transaction.

The Connally case, despite its length and complexity, boils down in its most simple form to the word of Jacobsen against the word of Connally concerning the actual payment of cash.

Jacobsen is an admitted perjurer who plea-bargained himself to a maximum prison term of two years by pleading guilty to making the illegal payoffs to Connally. At the time of his plea, Jacobsen faced charges from prosecutors here and in Texas that carried possible prison terms of 40 years.

Prosecutors have attempted to bolster Jacobsen's story of alleged payoffs to Connally from as many angles as possible. For example:

- An official of the Associated Milk Producers, Inc., has said Jacobsen asked for at least \$10,000 to be given to Connally around the time the first payment was made in 1971.

- Numerous banking officials testified that currency totaling \$10,000 that Connally allegedly gave Jacobsen to cover up

the alleged illegal payoffs on Oct. 29, 1973, probably was in circulation prior to that time.

- Bank records were introduced showing that Jacobsen entered his safe deposit boxes in banks here and in Texas at times when Jacobsen testified he was getting cash from those boxes for Connally.

- An Austin, Tex., hotel employee said he saw Jacobsen and Connally together at 9 a.m. the time of the alleged cover-up. Connally has testified under oath before a grand jury that he met with Jacobsen around that time, but that the meeting occurred in the late afternoon. Jacobsen said the meeting was in the morning.

- Special Watergate investi-

gator Anthony J. Passaretti testified yesterday that an examination of Connally's records kept during the early spring of '77 showed that Jacobsen met with Connally nearly three times as often as the Treasury Secretary met with other nongovernment employees. It was during this time period that the milk price support level was in spring of 1971 showed that a payoff was allegedly made.

Although prosecutors are expected to argue that such testimony supports their claim that Jacobsen is telling the truth, Williams is likely to argue that it proves only that Jacobsen had the opportunity to pay off Connally and told others that he was going

to make the payoffs. Such testimony does not prove that Connally actually received the money, Williams is expected to say.

Connally's defense has been that he never received the money or tried to cover up the transaction by allegedly giving Jacobsen \$10,000 in cash on two occasions in the fall of 1973.

Prosecutors did not present any evidence concerning financial transactions by Connally in the spring of 1971 or the fall of 1973. If available, such evidence could have been used as circumstantial evidence putting similar amounts of cash in Connally's hands at the time of the payoffs or cover-up.



Connally has a bit of trouble maneuvering his brief case around a motorcycle on the way to court.

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