

JURY COMPLETED FOR RUBY'S TRIAL

State to Open Case Today—
Judge, Ill, Is Replaced

By HOMER BIGART

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DALLAS, March 3—The jury for the trial of Jack L. Ruby was completed today. The 52-year-old night-club operator will go on trial at 9 A.M. tomorrow for the shooting of Lee H. Oswald, the accused assassin of President Kennedy.

The final two jurors were selected today with a substitute Judge, J. Frank Wilson, on the bench. He took over for Judge Joe B. Brown, who became ill with a bad cold and was ordered home by his doctor.

District Attorney Henry M. Wade will open the state's case by calling witnesses who will trace Ruby's movements from the moment of President Kennedy's assassination on Nov. 22 to the time two days later when he shot Oswald in the basement of the city jail.

The first witnesses are to be employees of the advertising department of The Dallas Morning News. Ruby was in The News office preparing an advertisement for his night club while the President's motorcade was crossing downtown Dallas. When news of the assassination spread through the office, Ruby changed the advertisement. The Carousel Club, he announced, would be closed in mourning for the President.

State to Take 2 Days

Mr. Wade plans to call 15 to 20 witnesses in all. He said he expected to finish the prosecution's case by noon Thursday. The defense will call 50 to 75 witnesses, according to Melvin B. Belli, chief counsel. He said the defense case would require a week or 10 days.

After 14 days of processing, the jury was completed at 2:19 P.M. with the swearing-in of Mrs. Louise Malone, 58 years old, a widow who has been working for 30 years as an accountant for an oil company.

Her selection completed an all-white, all-Protestant jury.

Mr. Belli complained that the jury failed to represent a cross-section of Dallas. Only one Jewish venireman was examined, and she was excused because of scruples against capital punishment. Seven Negroes were dismissed, five because they opposed the death penalty and two on arbitrary challenges by the prosecution.

The Best We Can Get

Ruby is Jewish, Mr. Belli had hoped that the jury, which has eight men and four women would contain at least one member of a minority group. However, he said:

"It's the best we can get in Dallas."

Mr. Belli said he would have used peremptory challenges to dismiss Mrs. Malone and Mrs. Aileen B. Shields, the 11th juror, but he had exhausted all 18 challenges. The court refused to give him more.

Mrs. Shields, 57, a divorcee who works for the telephone company, was the first of 12 prospective jurors examined this morning.

Judge Brown, who is 55, said in a telephone interview that he planned to return to the Ruby trial tomorrow, or Thursday morning at the latest.

Under Texas court procedure, a judge may return to a case even though he has missed hearing the bulk of the evidence.

Judge Wilson, who will be 63 on March 18, served four terms in Congress and was considered one of the most conservative Democrats in the House in the early nineteen-fifties. In 1954 he introduced a bill to outlaw the Communist party and to forfeit the citizenship of any who engaged in subversive activities.

Jury Selection Speeded

The search for the two remaining jurors was speeded by the presence of the new judge. The frequent bickering between defense and prosecution that had interrupted the examination of other prospective jurors ended suddenly.

Judge Wilson set out at once to show Mr. Belli who was conducting the trial. He delivered a stern reprimand to the defense counsel.

The judge then warned that

he would not allow either side to insult any prospective jurors.

Belli and Judge at Odds

Mr. Belli, who had accused one juror of lying, was on his feet demanding, "Is that a threat? Is that from something you've read in the papers?"

"Take your seat," the judge said sharply.

"I want to know, your honor, if that was said in disrespect to me."

"Take your seat, Mr. Belli," the judge repeated. "When the court tells you to take your seat, take your seat."

Judge Wilson refused to cite for contempt Maurice A. Melford, national director of the National Epilepsy League, who had distributed leaflets in the courthouse yesterday. Mr. Melford contended that persons suffering from epilepsy were no more likely to commit a crime than anyone else.

The court examined 162 prospective jurors before the jury was completed. All but one of the 12 chosen witnessed the shooting of Oswald on television.

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