

It Was No Spectacular Event

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When U.S. District Court Chief Judge John J. Sirica took the bench yesterday to hear Watergate indictments returned, the line of people waiting to get in to see the latest Watergate scandal spectacular stretched the full length of the block-long corridor outside the courtroom.

The few persons who actually got in after the press, court officials and attorneys, did not find much of a spectacle awaiting them.

Not only the were the defendants not present at the 15-minute session, but the names of those indicted—with the exception of a reference to a "Mr. Mitchell . . . who's now on trial in New York . . ." were not even mentioned.

A grand jury return is by nature one of the dullest court functions. Despite the routine formalities, it was quite clear yesterday that even the grand jury itself was aware that it was making history.

The 21 members of the grand jury were led into the courtroom through a back entrance by Deputy U.S. Marshal Charles Artley, and took seats in the spectator section to Judge Sirica's right. Some of the women grand jury members were wearing hats and foreman Vladimir Pregely was wearing a tan suit, dark brown tie and brown-striped shirt.

They entered the courtroom at 10:54 a.m. and sat for five minutes before court was announced to be in session.

Special Prosecutor Leon Jaworski, one of seven persons seated around the prosecution table, approached the lectern and said:

"The grand jury has an indictment and also has a sealed report to deliver to your honor."

After deputy court clerk James Capitanio called the roll of grand jury members and each answered loudly to their presence, Pregelj stepped forward.

He told Sirica that the grand jury was prepared to return one indictment and a report to be sealed. Sirica's law clerk, Todd Christofferson, took from Pregelj and handed to the judge a sealed brown envelope, a copy of the indictment and a black briefcase containing other copies of the indictment.

Sirica opened the envelope with a letter opener and said he would read the report to himself. He leafed through two pages, put it back into the envelope and said it would be locked in a safe.

Assistant Watergate Prosecutor Richard Ben-Veniste then placed a zipper-lock briefcase on the counter in front of court reporter Nicholas Sokal and said it contained material referred to in the report.

The sealed envelope that Sirica had opened contained yet another sealed envelope with the key to the briefcase, Ben-Veniste told the judge. Christofferson said

later that the judge sealed the report after the hearing without reading it further, made arrangements for the report and the briefcase to be locked in a court safe, and then went out of town.

Jaworski made a brief statement to the court, asking that the case be specially assigned to a particular judge instead of placed in the court's random-selection pool, "since it will take three or four months to try . . . (the case) will be long and protracted." Prosecutors frequently seek special assignment because some judges have lighter case-loads or expertise in a specific subject.

Sirica later issued an order assigning the case to himself, a prerogative he has as a chief judge. He will

step down as chief judge but remain as an active judge in 20 days.

Sirica then reminded the jurors of their vow of secrecy and told them that despite 21 months' service, they are not yet discharged from duty.

Sirica asked everyone to remain seated as the grand jury left. At Ben-Veniste's request, Sirica set the time for the arraignment at 10:30 a.m. or 11 a.m. March 9, a Saturday. The arraignment is the next step in the judicial process at which defendants receive a copy of the indictment and enter formal pleas. The reason for the unusual Saturday hearing is to avoid disrupting the current trail off former Attorney General John Mitchell now under way in New York.