

# Cook: Stans Said He Lied to Jury

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NEW YORK, March, 28—Former Secretary of Commerce Maurice H. Stans told G. Bradford Cook that he had lied to a New York grand jury, Cook testified today.

Cook, then chairman of the Securities and Exchange Commission, said that Stans had told him this in a meeting the two had at the White House at which Stans prefaced their conversation with: "Brad, let's have one of those conversations that don't take place."

As Cook spoke, Stans—on trial with John N. Mitchell—stared intently at Cook, took a few notes, then smiled slightly.

Stans, head of fund raising for President Nixon's re-election campaign, and Mitchell, the former Attorney General, are charged with conspiracy, obstruction of justice and lying to a grand jury.

The government alleges that they intervened in an SEC investigation of Robert L. Vesco

in exchange for a secret \$200,000 contribution to President Nixon's re-election campaign, which they handed, and that they then tried to cover up the contribution and lied about it.

Cook acknowledged that after talking to Stans he, too, had lied to the grand jury here on two occasions, as well as to two congressional committees.

Cook said that Stans had told him he would help him get the SEC chairmanship, to which he was appointed by Mr. Nixon, and that he—Cook—had also asked Mitchell for help in getting the job.

In the interim, Cook had pressured SEC staff members—as he testified Wednesday—to rewrite a paragraph in an SEC suit against Vesco so the contribution might remain a secret, at Stans' request.

In March, 1972, Cook testified

## MITCHELL, From A1

...fied, just after he had taken over the chairmanship, he was on a skiing vacation in Vail, Colo., when Stans called him and "said he wanted to meet with me as soon as possible upon my return to Washington."

On March 7, at 3:30, Cook met with Stans in the dining room on the basement level of the White House, called the White House "mess."

"He stated that he had appeared before the grand jury in connection with the Vesco matter," Cook testified.

"He then looked at me and said, 'Brad, let's have one of those conversations that don't take place.' He then proceeded to tell me what he had testified before the grand jury.

And he stated that he had not discussed the Vesco matter with me until after the complaint had been filed."

Wednesday, Cook testified that Stans had talked to him a number of times before the complaint was filed Nov. 27, 1972, pressuring him to change that paragraph.

Two of the six lying counts against Stans involve that testimony.

On March 5, 1973, Stans told the grand jury that he had talked to Cook about the case "after the charges were made against Vesco." On April 23, Stans told the jurors that he had told them he had talked to Cook in December, on his previous visit. "Actually," he said, "they took place in January. My recollection was wrong."

Another charge of lying involves Stans' saying he never talked with anyone about the possibility that the SEC suit might bring the Vesco contribution to the surface.

In court today, Cook testified:

"He said that in connection with our meeting at that time, that the meeting would be—it was being held to discuss a trip to Haiti which both he and myself had been invited to attend."

"Was there any further conversation?" asked prosecutor John R. Wing.

"I looked at Mr. Stans," said Cook, "or actually I looked into my coffee cup and I said, 'Well,' and I kind of hesitated, and he said, 'Well, Brad, that's the way it happened, and there is no sense in getting everybody embarrassed here. There was nothing done wrong here. The gift was a legal gift. Your suit was brought and all it would do is cause a great deal of embarrassment to everybody.'"

"What did you say?" asked Wing.

"I said," replied Cook, "well, if that's the way it is going to be, I guess that's the way it is going to be, or words to that effect."

Cook then told Wing that he had lied in his first two grand jury appearances here.

Then, on the morning of May 7, 1973, when Cook was to make a third jury appearance here, Cook said, Stans called him at home at 7:30 a.m.

"Mr. Stans said that he thought he and I should get together on the Vesco situation," Cook testified, "and I said that I didn't want to discuss it with him any further, and I said if he insisted on discussing it, I was on my way to New York to appear before the grand jury and would have to tell the grand jury that I had discussed it with him."

"He then made a statement to the effect, 'Well, nothing has been changed, is there?' or, I think: 'Has there been a change?' And I said, 'Yes, for me there has been.'"

"He then said, 'That could be trouble. What do you mean?'"

"And I said, 'Well, I'm going to tell it like it was.'"

"He said, 'Well, make sure you call me tonight when you get back.'"

"And I said, 'I don't want to call you.'"

"And her persisted and I took his telephone number and said I would call him that night."

Under questioning by Wing and Peter E. Fleming Jr., Mitchell's principal counsel, Cook detailed some of the methods by which high-level jobs in Washington are obtained.

He said that his father was a



**MAURICE H. STANS**

**ROBERT L. VESCO**

... a hidden contribution, a vanishing conversation

good friends of Stans and Mitchell, and that the guests his father had invited to a goose hunt in Texas in November, 1972, were all people who could be of help in getting him the SEC chairmanship.

At that goose hunt, he testified Wednesday, he brought up the Vesco case with Stans and asked Stans if Vesco might have given an unreported gift to the Nixon campaign.

Today, he said that his father had encountered Mitchell and that his father later told him to call Mitchell.

On Dec. 13, 1972, he testified, he asked for Mitchell's support in his quest for the chairmanship. He said he brought up the Vesco case when "Mr. Mitchell had stated that there was some concern in New York about the tenacity and exuberance of certain staff attorneys" at the SEC.

"I said that I felt the staff was dedicated, and I said that an example of that dedication was the recent case that we had brought against Mr. Vesco, where after a year and a half or longer, by being tenacious, the case was finally able to be brought and, we felt, successfully.

"I further stated that in connection with that investigation, while I was in Europe, his name had been mentioned by Mr. Vine at the embassy as having made a telephone call on Mr. Vesco's behalf while he was in jail.

"Mr. Mitchell said, 'I didn't make any telephone call to Mr. Vine for Mr. Vesco

"Then he hesitated and he said, 'Well, anybody would make a telephone call to get an American citizen out of a foreign jail.'"

In cross examining Cook today, Fleming elicited testimony that, at the time the Finance Committee to Re-Elect the President accepted Vesco's money, the SEC investigation was winding down.

One of the defense contentions is that Vesco, at the time of the contribution, had been represented as an honorable man with, they thought, honorable intentions.

As he cross-examined Cook, Fleming in effect tried the SEC's civil suit with Cook, asking Cook why the SEC, in a case alleging looting of \$224 million, would bother to go after a mere \$250,000 (the total amount of Vesco's 1972 contribution), and implying strongly that the SEC staff's pursuit of Vesco was in fact harassment—as Vesco claimed it was — and that perhaps Mitchell had been right to ask people to inquire into the SEC's handling of the case. Fleming's cross-examination of Cook will continue Friday.