

Dean Tells Of Mitchell Intervention

By Stephen Isaacs
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NEW YORK, March 25—Former White House counsel John W. Dean III testified today that John N. Mitchell asked him to try to postpone depositions that might have unveiled Robert L. Vesco's secret \$200,000 contribution to the Nixon re-election campaign in 1972.

"The whole thing is just something we don't need before the election," he quoted Mitchell as saying.

Dean—the President's principal accuser—the 25th witness for the government in the trial of Mitchell and former Secretary of Commerce Maurice H. Stans on charges of conspiracy, obstruction of justice and lying to a grand jury.

His cool handling of more than an hour of cross-examination had spectators tittering in the packed Manhattan courtroom.

Dean testified as to more than a score of telephone calls and meetings involving Mitchell, Stans and William J. Casey, former chairman of the Securities and Exchange Commission, in the case.

Although much of his testimony was in effect corroborative of earlier evidence in the case, he also said that Mitchell, after testifying before the grand jury here, had him call then-Attorney General Richard G. Kleindienst about it.

In addition, Dean testified that former presidential aide John D. Ehrlichman told him he had met several times with Vesco, whose contribution to the Nixon re-election campaign is at the heart of the case.

Dean's testimony was considered crucial to the charges of conspiracy and obstruction of justice against the two Nixon campaign chiefs, and touched on two of the six counts of lying that have been lodged against each of them.

Dean's testimony also directly contradicted testimony last Wednesday from Casey.

When asked about the discrepancies between his testimony and that of Casey, who now heads the U.S. Export-Import Bank, Dean calmly said, "I have no knowledge of Mr. Casey's testimony, I only know what I know."

Dean resigned his position

as White House counsel in April, 1973, and was the key witness at the Senate Watergate committee hearings, in which he charged that President Nixon was a participant in the Watergate cover-up.

He has pleaded guilty to one charge of conspiracy to obstruct justice for his role in the Watergate case.

On the witness stand, he spoke in the same low monotone that characterized his Watergate committee appearance last summer.

Only about 20 members of the general public were able to see and hear his testimony, as the courtroom was all but filled in advance with friends and relatives of the lawyers

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former prosecutors, courthouse personnel and the press.

Before Dean testified this morning, Judge Lee P. Gagliardi removed a juror, Violet Humbert, who had become ill last Wednesday night and whose illness caused the trial to be adjourned since then.

She was replaced by alternate juror Andrew Choa, a banker.

Dean told the jury that Mitchell—his former boss at the Justice Department, with whom he was on first-name terms—started calling him at the White House about the Vesco case July 14, 1972.

At the time, Dean said, Mitchell asked him to call Casey and ask whether the SEC had Vesco under investigation.

He told Mitchell, he said, that Ehrlichman had already had him do so, and that Casey had told him that Vesco was "a bad man and one that Don Nixon Jr. shouldn't be hanging around with."

"Don Nixon Jr." is Donald

A Nixon, 28-year-old son of F. Donald Nixon, the older of the President's two brothers. Donald A. Nixon is Vesco's executive assistant.

At several points today, Dean mentioned that Ehrlichman had been Don Nixon's "keeper" and that he had become one of the keepers, too.

Dean said he rechecked the

status of the case with Casey, telling Casey he was calling at Mitchell's behest, and reported back to Mitchell that Casey had said the investigation was "major."

Dean said he had had a number of such calls from Mitchell about the SEC investigation of Vesco.

He said he first learned of Vesco's contribution in a meeting with Stans at the White House when Stans was describing problems brought on by Common Cause's suit to disclose the names of donors to the Finance Committee to Re-elect the President before major contributors were required to be publicly listed on April 7, 1972.

"He told me," Dean said, "that there had been a cash contribution and that the only designation of the contribution was the initial JM in front of it. . . ."

He said that at a meeting Nov. 1, 1972, in Mitchell's office, he, Stans and Mitchell had discussed the problem of the Vesco contribution.

"Mr. Mitchell expressed to Mr. Stans — he said, 'I don't know why my name or my initials were put beside the cash contribution,' and Mr. Stans said, 'Well, it is there and that's just the fact of—you know, it is there."

"However, it shouldn't be a problem in regard to the Common Cause settlement that had been stipulated to."

Dean then explained that "the fact that this document, the record that had the J.M., wouldn't be among those that were filed."

"Who said that, Mr. Dean?" asked prosecutor James W. Rayhill.

"Mr. Stans," replied Dean.

Near the end of October, Dean said Mitchell called him about subpoenas issued by the SEC for a number of Vesco employees who knew about the contribution, as well as for New Jersey politician-Vesco employee Harry L. Sears.

"He told me," said Dean, "This is just a further example of harassment, that it is totally unnecessary, it appears to be politically motivated."

"And he said 'if these people are deposed, it is going to cause them all kinds of problems.' He said, 'Mr. Sears is

a lawyer and he can't take the Fifth Amendment, and the whole thing is just something we don't need before the election, the fact that Don Nixon Jr. is associated with Vesco, the fact that Ed Nixon [the President's other brother] was involved in the arrangements for the . . . contribution, and the fact that Mr. Vesco gave a large cash contribution. This isn't necessary just immediately before the election."

"And he wanted me to call Bill Casey and tell Mr. Casey that this was something the staff was doing, to get them postponed, the taking of these depositions."

Dean said he did call Casey and told Casey that Mitchell

had asked him to call to try to get the depositions delayed. (On Wednesday, Casey denied this during his testimony.)

Casey, he said, told him, "It's going to be very hard to do anything about this."