

The Mitchell-Stans Verdict
--- Not Guilty on All Counts

Ten-Week
Vesco Cash
Case Ends

New York

John Mitchell and Maurice Stans were acquitted yesterday of all nine counts of criminal conspiracy, perjury and obstruction of justice in connection with a secret \$200,000 cash contribution to President Nixon's 1972 re-election campaign.

The former attorney general and former Commerce secretary were cleared of charges that they tried to obstruct a Securities and Exchange Commission investigation in return for the contribution.

They were also absolved of charges that they lied to a federal Grand Jury during its investigation of the case.

The two men, the first top-level administration figures to face federal charges in 50 years, were accused of trying to sidetrack the SEC's investigation of fugitive financier Robert Vesco, who secretly gave the \$200,000 to the Nixon campaign on April 10, 1972.

The jury of nine men and three women returned its verdict at 12:55 yesterday afternoon, after more than 25 hours of deliberation.

The ten-week case was turned over to the jury at 4:55 Thursday afternoon.

As the count by count verdict was read, Stans wept at the defense council's desk. Mitchell slapped his attorney, Peter Fleming Jr., on the back.

Later, on the steps of the courthouse, Stans said, "I feel reborn. I was innocent all along, but it's good to have it confirmed."

Cheers and boos greeted the pair.

Shouts of "Fascist pig" contrasted with equally loud chants of "God bless America."

"We'll get you for Kent State," one spectator shouted at Mitchell in reference to the deaths on May 4, 1970,

of four university students while Mitchell was attorney general.

"This is a disgrace," an-

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other spectator said. "It is a disgrace to make remarks like this against two men who have just been acquitted by a jury."

Several women crowded in to kiss Mitchell and Stans while a few men who were close enough shook their hands or patted their shoulders.

"God bless those 12 wonderful jurors," shouted a middle-aged woman.

"There's no more America," one man shouted.

Stans ignored the shouts and added, "It's been a long, weary time, to live for a year with this thing hanging over me. I'm grateful to this jury for its findings. In conclusion, all I can say is

that even the Book of Job had a happy ending."

Asked by a reporter if he would continue his political activities, the former chief Nixon fund-raiser, who amassed \$60 million for the 1972 campaign, said, "I think I'm retiring from active political activity and fund-raising."

Mitchell, who had expressed confidence throughout the trial, said "it was all decided by 12 good American people. I think we can all be proud of how it works."

Government prosecutors were stunned by the decision. "I feel rotten," chief prosecutor John R. Wing said. "I feel very disappointed in the verdict."

Later, on the steps of the courthouse, U.S. Attorney Paul R. Curran did not hide his disappointment. "Under our system, guilt beyond a reasonable doubt must be proved to the satisfaction of 12 jurors and they were left with a reasonable doubt," he said.

Curran lauded the four-man prosecution team and said, "the case was presented fully and fairly. The government lived up to its obli-

gations to justice and I have to assume the jury has done the same. Justice is sometimes an illusory quality."

Mitchell and Stans had hoped for a "middle-American" jury. Defense lawyers used nearly half their peremptory challenges in removing five blacks and four unemployed persons from the panel from which the jury was picked.

Most of the jurors — eight men and four women — were middle to lower-middle class. They included two blacks — a New York City subway conductor and a highway engineer — a suburban bank teller, a postal worker, a telephone installer, an insurance clerk, a "yard man," an elderly housewife and an apartment superintendent.

In the course of its deliberation, the jury returned to the courtroom several times for the reading of testimony, as well as parts of Judge Lee P. Gagliardi's explanation of the charges and the law. At one point on Saturday, the jurors asked for further instruction from the judge on how to determine the credibility of witnesses.

Judging from the sections they requested to be reread, the jurors appeared to be focusing on the testimony of Harry L. Sears, who was indicted with Mitchell and Stans, but received full immunity to testify for the government.

In essence, as Curran said later, the not-guilty verdict meant that the jurors did not believe the testimony of Sears and former White House counsel John W. Dean, III, who swore Mitchell requested that Dean contact SEC chairman William J. Casey regarding the Vesco investigation.

Curran said, however, that he does not think the verdict affected the credibility of Dean, who is expected to be a witness in future Watergate — related prosecutions.

Talking to reporters after the verdict, prosecutor Wing refused to comment when asked if perjury charges were contemplated against any witnesses in the trial.

The trial began with selection of the jury on February 19. The jurors were sequestered on February 28, the

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day before Mitchell and six other former Nixon aides were indicted by a federal grand jury in Washington probing the Watergate break-in and coverup.

Mitchell faces charges in Washington of conspiracy, obstruction of justice and perjury.

The original indictment — 46 pages long — cited Mitchell and Stans with ten counts each: Three of obstruction of justice, one of conspiracy to obstruct justice and six of perjury (or, as they were described to the jury, false swearing).

After the prosecution had completed its case, Judge Gagliardi lopped off one of the obstruction of justice charges on a legal technicality.



Maurice Stans smiled and shook hands after the decision



A spectator kissed John Mitchell as he left the court

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