

A190DN

(260) RUBY LAWYERS

DALLAS, FEB. 15 (AP)-TOM HOWARD SAID TONIGHT HE WILL MAKE A MOTION MONDAY TO WITHDRAW AS A DEFENSE ATTORNEY IN THE MURDER TRIAL OF JACK RUBY.

HOWARD WAS THE FIRST LAWYER EMPLOYED BY RUBY'S FAMILY AFTER THE NIGHT CLUB OPERATOR WAS CHARGED WITH SLAYING OF LEE HARVEY OSWALD, ACCUSED ASSASSIN OF PRESIDENT JOHN F. KENNEDY, ON NOV. 24, AND HAD DIRECTED MUCH OF THE EARLY PREPARATIONS FOR RUBY'S DEFENSE.

RUBY'S TRIAL OPENS MONDAY.

MELVIN BELLI OF SAN FRANCISCO BECAME RUBY'S CHIEF DEFENSE ATTORNEY IN MID-DECEMBER AND ADDED JOE TONAHILL OF JASPER, TEX., AND SAM BRODY OF LOS ANGELES TO THE DEFENSE LEGAL STAFF.

TONAHILL TOLD REPORTERS TONIGHT "HOWARD IS QUITTING. I HEAR HE HAS AN ILL DAUGHTER."

TONAHILL SAID HOWARD "IS A GOOD LAWYER," AND THAT HE AND BELLI WERE "SORRY TO SEE HOWARD LEAVE THE CASE."

BELLI COULDN'T BE REACHED FOR COMMENT.

HOWARD SAID HE DID NOT HAVE AN ILL DAUGHTER AND ADDED:

"I CANNOT TALK ABOUT THE SITUATION NOW...NOT UNTIL I HAVE A CHANCE TO TALK TO THE (RUBY) FAMILY."

HE SAID HE PLANNED TO MEET WITH THE RUBY FAMILY TOMORROW AND CONTINUED:

"THEN I THINK I WILL HAVE SOMETHING TO SAY."

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BRODY ATTENDED ONLY PART OF WEDNESDAY'S SESSION DURING THE HEARING THIS WEEK ON AN UNSUCCESSFUL DEFENSE MOTION TO HAVE RUBY'S TRIAL MOVED TO ANOTHER CITY. HE WAS REPORTED ILL WITH A VIRUS.

"HE LEFT IN THE MIDDLE OF THE DAY, AND WE HAVE NOT TALKED TO HIM SINCE THEN," TONAHILL SAID.

ASKED IF BRODY WAS QUITTING THE DEFENSE STAFF, TONAHILL SAID, "I HONESTLY DO NOT KNOW. HE WAS VERY SICK. MAYBE WE WILL KNOW MONDAY."

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