

Mitchell-Stans Spectators Forming Early

By MARTIN ARNOLD

A trial, no matter how historic, is seldom as dramatic as it appears to be in the movies or on television. The lawyers are not Perry Masons, and their questioning is often endlessly

The Talk of Foley Square repetitive, so that one has to fight off the feeling of being hit on the forehead with a hammer; of somehow being cheated.

The trial of John N. Mitchell, a former Attorney General, and Maurice H. Stans, a former Secretary of Commerce, which has now gone 19 days, is no exception—despite the fact that it is the first time former Cabinet officers have gone on trial since the Teapot Dome days.

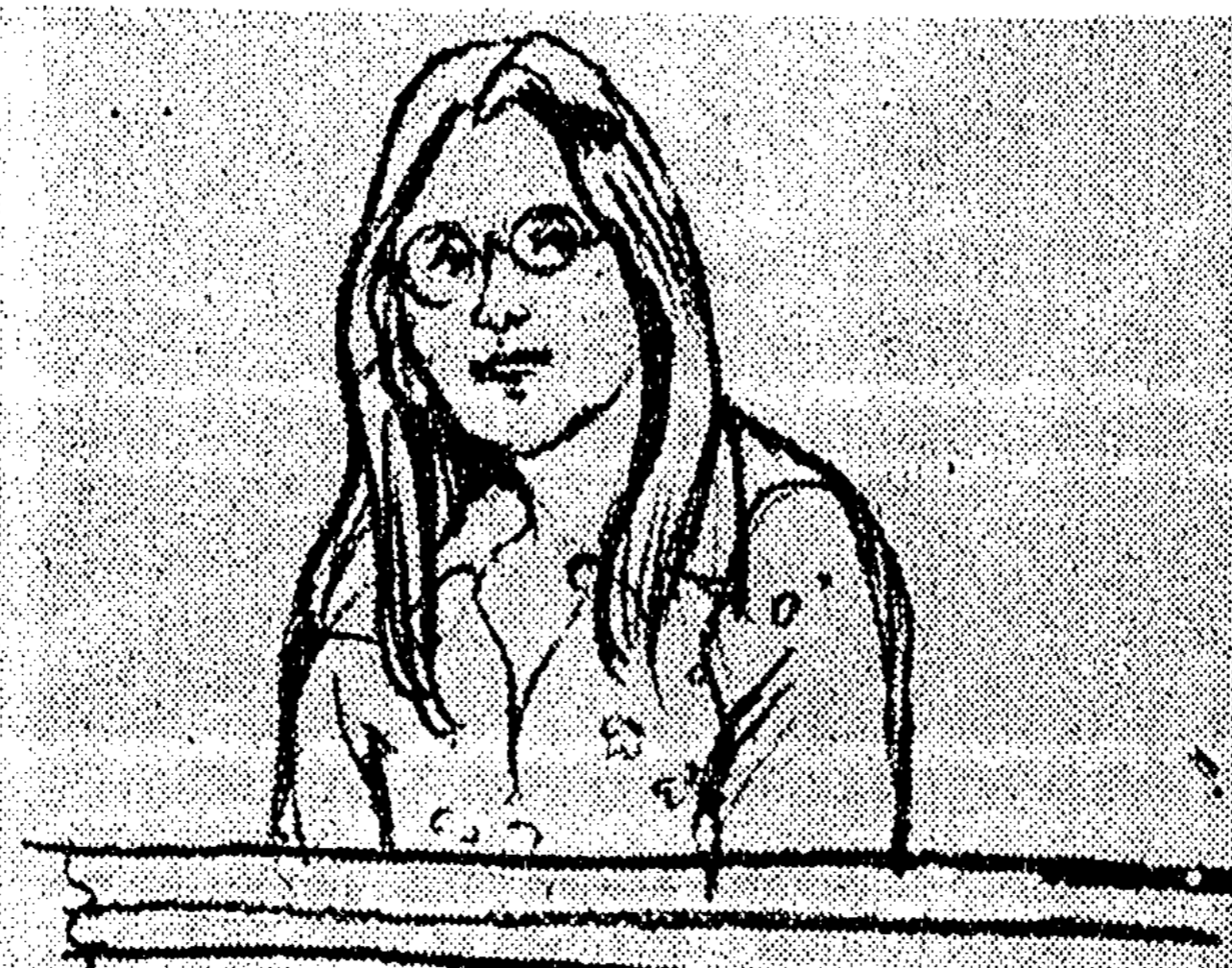
Still, people start lining up in the corridors at the Federal Courthouse on Foley Square early in the morning, an hour or so before the day's session begins. They are given numbers, the earlier the arrival the lower the number, like customers in a crowded bakery on Sunday mornings.

Once the courtroom door is opened, at about 9:30 A.M., a United States marshal calls the numbers, and the spectators file in. By 10:30 many of them will be nodding fitfully in a valiant, not always successful, attempt to stay awake. Even a juror or two drops off on occasion, as does a marshal who guards the door.

The trial started in courtroom 905, a small oak-paneled room, in which everybody — spectators, the press, defendants, lawyers and jurors—were jammed together as uncomfortably as people in a crowded elevator on a hot summer day.

On Friday, the trial was moved downstairs, to room 110, which, while dreary and dark, is much larger and more comfortable. It is also a room with history, making it more fitting a stage for the Mitchell-Stans trial.

Julius and Ethel Rosenberg were tried in room 110, long time court employees recall



Sybil Kucharski, foreman, is engaged to be married and is concerned about her bridal shopping problems.



The New York Times/Marilyn Church

Peter Fleming Jr., defense lawyer, gestures frequently

The first large Communist trial was held there before Judge Harold Medina in 1949

The courtroom itself provided one of the few light moments of the 19 days. That occurred when Judge Lee P. Gagliardi, who is presiding, announced the change from room 905 to 110. Lawyers for the defendants wanted to know which room in back of the courtroom they could use as an office.

"You are thinking of the same room I am," Judge Gagliardi said with a smile. A prosecutor, John R. Wing, said, "Right. In the courtroom on your right there is a big room."

"I know that room; that's

the Chesimard room," replied the Judge, prompting laughter.

The trial of Joanne Chesimard, an alleged member of the Black Liberation Army on bank-robbery charges was held in this building. A mistrial was declared in her later trial in New Jersey on a murder charge when it was discovered that she had become pregnant, allegedly when she and a fellow defendant had been placed in a small defendant's room during the New York trial in which she was acquitted. For a moment everybody thought it was the same defendant's room that the Mitchell-Stans lawyers were

attempting to get. Everybody who works here calls it the "Chesimard room." Mrs. Chesimard, who will be tried again after the birth of her baby, actually had her first trial in courtroom 318.

"That's the room I would suggest for the defendants," Mr. Wing said.

"I intended to say that's for us, Judge," snapped Peter Fleming Jr., a defense lawyer, to another round of laughter.

Sybil Kucharski, a juror, has a problem. She is the foreman, she lives in Westchester County and she is a bank teller. She is also engaged to be married at the end of May.

Since the jury is sequestered, Miss Kucharski is concerned about how she is going to get her bridal shopping done. Last Sunday she and her fiancé discussed the problem with one of the marshals who guards the jurors. He, in turn, told Judge Gagliardi. The Judge promised that in the near future one female marshal and one male marshal would be allowed to escort the bride-to-be to stores so she could buy her wedding gown and accessories.

Ida Libby Dengrove does courtroom sketches of this trial for N.B.C.-TV. Her twin sister, Freda Reiter, does sketches for A.B.C.-TV, but is not covering this trial.

When John Mitchell was arraigned in Washington, however, Mrs. Reiter was there recording the event. Mr. Mitchell looked at Mrs. Reiter and said, "How did you get here so fast?" Mrs. Reiter said, "You must be thinking of my twin sister, who is covering the trial in New York."

Last Monday Mr. Mitchell came to court and told Mrs. Dengrove that she looked 10 years younger than her twin. "I would kiss you if we weren't in court," said Mrs. Dengrove.

"Why don't we wait until the jury comes in?" the defendant replied; which "goes to show he's a human being," says the artist.