

Belli, Wade Divided On Progress Made

Defense attorneys and prosecutors continued to disagree after Saturday morning's special session in Judge Joe B. Brown's Criminal District Court, where they are trying to get a jury for the Jack Ruby murder trial.

Chief defense counsel Melvin Belli reported he was pleased with the progress shown during the week-long examination of prospective jurors to sit in judgment of Ruby, who is charged with killing Lee Harvey Oswald, accused presidential assassin.

"I'm satisfied we are making progress proving that it is impossible to get a fair and impartial jury in Dallas," he told reporters.

Dist. Atty. Henry Wade, however, had just the opposite view.

"I don't think we moved as fast as I had hoped," he said. "We only qualified four jurors this week where I had expected 18 or 20."

Wade referred to Max Causey of Garland and Allen W. McCoy of Irving, who had been accepted for service on the jury, and to two jurors dismissed on the peremptory challenges of the district attorney's office.

Seven other jurors were struck by the defense, leaving Belli only eight of the original 15 challenges given each side by Judge Brown. Belli has requested additional challenges, but Judge Brown has not yet ruled on the request.

A total of 48 prospective jurors has been examined from the approximately 125 veniremen called.

Of these, 20 — including five Saturday — were excused because they have scruples about assessing the death penalty. Seventeen, including four Saturday, were excused because they said they held preconceived opinions about the case.

Asked if he were pleased with the case's progress, Judge Brown replied: "I am neither pleased nor displeased, happy nor unhappy. I have no feelings one way or the other."

Belli told reporters he expected the resumption of jury selection next week to bring "five more days of the same thing."

Wade was more optimistic.

"I believe it (the jury selection) will move faster next week and that we will have more jurors qualified," he said.

He said it is not unusual to have to question as many as 200 veniremen before selecting 12 jurors in highly publicized cases.

"If those on this panel are not sufficient to get 12 impartial jurors," he said, "we'll have to call more."

But he explained that additional veniremen will not come from those who have waited in the central jury room.

These, he said, have been sent home and others will be called.

"We call new jurors each week, and it's normal procedure that if additional jurors are needed they are chosen from that week's panel."—DON MILLSAP.

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