

PROSECUTION PLAN

Psychiatrist To Be Called

Prosecutors said Thursday they plan to call Dr. John Holbrook, a Dallas psychiatrist, as a major witness in their attempt to convince a jury that Jack Ruby was sane when he shot Lee Harvey Oswald.

Dist. Atty. Henry Wade's assistants said they may also place Dr. Robert Stubblefield of the University of Texas Southwestern Medical School on the stand.

Their statement was considered significant by court observers since Dr. Holbrook and Dr. Stubblefield were members of a team of three psychiatrists who analyzed laboratory tests given Ruby Jan. 28-29.

The tests included two electroencephalograms (EEG), commonly called "brain wave" tests since they record electrical impulses of the brain.

Lawyers vouch for the credibility of witnesses they summon to the stand.

As a result, it was considered unlikely prosecutors would call Dr. Holbrook or Dr. Stubblefield if they believe the tests supported defense contentions.

Defense lawyers claim that Ruby suffers from "psychomotor epilepsy" and that its seizures can produce violent conduct. They contend Ruby blacked out and "acted like a robot" while shooting Oswald during a seizure.

Oswald, who was shot Nov. 24 while network television cameras were trained on him, was the prime suspect in the Nov. 22 assassination of President Kennedy.

The third psychiatrist on the court-approved team, Dr. Martin Towler of the University of Texas Medical School at Galveston, is expected to testify for the defense.

The Dallas News quoted an informed source Jan. 31 as saying:

—Dr. Holbrook and Dr. Stubblefield concluded the tests did not show Ruby was a victim of organic brain damage or any form of epilepsy which could have led him to shoot Oswald while in a blackout.

—The psychiatrists noted

thought patterns unlike those found in most patients, but were convinced they did not indicate any brain disease or insanity which would have left Ruby unable to distinguish between right and wrong.

—Dr. Towler wanted to confer with another psychiatrist before announcing his diagnosis of Ruby's mental condition.

Defense lawyers attacked the story.

Melvin Belli, the chief defense lawyer, announced Thursday that Dr. Roy Schafer, a Yale University psychologist, and Dr. Manfred Guttmacher, a Baltimore psychiatrist, would arrive here Saturday and would observe Ruby daily while waiting to testify as defense witnesses.

Dr. Schafer testified at an earlier hearing that he believed Ruby is a victim of "psychomotor epilepsy."

Defense lawyers asked Judge Joe B. Brown this week to appoint Dr. Karl Menninger of the famed Menninger Clinic to examine Ruby, but Judge Brown indicated he would reject the request.

RUBY TRIAL

Wade Lets Defense In On Secret

Jack Ruby's lawyers got the word Thursday—from Dist. Atty. Henry Wade.

The defense lawyers had questioned Henry Gravley of Carrollton, a 25-year-old engineering technician, for more than 30 minutes and spectators were speculating they would accept him as the ninth juror.

Then, as defense attorneys went into a huddle, Wade sauntered over to their table.

"You didn't ask him, but there's something you should know," Wade told them. "His father is a deputy sheriff."

CHEST PAINS SLOW BELLI

Melvin Belli, the chief defense lawyer, missed part of the Jack Ruby murder trial Thursday after complaining of chest pains.

When Belli returned to the courtroom, he said a doctor had given him an electrocardiographic test to determine whether he had a heart ailment. He said a doctor told him the test indicated he had not suffered a heart attack but suggested he return for a checkup Saturday.

"I've been having chest pains for several days, but they've gone away now," the San Francisco lawyer added.

Should Belli decide later that he was too ill to stay in court, Judge Joe B. Brown would decide whether to call off the trial or let it continue with other defense lawyers questioning witnesses.

Howard Puts Ruby Case Into a Book

Tom Howard, a Dallas lawyer who withdrew from the defense staff, is writing a book about the Jack Ruby case.

That's what Mrs. Jeanne Lauve, a Dallas writer, said Thursday.

Mrs. Lauve has been in the courtroom daily since Ruby's trial started Feb. 17.

"I'm taking notes for Mr. Howard," she said. "He's doing a book about the case. He's already written two chapters."

Howard was the first lawyer hired by Ruby after the 52-year-old nightclub manager shot Lee Harvey Oswald, charged with assassinating President Kennedy.

Howard withdrew as a defense lawyer when the trial began. Another defense lawyer said Howard quit because of illness in his family. Howard said that wasn't true, but declined to state a reason.

"He quit because he was disgusted," Mrs. Lauve said. "The other lawyers did things without consulting him. He didn't like the way they were handling the case."

Howard was out of the city Thursday.

The father, Lee Gravley, guards county jail prisoners. Sheriff Bill Decker said Gravley is not assigned to Ruby's cell-block area, but "may spend some time" on his floor.

Why did Wade tell the defense? "We weren't required to do so, but we wanted to be fair," his chief assistant, A. D. Jim Bowie, told reporters.

After the prospective juror said he was certain his father's work would not influence his verdict, defense lawyers used a peremptory challenge to reject him.

It was their 13th.