

By William Safire

WASHINGTON—"Ah wouldn't trust that feller," John Connally used to say about untrustworthy characters, "any further than I could throw a chimney by its smoke."

Today, a jury will listen to Jake Jacobsen, a former Lyndon Johnson aide, being cross-examined by Defense Counsel Edward Bennett Williams, and will form its impression about whether to trust Mr. Jacobsen's accusation that he bribed John Connally.

Leaks from the Special Prosecutor's office for the past year have hinted at additional circumstantial evidence that would clinch the case; no such "smoking gun" has been produced so far, however, and now we are being told that the case boils down to which man is to be believed—the accuser or the accused.

That is not strictly true. Put yourself in the jury box. You are not merely asked to believe Mr. Jacobsen, a confessed perjurer who is testifying in order to escape prosecution for alleged felonies in Texas. You are also asked to believe The Good Guys—the Watergate Special Prosecution force—who have been hailed and sanctified over the past two years as avenging angels combating the Forces of Evil.

Now put yourself in the shoes of the typical juror. You are a black and poor Washingtonian, being asked to overcome natural prejudices in judging a rich and white Texan. You do your best to set aside ingrained animosities, just as a Catholic juror tries to do in an abortion case, or a Jewish juror in a case involving an Arab terrorist, or

a white juror in a case involving a black defendant.

But that is not easy to do, which is why the Special Prosecutor likes to try big cases strictly within the District of Columbia.

It is no coincidence that every Watergate case brought to trial in Washington, D.C., has resulted in a conviction, and the only Watergate-related case tried before a non-D.C. jury—in New York—resulted in an acquittal. The prosecution's "edge" here is so enormous as to be scandalous.

In this recession-proof, political capital, the local media has devoted far more attention to Watergate than anywhere else; Mr. Nixon "and his henchmen" are hated here with an intensity unmatched elsewhere in the nation; and any fair-minded observer would list this city at the very bottom of a list of a thousand places where a trial should be held in order to be fair.

Serves 'em right, people say; a taste of their own medicine; what did those Nixon men care about individual rights when they were in the saddle? Thus, prosecutions soaked in prejudicial publicity before partisan juries are accepted as a kind of poetic justice at a time when our law courts could use more justice and less poetry.

Of course, this jury could upset the odds and find Mr. Connally innocent. If the charge-dropping bribe paid to Mr. Jacobsen by the prosecution is too galling; if the jurors are not shown incontrovertible evidence to corroborate the central part of the accuser's story; and if—above all—Ed Williams can separate John Connally from the guilt-by-association aura of Watergate, then perhaps conviction of former Nixon officials in the District of Co-

lumbia will prove to be non-automatic.

One antidote does exist to counter the poison of Nixon association, which is why Mr. Connally has a slim chance. His attorney, the Clarence Darrow of this generation, needs no instruction from the sidelines, but he would stand a better chance if he could counter the Nixon tape with the Zapruder film.

John Connally has been the target of two different kinds of assassins. One took aim from the Texas School Book Depository on Nov. 22, 1963, and drilled a bullet into his back while he was accompanying President John F. Kennedy. Lee Harvey Oswald nearly succeeded in assassinating Governor John Connally as well.

Whether or not a different kind of assassin—a character assassin, if such he be—will succeed in terminating Mr. Connally's political life is up to the jury. The analogy is not all that farfetched. At least Mr. Jacobsen has a rational purpose for seeking to strike down Mr. Connally: The accuser is freed from prosecution of criminal fraud in an unrelated case.

Mr. Connally's tragic association with President Kennedy may balance the local antipathy to President Nixon; his counsel's reputation may compete with the never-miss-in-D.C. luster of a prosecution that will dwell on the word "Watergate" at every chance.

Whichever way it goes, it's jake with Jake. Thanks to the Special Prosecutor, Mr. Jacobsen is out of his big Texas fraud trouble, and has pleaded guilty only to giving a bribe. If the jury does not believe that he bribed Mr. Connally, and sees him as a false accuser—then no bribe was given, and Mr. Jacobsen has his freedom and a good long laugh.