

BA  
31

(Mount Clipping in Space Below)

# Woman Selected As 3d Ruby Juror

By CARL FREUND

Dist. Atty. Henry Wade scored a triple victory in the Jack Ruby murder trial proceedings Monday.

Wade chalked up one victory with acceptance of Mrs. Mildred McCollum, a Garland secretary who has six children, as the third juror for Ruby's trial on a charge of murdering Lee Harvey Oswald. Her selection supported Wade's contention that the prosecution and defense can get an impartial jury here.

Wade scored again when the State Supreme Court refused to consider a defense plea.

Ruby's lawyer wanted the Supreme Court to rule that Dallas County residents were witnesses, from the legal standpoint, if they saw Ruby shoot Oswald on television. TV cameras were trained on Oswald when Ruby shot the 24-year-old Marxist after he had been accused of assassinating President Kennedy.

If the Supreme Court had granted the defense request, Ruby's lawyers could have forced Judge Joe B. Brown to transfer the trial to another county.

The lawyers said they may go to the federal courts. Wade termed their tactics "frivolous" and predicted the federal courts would also turn them down.

Wade's third victory came when defense lawyers used their eighth and ninth peremptory challenges to reject prospective jurors.

State laws give the prosecution and defense 15 peremptory challenges each in the murder case. There has been speculation, however, that Judge Brown will grant the defense one or two additional challenges.

They allow lawyers to reject

prospective jurors without giving any reason.

Wade has predicted lawyers will complete the jury "fairly rapidly" once the defense uses its peremptory challenges.

Defense lawyers tried vainly to disqualify Hershel C. Martin of 1441 Autumn Leaves Trail, a grocer, and thereby save a challenge.

"If he got on the jury, all he'd have to do is go into the jury room and vote a verdict of guilty and death in the electric chair," attorney Joe Tonahill told Judge Brown.

Despite the defense contention that he had convicted Ruby on the basis of rumors and news reports, Martin insisted he had an open mind on the question of guilt and could make a fair juror. Judge Brown ruled he was qualified, forcing the defense to accept him or use a peremptory challenge.

Wade used his third peremptory challenge as lawyers questioned 13 prospective jurors during the day.

Mrs. McCollum, who lives at 918 Briarwood in Garland, was the first to take the stand. She could have requested an exemption from jury duty in the trial since she has children at home, but said she was willing to serve.

Mrs. McCollum, whose Assembly of God religion bars the use of cosmetics, said she saw "a re-run" of the shooting on television. Her reaction, she said, was "one of shock."

The black-clad brunette said she remembers "the expression of shock and the appearance of pain" on Oswald's face when a bullet pierced his abdomen. But, she said, the television pictures would not affect her verdict.

(Indicate page, name of newspaper, city and state.)

"The Dallas Morning News" Dallas, Texas

Date: 2-25-64  
Edition:  
Author:  
Editor:  
Title: Jack B. Krueger  
Character:  
or  
Classification:  
Submitting Office: Dallas

File  
G.M.

57 MAR 24 1964

44-24016-A  
NOT RECORDED  
26 MAR 21 1964



—Associated Press Wirephoto.  
The three jurors selected in the Jack Ruby trial return to court with bailiffs after lunch. Left to right are Allen McCoy, Max E. Causey, Mrs. Mildred McCollum; bailiffs Bo Mabra and Nell Tyler.

2