

Mitchell, Stans Win A New Delay

New York

The trial of two former Cabinet officers, John N. Mitchell and Maurice H. Stans, was postponed a second time yesterday, to await the outcome of efforts to obtain White House documents and tapes that might bear on the case.

The postponement was announced before President Nixon said in Washington that he would capitulate and turn over Watergate tapes to U.S. District Judge John Sirica. It was not known immediately if those tapes included the ones sought in the Mitchell-Stans case.

The start of their trial on charges of conspiracy, obstruction of justice and perjury was postponed until January 7 by U.S. District Judge Lee P. Gagliardi.

The prosecution and defense both want White House tapes and documents pertaining to a secret \$200,000 contribution to President Nixon's 1972 re-election campaign by financier Robert L. Vesco.

The government has charged that Vesco, a fugitive also under indictment, made the cash contribution in hopes of influencing a federal investigation of his business affairs.

Gagliardi declined to rule on a defense motion to move the trial. Their lawyers had claimed Mitchell and Stans would get a fairer trial in Aberdeen, Miss., where a poll commissioned by the defense showed that a smaller percentage of the population thought the defendants guilty than in New York.

Associated Press