

SIDE LIGHTS

Ruby Reads Law Books At Trial

Courtroom jottings from the Jack Ruby murder trial:

Ruby donned horn-rimmed glasses and read a law book while his attorneys questioned prospective jurors. As he read, he scribbled notes which he handed to the lawyers. An overhead light reflected from his bald dome.

Artists filled the jury box. Judge Joe B. Brown allowed them to sit there so they could sketch courtroom scenes from a different angle.

Judge John Mead of Criminal District Court No. 4 took a "busman's holiday" and joined spectators in the courtroom.

Dist. Atty. Henry Wade, who puffed on a cigarette as the trial started, has gone back to his habit of chewing cigars in the courtroom.

The wife and 6-year-old son of Melvin Belli, chief defense lawyer, flew here from San Francisco. When the boy began fretting in the courtroom, Belli signaled for his wife to take him outside.

Lawyers can tell when they're getting on dangerous ground with Judge Brown. The judge sets his jaw and peers at them through narrowed eyes.

ONLY 12 SELECTED

Laws Fail to Provide For 'Standby' Juror

Texas laws do not provide for a 13th or "standby" juror, a prosecutor in the Jack Ruby murder trial noted Friday.

Assistant Dist. Atty. Frank Watts said laws here provide for the selection of only 12 jurors in a murder trial, regardless of how long it may last.

If one of these jurors should become too ill to continue hearing testimony, Watts said, the judge must end the trial. Then he would set a new trial date and lawyers would start over in the selection of a jury.

The same would hold true if a juror became ill during deliberations after testimony ended.

What would happen if a juror became ill before the jury was completed?

"It would be up to the lawyers," Watts said. "If they agreed, the court could excuse the sick juror and let the attorneys continue selecting jurors until they had 12. But, if either side objected, the court would have to declare a mistrial and we would have to start over."

There have been numerous proposals that Texas adopt the procedure followed in some states and in federal courts, where the judge instructs lawyers to choose a 13th juror when a lengthy trial appears likely. This juror is known as a "standby" or alternate juror.

He hears testimony and legal arguments, but does not participate in deliberations or vote on the verdict unless one of the 12 regular jurors becomes ill.