

Jury Gets Mitchell-Stans Case -- Mistrial Bid Fails

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New York

The conspiracy case against former Attorney General John Mitchell and onetime Commerce Secretary Maurice Stans went to a federal court jury yesterday after a ten-week trial.

The jury of nine men and three women got the case at 1:55 p.m. PDT.

The panel had heard the government in its final summation brand the defendants liars under oath, "not just once, not just twice, but many times."

"The law says you cannot lie under oath," Assistant

U.S. Attorney John Wing told the nine men and three women jurors in ringing tones, "no matter who you are, how big or how small. That oath is the cornerstone of our judicial system."

When Wing completed his 6½-hour final summation, which he had begun Wednesday, Mitchell's lawyer, Peter Fleming Jr., asked for a mistrial, because of "repeated characterizations of the defendants as liars."

Judge Lee Gagliardi denied the motion and then charged the jury.

Mitchell, 60, and Stans, 66, are accused of a conspiracy

to obstruct a massive Securities and Exchange Commission fraud investigation into the corporate empire of international financier Robert Vesco.

The government charges they took part in an influence-peddling scheme paid for by Vesco's secret \$200,000 cash contribution to President Nixon's 1972-re-election campaign.

The pair are jointly charged with one count of conspiracy and two of obstructing justice, plus six separate counts each of perjury.

The two men were the

first of cabinet rank to stand trial in the 50 years since the Teapot Dome scandal of 1923, involving the sale of naval oil reserves to private firms.

In that case, Interior Secretary Albert Fall was sentenced to a year in prison for taking bribes, while Attorney General Harry Daugherty went free as a result of a hung jury.

Attorneys for Stans and Mitchell summed up first, each taking 4½ hours beginning on Tuesday.

With the addition of the government's final argument, the jurors had been subjected to 15½ hours of exhortation.

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