

Jury Composition Held Important

Mitchell-Stans Trial Today

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NEW YORK, Feb. 18—The oft-delayed trial of former Cabinet officers John N. Mitchell and Maurice H. Stans gets under way in U. S. District Court here Tuesday.

Each is charged with one count of conspiracy to obstruct justice, three counts of obstructing justice and six counts of making false statements to a grand jury. If convicted of all counts, each could receive 50 years in jail and \$85,000 in fines.

The trial, before Judge Lee P. Gagliardi, is expected to last four to six weeks, and likely will begin Tuesday with defense motions, then the choosing of a jury. Jury selection is expected to take about four days.

The choosing of jurors in the case is of key importance, particularly if there is an appeal later, since attorneys for Mitchell and Stans have in-

sisted that publicity engendered by the Watergate revelations and these indictments preclude the two from receiving a fair trial.

Worry over tainting of the trial here by more revelations from Washington resulted in the U.S. Attorney's Office here requesting the Senate Watergate committee to postpone its new round of public hearings, which ostensibly would have involved Mitchell.

Attorneys said that, once the jurors here have been chosen and sequestered, probably by Feb. 26, more indictments can be expected to be filed in Washington in other aspects of the Watergate case.

Mitchell, onetime chairman of the Nixon re-election committee, and Stans, head of the committee's financing, were indicted last May 10, along with New Jersey politician Harry L. Sears and financier Robert L. Vesco.

Sears' case has been severed

from that of Mitchell and Stans, and he is due to be tried after they are. Vesco, who has not been seen in the United States in a year, is a fugitive. Several attempts to extradite him have failed.

The case centers on two basic happenings: Vesco's \$250,000 payment to President Nixon's 1972 campaign, and the investigation of Vesco and his companies by the Securities and Exchange Commission.

According to the indictment, Vesco wanted to get the SEC investigation stopped, and hired Sears—an old friend of Mitchell who ended up as chairman of the New Jersey Committee to Re-Elect the President—to get Mitchell's help, while Mitchell was still Attorney General.

Vesco, the indictment alleges, met with Stans and offered to give half a million

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dollars to the Nixon campaign, "with the intent of having" Stans, Mitchell and others "exert their influence on the SEC on behalf of Vesco" and his companies and associates.

At that meeting, purportedly on March 8, 1972, it was decided that \$500,000—even given secretly under the campaign reporting laws then in effect for another month—might be too far out of line with Vesco's 1968 contribution (reportedly over \$100,000).

So, said the indictment,

Vesco acceded "to Stans' request to give \$250,000 in cash before April 7, 1972."

Later, according to Sears' deposition in the SEC case, Vesco and his associates decided to give \$200,000 of the money secretly, and to give the other \$50,000 through normal contributing channels—in October and by check.

The \$200,000, in \$100 bills, was carried to Washington on April 10 in a black suitcase by Laurence B. Richardson Jr., then a Vesco associate, and Sears, and handed to Stans. The money, the indictment said, was "the largest cash contribution ever received by the committee."

Within hours, the government alleges, Mitchell arranged for Sears to discuss Vesco's SEC problem with William J. Casey, then chairman of SEC.

The indictment also alleges that Mitchell later asked then-White House counsel John W. Dean III to intervene in the SEC case to prevent certain people from giving depositions lest they reveal the secret \$200,000 payment.

Further, the government is trying to prove that Stans intervened with G. Bradford Cook, then general counsel of

SEC, to delete reference to the money in the SEC's case against Vesco, which was filed several weeks after the election.

That case charges Vesco, 20 other individuals and 21 related corporations with looting \$224 million from four overseas mutual funds.

The Securities and Exchange Commission found out the full story of the money a year ago this Wednesday, when Sears, in his long deposition, told of his relationship to Vesco, his meeting with Mitchell, Stans, Casey, and Cook, and of the delivery of the money.

Sears also mentioned Edward Nixon, the president's younger brother. Sears said that Vesco's associates had Edward Nixon call Washington to confirm that the \$200,000 was to be in cash.

(Another Nixon relative, Donald, son of the president's older brother, F. Donald Nixon, is Vesco's executive assistant.)

Witnesses in the case include such people as Dean, Casey and Cook, who later became SEC chairman but who had to quit after only ten weeks because of the disclosure of his involvement of the Vesco matter.