Frees Lowy

Washington

crease in milk price supoff for the Nixon administraports. tion's controversial 1971 inwith an alleged \$10,000 payterday against Texas lawyer missed perjury charges yes-Jake Jacobsen in connection O.S. District Judge George L. Hart Jr. dis-U.S. District

exchange. nal perjury for that specific cial prosecutor's office beindicted Jacobsen on crimifore a federal grand jury. The prosecutor's office had had spoken the "literal truth" when he answered tion by the Watergate spewas a poorly worded queswhat the judge indicated Hart ruled that Jacobsen

tion, of all charges in the in the Johnson administraa former White House aide milk fund case. The ruling frees Jacobsen,

any future possible attempts by the special prosecutor's office to bring new charges However, it does not block

> based on other exchanges in the grand jury testimony or in connection with other aspects of the milk case.

sociation investigation. dicted by a federal with a savings and loan asjury in Texas in connection Jacobsen has also been ingrand

count of lying under oath for the following exchange: February 21 on a single Jacobsen was indicted

was untouched by you be-tween then and the time you looked at it with the FBI agent (on November 27, 1973)? you by Mr. (Robert) Lilly (an Associated Milk Producthat box within a number of weeks after it was given to ny that that \$10,000 was the \$10,000 which you put into ers, Inc., lobbyist), and it Q. And it is your testimo-

A. That is correct.

Q. You are certain about

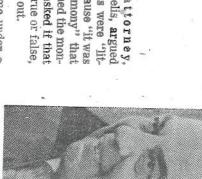
A. Yes, sir.

statement was true or false, ey. He was not asked if that erally true" because "it was McNelis pointed out. he had not touched the mon-Jacobsen's testimony" that that the answers were "lit-Charles A. McNelis, argued Jacobsen's attorney

a predicate for the offense of perjury." questioning is imperative as tioner's inquiry. Precise specific object of the quespin the witness down to the cases "on the questioner to placed the burden in perjury January, 1973, decision by the Supreme Court, which The ruling came under a

is "literally true." Court opinion, as long as it according to the Supreme question or even misleading, swer is unresponsive to a It doesn't matter if an an-

surprised members of the tion force during a 20 - min-Watergate special prosecu-Supreme Hart read portions of the Court opinion to



JAKE JACOBSEN Milk fund case AP Wirephoto

Supreme Court decision. ment on the basis of that ute hearing on Jacobsen's motion to dismiss the indict-

stand. mony, sen's total grand jury testithat, in the context of Jacob-The prosecutor argued the charge should

for higher price supports. who lobbied the White House paid by the milk producers dence that bribe money was the first disclosure by Wa-tergate prosecutors of evi-Jacobsen's indictment was

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