

WITH RUBY
BY BOB HORTON
ASSOCIATED PRESS WRITER

Rby

19 FEB 1964
901 PCS

DALLAS, FEB. 19 (AP)—DIST. ATTY. HENRY WADE SAID TODAY HE BELIEVES THE JACK RUBY MURDER TRIAL JURY SELECTION WILL CONTINUE AT LEAST INTO NEXT WEEK.

HE ADDED HE BELIEVES THE DEFENSE ATTORNEYS HOPE THE JUDGE WILL CHANGE THE VENUE--MOVE TO THE TRIAL TO ANOTHER CITY--"IF THEY DRAG OUT" THE JURY SELECTION LONG ENOUGH.

WADE SAID AT THE RATE THE DEFENSE IS USING ITS PEREMPTORY CHALLENGES, THE TIME IS APPROACHING WHEN SOME JURORS WILL BE SEATED. NONE HAS BEEN SEATED SO FAR. EACH SIDE HAS 15 PEREMPTORY CHALLENGES--NO REASON NEEDED. THE DEFENSE HAS USED FOUR AND THE STATE ONE.

"IF 42 QUALIFY, YOU HAVE TO GET A JURY," WADE SAID, EXPLAINING THAT THE 42 REPRESENTS 15 JURORS DISMISSED BY THE DEFENSE, 15 BY THE PROSECUTION AND THE REMAINING 12 THE ACTUAL JURY.

"I THINK WE CAN GET A JURY HERE," WADE SAID. "I THINK THESE DISQUALIFICATIONS RUN IN SPURTS."

JUDGE JOE B. BROWN CAN, IF HE DESIRES, GIVE EACH SIDE IN THE CASE ADDITIONAL CHALLENGES.

"I DON'T BELIEVE HE WILL," WADE SAID IN A NEWS CONFERENCE.

THE PROSECUTOR SAID THE STATE HAD GONE THROUGH AS MANY AS 200 PROSPECTIVE JURORS BEFORE GETTING A JURY EMPANELED IN OTHER CASES. HE SAID THE LAW SETS NO LIMIT ON HOW LONG IT TAKES TO SEAT A JURY.

WADE ALSO SAID HE FAVORS NIGHT SESSIONS FOR THE TRIAL "SINCE WE HAVE THE JURORS AVAILABLE." HE SAID THE JUDGE HAS INDICATED THERE WOULD BE SOME NIGHT SESSIONS WITHOUT SPECIFYING WHEN THIS MIGHT BE.

EH901PCS