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**Sirica Extends Hours for Court
As Questioning of Jurors Lags**

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WASHINGTON, Oct. 4—Judge John J. Sirica continued today to try to pick a jury for the Watergate cover-up case but apparently encountered more difficulties than he had expected.

He had still not finished questioning the 64 potential veniremen who passed the initial screening of prospective jurors on Tuesday, the opening day.

Lawyers said it appeared impossible that the judge would meet his target date of "early next week" for impaneling the jury.

Judge Sirica announced through his law clerk that he was extending the court's hours next week, holding court until 6:30 P.M. rather than ending at 4:30.

According to some of the attorneys involved, the judge is determined to have a jury impaneled and sequestered by the time President Ford goes to Congress to discuss the pardon he gave former President Richard M. Nixon. Mr. Ford's appearance on Capitol Hill is scheduled for next Thursday, and the judge is apparently worried about the possibility that press coverage of that event may affect potential jurors.

Decision on Jurors

The defendants are John N. Mitchell, former Attorney General; H. R. Haldeman and John D. Ehrlichman, once Mr. Nixon's top chief assistants at the White House; Robert C. Mardian, a former Assistant Attorney General and political coordinator of the Committee for the Re-election of the President, and Kenneth W. Parkinson, attorney for the re-election committee.

Judge Sirica declined this afternoon to give any further daily reports on the number of jurors excused or approved during questioning. One person familiar with the matter said that this move, too, came as a result of the judge's wariness about

press coverage during the jury's selection.

The judge himself cited the publicity problem today, in a four-page written ruling on the subject of challenges that lawyers will be allowed to make against prospective jurors.

"The court intends to be as liberal as possible in exercising its power to excuse potential jurors for cause in an attempt to overcome the impact, whatever it might be, of pretrial publicity," he said.

Potential jurors may be ex-

cluded from a jury in two ways—first, "for cause," meaning that the court believes that the person is unfit to serve, because of some reason such as bias, and second, by a "peremptory challenge" by a lawyer for one of the parties in the case.

In each trial both the prosecution and the defense have a certain number of peremptories.

In his ruling today, Judge Sirica said that the prosecution could have six peremptories to be exercised jointly, and five more to be exercised separately, one for each of the five defendants.

The number is small for a case involving so many defendants. Judge Sirica explained it, however, by saying that the defense counsel had refused to agree to allow the prosecution additional peremptories and hence should not get additional challenge itself.

Law on Challenges

Federal law sets the number of peremptory challenges that must be granted in a case involving charges punishable by more than one year's imprisonment, as are the charges in the cover-up trial. Under the statute, the defense is entitled to 10 and the prosecution to six.

In a case involving multiple defendants, the trial judge may give the defense as many additional peremptories as he wishes. However, he may not give the prosecution additional challenges unless the defense agrees.

Judge Sirica said in his ruling that defense counsel had asked for 25 peremptories. But, he said, the defense had objected to granting the prosecution more than six.

The prosecution had already argued that it should get additional peremptories if the defense did.

"The Court was willing, and is willing, to grant additional challenges to the defendants provided there were no objections to a proportionate increase in challenges for the Government," Judge Sirica said.

"But to grant the defendants five challenges each, while restricting the Government to six challenges, would effectively give one side, the defense, the power to select the jury. That would not be fair nor would it be consistent with our system of justice."

The slowness of the jury's selection—and the fact that it is being held in closed session—has all but eliminated on-

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Associated Press
John D. Ehrlichman leaving a car yesterday in Washington as he arrived for cover-up trial session.

lookers from the public.

There were no pickets outside the courthouse today, as there were Tuesday morning when the celebrated trial began. In the second-floor hallway there was only an occasional passerby in court for some other reason and drawn by the cluster of reporters and United States marshals outside Judge Sirica's courtroom.