

# Mitchell Attacks Dean's Testimony

New York

John N. Mitchell acidly accused government witness John W. Dean III yesterday of having a "great imagination," and later the former attorney general's successor at the Justice Department, Richard G. Kleindienst, was called as a defense witness to back up that theme.

Kleindienst appeared in an effort to rebut a charge by Dean that the former White House counsel had relayed word from Mitchell to Kleindienst that a grand jury in New York had "run away" and the Justice Department official should take some action.

The message was allegedly given by Mitchell moments after he emerged on March 20, 1973, from testifying before the grand jury here which looked into possible attempts to impede scrutiny by the Securities and Exchange Commission of financier Robert L. Vesco.

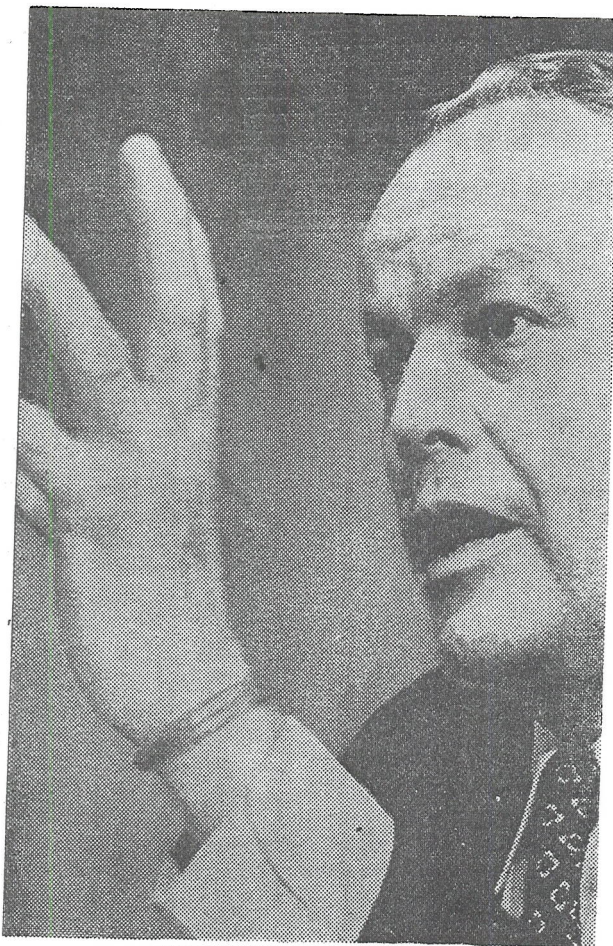
"I have no recollection of any such call from Mr. Dean," Kleindienst told the court. "I have no recollection of any conversation with Mr. Dean pertaining to this subject matter."

But prosecution cross-examination somewhat softened the answer.

"Do you deny it happened?" asked Assistant U.S. Attorney John R. Wing.

"I don't believe it happened," replied the witness. "... he (Dean) certainly didn't say anything to me that would make any impact on my mind and cause me to remember it."

Kleindienst was reminded of a phone conversation he had with government lawyers last September about the alleged conversation with Dean. At that time, ac-



RICHARD KLEINDIENST  
Surprise witness backed up Mitchell's rebuttal

ording to the prosecutors, when asked about the phone call Kleindienst replied that if Dean said it, he couldn't dispute it.

"I could have said something like that," Kleindienst told the court yesterday.

Kleindienst's surprise appearance came after Mitchell ended two days of intense cross-examination. In effect, lawyers for the former attorney general then rested their case. Former Commerce Secretary Maurice H. Stans is expected to testify in his own behalf today.

Both one-time Cabinet officers are charged with obstruction of justice, perjury and conspiracy in attempt-

ing to influence Vesco's SEC investigation.

During his three days on the stand, Mitchell was stern in demeanor and generally caustic in his answers. He denied testimony from a number of key prosecution witnesses, including Harry L. Sears, a Vesco lawyer and President Nixon's New Jersey campaign manager in 1972, another top Vesco aide — and most notably from Dean.

Mitchell denied asking Dean to make inquiries with William G. Casey, then SEC chairman, on Vesco's behalf. Questioned about a possible inquiry on Sept. 28, 1972, Mitchell said he "could not believe hearing the

words come out of his (Dean's) mouth.

The former attorney general said that calling Casey that day would have been "the most non-productive thing in the world" as Casey had volunteered to him at a political dinner two days earlier that the agency's investigation of Vesco had increased.

"Do you recall Dean's testimony to the effect that you told him your understanding of the SEC-Vesco matter was that the SEC staff was running away with it and Casey did not know what was going on? Do you recall that testimony?" asked Wing on another occasion.

"Not expressly," replied Mitchell.

"Did you ever tell that to Mr. Dean?"

"I never told that to Mr. Dean at all," added Mitchell.

Los Angeles Times