

STILL SHOUTING

Lawyers Continue Bitter Exchanges

Jottings of a bench-straddler at the Jack Ruby trial jury selection Friday:

In an arena where pistols and guns are mentioned in prose, innuendo and satire, the only firearms that particularly stood out Friday were the huge cufflinks with silver six-shooters on them worn by Joe Tonahill, one of the defense attorneys.

Harry L. Elledge, a retired postal worker who now manages an apartment house, was questioned Friday for 40 minutes before Judge J. B. Brown excused him.

Elledge said he had met Ruby about six months ago as he helped move furniture at Ruby's apartment house on South Ewing.

"I don't remember if I shook hands with him or not," Elledge told Belli, "but he invited me to his club and told me I'd get in free if I'd come down. I didn't go though."

Elledge pretty well summed up a predicament which worries many a potential juror when he said:

"They'll put on their doctors (nodding toward the defense) and say 'yes!!' on yours and who's it to believe?"

"That's the only thing that worries me," he said.

Belli moved with the ex-mailman into the realm of schizophrenia, epilepsy, manic depressive state, legal insanity and other highly technical areas before Judge Brown ruled Elledge was of the opinion Ruby was guilty, and it appeared to be a fixed opinion.

THE CAUSTIC, often bitter remarks between counsel continued Friday

Dist. Atty. Henry Wade objected to questions beginning with "When that Communist Oswald was shot . . ."

Joe Tonahill bellowed, "Well, when that lily of the valley Oswald was shot . . ."

The judge and attorneys for both defense and prosecution got out their law books and read Friday, when tricky points arose.

Judge Brown admonished Tonahill repeatedly. The 245-pounder said current courtroom procedure was "incompatible with human experience, your honor . . . If the district attorney thinks Dallas County has got to kill Jack Ruby, well . . ."

His voice rose higher and higher, louder and louder.

"We're only five feet apart," snapped Brown. "You are only five feet from me. You could almost whisper and I could hear you. There's no jury to impress here now."

"I apologize," said the Jasper lawyer, "but I'm not sure I won't do it again." He went on to explain that he felt he had a duty to his client, then switched to his service career with "I served 30 months at sea in World War II . . ."

Wade cut him with "Judge, we don't care how long he was at war."

After three straight objections from the state, Tonahill boomed,

"Judge, we don't have to put everything in the words of the prosecuting attorney there, do I?"

Moments later, as the attorney kept boring in on virtually the same subject, the judge warned Tonahill that he didn't want to hold him in contempt.

A few moments later, his temper still flaring, Tonahill asked the witness, 62-year-old Herbert Goellner, if he would take a polygraph (lie detector test) to prove he had no fixed opinions.

Rebuffed by another objection, Tonahill got up and cried out, "If we accepted you as a juror, we'd be disbarred for mal-practice."

Even the court reporter got in the heated exchange when he found he couldn't write what two or three were shouting all at the same time. "Oh, one at a time," he said rising angrily.