

The Verdict May Affect House Impeachment Probe

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New York Times

Washington

The acquittal verdict yesterday in the Mitchell-Stans trial heartened the White House, virtually eliminated one of the key issues in the House impeachment inquiry, and underscored the importance of the Watergate tape recordings in other criminal and impeachment proceedings.

"The President was very pleased for the two men and their families," a White House spokesman said of the acquittal in New York of former Attorney General John Mitchell and former Commerce Secretary Maurice Stans.

The reaction, in a White House preparing a counter-offensive against the impeachment proceedings, was apparently understated.

Well-placed administration officials said yesterday that the verdict in New York may play a crucial role in President Nixon's dealings with the House Judiciary Committee.

The development was the first in almost exactly a year — since the resignation of H.R. Haldeman and John Ehrlichman and the dismissal of John W. Dean III from the White House staff last April 30 — to offer encouragement for Mr. Nixon in the Watergate affair.

Beyond a change in atmosphere, however, the verdict may have significant practical impact on the President's future course of action.

In finding Mitchell and Stans innocent of obstructing justice and of conspiracy and perjury in the tangled affairs of financier Robert Vesco, the trial jury in New York in effect discounted testimony against the two defendants by Dean, the former White House legal counsel.

Dean is also the primary

government witness in the forthcoming Watergate conspiracy trial of Mitchell, Haldeman and Ehrlichman and four others, and he is the principal accuser of the President in the alleged White House effort to obstruct the Watergate investigation.

According to the administration sources, the White House will attack Dean's credibility as part of the public campaign being prepared to accompany the President's reply this week to the Judiciary Committee

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subpoena of recordings of 42 Watergate-related conversations.

The suggestion — that Dean's testimony misled prosecutors and impeachment investigators — was apparently heralded yesterday by one unnamed senior administration official who said that the New York verdict "by implication makes Dean a liar, which makes one wonder how many other lies he's told."

"It's interesting to note that after Mitchell and Stans were found guilty and hung in the public eye for over a year that the jury has found

them not guilty of anything," he added. "How many other good men are being publicly pilloried who are also not guilty of doing anything wrong?"

A congressional official said it is likely that the staff of the Judiciary Committee will downgrade, and perhaps abandon, its investigation of the secret \$200,000 gift to the President's re-election campaign by Vesco. The donation was at the heart of the Mitchell-Stans trial.

John M. Doar, the special counsel to the Judiciary Committee, had said on Thursday that the Vesco contribution was one of the "priority matters" being pursued by the inquiry staff.

Sources close to the impeachment inquiry also said yesterday that they expect the White House to be emboldened in the President's apparent plan to substitute edited transcripts for the actual tapes subpoenaed by the committee.

"I'm prepared for an enormous publicity blitz" by the White House, one of the investigators said.

But he also said that the ultimate effect of the verdict in New York, and any consequent attack on Dean's testi-

mony, would be to strengthen the Judiciary Committee's demands for the White House tapes.

In addition to the 42 taped conversations involved in the committee subpoena, the impeachment inquiry is asking the President to voluntarily supply many other tape recordings. The number of conversations covered by the additional tapes has been reported variously as 79 or "more than 100."

It is those recordings, rather than unsubstantiated testimony by Dean or others, that apparently constitute the main ingredient of the evidence that could implicate or exonerate Mr. Nixon.

An official familiar with the impeachment inquiry summed up the impact of the acquittal of Mitchell and Stans as follows:

"It's a sobering thing. It means that the inquiry is going to be based on what we find (in the evidence). Never mind the atmosphere."