

MITCHELL JUDGE CLEARS 15 JURORS

**Prosecution, Defense May
Still Challenge Members
of Federal Court Panel**

By ARNOLD H. LUBASCH

Slow but significant progress was made yesterday in the selection of a jury for two former Cabinet officers accused of obstructing a major investigation, with 15 persons receiving preliminary clearance by the judge.

After three days of the arduous selection process, it appeared likely that a jury would be chosen next week for the case of former Attorney General John N. Mitchell and former Commerce Secretary Maurice H. Stans in Federal District Court here.

The final panel of 12 jurors and six alternates will hear the criminal case involving charges that the defendants impeded a Federal investigation of Robert L. Vesco, the fugitive financier, in exchange for his secret \$200,000 contribution to President Nixon's 1972 election campaign.

Jury selection has become a crucial issue because the defense contends that "massive prejudicial publicity" in the Watergate scandal has made

it impossible to find impartial jurors for the Mitchell-Stans trial.

Two Forms of Questioning

Judge Lee P. Gagliardi decided to interrogate prospective jurors to determine if he could form an impartial panel by using preliminary questions in open court and more incisive questions in the privacy of an adjoining room.

It became evident by the end of yesterday's sessions that the initial questioning was weeding out jurors who considered themselves biased and that the additional questioning was producing enough jurors regarded by the judge as qualified.

In the first panel of 18 prospective jurors, two were eliminated in the preliminary questioning in the courtroom, leaving 16 who were called one by one into the private room for intensive questioning.

Judge Gagliardi excused four of the 16, who were questioned for about 15 or 20 minutes each, but he approved 12 as qualified to serve, although they may still be challenged by the prosecution or defense. Of them will be chosen by lot to enter the jury box for the final selection of jurors for the trial.

The judge then began preliminary questioning of a second panel of 18 prospective jurors, who were selected by lot from the crowded courtroom and called into the jury box.

Four of the 18 were excused by Judge Gagliardi when they informed him that they did not believe they could impartially weigh the conspiracy, obstruction of justice and perjury charges against Mr. Mitchell and Mr. Stans.

Woman Excused

A fifth member of the panel, a gray-haired woman, told the judge that she was eager to serve on the jury but that she had a hearing problem and feared that she might not hear all the testimony.

When the judge asked her if she had heard his previous questions to other jurors, she leaned forward in a strained effort to hear him and replied, "What did you say?"

"That answers my question," Judge Gagliardi said good-naturedly as he excused the wo-

man from the panel and thanked her for being candid about her hearing difficulty.

After the judge concluded his preliminary questioning of the 13 remaining panelists about their occupations, backgrounds and possible prejudices, he began calling them one by one into his waiting room for more detailed questioning in the presence of the prosecutors and defense lawyers.

By the day's end, the first three were questioned and approved by the judge as qualified for jury duty, leaving the rest to be questioned when the trial resumes today at 10 A.M.

Group of 52 Sought

The judge plans to continue the dual questioning procedure until he has approved a total of 52 prospective jurors as qualified for service, a prolonged process that could continue into the middle of next week.

After the completion of this group of 52 qualified jurors, 18