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**U.S. Charges 'Footprints'
Of Payoff Led to Connally**

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WASHINGTON, April 2—A Government prosecutor told the jury today in the bribery trial of John B. Connally that there was documentary evidence to prove that the former Secretary of the Treasury had solicited and received a \$10,000 payoff for helping the dairy industry. "Unlike most cash, this money left a trail of footprints," the assistant Watergate special prosecutor, Jon A. Sale, declared as he outlined the Government's case in United States District Court here. And the footprints, he said, led to Mr. Connally.

But Edward Bennett Williams, the chief defense attorney, told the jurors that he would show that Jake Jacobsen, the key prosecution wit-

ness on whose testimony the documents would bear, was an inveterate perjurer who "embezzled" the funds that allegedly went to Mr. Connally in 1971.

The 58-year-old former Cabinet member and former Governor of Texas sat, his face flushed, as the prosecution and defense took turns describing the case that they would make to a jury of seven women and five men impaneled this morning.

Mr. Connally stared at the prosecutor and shook his head, as if to say "no," when Mr. Sale described the \$10,000 as a dairy industry "thank you" for Mr. Connally's part in a

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Nixon Administration decision to increase Federal milk price supports in March, 1971.

Mr. Connally is accused of twice accepting \$5,000 in cash later that year from Mr. Jacobsen, who was then a lawyer for Associated Milk Producers, Inc., the nation's largest dairy cooperative.

Mr. Sale said that Mr. Jacobsen would testify that he met with Mr. Connally on April 28, 1971, and that the Treasury Secretary said then:

"You know, I was some help on that price support question, and I understand these A.M.P.I. people are giving out money to politicians. Do you think you can get some of that for me?"

Mr. Sale said that he would present evidence "in black and white" to show that Mr. Jacobsen obtained \$10,000 from officials of the dairy group on May 5, 1971; that he gave half the cash to Mr. Connally on May 14, and the rest on Oct. 24 that year.

Deposit Box Records

The documents, the prosecutor said, were records of Mr. Jacobsen's access to bank deposit boxes in Texas and Washington that tended to corroborate his accounts of payoff meetings in 1971 and of efforts by Mr. Connally and Mr. Jacobsen two years later to cover up the transactions.

The prosecution's opening statement described a case considerably stronger in detail—although largely circumstantial—than the one suggested by pretrial legal papers filed with Chief Judge George L. Hart Jr., who is presiding at the trial.

Mr. Sale did not specify, however, if there were any documents that would show to the jury's satisfaction that Mr. Connally had ever deposited the money or put it to

personal use.

Accordingly, Mr. Williams devoted much of a two-hour opening presentation to the start of an attempt to discredit Mr. Jacobsen's eventual testimony.

Mr. Williams, in contrast to the muted presentation by the 31-year-old prosecutor, faced in front of the jury box, delivered a long description of the milk price support system and recalled that, "as the old mountaineer says about his pancakes, 'No matter how thin I make them, there's always two sides to them.'"

Other Indictments

The celebrated defense attorney said that Mr. Jacobsen had twice been indicted by Federal grand juries for perjury and faced seven Federal charges of "fraud, crooked loans, crooked deals" in a Texas banking scandal.

All those charges were dropped by the Government, Mr. Williams emphasized, in return for a guilty plea last year to the bribery charge and cooperation with the prosecution.

Mr. Williams said that he would show that Mr. Connally had twice rejected offers from Mr. Jacobsen of \$10,000 to donate to political candidates, and that Mr. Jacobsen "embezzled the money" from the dairy group.

Mr. Jacobsen "stood indicted in Texas, and he stood indicted in the District of Columbia" in 1973 on charges that could lead to 40 years in prison, Mr. Williams said, and "the evidence will show he began to scheme as to how to extricate himself from this trouble."

Mr. Williams said that Mr. Jacobsen had kept another \$5,000—that is, in addition to the \$10,000 he said that he funneled to Mr. Connally—obtained in late 1971 from the dairy group.

The testimony that Mr. Jacobsen will offer in court, Mr. Williams said, is "totally contradictory" to testimony that

he gave six times, four times under oath, that Mr. Connally had rejected the money offers.

But the Government made clear, in Mr. Sale's opening statement, that it would try to substantiate Mr. Jacobsen's accusations through bank and Treasury records.

Documents Described

Mr. Sale said that he would introduce documents to show the following:

¶Mr. Jacobsen obtained \$10,000 cash from Bob A. Lilly, another A.M.P.I. official, on

May 4, 1971, and placed the funds in a deposit box in the Citizens National Bank of Austin, Te.

¶Mr. Jacobsen delivered \$5,000 to Mr. Connally "right in the office of the Secretary of the Treasury of the United States" on May 14, 1971, and deposited the other \$5,000 the same day at the American Security and Trust Company here.

¶On Sept. 24, 1971, Mr. Jacobsen removed the \$5,000 from the Washington deposit box and delivered it to Mr. Connally.

¶Mr. Jacobsen warned Mr. Connally on Oct. 24, 1973, that Mr. Lilly might be cooperating with investigators, and they agreed that Mr. Connally would

provide \$10,000 cash to back up a cover story that the money had remained in the Texas bank box.

¶Mr. Connally gave Mr. Jacobsen \$10,000 in a cigar box on Oct. 29, 1973, at a meeting in Mr. Connally's Houston law office, and Mr. Jacobsen deposited the cash in the Austin bank klater that day after a chartered flight to Austin.

¶Concerned that some of the bills had not been in circulation in May, 1971, Mr. Connally provided a second \$10,000 on Nov. 25, 1973, at a meeting in the Austin home of George Christian, a former press secretary to Mr. Connally and former President Johnson.

Mr. Jacobsen, who had

pledged not to open the Austin bank box before its contents were checked by investigators, arranged for the second bundle of money to be substituted the next day by an officer of the bank.

Bills 'Too New'

Mr. Sale told the jury that Treasury Department experts had determined that 16 of the bills in the Austin bank box "just were too new to have been put" in circulation in May, 1971.

The discovery of the 16 "too new" bills, Mr. Sale said, marked "the beginning of the end of that cover-up story," and Mr. Jacobsen began negotiations that led to his coopera-

tion with the prosecution.

Mr. Williams, whose statements followed Mr. Sale's, suggested that the defense would attempt to offer the jurors a plausible theory that Mr. Jacobsen had converted the money to his own use.

He said that Mr. Jacobsen's account, despite the prosecution's version of it, would be shown to be false, and that he was confident the jury would agree Mr. Connally "did not at any time as Secretary of the Treasury receive anything from Mr. Jake Jacobsen, or the milk producers or anyone else."

A capacity crowd including several visiting Texans in cowboy clothes—chaps, boots,

spurs and fringed leather vests—sat rapt during the descriptions of the opposing cases.

Nine Jurors Black

The jury of seven women and five men, all but three of whom are black, was impaneled along with six women alternates as the trial entered its second day.

Judge Hart refused to release the identities of the jurors or alternates because, in contrast with other celebrated criminal cases, the panel is not going to be sequestered, that is, kept under the control of the court in a nearby hotel.

The court did make public, however, the ages and occupations of the jurors. One juror

is a 35-year-old historian, another is a 63-year-old retired printer. Two jurors and one alternate were listed as unemployed. Nearly all of the panel members were described as middle-aged, blue-collar workers.

The judge admonished the jurors to avoid any news accounts of the Connally trial. In an unusual move, he also outlined to them the "principles of law" governing the trial. Normally, such matters are contained in the charge of the jury as it prepares to begin deliberations. Judge Hart said that he would repeat the legal outline then, but that it might be "helpful" during the trial. He told the jurors that they

would be the "sole judges of the credibility of witnesses," and that they could take into account any self-interest a witness might have in the outcome.

Defense attorneys suggested before the trial began that the case would boil down to a contest of credibility between Mr. Connally and Mr. Jacobsen.

Mr. Jacobsen, in an arrangement with prosecutors that led to his guilty plea last year, won a Justice Department agreement to drop criminal proceedings against him in an unrelated case involving a bank fraud in Texas.

The trial, which will continue tomorrow, is expected to last no more than three weeks.