

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

Contempt Fine Liveness Drama of Ruby Trial

By Arthur Everett

DALLAS, March 2 (AP) — Efforts to select the last two jurors in Jack Ruby's murder trial failed today amid wild disputes in and out of the courtroom. A defense lawyer was fined \$25 for contempt and a mistrial motion was denied.

Court was adjourned at 5:44 p.m. until 10 a.m. Tuesday.

The mistrial motion was made by the defense because of literature distributed outside the courtroom which denied that psychomotor epilepsy could be a factor in Ruby's shooting Nov. 24 of Lee Harvey Oswald, accused assassin of President Kennedy.

This defense of temporary insanity resulting from psychomotor epilepsy is at the heart of Ruby's defense against the charge.

Ruby's chief defense attorney, Melvin Belli, made the unsuccessful demand for a mistrial in the chambers of Judge Joe E. Brown.

The literature was distributed in the courthouse by a National Epilepsy League official.

Belli was enraged at a portion of the literature which said:

"You don't have to worry too much about a patient in a psychomotor seizure. You will read in novels and see in the movies all kinds of dramatizations, spiced-up stories about what psychomotor epileptics do: murders, criminal activities, etc. That is nonsense."

Distributing what was called a "fact sheet" was Maurice A. Melford, Chicago, national director of the League.

After hearing Belli's motion for a mistrial, Judge Brown told Melford that he had "a right to put out anything you want to. My only contention is that you should not do it in this courthouse."

Melford apologized and agreed to go elsewhere but said he had informed the district attorney's office in advance that he was coming here to contact the press. This particularly angered Belli.

The defense immediately subpoenaed Melford as a witness.

As tempers grew thin, defense lawyer Joe H. Tonahill was fined \$25 for contempt after he hurled his pencil to the courtroom floor in a rage.

Belli was seeking to elicit from a prospective juror, George E. Staton, that he held an opinion against Ruby, operator of a Dallas strip tease joint.

Asst. Dist. Atty. A. D. Jim Bowie started to say something about Belli's "tricky and illegal questions."

That brought Belli's defense assistant, Joe Tonahill, roaring to his feet and he threw his pencil to the floor.

"I must hold you in contempt," Judge Brown quietly told Tonahill. . . . "It will cost you \$25."

In the end, the defense used its 18th and last peremptory challenge to excuse Staton. The defense had exhausted its original 15 peremptory challenges, plus three additional ones granted it by Judge Brown. The judge refused to grant more.

- The Washington Post and Times Herald A3
- 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 _____
- Date 3-3-64

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Joe H. Tonahill, an assistant defense attorney for Jack Ruby, is shown in the Dallas courthouse as he paid a \$25 contempt of court fine yesterday. Tonahill paid with a \$100 bill. He is married to the daughter of U.S. Rep. Howard W. Smith (D-Va.), chairman of the House Rules Committee.