

Mitchell Denies

Vesco Probe 'Fix'

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John N. Mitchell took the witness stand in his own defense yesterday and swore that he never tried to "fix" or impede a federal investigation in return for a contribution to President Nixon's re-election campaign.

Mitchell appeared to be calm, assured and casual, but much of his testimony was stippled with "I do not recall" and "I have no recollection."

The former attorney general did, however, rebut directly the testimony of other government witnesses, including John W. Dean III, the former counsel to the President.

Mitchell, and former secretary of commerce Maurice Stans, who were leaders of the Nixon re-election campaign, are charged with perjury conspiracy, and obstruction of justice for allegedly attempting to impede and quash a Securities and Exchange Commission in-

vestigation of Robert L. Vesco, the now fugitive financier, in return for a secret, \$200,000 cash contribution that Vesco made to the President's campaign.

"Did you do anything in this period of time to quash or fix the Vesco investigation?" Mitchell was asked by Peter Fleming Jr., his lawyer.

"No, sir," he answered.

Mitchell testified that he involved himself only once in the SEC-Vesco investigation and that was when he called William J. Casey, then chairman of the commission, but he said that he did not call him to impede the investigation.

"On the contrary, I thought it would be in furtherance," he said.

Harry L. Sears, a reluctant government witness, has testified in this trial that he first spoke to Mitchell about Vesco's problems with

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the SEC on Jan. 12, 1972, but Mitchell said that he had no recollection of such a conversation. Vesco and 41 others have been accused of defrauding investors of \$254 million.

Sears, a former New Jersey Republican leader, who was indicted in this case but was granted immunity in return for his testimony, also testified that exactly two years from yesterday, April 10, 1972, Mitchell called Casey and asked him to arrange a meeting with representatives of Vesco to discuss the investigation.

Asked if he had any recollection of such a telephone call, Mitchell replied, "none whatsoever." He said that he remembered meeting with Sears on April 10, 1972, but that he had "no recollection" of what they discussed, other than politics.

April 10, 1972, was the day that Vesco's \$200,000 cash contribution was handed over to Stans, and Sears said he informed Mitchell of that on that date. Mitchell testified that he did not recollect learning about the \$200,000 at that time.

Did Sears ever ask him to do anything other than to call Casey and arrange a meeting with him to discuss

the Vesco case, the witness was asked. At the time Sears made that request he was a Vesco lawyer and associate.

"Other than make a call?" Mitchell answered. "not then or at any other time."

Casey has testified that he had received a call from Dean, a call that Dean said was made at Mitchell's behest, in an effort to get the testimony of four SEC witnesses postponed until after election day, 1972. Mitchell denied this.

Mitchell also gave testimony that contradicted Dean's.

Dean had testified, for instance, that Mitchell called him and asked him, while he was counsel to the President, to call Richard G. Kleindienst, then the attorney general.

At the time, Mitchell had just testified before the grand jury that was to re-

turn the indictments in this case. According to Dean, Mitchell felt the grand jury was "a runaway" jury and Mitchell wanted Kleindienst to intervene.

Asked if he had done this, Mitchell said, "No, sir, I did not."

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