

24 Prospective Jurors Picked For Trial of Mitchell and Stans

By ARNOLD H. LUBASCH

Judge Lee P. Gagliardi told prospective jurors yesterday that "we have made substantial progress" in selecting a jury for the trial of John N. Mitchell and Maurice H. Stans in Federal District Court here.

At the end of the fourth day of the jury selection, constituting a tedious prelude to the expected drama of the trial, Judge Gagliardi had cleared 24 prospective jurors as fair and impartial for the criminal case of the two former Cabinet officers.

The judge intends to continue the intensive interrogation of prospective jurors until he assembles a total of 52 who have received his preliminary clearance.

The final panel of 12 jurors and six alternates will be selected from the 52-member group, probably late next week, clearing the way for the opening statements in the Mitchell-Stans trial on charges of conspiracy, obstruction of justice and perjury.

Linked to Vesco Inquiry

Former Attorney General Mitchell and former Commerce Secretary Stans, who left President Nixon's Cabinet to head his election campaign in 1972, were indicted last May 10 for allegedly interfering with an investigation of Robert L. Vesco, a financial operator accused of looting \$224-million from a mutual-fund group.

The defendants allegedly exerted their influence to impede the investigation by the Securities and Exchange Commission in return for a secret \$200,000 cash donation from Mr. Vesco to the President's re-election campaign.

Decided to Proceed

In legal maneuvers before the trial, defense lawyers argued that the case should be dismissed, delayed or moved out of New York on the ground that it was impossible to find a fair jury because of the publicity that the defendants had attracted in the Vesco affair and the broader Watergate scandal.

Judge Gagliardi decided to go ahead with the questioning of prospective jurors to determine if he could select an impartial panel, which began with

the opening of the trial on Tuesday. The final 18 members will be picked by lot from the 52, with the prosecution and defense using their right to challenge a limited number.

The public remains excluded from the courtroom during the jury selection, with the press limited to a pool of 10 reporters, so that a maximum number of seats can be available for prospective jurors.

Mr. Mitchell and Mr. Stans, each accompanied by four lawyers, appeared relaxed as they sat through the prolonged jury selection process.

In the initial interrogation, 72 of 158 prospective jurors were excused when they insisted that it would be a hardship for them to serve on a jury that will be sequestered under the guard of Federal marshals throughout the trial.

The remaining 86 underwent preliminary questioning in the courtroom before being called one by one into a private room for more intensive interrogating to ascertain their impartiality.

Judge Gagliardi, a 55-year-old Westchester lawyer who was appointed to the bench by President Nixon two years ago, tentatively approved 24 of the first 42 prospective jurors who completed the questioning process.

The questioning of additional jurors will resume on Monday at 10 A.M.