

Wade Won't Call Mrs. Marina Oswald

Dist. Atty. Henry Wade said Saturday he does not intend to call Mrs. Marina Oswald as a prosecution witness during the Jack Ruby murder trial.

Wade's statement ended speculation he would put the widow of Lee Harvey Oswald on the stand. Ruby shot Oswald in the City Hall basement Nov. 24 while millions of television viewers watched. Cameras were trained on Oswald since the 24-year-old Marxist had been arrested two days earlier as the chief suspect in the assassination of President John F. Kennedy.

Wade could call Mrs. Oswald to testify that her husband is dead.

The district attorney said, however, that he would use testimony of officers and doctors to show Oswald died after Ruby shot him at close range.

After Ruby pleads innocent to the murder indictment returned against him, Wade will call witnesses in an attempt to prove the 52-year-old manager of a downtown striptease club is guilty.

Wade estimated he will need "about two days" to complete his case.

"It will depend largely on how long the defense cross-examines witnesses," the district attorney said.

Assistant Dist. Atty. William F. Alexander said prosecutors will call Homicide Detective J. R. Leavelle as the first witness in Ruby's trial, which may last another two weeks.

Leavelle was the "officer in the white hat" handcuffed to Oswald when he fell mortally wounded.

Alexander said other officers will follow Leavelle to the stand and will tell about the shooting and statements which Ruby made after they wrested a pistol from his grasp.

They will include Police Capt. Glen King, who testified at an earlier hearing that Ruby told him "You don't think I was going to let him get away with it, did you?" Prosecutors say this statement shows malice and premeditation on Ruby's part.

Then prosecutors will present medical testimony that Oswald died of a bullet wound. A ballistics expert will say the bullet came from the pistol taken from Ruby.

Wade and his assistants will "rest our case" at this point under present plans.

Defense lawyers will get their chance to try to convince the jury that Ruby was temporarily insane when he pulled the trigger.

They will present testimony that Ruby was emotionally upset by the assassination. Much of this testimony may come from George Senator, a close friend and business associate of the slayer.

Then the defense will present its medical testimony.

This testimony from psychiatrists and at least one psychologist will picture Ruby as an emotional man who snapped under the stress of the assassination and shot Oswald while in a blackout.

When the defense testimony ends, Wade will present conflicting psychiatric testimony. Dr. John Holbrook of Beverly Hills Hospital, who examined Ruby in the county jail, will describe him as sane.

Prosecutors also may call jail guards to testify that Ruby is sane in their opinion.

Then, after closing arguments by lawyers, the case will go to the jury and it will decide who to believe.