

MITCHELL, STANS

GO ON TRIAL HERE

Mitchell, Stans on Trial Here  
On Charges in the Vesco Case

Ex-Cabinet Members Are  
Accused in Vesco Case—  
Jury Panel Questioned

By ARNOLD H. LUBASCH

Two of President Nixon's former Cabinet members went on trial yesterday on charges that they had obstructed a major investigation and lied about it to a grand jury.

They are former Attorney General John N. Mitchell and former Commerce Secretary Maurice H. Stans, the defendants in a criminal trial of high drama and historic impact that will unfold for the next several weeks in Federal District Court here.

After three postponements, the trial opened with the questioning of prospective jurors, a procedure that could continue for several days in the small, crowded, oak-paneled courtroom on the ninth floor of the United States Court House in Foley Square.

Judge Lee P. Gagliardi devoted the first day to hearing prospective jurors who asked to be excused because it would be an undue hardship for them to be sequestered in the custody of Federal marshals for the duration of the trial.

Accused in Vesco Case

Mr. Mitchell and Mr. Stans are accused of exerting their influence to impede a Federal investigation of the fugitive financier Robert L. Vesco in exchange for his secret \$200,000 cash donation to President Nixon's re-election campaign in 1972.

The Mitchell-Stans trial which is the first one for top Nixon Administration officials involved in the Watergate scandal, represents the only criminal case against former Cabinet members since the Teapot Dome scandal of the Hard-

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ing Administration in the nineteen-twenties.

In formally opening the trial, James J. Matarese, the court clerk, solemnly called the case of "the United States of America versus John Mitchell and Maurice Stans."

"Is the Government ready?" the court clerk asked.

"The Government is ready," John R. Wing replied for his prosecutorial team of James W. Rayhill, John A. Lowe and Kenneth R. Feinberg.

"Is the defendant Mitchell ready?" the clerk intoned.

"Mitchell is ready," Peter Fleming Jr. replied for the defense lawyers.

"Is the defendant Stans ready?" asked the clerk.

"Ready, your honor," Walter J. Bonner responded for his defense team.

First Panel of 79

With this brief, simple, formality, the extraordinary Mitchell-Stans trial opened at 11:58 A.M. as Judge Gagliardi peered down from the bench at the first panel of 79 jurors filling the courtroom.

"I guess the clock still indicates I can say good morning," Judge Gagliardi told the jurors with a smile after last-minute motions had delayed the start of jury selection for two hours.

"This trial will in all likelihood generate a more than ordinary amount of publicity," he observed. "For this reason, I have reluctantly concluded that the jury must be sequestered."

Judge Gagliardi explained to the jury panel that this meant the jurors who were selected would have to eat together, live in a hotel and remain in the custody of Federal marshals throughout the trial, which he estimated would last



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Maurice H. Stans, former Secretary of Commerce, leaving U.S. Court House at Foley Square yesterday.

four or five weeks.

Stressing that the defendants were entitled to a fair trial by an impartial jury, he told the jurors that "you have been called here to perform one of the highest and most important duties of citizenship."

Questioned on Hardship

"I want you to decide," he said, "whether the jury service that I have described will be for you not only an inconvenience, but an actual hardship."

The judge paused, giving the jurors a minute to think it over, and then said that those who considered it a hardship should raise their hands.

About half of them raised their hands and 43 were excused after they had been questioned one by one about their reasons, leaving 36 of the original panel of 79.