

Connally Bribery Case to Go

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The Watergate Special Prosecution Force's bribery case against former Treasury Secretary John B. Connally will go to a jury this morning, with the decision expected to hinge on the jury's belief in the credibility of Texas lawyer Jake Jacobsen.

Prosecutor Frank Tuerkheimer argued to the jury yesterday that Jacobsen is telling the truth now, having renounced a cover story Jacobsen said he and Connally concocted in 1973 to conceal \$10,000 in illegal cash payoffs.

Jacobsen has told the jury he gave the money to Connally for backing a 1971 milk support price increase and that the money came from dairymen.

Defense attorney Edward Bennett Williams called Jacobsen "a fraud, a swindler and a perjurer" who embezzled the money from the Associated

Milk Producers, Inc., instead of passing it on to Connally.

Williams argued further that Jacobsen invented the story of payoff and cover-up so he could plea-bargain with prosecutors—a deal that has reduced his possible prison sentences. He has pleaded guilty to bribing Connally, which carries a two-year sentence, and he faces charges in Texas in a banking scandal.

The defense attorney alternately roared and whispered as he lambasted Jacobsen and praised Connally as a man of integrity and an impeccable reputation.

"Have we reached the point in our society where scoundrels can escape their punishment if only they inculcate others? If so, we should mark it well. Today it is John Connally. Tomorrow it may be you or me," Williams said.

If Jacobsen's testimony against Connally can support the prosecution's burden of proving its case beyond a reasonable doubt, "then God bless the Bill of Rights," Williams said.

Prosecutor Tuerkheimer, whose quiet, deliberate style is a marked contrast to Williams, conceded that the government's case is balanced on Jacobsen's word, but said Jacobsen's testimony should be believed because it has been corroborated in many elaborate details.

In addition, argued Tuerkheimer, "the defense is not a credible defense." Connally testified that he did not take the money or ever attempt to cover up alleged illegal payoffs, and explained discrepancies in his various previous appearances under oath by saying he misunderstood questions or had faulty memory.

Connally's response under oath during this trial about

his "misunderstanding" of questions in prior grand jury appearances was "clearly a lie," Tuerkheimer said.

"This important man, who tells you about his speeches and his meeting with the president of France, his defense is that he can't understand plain English. He understands English better than anyone in this courtroom. He is a very, very smart man," Tuerkheimer said of Connally.

Tuerkheimer, a tall, bespectacled man who paced slowly in front of the jury as he delivered his closing argument, recounted in minute detail the various meetings and conversations in which Jacobsen said the money passed hands or was discussed.

He handed charts to the jurors so they could follow the complex tale of payoff and cover-up. The prosecution contends the attempted cover-up

fell apart under intense probing of the various political funds raised and spent by the nation's dairy industry.

He reminded the jury that the alleged payoffs occurred on two occasions, immediately after Jacobsen had entered his safe deposit box in Washington. As for the first alleged \$5,000 payoff on May 14, 1971, "Do you think Mr. Jacobsen came up here just to talk to Mr. Connally about birds, or to give him money?" Tuerkheimer asked.

Why did Jacobsen meet with Connally personally on Sept. 24, the date of the second alleged payoff? "Because you can't put \$5,000 over the telephone . . . That's why he went there," Tuerkheimer suggested.

The elaborate details and their corroboration by independent sources give the story now

to Jury Today

told by Jacobsen too much credence to disbelieve, Tuerkheimer said. "This is not the kind of a story that a man under pressure would make up," he added.

Williams submitted that is exactly what Jacobsen did—invented a story that he felt sure would be corroborated by independent records so he could make a "cynical, sordid" deal with the prosecutors to avoid punishment for the perjury and banking scandal charges, which carry a penalty of 40 years.

Williams strode forcefully around the courtroom during his two-hour argument, controlling his voice from the lowest whisper to shouts that made his face turn red.

He said Jacobsen embezzled the disputed \$10,000—and another \$5,000 that Jacobsen testified he "might have given to

Connally"—from AMPI "to apply to his cascade of debts." The money was solicited in 1971, Williams said, when Jacobsen's "financial empire was crumbling, [and] the sheriff was at his door: Mr. Jacobsen was a desperate man. . . ."

The prosecution's "case is in shambles on the courthouse floor," Williams said. He asked the jury to acquit Connally and to "lift the pain and anguish . . . that John Connally and his family have suffered" since his indictment.

In a brief rebuttal, Tuerkheimer again asked for a conviction with the words: "I apologize for talking to you about the facts, but that is really all we have."

U.S. District Court Chief Judge George L. Hart will instruct the jury beginning at 10 a.m. today. Deliberations should start before lunch.