

# The Case Against Ruby to Rest on His Own Words

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DALLAS, March 2.—Some time ~~early~~ this week, after the last two jurors in the Jack Ruby trial are chosen, Dallas Police Capt. Glen King will take the stand and swear that in the melee that followed the shooting of Lee Oswald he heard Ruby say:

"You don't think I was going to let him get away with it, did you?"

On that utterance, the state will build and rest its case against the pale and jittery strip-joint operator whose single shot sealed the lips of the young Marxist who soon will be officially designated as the assassin of President Kennedy.

## BLACKOUT IS KEY

It will be the burden of the Ruby defense witnesses, chiefly medical men, to convince the jury that while many things Ruby did and said that day indicate malice and premeditation, the man blacked out during the split second of the actual shooting.

The jury has the right to hand down any one of an assortment of penalties, ranging from a two-year suspended sentence to death in the electric chair.

District Attorney Henry Wade, who has won death verdicts in 23 of the past 24 murder cases, predicts that the jury box will be completed late today or early tomorrow. Judge Joe E. Brown will order the actual trial to get under way immediately after the final two jurors are qualified.

Mr. Wade has seven peremptory challenges left. The defense has only one.

It is certain to use it, so as to be able to note in any future appeal to a higher court that it exhausted all of its peremptories in an "unsuccessful" effort to find a fair jury in the city where the murder took place.

## IRMAN IN WHITE HAT

Mr. Wade does not expect to use more than two days presenting his case.

His first witness will be Detective J. R. Leavelle, "the man in the white hat" who won international notice in the Graphic Television Broadcast of the murder and in photographs taken of it. He was on Oswald's right as Ruby lunged from his left side and fired. Detective Leavelle's black eyes are bright with horror in the pictures.

He will identify Ruby as the murderer, and will provide the "malice and premeditation."

Dr. Manfred Guttmacher, Baltimore psychiatrist, arrived in Dallas last night, at the request of Chief defense attorney Melvin Bell, to give Ruby a check-up. It is Mr. Bell's contention that the 32-year-old defendant is going to pieces.

Dr. Guttmacher will remain in Dallas to testify that his earlier studies of Ruby and tests of his brain indicate there is enough brain damage present to have produced a blackout at the time of the murder.

The remainder of Ruby's medical witnesses will arrive in Dallas early in the week, headed by Walter Bromberg, Katonah, N. Y., psychiatrist, for years attached to the Court of General Sessions in New York.

## STATE SAYS HE'S SANE

The state has its own battery of experts in the same field. It is led by Dr. John Holbrook, and will unite in declaring that Ruby is sane now and was at the time of the shooting.

The 10 jurors already selected—eight men, two women, all white, all Protestant—were

put on their honor yesterday. Judge Brown granted their request for a television set.

It was rolled into the "club room" of the jury's grim dormitory on the eighth floor of the Criminal Courts Building. They agreed to shut off the set whenever a news program came on the screen, so as not to see or hear anything about the case.

The ten were walked to a nearby Dallas hotel for lunch and permitted to stroll about the neighboring square.

All speculation that the state would call Mrs. Marina Oswald as a witness ended yesterday when Mr. Wade scotched the report. According to the report the widow of Oswald was to testify only that he was—indeed—dead.

- Tolson
- Belmont
- Mohr
- Casper
- Callahan
- Conrad
- DeLoach
- Evans
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele Room
- Holmes
- Gandy

- The Washington Post and Times Herald
- The Washington Daily News
- The Evening Star
- New York Herald Tribune
- New York Journal-American
- New York Mirror
- New York Daily News
- New York Post
- The New York Times
- The Worker
- The New Leader
- The Wall Street Journal
- The National Observer
- People's World
- Date

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