

9th Juror Is Chosen —Ruby Grows Edgier

By Maurice C. Carroll
Of The Herald Tribune Staff

DALLAS, Tex.

Half an hour after he stepped to the witness stand, the 14th prospective juror to be questioned in yesterday's long, dreary court session, a 34-year-old electronics engineer named James E. Cunningham was chosen the ninth member of the panel that will try Jack Ruby for murder.

The science-minded team of defense lawyers seemed intrigued when Mr. Cunningham, a calm-mannered, deep-voiced man, said he had taken psychology courses in the University of Texas.

"I like him," chief defense lawyer Melvin Belli whispered to his associate, Joe Tonahill. Moments later, Mr. Cunningham joined the jury that will hand up the decision in this final formal act of the great national tragedy that began Nov. 22 with the assassination of President Kennedy.

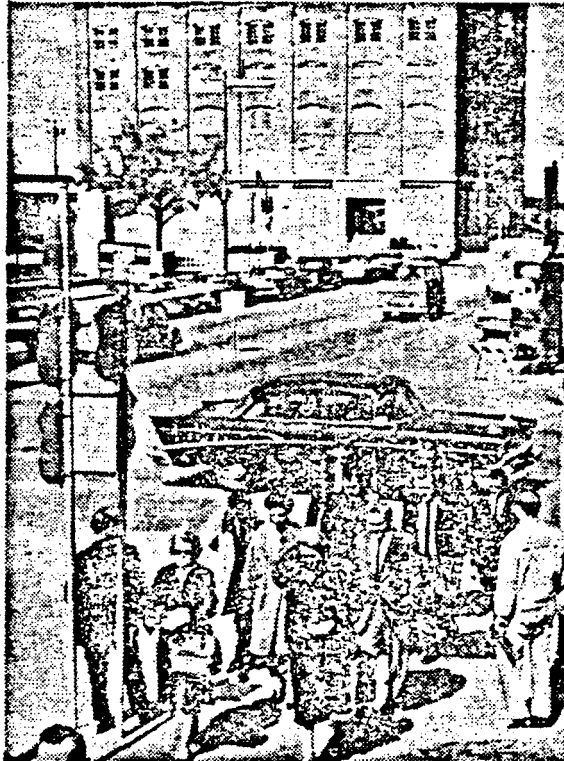
Ruby, the pale, waxy-cheeked man accused of murdering the President's alleged assassin, smiled and seemed cheered by the choice of Mr. Cunningham. Until then he had been extremely fidgety, nibbling the fingers of his right hand, chewing convulsively on gum, repeatedly leaning over to whisper to Mr. Belli.

"It's this silly talk again," said Mr. Belli. "We're going to have two doctors—Manfred Guttmacher, chief psychiatrist of Baltimore Supreme Court, and Roy Schaffer, Yale psychology professor—come down Sunday to look him over."

As five guards led Ruby from the courtroom at day's end, Mr. Belli shouted anxiously after him:

"Jack . . . relax!"

Mr. Belli felt the pressure himself. He visited a doctor during the noon recess, but returned, smiling, to say that his health had been pronounced generally all right.



Herald Tribune—UPI telephoto

THE GROWING RUBY JURY, eight strong, heads for lunch in Dallas. In background is the Texas School Book Depository from an upper floor of which came the shots that killed President Kennedy last November.

Sixteen panelists were questioned in yesterday's session, bringing the ten-day total to 110. A new 50-member panel was lined up in case the 28 left on the current panel are not enough.

The defense used up the 12th and 13th of its 15 rights to reject jurors without saying why, the prosecution its 5th.

Ruby's lawyers turned down a housewife who expressed hope about insanity to murder, and a young man whose father is a deputy sheriff. The prose-

cution rejected a 25-year-old student who agreed enthusiastically with Mr. Belli on matters of psychiatric.

"You can bet we're going to use up all our peremptory challenges," Mr. Belli told reporters. This, he indicated, would provide grounds for an appeal.

- Tolson
- Belmont
- Mohr
- Casper
- Callahan
- Conrad
- DeLoach
- Evans
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele Room
- Holmes
- Gandy

Providence

44-24016-A
NOT RECORDED
128 MAR 11 1964

- The Washington Post and Times Herald
- The Washington Daily News
- The Evening Star
- New York Herald Tribune
- New York Journal-American
- New York Mirror
- New York Daily News
- New York Post
- The New York Times
- The Worker
- The New Leader
- The Wall Street Journal
- The National Observer
- People's World
- Date

File 1-13-64
FBI

FEB 28 1964