

Ruby Rivals Differ Over Finger Used

The defense and the prosecution couldn't get together on what finger Jack Ruby used Nov. 24 to kill Lee Harvey Oswald as he fired a lone shot into the accused assassin.

Defense Atty. Melvin Belli holds that Ruby — in a fugued (mental blackout) state emanating from psychomotor epilepsy — pulled the trigger with the middle or second finger.

The prosecution holds that there is no evidence of this — that what might look like a finger along the edge of the Colt Cobra .38 was actually Oswald's flesh.

One of the closest men to the shooting, police officer J. R. Leavelle, said on the stand that he could not say for sure.

Leavelle was handcuffed to Oswald.

"I've even examined that picture with a magnifying glass and I just couldn't actually say," Leavelle told Assistant Dist. Atty. Bill Alexander.

Belli, holding the .38, asked Leavelle in cross-examination if he didn't assume it was the second finger.

"It could have been," Leavelle said, "I told you I didn't know for sure."

★ JUDGE DASHES COLD WATER

A defense lawyer suggested Wednesday that jurors take notes during testimony in the Jack Ruby murder trial.

To make sure they were able to do so, attorney Melvin Belli announced he was ready to supply them with pencils and notebooks.

Judge Joe B. Brown threw cold water on the whole idea, telling it "out of order."

State laws provide that jurors shall have testimony read to them by the official court reporter if doubts arise during deliberations, but they shall not depend on notes made by individual jurors.

Witness Sees Ruby As 'Mean'

Jack Ruby heard a prosecution witness at his murder trial Wednesday describes him as "mean."

The description came from John Rutledge, police reporter for The Dallas News.

Rutledge said he also regarded Ruby, the balding manager of a downtown strip club, as "a loud-mouthed extrovert who wanted to get up there in the middle of things."

Rutledge said he couldn't recall seeing Ruby before the night of Nov. 22. The reporter said he based his descriptions upon various statements he had heard about Ruby during 12 years as a police reporter here.

Defense lawyer Melvin Belli tried to get Rutledge to say that police officials regarded Ruby as "sort of a village character." The reporter said that wasn't true.

Then Belli asked if Rutledge believed Ruby unstable.

"By unstable, do you mean 'mean'?" Rutledge asked. "All right, we'll use the word 'mean,'" Belli replied.

"Yes, I considered him mean," Rutledge told the lawyer.

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