

How Mitchell freed Vesco

By David C. Martin
Associated Press

WASHINGTON — Former Atty. Gen. John Mitchell used a CIA agent in efforts to free financier Robert Vesco from a Swiss jail, the Associated Press has learned.

The agent told the chief of Swiss intelligence on Dec. 1, 1971, "that there was unusual interest in higher U.S. governmental circles, including Attorney General Mitchell, in this case and that we hoped that Vesco would be released on his own recognizance today," according to a memo, stamped confidential, that was shown to the AP.

A spokesman for the CIA confirmed that the conversation took place but denied any agency involvement in the Vesco affair. "Don't hang it on us as an agency undertaking," the spokesman said. "This duty was in no way in his CIA capacity. It was regarded as a routine cover mission."

The memo, written by the CIA agent to Richard Vine, then deputy chief of the U.S. mission in Bern, says that the Swiss official, Hans Walder, replied that he knew nothing about the case

and could not intervene, but promised to make inquiries. Several hours later a Swiss court ordered Vesco released on \$125,000 bail.

The memo does not identify its author as a CIA employe, but the agency confirmed his position after the AP had obtained independent confirmation.

Vesco, now a fugitive in Costa Rica, spent one night in the 150-year-old Saint Antoine prison in Geneva on charges involving an alleged attempt to remove securities from a Swiss bank. The charges later were dropped.

Some of the details of Mitchell's efforts on Vesco's behalf were made public during last year's trial in which Mitchell and former Commerce Secretary Maurice Stans were acquitted of attempting to influence an investigation by the Securities and Exchange Commission in return for a secret \$200,000 Nixon campaign contribution from Vesco.

The memo describing the contact between the CIA official and Walder was made available to both prosecution

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and defense attorneys, but was never made public.

Evidence presented at the trial shows that Mitchell phoned Vine on the evening of Nov. 30, the day Vesco was arrested. Vine, who already had made inquiries about Vesco's legal difficulties, testified he told Mitchell that a Swiss magistrate had said Vesco probably would be released on bail the next day but nothing could be done to spare him a night in jail.

According to the court transcript, Vine, now deputy assistant secretary of state for European affairs, told the court that "the attorney general then said to me, 'Can Walder help?' . . . and I said I did not think he could." Vine went on to testify that "the attorney general then thanked me for this information, said he was, I think he said, 'I understand perfectly,' and

asked to be kept informed."

Documents made available to the AP show that the next morning Vine received a phone call from one of Vesco's lawyers asking if the financier, who was then under SEC investigation in connection with his efforts to take over the mutual fund complex created by Bernard Cornfeld, could be released on his recognizance. Fifteen minutes later, the documents show, Vine contacted the CIA agent and asked him to speak to Walder in "a low key."

The agent immediately contacted Walder by phone and reported back to Vine in less than two hours, according to the documents.

Walder's Swiss title is most frequently translated in English as attorney general, but a Swiss embassy official there said that was misleading and confirmed that his duties included serving as the country's chief intelligence officer. Walder has since left the job.

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