

A Jurist's Date With

Washington

The short, slightly built gentleman in the dark suit might have been mistaken for a minor courthouse functionary. His main concern, at 2:55 p.m. yesterday, was that reporters waiting for the ruling on the President's tapes line up in an orderly fashion.

The opinion, he promised, would be ready in just a few minutes, and he obviously knew what he was talking about. For, as the reporters realized, the unprepossessing figure was John J. Sirica, chief judge of the U.S. District Court for the District of Columbia and author of an unprecedented judicial challenge to the claim of executive privilege.

It was characteristic of the 69-year-old jurist that at the moment of his rendezvous with history, he should busy himself with custodial chores.

CEREMONY

As a lawyer, and as a judge for the past 16 years, John Sirica has never been one to stand on ceremony. During the course of the Watergate trial last winter, when he became impatient with the attorneys, he occasionally took over questioning of the witnesses himself.

A few weeks ago, before a hearing in the complicated legal battle for the White House tapes, he chatted informally for nearly 30 minutes with newsmen who crowded into his chambers, some of them sitting on the floor.

The Watergate scandal, which has broken the lives of a number of famous men, has vaulted Sirica from obscurity to celebrity.

In the past few months his office has been flooded by mail, nearly all of it favorable, from people who never knew he existed.

STYLE

All sides in the controversy — from Spiro Agnew and Richard Nixon to the administration's critics in the

SFChronicle

AUG 30 1973

Stans Trial -- No Delay

New York

A federal judge ordered yesterday that the case against John Mitchell and Maurice Stans proceed as scheduled, despite defense contentions that Watergate publicity precluded fair trial for the two former cabinet members.

U.S. District Judge Lee Gagliardi directed that the trial begin September 11 as previously scheduled, declaring:

"The mere existence of publicity before trial does not trigger automatic dismissal or continuance."

Mitchell, President Nixon's former attorney general, and Stans, former commerce secretary, are accused of perjury and obstruction of justice.

The government said they sought to impede a Securities and Exchange Commission investigation of finan-

cial Robert Vesco, in return for a secret \$200,000 cash contribution to President Nixon's re-election campaign last year.

Attorneys for the two men had argued that publicity about the Watergate affair, including the nationally televised hearings at which both Stans and Mitchell appeared, would hinder their clients' chances for a fair trial.

Associated Press

press — have heaped praise upon him.

Sirica's background — he worked his way through Washington's Georgetown University law school — and his rough-hewn judicial style leave some legal critics unimpressed.

Even his admirers acknowledged some shortcomings. "John is a real strong man, but he's no great brain," says a physician friend who works out with Sirica at the YMCA.

Sirica makes no pretensions at intellectual elegance — though he is quick to appreciate that trait in those who possess it.

SINCERITY

At the conclusion of the oral arguments over the tapes between two of the nation's top legal scholars — presidential counsel Charles Alan Wright and special Watergate prosecutor Archibald Cox — Sirica remarked with evident sincerity:

"The court is indebted to

counsel on both sides for the masterly exposition of the issues in this case . . . your work, gentlemen, has aided the court immeasurably in its task."

Whatever he may have lacked in scholarly finesse, Sirica seems to have more than made up with determination and intestinal fortitude.

CLEMENCY

By imposing stiff sentences on the Watergate defendants last March — and at

History

the same time holding out the possibility of clemency for cooperation with the prosecution — Sirica probably did as much as anyone to force out the truth of the Watergate conspiracy.

The battle over the tapes presented a different sort of problem, one that required defter handling.

To meet the challenge Sirica rose before dawn at his home in northwest Washington the past few days to work on the draft of his opinion.

COMPROMISE

Sentence by sentence, page by page, he worked out what he regarded as a compromise solution to the dilemma posed by the clash between the executive and judicial branches.

When he was finished, not long before the 3 p.m. deadline he had set for himself, the prose matched the man: unimposing, undramatic but unmistakably firm.

Then the tough little judge left for a few days' holiday at the seashore.

"I'm sure he's going to catch up on his sleep," said his aide. "You know, he'll be 70 next March."

Los Angeles Times