

Connally Acquitted

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By Timothy S. Robinson
Washington Post Staff Writer

John B. Connally was acquitted by a federal jury yesterday of charges that he took \$10,000 in two bribes from dairy producers while he was Secretary of the Treasury in the first Nixon administration.

The jury deliberated about 5½ hours before returning its verdict of acquittal for the millionaire Texas politician, who had been mentioned as a potential 1976 presidential contender.

Texas lawyer Jake Jacobsen had testified he gave Connally two illegal \$5,000 payoffs for his backing of a 1971 milk price support increase. Connally denied it under oath.

Connally seemed composed as he sat at the defense table and heard the verdict, but his eyes glistened with tears

after the verdict as he shook hands with his defense attorney, Edward Bennett Williams, and hugged family members.

Connally was reading a Bible as the jury entered the courtroom, and one of the jurors appeared to be wiping tears from her eyes before and after the verdict was read. Connally's wife, Nellie, sat behind her husband and her shoulders sagged visibly as she exhaled with the first pronouncement of a "not guilty" verdict.

Connally told reporters after the verdict that he had no immediate plans but added:

"I hope as long as I live I don't lose the desire to participate in public affairs. I've seen this system of ours work today. It's going to make me more deeply committed . . . to making it work in the future."

Three criminal charges are still pending against Connally growing out of the alleged illegal payoffs. U.S. District Court Chief Judge George L. Hart Jr. earlier ruled that those charges—two counts of perjury and one count of conspiracy to obstruct justice by committing perjury—must be tried separately from the payoff counts.

Members of the Watergate Special Prosecution Force said they would have no comment "at this time" on those charges, which allege that Connally and Jacobsen concocted a cover story to conceal the payoffs and that Connally lied under oath as a part of that cover-up.

The verdict, announced at 5:44 p.m., made it clear that the jurors did not believe the testimony of Jacobsen, who has pleaded guilty to making the ille-

of Bribe

gal payoffs to Connally. Jacobsen entered his plea and agreed to testify against Connally after extensive plea bargaining with prosecutors.

Several legal sources have said they consider it unlikely that Connally will be tried on the remaining charges, since they grow out of an alleged attempt to cover up a crime that a jury has now found that he did not commit.

The prosecutors could move to dismiss the remaining charges, or the defense could ask the judge to dismiss them. Based on the evidence presented in the Connally trial, practically all the government's evidence in connection with the cover-up charges was presented to the jury in the bribery trial.

Connally had been the fourth Nixon administration Cabinet member to be charged with a crime, and the first for-

mer Cabinet member in five decades to be charged with a bribery-related offense.

The other Nixon Cabinet officers who have been convicted or pleaded guilty to crimes are former Attorney General John N. Mitchell, convicted in the Watergate cover-up; former Attorney General Richard J. Kleindienst, who pleaded guilty to testifying inaccurately before a Senate committee, and former Commerce Secretary Maurice H. Stans, who pleaded guilty to five misdemeanor violations of campaign contribution laws.

Two, Stans and Mitchell, earlier were acquitted by a federal jury in New York on charges of violating campaign financing laws.

During the deliberations in the Con-

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nally trial, jurors asked to see various documents introduced as exhibits by both sides and various portions of testimony. The final document they asked for was a 314-page transcript of Jacobsen's testimony.

Both defense attorney Williams and Assistant Watergate special Prosecutor Frank Tuerkheimer conceded in their closing arguments that the decision to convict or acquit Connally would hinge on the jury's belief in the credibility of Jacobsen.

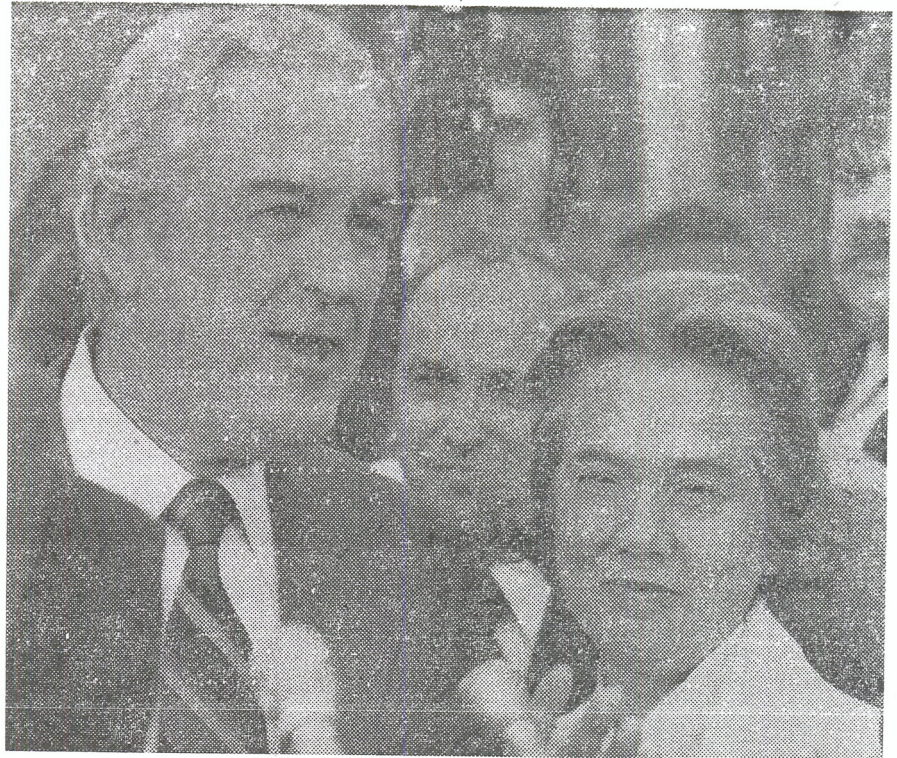
Williams' victory came in his first courtroom appearance in a major Watergate trial, and it was a twist to Williams' role in the Watergate years.

The famed defense attorney had been singled out at the top of the Nixon White House "enemies list" and his law firm had pressed a civil suit against the Republican Party that resulted in many disclosures of Nixon administration wrongdoing.

The Connally case was the first significant defeat for attorneys in the Watergate special prosecutor's office, an office that was created because of the widespread nature of the Watergate scandal. Connally was caught up in the investigation when the office began probing the massive illegal campaign spending by dairy cooperatives.

Connally, former governor of Texas whose political career was spawned and nurtured by former President Johnson, had been a Democratic Party leader for years before attaching himself to the Nixon administration four years ago and changing party affiliation.

Tall and silver-haired, Connally testified smoothly in his own defense and said he did not take any money from Jake Jacobsen at any time. For character witnesses, Connally brought in two former Cabinet members, a congress-



Associated Press

Connally and his wife, Nellie, meet reporters after acquittal verdict.

woman, former President Johnson's widow and evangelist Billy Graham.

The prosecutors had backed Jacobsen's testimony with an intricate web of evidence that was intended to prove he had the opportunity to make the illegal payoffs to Connally and to plot with Connally to cover up those payoffs.

However, the supporting evidence always stopped short of actually corroborating Jacobsen's allegation that he had given Connally the money. The payoffs were alleged to have been made when the two men were together in the Treasury Secretary's office, and the attempts to cover up the payment with two replacement batches of \$10,000 each were also claimed to have been made when the two men were alone together.

The prosecutors had contended that the evidence supporting Jacobsen's testimony should convince jurors to

believe allegations about payoffs themselves.

Williams argued that Jacobsen invented the story of the payoffs and cover-up with the knowledge that records would support his meetings with Connally at the appropriate times to make such payments.

Jacobsen testified the first \$5,000 payoff was made on May 14, 1971, and that Connally had solicited money from him more than two weeks earlier. Connally had not specified an amount in his alleged request, Jacobsen said, testifying that he took it on his own to limit the first payment to \$5,000 rather than the \$10,000 he had earmarked for that purpose.

Prosecutors produced evidence to show Jacobsen had opened a safe deposit box in Austin, Tex.—where he said he got the \$10,000—before leaving for Washington, D.C., on May 13.