

Jury Doubted Dean Testimony

By Walter Stovall

NEW YORK, April 29 (AP)—The foreman of the jury that acquitted John N. Mitchell and Maurice H. Stans said today the jurors doubted the truthfulness of John W. Dean III, a key government witness at the criminal conspiracy trial of the former Cabinet members.

Sybil Kucharski, 21, a Westchester County bank teller, said she and the other jurors were convinced Mitchell and Stans told the truth when they took the witness stand in their own defense at their 48-day federal trial.

Dean's credibility came into question when he admitted he had pleaded guilty to a charge of obstruction of justice in the Watergate scandal in hope of drawing a lighter sentence, Miss Kucharski said on NBC's "Today" show (WRC).

Vice President Gerald R. Ford said in a statement issued by his Washington office

that the jury verdict in the Mitchell-Stans case "says to me that John Dean's credibility has been severely eroded."

Ousted by President Nixon as White House counsel, Dean is expected to testify for the government at other trials spawned by the 1972 Watergate break-in and subsequent cover-up attempt. He also is regarded as major witness should President Nixon be impeached and tried.

Assistant U.S. Attorney John R. Wing, chief prosecutor in the Mitchell-Stans trial, said of the jurors: "Somehow, they didn't buy the witnesses—they really didn't buy them."

"We've been trying to read what the jury has been telling reporters. You always like to know what it is," he said. "It seems that —Sears, Hofgren, Richardson, Cook and Dean—they didn't buy them beyond a reasonable doubt."

His reference was to other

key witnesses Harry L. Sears, Daniel Hofgren, Laurence B. Richardson and G. Bradbord Cook.

Mitchell, 60, the former Attorney General, and Stans, 66, onetime Commerce Secretary, were accused of lying to a grand jury and conspiring to impede a Securities and Exchange Commission investigation of financier Robert L. Vesco's financial empire in return for a secret \$200,000 Vesco contribution to President Nixon's 1972 re-election campaign.

Miss Kucharski said the jury in its 26 hours of deliberations paid only scant attention to what was seen as a key element of the government's case against Stans and Mitchell—that Mitchell made 19 calls to Dean in an attempt to hinder the SEC's Vesco investigation.

"They made a big thing of it," said Miss Kucharski, a Democrat who voted for

George McGovern for President in 1972. "We didn't make it a big thing."

What did impress the jurors, according to Miss Kucharski, was the fact that Dean had previously pleaded guilty in the Watergate case and that "if he was guilty he might not be telling the truth."

"We took this into consideration," she said. "He hoped this would help him. We just had a feeling he was not telling the truth."

On the other hand, there was no question among the jurors about the testimony of Mitchell and Stans, who left the Nixon administration in early 1972 to assist with the President's re-election campaign. Miss Kucharski said the jurors felt the two officials "were just doing their jobs."

"Mr. Mitchell, he answered all the questions, and he appeared to be telling the truth," she said. "The same for Stans."

Mitchell's lawyer, Peter Fleming Jr., termed the obstruction of justice charges "such a fog" and said, "There was a danger of a hung jury because the obstruction of justice charges were so obscure."

"But once they [the jury] got into the concrete issue of perjury and whom do you believe, the rest took care of itself."

The acquittal eventually came, Miss Kucharski said, because the government presented "not enough hard evidence. We didn't believe some of the testimony. The case was presented properly, but it was not strong enough."