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MITCHELL JUDGE
OUTLINES CHARGES

**Introduces the Defendants to
the Jury Panel and Lists
Potential Witnesses**

By **ARNOLD H. LUBASCH**
Prospective jurors obtained their first formal information yesterday on the range of charges and potential witnesses in the trial of former Attorney General John N. Mitchell and former Commerce Secretary Maurice H. Stans.

Judge Lee P. Gagliardi introduced the two defendants to the initial jury panel, described the charges in the indictment and then read a long list of names that might appear during the trial in Federal District Court here.

The list contains a number of prominent individuals, including Mr. Nixon's two brothers and John W. Dean 3d, former White House Counsel, who are expected to testify in the trial, which begins its third day of painstaking jury selection at 10 A.M. today.

Reading to the jurors from a carefully prepared statement, Judge Gagliardi outlined the

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indictment, which charged the defendants with obstructing a Federal investigation in return for a campaign contribution.

The list covered virtually everyone mentioned even briefly in the 46-page indictment that accused Mr. Mitchell and Mr. Stans of exerting their influence to impede an investigation of Robert L. Vesco, the fugitive financier who secretly gave \$200,000 to President Nixon's re-election campaign.

"Our purpose, as I am sure you are aware," the judge told the jurors, "is to select a jury of citizens who will decide the disputed factual issues of this case, both fairly and impartially, and without any trace of bias in either direction."

None of the initial jurors indicated any personal knowledge of anyone on the long list of names, which had on it former Government officials, top White House assistants and other potential witnesses.

The indictment mentioned one of the President's brothers, F. Donald Nixon, by stating that Mr. Vesco had sent him a memorandum threatening to disclose the secret \$200,000 donation unless the Securities and Exchange Commission halted the Vesco investigation.

Edward C. Nixon, the President's younger brother, who worked for his election committee, reportedly verified for Mr. Vesco that the campaign contribution must be made in cash, although this was not mentioned in the indictment.

In addition to the two Nixon brothers, the list also named the President's nephew, Donald Nixon, who works for Mr. Vesco as a personal aide and lives with him in self-imposed exile in Costa Rica and the Bahaams.

Many on the list are not expected to testify, because they are related to the case in a tenuous manner, but the President's brothers are considered potential witnesses for the prosecution.

Some of the more important witnesses are likely to be John W. Dean 3d, the ousted White



Maurice H. Stans with Walter J. Bonner, left, lawyer



John N. Mitchell arriving at courthouse with chauffeur

House counsel, and two former S.E.C. chairmen, William J. Casey and G. Bradford Cook.

Mr. Cook resigned from the S.E.C. a few days after he was mentioned in the Mitchell-Stans indictment last May, but Mr. Casey retained the position of Under Secretary of State for Economic Affairs.

Another political figure on the list was Harry L. Sears, who was the Republican leader

of the New Jersey State Senate and chairman of the state's re-election campaign for President Nixon.

Mr. Sears is supposed to go on trial later as the alleged go-between in the reputed Mitchell-Stans dealings with Mr. Vesco, but there have been signs that he will testify as a key witness for the prosecution.

Ehrlichman Named

John D. Ehrlichman, formerly the President's chief domestic adviser, also was named in the list, but he is not regarded as a potentially important witness.

After excusing 72 jurors who maintained it would be a hardship for them to be sequestered for the duration of the trial, which is expected to last more than a month, Judge Gagliardi addressed the remaining 86 jurors in the tensely quiet courtroom.

"We are about to begin the actual process of selecting the 12 jurors and six alternate jurors who will comprise the

group to hear this case," he said, putting on his glasses to read the statement.

"This process is likely to be fairly lengthy, not particularly exciting, and to some degree repetitious.

"However, and I want you to remember this point throughout the questioning ahead of us, the procedure of selecting a jury is among the most critical and fundamental aspects of our democratic system of laws."

The prospective jurors seemed to listen with a sense of expectancy, some of them leaning forward on the wooden benches in the crowded courtroom, as the judge continued.

"As a background for the questions I will be asking you shortly," he said, "and merely to help you and all of us understand whether any potential member of the panel may have problems sitting on this jury, I want to tell you very briefly about the indictment and the accusations it contains.

"The indictment in this case contains 16 separate counts or accusations," he noted.

Judge Gagliardi explained that the first count alleged that the defendants "engaged in an unlawful conspiracy over a period of approximately two years to obstruct justice."

"It is charged in this first count," he went on, "that as part of the alleged conspiracy, the defendants would and did endeavor to influence, obstruct and impede by various means, the due administration of the Securities and Exchange Commission and subsequent legal proceedings against Robert L. Vesco."

Counts two, three and four, the judge said, alleged that the defendants carried out the scheme and obstructed justice in the Vesco affair.

Perjury Counts

He said that counts five through ten charged Mr. Mitchell with six counts of perjury for his testimony to a grand jury last March and April.

The final counts, 11 through 16, charged Mr. Stans with six counts of perjury for his grand jury testimony last March and April, the judge explained to the jurors.