

## SPECULATION

### Challenges May Act as 'Insurance'

Lawyers speculated Friday that Judge Joe B. Brown will grant additional peremptory challenges to defense lawyers in the Jack Ruby murder trial as "insurance."

State laws provide that the prosecution and defense each shall have 15 peremptory challenges in a murder trial. They allow lawyers to reject otherwise-qualified prospective jurors without giving a reason.

Dist. Atty. Henry Wade said that, while there is no specific provision in the law, judges sometimes grant additional challenges to the defense. They cannot give more than 15 to the prosecution.

By granting several additional challenges to the defense, lawyers noted, Judge Brown could go a long way toward "curing" any technical error he may have committed.

One lawyer put it this way:

"It is often a close question whether a prospective juror is qualified. Judge Brown may think that he is and the Court of Criminal Appeals may think that he isn't.

"But, if Judge Brown grants additional challenges, the appeals court can conclude that his ruling on this prospective juror did not harm the defense.

"The granting of additional challenges represents 'insurance' against the appeals court ordering a new trial if Ruby is convicted."

Ruby's lawyers have used seven peremptory challenges to reject prospective jurors.

## ★ RED LABEL IMPROPER

Joe Tonahill, a defense lawyer from Southeast Texas, referred to Lee Harvey Oswald as "that Communist, Oswald, who murdered President Kennedy" during the Jack Ruby murder trial Friday.

First Assistant Dist. Atty. A. D. Jim Bowie jumped to his feet with an objection. Judge Joe B. Brown agreed with Bowie that the reference was improper.

Then, in a voice dripping with sarcasm, Tonahill referred to Oswald as "that lily of the valley, Oswald, who . . ."

Judge Brown stopped Tonahill and suggested he forget about descriptive phrases.

## ★ TRIAL DRAWS LARGE CROWD

The largest crowds of curious so far stood in line throughout Friday for a chance to get into the courtroom for the Jack Ruby trial.

There are only about 48 seats allocated to the general public in the courtroom. As many as twice this number were on hand at times during the day.

Deputy Sheriff Truitt Whittington, stationed at the top of the stairway down which the line stretched, said the spectators have been good-humored and orderly.

Arrival of such celebrity columnists as Inez Robb and Dorothy Kilgallen apparently sparked much of the interest which brought the large turnout.