

# The Ruby Trial— Bedlam

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Of The Herald Tribune Staff

DALLAS, Tex.

The stocky, graying man with a pipe in his hand shoved at the backs of the newspaper men and photographers crowded around Joe Tonahill, one of Jack Ruby's defense lawyers.

"Joe," he yelled. "Oh, Joe?" Nobody paid any attention to him, so he asked one of the mob, "When Joe gets done, ask him to come to my office."

The man who couldn't push through the crowd of interviewers was Judge Joe E. Brown, and the wild scene was only one of several such performances yesterday in the closing hours of the Jack Ruby murder trial.

This trial lurched toward a conclusion with lawyers trading televised insults, mobs of perspiring newspaper men

surging through the court house seeking information, and hour after disorganized hour of delay and confusion.

The day began with testimony of a doctor who made a dramatic last-minute flight to Dallas as a Ruby witness. He was to be followed by the judge's charge to the jury, closing arguments by both sides and submission of the case to the jury of eight men and four women.

But the defense protested that the written charge had been prepared for the judge by the prosecution and was a "cold-blooded murder charge, which leaves room only to fill in the sentence."

To the IT-PAGE Charge, Defense Lawyer Phil Burleson tacked on 16 pages of proposed amendments by late afternoon, based on 40 objections, and three typists in his office were clattering out more, while the trial stalled.

As a result, spectators and the press gradually began to drift from the crowded old courtroom where the Ruby trial had dragged for 22 sessions. And there were more impromptu corridor press conferences such as have sprouted continually in the hubbub caused by its developments.

Finally, Judge Brown emerged from his office and said he had decided to go on with charge and summations in a night session, making it possible for the jury to get the case today.

Judge Brown used part of the afternoon free time to tell a crowd of shouting, shoving photographers how he would let them cover the trial's close.

"When the jury come in," he said, "there will be one live TV camera in the rear of the courtroom to record the verdict." he had previously barred all cameras.

In Texas, the verdict is handed to the judge, and he reads it. The jury sets the penalty.

Later, plans were made to let Don Uhrbrock of Life magazine serve as a pool still-camera photographer, and to feed radio lines from the public address system during the lawyers' summation.

If the publicity plans—or anything else—worried the pallid little Ruby, who used to run two tawdry dives

striptease joints, he wasn't saying. In midday, George Brimmell of the Winnipeg Tribune asked defense lawyers to hand Ruby a note with a series of questions on it. Ruby scrawled the answers in pencil. How did he feel? Mr. Brimmell had asked. "Confused," wrote Ruby.

The day's only witness, the trial's 68th and last, was Dr. Frederic Gibbs, a Chicagoan described by defense lawyers as "the father of electroencephalography."

The defense contends Ruby suffered from a variation of psychomotor epilepsy and was triggered into unthinking action when he shot the accused assassin of President Kennedy, Lee Harvey Oswald, in the basement of Dallas police headquarters. The claim is that this condition showed up on brain-wave tracings examined by Dr. Gibbs.

The doctor, a square jawed man with deep-set eyes and a quiet lecturer's voice, had originally declined to testify. A series of medical witnesses for both sides had said nice things about him.

Said to have been disturbed when he read newspaper accounts of the trial, he flew into Dallas for a last minute appearance, and created something of a tactical problem for the prosecution. They solved it by closing their cross-examination with queries about the doctor's qualifications. Dr. Gibbs, it appeared, had concentrated on brain-wave readings and, although graduating from medical school in 1929, hadn't become a licensed M.D. until 1956.

"Is it true then," asked First Assistant District Attorney Bill Alexander, "that someone else had to write prescriptions for you in your office?"

Dr. Gibbs said it was. Dr. Gibbs said brain wave tracings showed Ruby suffered from "a particular, very rare form of epilepsy." The pattern, he said, was "clear" and he walked to the jury box and pointed out on a paper chart. The jurors crowded together, peering intently at the tracing.

Psychomotor variant epilepsy was characterized, Dr. Gibbs said, by "lack of emotional control, impulsive and obsessive types of behavior."

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

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- The Washington Post and Times Herald \_\_\_\_\_
- The Washington Daily News \_\_\_\_\_
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- 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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Associated Press wirephoto

**IN CHAMBERS, Judge Joe E. Brown, who presided over the Ruby trial, prepares his charge to jury.**