

The Director, Federal Bureau of Investigation

JUL 15 1964

(typed 7/15/64)

Herbert J. Miller, Jr., Assistant Attorney General,
Criminal Division

HJM:WEF:am
129-11

S.A.F.

Enclosed for your information is a copy of an
anonymous letter sent to the Attorney General.

RECORD

Enclosure

cc: Records
Chrono
Mr. Foley

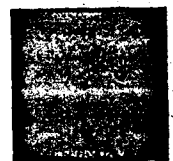
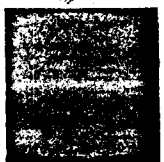
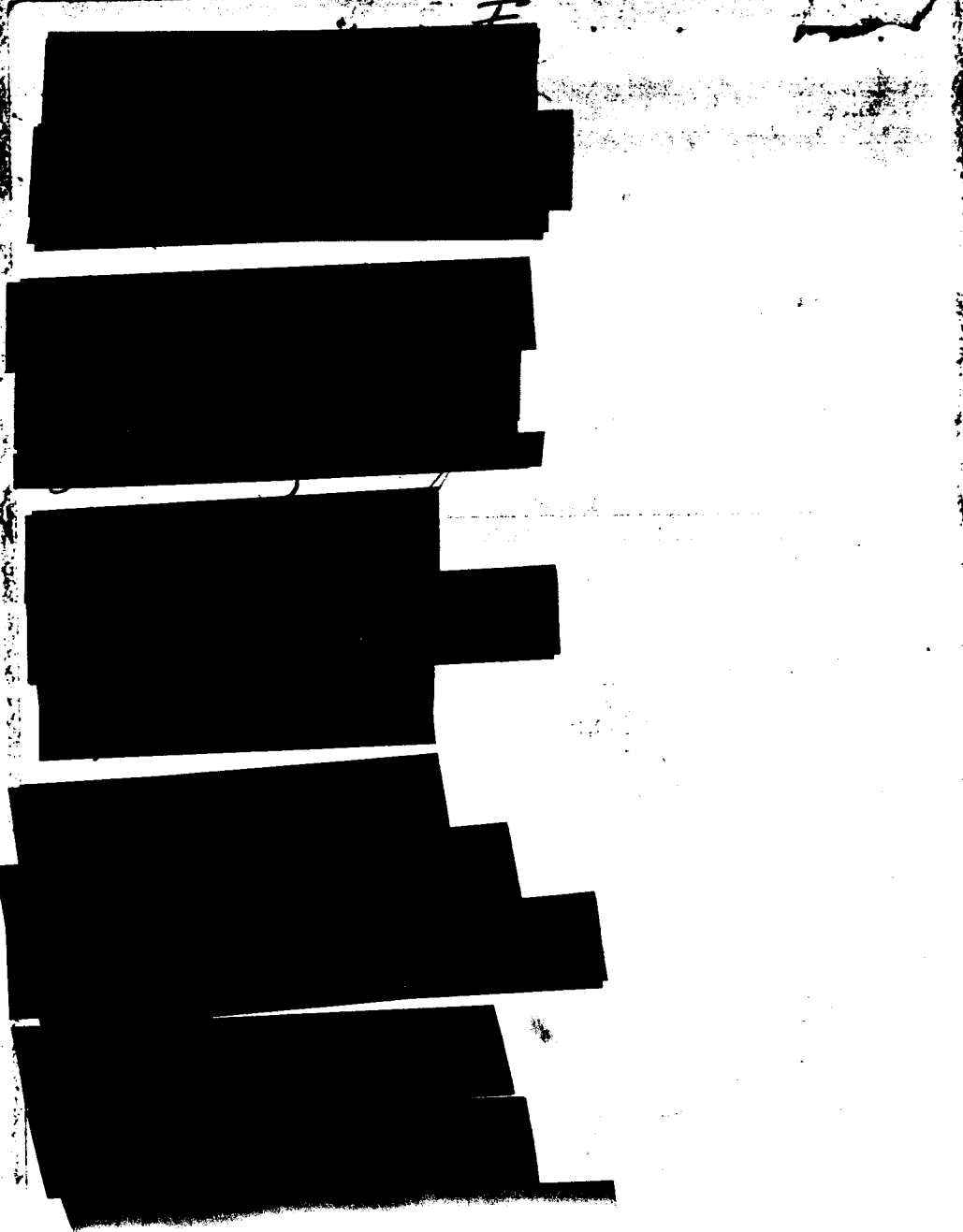
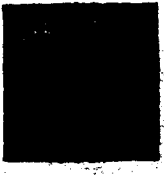
SENT BY MESSENGER
COMMUNICATIONS SEC.
JUL 1964 15 W.D.B.

To Robert F. Kennedy.

Just a few lines to let you know that Lee Harvey Oswald was not the only one involved in the assassination of the President (Kennedy) there were others involved besides him. Oswald was nominated to do the job. Others were the master minds, to tell him how to do the job & when to do it & where to do it. I am giving you some names who are responsible or can shed some light on the assassination.

(over)

129-11	
31	JUL 23 1964
RECORDS BRANCH	
CRIM. GEN. CRIME SEC.	



They are former ^{II} U.S.C.G.
Vets of W.W.II.

[REDACTED]
[REDACTED] (navy vet.)

They have information about
the assassination. If they
can't be located at the address
given. They may be located
at the following address.

[REDACTED]
[REDACTED]

The Director, Federal Bureau of Investigation

AUGUST 31 1964
(typed 8/31/64)

Herbert J. Miller, Jr., Assistant Attorney General,
Criminal Division

HJM:WEF:am
129-11

S. P.

RECORD
P.

7-7-64

Enclosed for your information is a letter addressed
to the Attorney General by [REDACTED]

✓ Enclosure (original ltr. fr. subject)

cc: Records ✓
Chrono
Mr. Foley

HJM
by
IB
8/31

SENT BY MESSENGER
COMMUNICATIONS SEC.
AUG 31 1964

HOTEL PRADO AMERICAS



I have been thinking about you kind very much...
I expect your opinion first
of your own, I think confidential. I will write you
if you wish, you may send me a copy
I would like to chat with you personally
I have never met a good evening, some people believe
you detail information by writing, because I am afraid that
is really a story, but the US State Dept. I can't give
State, and also you can't give information
I am even right by year, it is the same, that
if the investigation is not, then, meaning and my health
found out just what the matter
I learned from the natives thoroughly for those months
and heard them talk about the fact, I investigated what
I have never seen to me, by a native, who was
returning to your brother John, that had been
I had found enough to...

RECORDS BRANCH
AUG 26 1961

STANDARD POSTAL

Memorandum

TO : File

DATE: July 7, 1964

ALB:bf
129-11FROM : Arthur L. Burnett
Criminal DivisionSUBJECT: [REDACTED] Private Attorney -
Visit of July 1, 1964

Approximately about 12:30 P.M. on the above date [REDACTED] was escorted into my office. He stated he wanted to ask some questions about the disposition of a registered letter which he had sent to the Department of Justice addressed to the Attorney General. He first indicated some apprehension as to whether the letter actually reached the Attorney General or whether the receipt which he received was in fact a forgery. He questioned our administrative procedures for the acceptance of registered mail in the Department of Justice and furtively kept challenging and raising questions concerning the Department's processing of a letter which allegedly had sent to the Department on February 29, 1964.

After some conversation and obtaining the file which contained the letter, [REDACTED] became more direct and stated that he was a private attorney from Dallas, Texas, that he had graduated from Yale University Law School and that as a result of rather liberal views he had expressed concerning Negro rights in Texas he had been harrassed by the Dallas Police Department and intimidated by several officials, members of the Bar, and the general public in Dallas, Texas. He kept repeating that he was told by several persons that he would never get out of Texas alive. He mentioned going to the FBI field office and talking with a [REDACTED] (ph) and stated that after he talked with [REDACTED] he found out that [REDACTED] was a native of Dallas, Texas and concluded that [REDACTED] would do nothing concerning his allegation. He alleged that [REDACTED] had told him in fact to mind his own business. In fact he accused [REDACTED] of siding with local officials and of misconduct in office. I told him that were such the case the facts should be relayed to the Department of Justice and to the Director of the Bureau who would make an appropriate inquiry into his charges. I emphasized to him however that we could not act on his general conclusion of misconduct but would have to have factual support for such a conclusion. He would not give me the detailed facts at the time but remained furtive in his conversation stating that he would write us and give us the details.

129-11	
DEPARTMENT OF JUSTICE	RECEIVED
JUL 10 1964	J. C. E.
FEDERAL BUREAU OF INVESTIGATION	
CRIMINAL-GEN. CRIME SEC.	

[REDACTED] continually raised the specters of a conspiracy against him and mentioned that when he did attempt to get out of Dallas, Texas, he went to the airport to take a plane flight and was sold a ticket for an airplane flight which in fact did not exist. He speculated that someone had called the airline agents and told them who he was and that they were playing a hoax on him and trying to deny him the right to leave Dallas. Eventually he did leave Dallas and went to Scottsdale, Arizona and from Scottsdale, Arizona to Los Angeles, California. He mentioned that once he got to Los Angeles, California, he received certain mail and in one instance he received a letter which had been sent to Los Angeles and the Post Office Department had sent it to Scottsdale, Arizona and then it was sent back from Scottsdale, Arizona to Los Angeles and he raised the question how Postal officials knew that he had ever been in Scottsdale, Arizona when he had never indicated to them such an address or filed any change of address card which would suggest that mail should be sent to the Scottsdale, Arizona address of his sister.

He also indicated that as a result of this conspiracy and interference with his mail he had also written a letter to James Hoffa. He originally wrote a letter to James Hoffa, Washington, D. C., Teamsters Headquarters (registered mail) but that letter was returned as Hoffa was not in Washington. He then mailed a letter to Hoffa in Chicago where he is now on trial. He stated (while no friend of Hoffa) he felt that Hoffa could get something done for him. He subsequently called Hoffa's suite in a hotel in Chicago and inquired as to whether the registered letter had been received and he received a negative answer. He also mentioned that he had sent a regular letter to a labor official in California and subsequently had contacted that official in California who advised that he had not received the letter. He advised me that he would attempt to obtain statements from both Hoffa in Chicago and from the labor official in California concerning the non-receipt of the mail to substantiate his allegations of a conspiracy to interfere with his mail and to harrass him. He suggested the possibility that the FBI was working in collusion with the Post Office officials and with local officials to harrass him. Throughout his conversation he constantly repeated this theme.

Finally [REDACTED] indicated that he was somewhat concerned with whether the Department of Justice would seriously consider his allegations or whether or not the Department would whitewash them.

He queried me as to who had investigative power over the Department of Justice and served as a "watch dog" over the Department. I mentioned that the judiciary committees of the House of Representatives and the Senate could at any time make an appropriate inquiry into the operation of the Department of Justice. At this juncture he mentioned that he had talked with Mr. Foley of Congressman Celler's House Judiciary Committee and had related some of the details to Mr. Foley that he had related to me in this conversation.

I note in examining the file that [REDACTED] has a mental history and that on one occasion his mother had attempted to have him committed to a mental institution. A member of the law firm with which he had been associated in Dallas, Texas, advised that his firm terminated [REDACTED] for unsatisfactory performance as a lawyer and that it was several months before they could persuade [REDACTED] to accept the fact that he had been terminated and was no longer associated with that firm. My impression was that [REDACTED] is definitely suffering from a persecution complex and that he believes that there is a conspiracy against him to harrass and intimidate him. He sees in every possible incident which affects him such harrassment, intimidation, and prosecution.

→ believed people were spying on him, talking about him, and believed himself to be a very superior person.

7-13-64
JULY 13 1964

The Director, Federal Bureau of Investigation

t-7-13-64

WF
Herbert J. Miller, Jr.
Assistant Attorney General
Criminal Division

HJM:WEF:mms
129-11



SEARCHED
SERIALIZED
INDEXED

S. P.

Citizen Mail

The enclosed correspondence is for your
information.

Records ✓
Chrono
Mr. Foley

Enclosure ✓

SENT BY MESSENGER
COMMUNICATIONS SEC.
JUL 13 1964 R.R.R.

[REDACTED]

July 6, 1964

Mr. Robert Kennedy
Attorney General of the United States
Washington, D.C.

RECEIVED

JUL 9 1964

CRIMINAL DIVISION

Dear Sir:

I wrote a report to Mr. John
Edgar Hoover, Director of the
Federal Bureau of Investigation,
Washington, D.C., dated May,
twenty one, nineteen hundred
sixty four and his agent
reviewed it I think. I have
not heard from him at this
time. I have information
whereby I think I can prove
who killed John F. Kennedy,
President of the United
States, other than Oswald
(see page two)

REGISTERED
2-11

129-11

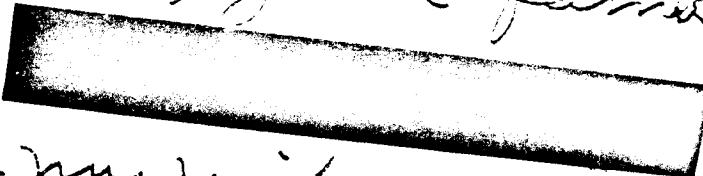
S.H.

JUL 8 1964

RECORDED

INDEXED

(Page two of letter)

I also think I can prove
what caused Mrs. John F.
Kennedy to loose her child
by death of the child. If
you will contact me and give
me a chance to prove what
I know I can prove, and
what I think I can prove, it
will be appreciated and will
save the United States
of America, your family,
myself,  my
son and my wife and others
in the United States from some
destruction and some people
in the United States from
total destruction including
myself, my son and my wife.

(see Page Three)

(Page three of letter)

The mason's, masonic lodges,
Sutton Street, Sandwich are
working with the Communist
and others in this criminal,
illegal operation.

If you come to see me yourself
or send an agent, please call
me, [redacted] by phone
in care of number [redacted]

and do not identify yourself
to anyone except me, as I do
not want these people here where
I live to know of my report
and that I am conferring with you.
If I do not have privacy
when you call I will ask your
phone number and call you
when I can and as soon
as I can. (see Page four)

(Page four of letter)

I am sending some reports to you other than this one and some about this report. I addressed it to you and Mr. John Edgar Hoover, but you can work that out with him next, and these and the other reports I made to him, Mr. John Edgar Hoover, and they are for now, and if some action is not taken I intend to take further action if I can.

Do not send an agent or anyone to see me who is a mason, Eastern Star, Demolae, Rainbow Girl, Communist and Communist Sympathizer as I will not talk and discuss (see Page five)

Page (end of letter)...

with them anything or other
except when I am forced
to by law according to law.

My carbon copies of this
letter may have slipped and
my pen run out of ink while
I was writing this letter and
I wrote over on some letters.

Thank you very much and
and I want to hear from
you. Please file my reports,
and keep this confidential between
you and I and Mr. Hoover.

Yours truly

[REDACTED]

ORIGIN/ACTION

DEPARTMENT OF STATE

AIRGRAM

POL 15-1 HS
Kennedy

FOR RM USE ONLY

RM/R	REF	AF
1		
ARA	ELP	FE
NEA	CU	INE
		5
E	P	IO
L	FSD	AID
2		
AGR	COM	FRE
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TR	XMS	AIR
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ARMY	CIA	NAVY
5	12	3
OSD	USIA	NSA
16	8	3
Sec	15	6

A-26
NO.

LIMITED OFFICIAL USE

HANDLING INDICATOR

TO : DEPARTMENT OF STATE

JUL 7 11 55

Jm

INFO : WARSAW

RECEIVED
ANALYSIS & DISTRIBUTION
SECTION
JUL 10 1964

FROM : Amembassy Rome
DATE: July 6, 1964

SUBJECT: Italian Press Reaction to Attorney General's Cracow Remarks on President Kennedy's Assassination

REF :

While interest in, and speculation, about President Kennedy's assassination has remained active since November 22, the Attorney General's widely publicized West Berlin-Polish trip, coupled with the Dallas newspaper publication of excerpts from Oswald's diary and the Warren Commission's reaction to the leak, temporarily brought the question back to the front of Italian public consciousness during the past week.

The Attorney General's statements in Cracow affirming his personal conviction that Oswald, acting alone and without ideological motivations, was his brother's assassin, were given particular prominence in the Italian press. Approximately half of the June 30 papers noted featured the remarks in a separate article, while the rest included theirs in general reports of the Attorney General's Polish activities. Several despatches, citing "officials close to the Attorney General," reported the Oswald references as the Attorney General's first public statement on the identity and motivation of his brother's assassin.

With the exception of Communist Unita, the Attorney General's remarks were reported factually and without editorial comment. Unita, under the headline "Strange Declarations at Cracow," wrote "...Kennedy's declarations about the death of his brother and about the personality of Oswald, seem disconcerting and...are in striking contrast not only with numerous facts but also with Robert Kennedy's attitude, declarations and initiatives after the Dallas tragedy."

CERTIFIED

JUL 10 1964

Decontrolled following July 2, 1966

REGISTERED

FORM DS-323

LIMITED OFFICIAL USE

129-11

DEPARTMENT OF JUSTICE

JUL 10 1964

RECORDS BRANCH

FOR DEPT. USE ONLY

In Out

Drafted by: POL:FDrapen:ae 7/2/64

Contents and Classification Approved by:

Clearances: POL:JPFromer (in draft)
USIS:WPeterson (in draft)

CRIMINAL-GEN. CRIME SEC.

Comments

Coupled with the growing "cult of the personality", which is accreting to the memory of the martyred President in Italy, is the widely held assumption among all sectors of public opinion that the assassinations of President Kennedy and Lee Oswald were part of the same vast conspiracy -- racist/ reactionary or, more rarely, Communist depending on who is spinning the hypothesis -- with the concomitant tendency to discount in advance the findings of the Warren Commission. (A recent advertisement for the book "Who Killed Kennedy: The Buchanan Report", while disarmingly warning that the conclusions were personal, unofficial and based on private research, proclaimed that the book must be considered an important document, whatever the findings of the Warren Commission might be.) Even such pro-American publications as the weekly news magazine Vita, which is conducting a private fund drive for a monument to President Kennedy, betrays the conspiracy assumption. A recently published letter to its editor, in the context of a question on the current American political scene, made reference to the "rightist forces which apparently armed the hand of Kennedy's assassin." Vita replied in terms almost gratuitously flattering to the United States, but in silent consensus made no reference at all to the quoted phrase.

The Attorney General's statements on Oswald should help undermine, but will not in themselves reverse the conspiracy assumption.

For the Ambassador:



William N. Fraleigh
Counselor of Embassy

PRESIDENT'S COMMISSION
ON THE
ASSASSINATION OF PRESIDENT KENNEDY

200 Maryland Ave. N.E.
Washington, D.C. 20002
Telephone 543-1400

J. LEE RANKIN,
General Counsel

EANL WARREN,
Chairman
RICHARD B. RUSSELL
JOHN SHERMAN COOPER
HALE BOOGS
GERALD R. FORD
JOHN J. MCCLOY
ALLEN W. DULLES

JUN 25 1964

Mr. Harold F. Reiss, Executive Assistant
Office of the Attorney General
Department of Justice
Washington, 25, D. C.

Re: Jack Ruby

Dear Mr. Reiss:

This is to acknowledge receipt of your letter of June 22, 1964 and enclosures including a memorandum titled "by Sol. A. Dunn, Esq., legal advisor to the Ruby Family."

Our files indicate that on June 12, 1964 Earl Ruby transmitted a virtually identical document to the Commission. We are, therefore, returning one copy of the memorandum for any disposition you deem appropriate.

Sincerely,

J. Lee Rankin
J. Lee Rankin
General Counsel

Encl. *f*

File

6-3-64
M. B. W.

6-25-64

FILE

6-25

WHY RUBY SHOT OSWALD

(The "6 million" plus)

It was wrong for Ruby to shoot Oswald.

It is admitted, never denied, that Ruby was guilty of a homicide in a form or 'degree' for which he should be penalized by confinement in an asylum or prison, which may be greater punishment than his execution. But this is not the question involved.

In the light of Ruby's long history of neuroses and paranoid personality, etc., it was wrong for the jury to in effect find Ruby 'temporarily sane' at 11:20 A.M. Nov. 24th, 1963, by Dallas time - "exactly".

But it was wrong for the jury to find an insane Ruby guilty of 'first' degree murder with 'malice' - demanding the death penalty.

Our personal feelings about Ruby is not the primary question. This death verdict ~~was~~ will be discussed because the honor of the State of Texas, and integrity and faith in our judicial system is at stake and 'in question.'

PREFACE

Within a few hours after it appeared that Oswald killed Kennedy and almost killed Mrs. Kennedy, Mr. Johnson, the Governor of the State of Texas, and later a Texas policeman who attempted to interrogate him, an aroused public had already tried and convicted Oswald as a Communist killer. Only the carrying out of his punishment remained by crowds of people clamoring for some brave person to quickly kill Oswald.

Many openly expressed a desire to get at Oswald for this purpose. The Dallas police, fearing that he would be lynched, sought to remove him to another jail in an armored car.

Ruby heard people say that the brave man who killed Oswald would be a hero, a martyr, who would save the grief-stricken Kennedy family further grief of a trial; as well as restore the good name of Texas and its Police Department, which was being criticized for not properly protecting the President.

Immediately after Ruby killed Oswald many hailed his act and said a monument should be erected to Ruby. Ruby himself is alleged to have said, in the heat of action immediately after the shooting (res gestae), that now he had proved to his friends that Jews are not cowards and that Jews will not stand idly by while the Kennedy family was grief stricken.

REAL ISSUES INVOLVED

- 1) But what compelled and obsessed Ruby to carry out the wishes of so many other Americans?
- 2) What irresistible impulse was produced in the deranged insane mind of Ruby to the extent that it dethroned sane reason and judgment and destroyed his power to independently distinguish between right and wrong?
- 3) How did Anti-Semitism affect the life and actions of Ruby?
- 4) What part did the K.K.K., Birch Society, or other hate groups play in the President's assassination?
- 5) What part did Anti-Semitism play in the prosecution of this case and the jury's "first degree" death verdict?
- 6) Why must there be a new trial to complete the record and fully expose all the facts and circumstances surrounding this case?
- 7) What can be done now, (by the good people of Texas) to correct and prevent a further miscarriage of justice?

These questions present problems beyond the ability or right of Ruby's family to assume alone. It should be the chief concern and organized efforts of everyone, not necessarily to obtain justice for Jack Ruby alone, but to expose the hate groups, and correct the jury's erroneous findings and unconscionable verdict that affects all Americans and world Jewry.

Since the tremendous power and resources of the United States could not protect the life of President Kennedy against the bigotry and hate in Dallas, Texas, how can anyone expect the Ruby family with their small and limited means, to carry on expensive and extensive litigation to protect the life of Jack Ruby, from such hate and prejudice.

During this case, the prosecution made derisive remarks by sneeringly referring to Jack Ruby as 'Jew boy from Chicago' -- 'money grabber' (Shylock) -- 'Jewish Messiah' (no Jesus Christ) et cetera and concealed from the jury material evidence in FBI records that when Ruby was 10 years old a foster home was recommended for him because of his emotional and mental disturbances.

I have seen what happened to a corporation like Chrysler when a management with fiduciary obligations became corrupt, but it doesn't begin to compare to what happened to Ruby, and to what can happen again, when the minds of a jury are corrupted by hate and prejudice.

What should the leaders in Texas who believe in human rights do in this matter before it is too late?

DISCUSSION

MISCELLANEOUS ERRORS.

No attempt will be made here to recite or discuss the numerous (over 100) prejudicial errors of the Court that fall into the categories of (1) refusing to grant change of venue, (2) seating hostile jurors, (3) improper rulings on admission of evidence, (4) improper charge to the jury, (5) general misconduct of Court and Prosecutor during trial.

EPILEPSY.

Nor will any attempt be made to set forth the general rules concerning the fact that the form of insanity of which Ruby was suffering is a defense. (See 14 Am.Jur. Sec. 36 and Notes, etc.)

Few people, including the jury, were convinced that Ruby killed Oswald because of epilepsy, an organic disease. But it is understandable why lawyers prefer to base their claim on an organic condition in preference to a psychological one.

Epilepsy in and by itself has been held not to be grounds upon which to predicate a plea of temporary insanity.

"Proof that a defendant in a criminal case is an epileptic does not necessarily show insanity, relieving him from criminal responsibility."
14 Am. Jur. Sec. 33, P. 790. Note 20.

Nor will any attempt be made to describe in detail the background neuroses and paranoid personality that Ruby suffered from since about the age of 10. This should be left to careful psychiatric examinations and opinions of those especially skilled in forensic psychiatry as distinguished from those skilled in organic diseases.

Dr. Emanuel Tanay, an authority in forensic psychiatry and professor of psychiatry at Wayne University in Detroit, recently examined Ruby and found him to be a PARANOID SCHIZOPHRENIAC.

If the organic disease of epilepsy were buttressed by the psychological disorders and persecution complexes that Ruby was suffering from, it is fair to assume that even a prejudiced jury would not have been so quick to find Ruby guilty of a cold-blooded premeditated murder of the 1st degree with malice.

Ruby's long-standing insanity would have established why Ruby shot Oswald.

RECORD MUST BE CORRECTED FOR BENEFIT OF HISTORY AND TEXAS.

For the sake of truth, justice and history and for the sake of the Great State of Texas, it is of utmost importance that Ruby's past be examined by proper psychiatric examinations. The evidence thus uncovered can still be used in various proceedings as "newly discovered evidence", not only to obtain a new trial, but in other proceedings to protect his civil rights.

This brief will only attempt to throw some light on the 7 questions listed on page 2 hereof and conclude with suggestions and remedies to prevent a further miscarriage of justice.

NOT EVERY KILLING IS FIRST DEGREE MURDER.

There are several degrees or types of murder or homicide, that may be described for purposes of clarity as: 1st degree murder with malice; 2nd degree (where 'malice' is not stated in jury's verdict); 3rd degree 'murder without malice,' 4th degree 'manslaughter', 5th degree murder (where jury finds defendant legally "not guilty" because of insanity), 6th degree or 'suicide' (includes those who aid, abet or encourage another to take his life).

The degree of murder or homicide depends, not on how gruesome the killing was accomplished or what was in the killer's hand, but depends upon what was in his head - his 'state of mind' that the killer was in at the time of the shooting. See State - v- White, 58 N. M. 324, 270 P., 2nd 727.

"If the act of killing, although intentional, is committed under the influence of passion or in heat of blood, produced by an adequate or reasonable provocation and before a reasonable time has elapsed for the blood to cool and reason to resume its habitual control, and is not the result of wickedness of heart or cruelty or recklessness of disposition, then the law, out of indulgence to the weakness of human nature, or rather, in recognition of the laws upon which human nature is constituted, very properly regards the offense as of a less heinous character than murder (of the 1st degree) and gives it the designation of voluntary manslaughter. The absence of malice and the influence of sudden passion are the characteristics of the offense. ***Malice and heat of passion cannot coexist."
26 Am Jur - P. 167.

"CIRCUMSTANCES DISCLOSING PASSION OR MALICE -- In the determination of whether the act which caused death was impelled by heat of passion or by malice, all the surrounding circumstances and conditions are to be taken into consideration. ***The slayer's mental state is not to be determined solely from what takes place at the time of the killing. 26 Am Jur. P. 168.

"****A frequently approved statement of the rule declares "that reason should, at the time of the act, be disturbed or obscured by passion to an extent which might render ordinary men, of fair average disposition, liable to act rashly or without the deliberation or reflection, and from passion rather than judgment". (Or where one is unable to distinguish between "Right and Wrong").

"What constitutes "cooling time," as it ordinarily is termed depends on the nature of man and the laws of the human mind, as well as on the nature and circumstances, the extent to which the passions have been aroused, and the nature of the act causing the provocation, and therefore, no precise time can be laid down by the court as a rule of law, within which the passions must be held to have subsided and reason to have resumed its control. *** The question is one of reasonable time, depending on all the circumstances of the particular case, and the law has not defined, and cannot, without gross injustice define the precise time which shall be deemed reasonable." 26 Am, Jur. P. 171, (especially where as in this case pictures of the assassination were continuously repeated and the people were becoming more incensed with the lapse of time).

SHOOTING OF OSWALD WAS ONLY LAST SCENE OF FINAL ACT.

In order for the jury to have understood this insane compulsion and insane obsession it was necessary to inquire into Jack Ruby's entire life, which led up to the killing of Oswald that was only the culminating incident.

SHADY PART OF RUBY'S PAST WAS INQUIRED INTO BUT NOT HIS PSYCHOSIS.

When a statement or 'culminating' incident is taken out of context a contrary or opposite meaning is frequently created. Likewise, it was equally difficult for the jury to judge Ruby's sanity when the shooting incident was taken 'out of context' of Ruby's entire life.

RUBY NEVER TOOK THE STAND, NO TESTIMONY WAS INTRODUCED, CONCERNING HIS LIFETIME OF MENTAL TORMENT AND DISTRESS.

These observations were composed from very meager, sketchy and limited information furnished by members of Ruby's family and my recent personal interview with Jack Ruby, in an

attempt to help the public come to a deeper understanding of this historic event.

After examining Jack Ruby's entire life it appears that it was not Jack Ruby, a sane, immoral 'alleged' hoodlum, who pulled the trigger on November 22, 1963, against an Oswald, but an insane Jacob Rubenstein, who suffered a lifetime of persecution as Jews.

EVIDENCE OF RUBY'S DERANGED MIND AND MENTAL TURMOIL.

Ruby's emotional disturbance and insanity goes back almost to his birth. He was brought up by parents who lived in a Jewish area surrounded by gangs of non-Jews who frequently attacked him and other Jews. (See page 41, etc., of "The Fanatic"). As a child he read and heard about the senseless savage killing of Jews during pogroms in other countries for centuries. The gruesome gory details of these monstrous persecutions of Jews were common topics of conversation in his home and neighborhood and later during his adult life, up to the time he shot Oswald. These were later highlighted and fixed in Ruby's mind by the Hitler holocaust. He listened to sermons and lectures, and avidly sought out and read books and articles concerning these indescribable horrible persecutions and murders of "Jews."

For detailed descriptions of the Nazi horrors, see "The Fanatic" by Meyer Levin; "Diary of Ann Frank"; "Germany's Stepchildren"; "The Great Hatred" by Maurice Samuel; "Exodus", and "Mila 18" by Leon Uris; "The Survivors" by Norbert Muhlen and "The Record" by Lord Russell of Liverpool, the latter describes the Eichmann trial.

By the age of 10 he was already so emotionally disturbed that the FBI records show (learned by Ruby's present family for the first time after the trial) that it was recommended that Ruby be placed in a foster home in order to remove him from the environment that was contributing to his mental disturbances. But Ruby remained in his environment and grew up with the belief that by "fighting back" and the use of force, and later by bending over ^{backward} to be

kind, he would show how brave he was, he would compel them to accept and respect him despite his Jewish heritage.

Ruby tried to commit suicide in 1952 and again in 1959 by jumping out of a window. He was also treated by a Dallas, Texas doctor for a nervous breakdown only a few years ago.

Although he may have associated with alleged "hoodlums and underworld characters" he would fight like a maniac when anyone made and derogatory remarks against Jews.

The list of such fights and altercations is too long to detail here except to say that he continuously went out of his way to break up Nazi Bund meetings and other Anti-Semitic meetings. He would throw Anti-Semites bodily out of his clubs, and otherwise challenge and fight anyone he suspected of being an Anti-Semite.

"DON QUIXOTE" VS. ANTI-SEMITISM VS. ANTI-KENNEDYISM VS. K.K.K.-
BIRCH SOCIETY

Senator Towers of Texas, a follower of Birch Society program, urged the State Department to help Oswald return to the U. S. from Russia.

Ruby in many respects seemed normal, but whenever the question of Klu Klux Klan, Birch Society or Anti-Semitism or 'Anti-Kennedyism' arose he acted in obedience to insane compulsions over which he appeared to have no control and which prevented him from sanely distinguishing between what was 'right or wrong' for him to personally do about it.

NO SANE ORGANIZED THINKING LED TO DISORGANIZED INSANE ACTIONS.

A few days before Kennedy arrived in Dallas, articles appeared in the paper and on billboards criticizing the Kennedy Administration signed by a Jewish name.

K. K. K. AND JOHN BIRCH SOCIETY.

(There were no Catholics, Jews or Negroes on the jury.) *WHY?*

Ruby took pictures of these Anti-Kennedy Administration 'Anti-Warren' billboards in the middle of the night and went to the managing editor of the newspaper complaining that there was no person by any such name, that the Jewish sounding name was fictitious and used by an Anti-Semite on these Hate Groups to discredit the Jewish people in the eyes of Kennedy and others. (I saw one of these Anti-Warren billboards in Dallas Texas on June 7th, 1964, reading "Impeach Warren-save the Republic".) at 2317 East Eleventh Street, Dallas, Texas.

Despite the immoral nature of his entertainment places, he warned entertainers not to tell any Anti-Semitic or Anti-Kennedy jokes or stories that might reflect upon either Jews or Christians.

MOTIVE NOT VICIOUS AS "MALICE" IMPLIES.

Ruby admired Kennedy for many reasons. He felt Kennedy was a Great Humanitarian, "Father" helping all people, including those Americans of Jewish faith.

Ruby's father and mother separated when he was a child. He was later placed in a foster home. He needed a father and he more or less adopted Kennedy as a 'foster father.'

When Kennedy was attacked by newspaper articles and on billboards, Jack took this personally and felt his faith and hopes in Kennedy were being attacked.

When Kennedy was assassinated by Oswald, Jack took this personally too and felt this to be an attack on his America, his "Father", his idol and his freedom in America.

Immediately after the assassination of the President, Oswald was pictured as a Communist who so loved Russia that he married a Russian. He took this also personally as an attack

upon him because of the long history of persecutions by Russia of the Jewish people.

There were reports of his full confession, later called premature. Then reports that the case against Oswald was "iron clad" and that his confession was momentarily awaited. People stayed glued to their televisions, watching these scenes and conflicting reports for 2 days. Instead of any 'cooling off', Ruby became more infuriated as these reports kindled and added frustrations in his inflamed mind. Hour by hour, he heard, saw, read and talked about Kennedy's assassination and Oswald, who was being held as his assassin.

There was no "cool" time for him to meditate and compose himself, from the time Oswald shot Kennedy "like fish in a barrel" to the time Ruby shot Oswald.

RUBY'S OBSESSIONS GREW WORSE, NOT BETTER WITH TIME.

Immediately after the assassination, all television, radio and newspapers cancelled their regular programs and confined their reports to pictures, continuously re-enacting the gruesome scenes of the assassination, and pictures of the bereaved Kennedy family. This was the main topic of conversation in the homes and on the streets.

Ruby was so upset and bereaved he closed his night clubs.

They repeatedly showed pictures of Oswald's stubborn defiance of the police department's efforts to interrogate him.

He told me that on Saturday morning before he shot Oswald, a police officer by the name of Harry Olson told him that someone should kill Oswald and save Texas and the Kennedy family further grief and trouble.

MOTIVATED BY PUBLIC DEMANDS.

He heard crowds of people say that the person who killed that Communist Oswald would be a hero and martyr and save the State of Texas and Mrs. Kennedy the ordeal of a trial.

He had the insane uncontrollable impulse and insane obsession to become such a hero and martyr, that he would bring credit to Texas and the Jewish people from whom he was seeking acceptance.

RUBY FELT NEED FOR ACCEPTANCE TO OVERCOME HIS FEELING OF REJECTION.

As a bachelor, he was crying out for the acceptance that the other married members of his family were enjoying with their wives and children but from which he felt rejected and alone.

He frequently went out of his way to relieve his frustrations by proving himself worthy of acceptance. The only acceptance he received was the little "thank yous" from those of all races and creeds to whom he gave money and otherwise helped without expecting any return except their acceptance. In his crying need for "A Father" and real acceptance he surrounded himself with 5 dogs whom he called his "children".

TRAINED BY U. S. ARMY TO KILL ENEMY.

In World War II he was trained to fight anything unAmerican. He discovered that here, too, he was fighting against Anti-Semitism and frequently the Anti-Semitism among his own buddies with whom he engaged in frequent fights and arguments, because he told me they called him "Goldberg, Finkelstein, Kike, Dirty Jew, etc".

It was not Oswald he was shooting at but at a Communist enemy and another symbol of Anti-Semitism and unAmericanism that he was insanely suffering from.

It was not to punish the killer of Kennedy, a man, but the President, a Great Humanitarian, and symbol of "The Father" his U. S. of America who he believed was a good friend of all people, including the Jewish people - his people of which he felt himself one despite his lack of religious observances.

Ruby was no paid killer. He had nothing to personally or particularly gain by shooting 'another man.'

NO COOL PREMEDIATED PLAN.

The assassin of Kennedy followed the usual plan of a murderer by successfully secluding himself, with a planned getaway from the scene of his crime. But in Ruby's case, aside from the opinion of psychiatrists, the untouched and unplanned pictures show Ruby openly shooting Oswald, his senseless actions in a police station in the presence of hundreds of armed policemen.

This picture should have, by all the rules, indicated "reasonable doubt", if not complete doubt, of his sanity in the minds of the jury and at least lack of premeditation. The jury should have had the benefit of all of these pictures from the time of Kennedy's assassination, and not just that of 'Ruby shooting Oswald.'

ACTED ALONE ON IMPULSE.

Ruby took the law into his own hands and carried out the overwhelming wishes of public sentiment at the time he shot Oswald, just as he took the treatment of Anti-Semitism and Anti-Kennedyism into his own hands. He also became insanelly obsessed with his need to become a martyr. He became increasingly disturbed in this respect and inflamed concerning Anti-Semitism with the advent of Hitler and the murder of "6 million" Jews.

RUBY'S 'INTERFERENCE' WAS PUNISHED BY THE JURY AS THOUGH HE
KILLED THE PRESIDENT OF THE U. S.

There are police and fire departments properly equipped to deal with certain problems. Volunteer firemen or policemen who jump into a situation without such training and equipment not only do harm to themselves but frequently interfire. It was for this interference that the jury punished him with the maximum penalty. Ruby's interference was not with the malice or vicious motives that were attributed to him by the jury.

He did not have a sufficiently sound mind to know how to evaluate his concerns about Anti-Semitism or the Suffering of Jews, or the assassination of President Kennedy and the grief of the Kennedy family. He did not know how to reconcile with public sentiment against Oswald and control his feelings and still stand at a safe distance in order to be of real and greater help to Texas and the causes he was seeking to serve.

Ruby did not understand that he was not called upon to personally right all the world's wrongs. He did not appreciate that this was the job of organizations established for such purposes but Ruby was again taking these issues into his own hands and becoming further inflamed beyond all reason.

After finding Ruby guilty of 1st degree murder, he now believes that he brought disgrace and shame upon all the Jewish people for all time instead of the good will 'public demands' led his deranged mind to believe he would accomplish. This may account for Ruby's attempts to take his own life.

THE PROSECUTION STILL CLAIMS HE IS SANE.

He is now warning members of his family to guard and protect their children because he thinks they are killing Jews in the streets of America because of his actions.

In my interview with Jack Ruby on June 7, 1964, he told that, "The Klu Klux Klan and Birch Society are systematically killing all the Jews in America and have already killed all the Jews in Texas except for him, and they are trying to do that. They are using a machine they brought over from Germany into which they put Jews to first cut off their hands and feet, and then they mutilate the rest of the body like the Nazis did to Jews in Germany." He further urged me to "commit suicide as soon as you can and tell my brothers to also commit suicide with their children before the Nazis torture them by placing them into this machine."

His pupils were dilated and he shook with emotion as he whispered these suggestions to me lest as he said someone overhear us. He has been calling various members of the family on the telephone as many as three or four times a day from Dallas to Detroit and Chicago, forgetting that he had previously called, to repeat the same delusions of persecution.

Unless the prosecution desires to correct a miscarriage of justice, they cannot afford to have Ruby declared insane now, so soon after the verdict of the jury found him sane.

"COOL" JURY.

There are few cool minds in the entire city of Dallas from which an impartial jury could be impanelled.

JURY INFLAMED AGAINST RUBY BY PROSECUTOR'S CONTENTION THAT RUBY SHOTA HELPLESS HANDCUFFED MAN, AND BY ANTI-SEMITIC REMARKS.

The jury was not shown all the pictures that were on television for two days that led up to this last incident. Although Oswald's two hands were not free he was surrounded and being protected by the drawn guns in the free hands of numerous policemen.

If in addition to the policemen, Oswald also had a gun in each hand, when Ruby squeezed thru the cordon of police, could Oswald have stopped Ruby from shooting him? Would this have made any difference in the jury's verdict?

NO COOL PREMEDITATION.

There was no 'cooling off period' in the entire city of Dallas, upon which the eyes of the world were focused. There was no cooling off period in Ruby's mind.

Everyone was outraged against Oswald. The police made little effort to dissuade anyone from attacking Oswald.

JURY ACTED WITH MALICE AND WITHOUT COOL MEDITATION.

It was at least the duty of the jury to free themselves of malice and prejudice, and presume Ruby to be free of the malice and premeditation he was charged with.

In view of Ruby's long-standing history of mental and emotional disturbances it would appear that the jury did not give Ruby the benefit of any such "reasonable doubts" or presumptions of innocence."

'JURY' MUST NOW FEEL GUILTY - OR WILL.

After they have had an opportunity to 'cool off' from the fiery Kennedy scenes, to which the prosecution added the fuel of hate and prejudice;

How does the jury now feel about consigning an insane man to his death? (Psychiatry may be unable to remove their suffering guilt feelings).

JURY FOUND A SCAPEGOAT FOR TEXAS INSTEAD OF A MARTYR.

If all the facts about Ruby's life were put in evidence, (by the prosecution as well as Ruby's attorneys), even a prejudiced jury would have had difficulty in finding Ruby guilty

of first degree murder with premeditation and malice in less than 2 hours of deliberations, after many 5 weeks of testimony. (Who were they sympathizing with and diverting attention from?)

RUBY NOT GUILTY OF 1ST DEGREE MURDER WITH MALICE.

Under the law of Texas, as it is in all states, it was the duty of the prosecution to prove beyond any reasonable doubt that Ruby was of a sane mind at the time of the shooting and that he was not acting from an insane motive, obsession or impulse over which he had no control.

It was also the duty of the prosecution to prove, beyond all reasonable doubt,

1) That he committed this act with sane premeditation and with sane malice towards Oswald and with a sane motive.

2) That, independent of the suggestions and wishes of the crowds, that it would be right for anyone to kill Oswald.

That, he, Ruby, was independently of such sound cool mind as to distinguish between whether it was 'right or wrong' for him to shoot Oswald.

JURY DISREGARDED RULES OF "INNOCENCE" AND REASONABLE DOUBT.

It was the duty of the jury while determining the questions involved, to give Ruby the benefit of any reasonable doubt as to his sanity, premeditation or malice.

It may also have been the duty of the jury to give Ruby the benefit of the "presumption of innocence" because of insanity. (Texas law should be examined in this respect).

TRIAL AND JURY'S VERDICT BROUGHT SHAME AND DISGRACE TO STATE OF TEXAS.

When one recalls all of the facts involved herein and all the pictures, especially the one showing the shooting of Oswald, one wonders whether the jury (took off their hoods when they entered the jury box) or were in their right minds when they returned the death verdict.

WAS RUBY TEMPORARILY SANE?

If the jury knew Ruby's history, and all that led up to his shooting of Oswald, they would have had to believe that Ruby miraculously and suddenly became temporarily sane at 11:19 A. M., the instant of shooting, despite his previous and subsequent insanity, before returning their death verdict.

The Jury, not unlike Ruby, felt the need to "right a wrong" and respond (K. K. K. style) with a verdict of death for Ruby, in keeping with "public sentiment" as expressed by the prosecution who represented Texas justice.

But what demented Anti-Semitism in the jury's personal lives made them vulnerable to such needs and pleas?

What hateful obsessions or connections with the K. K.K. or John Birch Society led them to "act on impulse" and make their hasty death verdict?

PREJUDICE AND HATE THREATENS THE 'HEART OF TEXAS'.

These questions will remain a dark secret unless investigated and exposed, just as will what led Ruby to shoot Oswald. The jury's shameful verdict must be vacated, and a new trial ordered to remove, what could remain, an indelible blot on the good people of Texas ^{THAT} future generations will be unable to erase.

TEXAS HOT-BED OF ANTI-SEMITISM.

Texas has no monopoly on hate and prejudice, but vicious Anti-Semites like Rockwell and Gerald L. K. Smith are openly and primarily supported by such Birchites as the Murchesons and Mr. Hunt, one of the wealthiest oil men in Texas. (Such men too often exert their influence even over courts). The headquarters of many of these unAmerican organizations against Catholic, Jews and Negroes are in Texas, from where a large part of Anti-Semitic literature emanates. (See files and records of B'nai B'rith Anti-Defamation League). They are a discredit to the State of Texas.

Ruby was repeatedly reminded by the Nazi Rockwells that what happened to the Jews in Germany could also happen here in America. This affected non-observing as well as observing "Jews."

The least knowledgeable and least observing "Jews" are frequently most frightened by Anti-Semitism. This type is against raising the Anti-Semitic problem lest it disturb their (false sense of) security. Even now, they prefer Ruby's quiet execution rather than have it exposed to prevent a "miscarriage of justice."

After the verdict, I recently became legal advisor to the distraught Ruby family. I talked to several people in Texas who said to me when I brought up the Ruby question that "This Jew Ruby brought shame to Texas and he ought to be killed quick as possible 'cause the longer he lives the longer the President's assassination is kept alive." When I said that it was Oswald and not he that killed the President, they added with emphasis that "Oswald was just a maniac who didn't know what he was doing. Anyway, he is dead now, but this Ruby man is still alive so we got to kill'em."

THE JURY'S VERDICT DOES NOT REPRESENT NORMAL TEXAS JUSTICE.

It was in this cess-pool hot-bed that Ruby lived and functioned. It was in this contaminated Anti-Semitic atmosphere that Ruby was "tried" by a prejudiced jury, not 'of his peers." The jury showed their own hate in their anxiety to punish Ruby. They could barely wait for the end of the trial to return their (pre-determined) sentence of death.

LAWYERS LIKE EMIL ZOLA AND CLARENCE DARROW NEEDED.

It is difficult for a non-Jewish judge, jury, lawyer or doctor to fully appreciate the severe trauma and devastating effect that these senseless murders and horrible persecutions and

Anti-Semitism have had upon, and continue to have upon, Jews throughout the world, Regardless of how far removed the individual may physically be from the scene of horror; He images himself as one of the suffering victims, which ~~it~~ is difficult for a non-Jew unrelated thereto to envision.

With all due respect to his very able counsel, they were unable to appreciate or explore the significance of Anti-Semitism in this case or uncover a psychosis, mania and insane obsession that Ruby himself was not aware of. Ruby could not and did not discuss or relate the history of these deeply imbedded mental conditions to his attorneys or the doctors who examined X-rays and who were primarily seeking evidence to support an organic mental disorder they called epileptic in nature.

"THANK GOD NO JEW IS INVOLVED."

After the President's assassination Jews said, with a sigh of relief, "Thank God Oswald is not a Jew", only to despair 2 days later when Ruby shot Oswald.

FALL-OUT VICTIMS OF ANTI-SEMITISM.

Millions of pages have been written describing the Nazi horrors that directly destroyed the lives of 6 million Jews in Europe.

Like the atom bomb, there are many fall-out victims beyond the area where the bomb fell. Many are still crippled as a result of that menace. Both were like fiery crematories, insane asylums and Skid Rows are filled with similar fall-out

victims of broken homes where parents wrangled and degraded each other. These children, though seemingly far removed from the scene of conflict, are the real sufferers and real fall-out victims. (JACK RUBY WAS A DOUBLE "FALL-OUT" VICTIM.)

But little is known of the indirect chaos and destruction that these holocausts have wrought in the lives of countless Jews in America and other countries.

"THE 6 MILLION PLUS RUBY".

Emotional appeals are made to Jews in America in behalf of Israel and various Jewish agencies to help the survivors. These make their listeners feel guilty unless they contribute everything they have, including their lives and their fortunes, in behalf of their fellow Jews who have been suffering from the ravages of the Hitler holocaust and other forms of Anti-Semitism. Many gave up their business and broke up their comfortable homes in America to live in Israel among the refugees of Anti-Semitism.

JEWS ARE A SENSITIVE EMOTIONAL PEOPLE.

To begin with, Jews are a highly sensitive and emotional people. They feel strong family ties as well as their individual tie to the whole of the Jewish people. One of their most revered sayings is that "each Jew is responsible one to and for the other." "I am my brother's keeper."

Jews are taught from birth to take pride in the martyrs who willingly suffered torture and death for the sake of preserving their faith and the home of Judaism. Jews take pride in

pointing out what other Jews throughout the world have contributed to civilization; but cringe when other Jews commit a wrong, because they are also taught that any improper conduct on their individual part is suffered by all Jews, and could result in genocide. These teachings are part of their daily prayers. On 'Day of Atonement' Jews beat their chest and confess any apathy in permitting others to sin. (Vis a vis "the cool" apathy of those who watch rape and murders committed). See "City of Slaughter" by Chiam Nachman Bialik.

Many who were Jews in name only said, "but for the grace of God there go I." As they read and saw gruesome pictures of the Nazi horrors described in the Eichman and Neurenburg trials, they felt guilty for living, while so many others died, only because they were traced to the 'Jewish race.' Many Jews therefore dedicated their lives and fortunes as though in expiation for their sins for not suffering along with their European brethren.

"THE LAST OF THE JUST".

Many books have been written describing how obsessed individuals downgrade themselves and sacrifice their opportunities for a better way of living, in order to prove to themselves as well as others their sincerity in their desire to help. Some need this form of self-punishment to remove the guilt feelings.

Schwarzbart's hero in "The Last of the Just" marched into the concentration camp and gas chamber with head held high to share the suffering of his fellow Jews though he had many opportunities to escape.

GENERATIONS OF JEWS WOULD SUFFER IF OSWALD WERE A JEW.

How much, and how long would the blood of Jews - be shed if Oswald were a "Jew?" (Some indirectly try to connect him thru Ruby).

In "One Destiny" an "Epistle to the Christians" by Sholem Asch, a recognized disciple of Christianity's teachings, Asch briefly refers to some of the murderous actions by 'psychotic Anti-Semites' during almost 2,000 years over an incident that occurred centuries before the assailants or accused were born. But he shows how such minds became insanely disturbed against Jews by the "constant re-enactment" and reminder of the bloody Crucifixion scene. This is mentioned merely to indicate what happened to the mind of Ruby in reverse. (Mr. Asch wrote books on Christianity like The Nazarene, Mary, Paul, The Apostle).

PROSECUTOR INFERENTIALLY REFERRED TO SHYLOCK AND CHRIST.
THIS ALONE WARRANTS NEW TRIAL.

The prosecution was "guilty of malice" or "bad faith" by frequently referring to Ruby as 'Jew boy from Chicago,' (gangster), 'Jewish Messiah' (Christ), 'money grabber' (shylock or money changers), and by many vile and vicious epithets and innuendoes during the proceedings. Such references, aside from any other errors, are sufficient grounds for a new trial, because they influence and inflame a juror and appeal to hate and prejudice, beclouding the real issues.

It was the duty of the Court to prevent and take prompt appropriate measures to reprimand the prosecutor and attempt to correct the effect on the jury of such highly improper and unethical conduct but both the Court and jury seemed to relish, and enjoy and agree with these references. Their verdict reflects this.

HATE AND PREJUDICE AND MENTAL DISEASE OF ANTI-SEMITISM, HAS DESTROYED MORE LIVES, AND THE MINDS OF MORE PEOPLE THAN EPILEPSY.

It rots and contaminates both spewed and sprayer. This happened to the minds of courts, prosecutors and juries in Germany, Spain and the great Roman Empire. America must be saved from this type of feverish malaria. Texas is a good place to start from.

The prosecution planted seeds of hate and prejudice that sprouted into a death verdict.

Not unlike Ruby, the jury had no freedom of will, no cool freedom of choice. The jury became slaves of the will of the prosecution who expressed the desires of "The State of Texas" for the death penalty.

PROSECUTOR CONCEALED IMPORTANT FACTS BEARING ON MAIN ISSUE IN THIS CASE.

The Prosecutor concealed and failed to reveal to the jury information he knew about Ruby's mental disturbances when he was 10 years old. (Ruby's parents are long deceased. His sister and brothers didn't learn of this until after the trial). Such concealment by the prosecution is also grounds for new trial.

A prosecutor represents all the people including Jews. It was his duty to be fair and place before the jury all the facts bearing on guilt or innocence. People -v- DeFrance, 104 Mich. 563.

"**it is the duty of the prosecuting attorney, who represents all the people, and has no responsibility except fairly to discharge his duty to hold himself under proper restraint and avoid violent partisanship, partiality, and misconduct which may tend to deprive the defendant of the fair trial to which he is entitled; and it is as much his duty to refrain from improper methods calculated to bring about a wrongful conviction as it is to use every legitimate means to bring about a just one. It is the duty of the prosecutor to see that nothing but competent evidence is submitted to the jury; and, above all things, he should guard against anything that would prejudice the minds of the jurors, and tend to hinder them from considering only the evidence introduced. He should never seek by any artifice to warp the minds of the jurors by interference and insinuations. 42 Am. Jur. pages 255, 256.

* * *

"Thus, as shown in another article, improper and inflammatory argument or comment to or in the presence of the jury is a common form of misconduct, and so, also, is the improper examination or cross-examination of the defendant and other witnesses. In another article is also treated the subject of misconduct of a prosecuting attorney as grounds for his disbarment or suspension, and the effect of improper influence or interference with the grand jury by the prosecuting attorney or his assistants. 42 Am. Jur. page 256.

* * *

"It is equally well settled that a prosecuting attorney who acts maliciously in a matter which is clearly outside the duties of his office is personally liable to one injured by his acts." 42 Am. Jur. page 257.

RUBY IS NOW 'A NUMBER,' THO IT IS NOT TATTOOED ON HIS ARM.

WHAT IRONY THAT RUBY, WHO CONCERNED HIMSELF WITH FIGHTING ANTI-SEMITISM, BECAME A FURTHER VICTIM OF IT DURING THE TRIAL AND MAY BE EXECUTED BECAUSE OF THIS HATE AND PREJUDICE.

PROSECUTION MUST NOW FEEL GUILTY - OR WILL.

Knowing that hate and prejudice was improperly used to persuade the jury to return an erroneous death verdict against an insane man to 'beat Belli'; what glory can there now or ever be for any prosecutor? History will condemn the prosecutors for their failure to respect the rights of Ruby.

DISQUALIFICATIONS OF COURT, PROSECUTORS AND JURY SHOULD BE INVESTIGATED AND MADE BASIS FOR NEW TRIAL.

Any juror who concealed or failed to reveal his personal prejudices or whose family had connections with organized Anti-Semitic groups, like the K. K. K. or Birch Society and was not impartial, and did not qualify as a juror.

The jury tried Jacob Rubenstein - the Jew. (This name was used by some reporters). They punished Ruby as though he killed their hero. (Was Oswald one of their kind?) It is frightening to think what a Texas mob would have done to Ruby and other Jews if he killed the President.

What would this jury have done 'for' an Oswald, if he killed a Jew or Negroe strongly suspected of assassinating the President?

Both the Court's and Prosecutor's possible personal prejudices or those of any member of his family who had connections with any organized Anti-Semitic groups should be investigated. If it is determined such associations existed, this disqualified the Court from sitting in this case and should be brought to attention of Supreme Court of Texas, and other appropriate authorities, and organizations for the protection of human rights.

(ANTI-SEMITISM) of SOME "PEOPLE of STATE of TEXAS -v- RUBY."

The jury quickly responded with the death verdict, emotionally influenced, and demanded by the prosecution in the name of the People of Texas.

"Sec. 56. APPEALS TO EMOTIONS OR PREJUDICES OF JURY. It is a well-settled general rule, applicable in civil and in criminal cases alike, that an improper appeal by counsel to the emotions and prejudices of the jury, resulting injuriously to the adverse party, is a ground for granting a new trial." 39 Am. Jr. page 73.

"Reference to one's race, creed or color or appeals to hate or prejudice are grounds for a new trial. Where defendant, who was Jewish, produced 4 witnesses in his behalf, the prosecutor stated 'he did not care how many Jewish witnesses the defendant brought there to testify.'"

The Court further said:

"The arguments of a lawyer representing this nation *** are not without great weight and influence *** there was prejudicial error in this trial which prevented it from being fair and impartial ***." People of the U.S. -v- Skuy. 261 F. 316. X

In People -v- Newman, 113 Cal. App. 679, in a prosecution of defendant for arson who was Jewish

"the prosecuting attorney, in his argument to the jury, made statements appealing to racial prejudice when he said: 'I don't know whether it was Mrs. Leary's cow or Max Newman's (defendant's) grandmother who started the fire in Chicago.' *** I once saw the torso of a little boy friend of mine blackened and dead in the Morgue, set by one of the kind of men *** that we are prosecuting here ***. I want you to think a little bit about conditions here and what may come if this is not stopped.'"

"Such statements were so prejudicial that their injurious effect could not have been cured by any method that might have been devised, and the judgment of conviction was reversed notwithstanding the Court's instruction to the jury to disregard them."

"We all know the way of Jews' dealings in business and having their business dealings *** these are God's chosen people, who the Bible says shall gather into their arms all the wealth of the world."
People -v- Golden, 23 Okla. Crim. 243, 214 P.946.

This case was reversed and remanded for a new trial just because of these inflammatory remarks.

In the case of People -v- Hurwich, 259 Mich. 361,

"In a prosecution for arson *** where one defendant was a Jew *** question on cross-examination *** that two bankruptcies and a fire is Jewish fortune"

the Supreme Court of Michigan divided only on the question of whether the prosecutor acted in good faith in merely asking the question.

The affirmative opinion indicated that "the question was not asked in bad faith nor that it affected the verdict" but the 3 dissenting judges said that the mere asking of such a question showed bad faith and was improper, and this alone was sufficient grounds for a new trial.

"The question served as a means to convey to the minds of the jurors a senile cackle of slapstick days with prejudicial effect if not of purpose. There was no excuse for asking the question and it should have been stricken from the record, counsel admonished and its poisonous effect purged by instant instruction accomplishing such end."
Quoting from page 365 of People v. Hurwich, supra.

Prosecuting attorney's appeal to racial prejudice, in trial of colored man for murder, by stating to jury that, if they wanted to live with him to bring in verdict of not guilty, held prejudicial error. People -v- Hill, 258 Mich. 79.

In the Texas case of People of Texas -v- Dinklage, 148 Texas Crim. 123, the Texas Supreme Court said:

" *** the harmful effect of the allusion to the defendant as a 'Hun' and a 'German' could not have been obliterated by an instruction of the court, especially in the light of the practical repetition thereof while the court was attempting to withdraw the first remark from the jury, and the judgment was accordingly reversed and the cause remanded. The court said: 'We are a melting pot of many nationalities, races, creeds and colors, and to charge one at the present time with being a Hun and a German, although born in Texas, leads us to conclude, when taken with other lesser errors found herein, that appellant has not had a fair trial.'"

"REpetition" AFFECTS THE MINDS OF PEOPLE.
REpetition OF KENNEDY'S ASSASSINATION PICTURES AFFECTED
RUBY'S MIND.

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"In Powell v. State (1902, Tex Crim) 70 SW 218, in which the defendant, a Negro, was convicted of the murder of his wife and sentenced to death, a reversal was sought on the ground that the prosecuting attorney, in his address to the jury, said, 'Gentlemen of the jury, if you don't hang this Negro, we will have such scenes, as we are going to have at Lancing,' which statement was understood as having reference to the fact that a Negro charged with raping a white woman at the place mentioned had just been captured and that a mob was then being organized for the purpose of lynching him. It was held that because of the public excitement and indignation arising from the reported rape and prospective lynching, of which the jury apparently had knowledge, it could not be said that the defendant was not injuriously affected by the statement complained of, and the judgment of conviction was accordingly reversed. The court said: 'This is a death penalty, and appellant is entitled to a fair and impartial trial by a cool and calm consideration of all the salient features of his case, unhampered by any prejudice, personal or local.'"

See also State of Texas -v- Taylor, 50 Texas 560. Crim.

The Texas Court again said in People -v- Hilson, 96 Texas Crim. 550:

"*** we do not hesitate to say that it was utterly impossible for the court to destroy the virus that was spread by the very asking of the question. It is not a pleasant duty to criticise the conduct of a prosecuting officer, but this shall not deter us from again saying that extraneous matters that incite race or class prejudice certainly have no place in the courthouse and this is especially true in a case of this character.

"The only purpose it could serve would be to spread prejudice against and contempt and execration for the defendant through the minds of her triers. This sort of procedure will not be tolerated by this court."

"It is beyond question that the statements of the district attorney were unjustifiable and censurable. As an officer of the court he signally failed in his duty to act in the interest of justice. His remarks were plainly unwarranted and were objectionable on two grounds. They tended to create race prejudice, and they conveyed the imputation that the accused belonged to a class of persons peculiarly addicted to the illicit distillation of liquors. Remarks such as these, which are not withdrawn, when brought to the attention of court and counsel, constitute prejudicial error, which requires reversal."

3-RING CIRCUS.

I have great respect for the Courts of Texas, but as one reviews the proceedings in this case, one wonders whether this trial took place in America - or was it held in Nazi Germany or Russia?

It was a spectacle mindful of the Roman gladiators or a 3-ring circus.

WHERE WAS RUBY?

In which of the small "rings" was Ruby during the time of this trial? He might just as well have been in Siberia.

The trial was conducted as though a boxing match was being referred between the prosecutor in one corner and Belli in the other . . . with Ruby among the spectators.

The presiding "referee" refused to "call" the many foul Anti-Semitic punches 'below the belt.' When Belli began to tire, he didn't "call" time," on the contrary he insisted on holding Court at night and made Belli continue his arguments to the jury without adequate preparation.

WHO WAS ON TRIAL IN THIS CASE?

Ruby? or Belli who expressed confidence that he would beat the prosecution?

One of the prosecutors, bragged about the 25 men he sent to their death and how Ruby was going to be No. 26. Perhaps he couldn't afford to oppose the voting powers in Dallas, or have his record marred by losing this battle to a recognized legal authority, and fighter for "adequate awards" and human rights like Belli.

PROSECUTION -v- MELVIN BELLI. (Vs. REPUTATION OF TEXAS).

The Prosecutor defeated and knocked Melvin Belli out in 6 'round' weeks, but ^{*AT THE EXPENSE OF TEXAS' REPUTATION AND*} at the expense of Ruby's life. (But could he have done it without appealing to hate and prejudice, or the help of the referee?) But all will learn, (as Hitler and others did) that they defeated themselves and condemned their goal in life, by using Anti-Semitism...it is they who "brought shame to the good name of Texas". . . and who will keep this shame alive long after Jack Ruby's death.

Belli was no match for these Texan gladiators operating in their own Roman den. It would be interesting to see what the result would have been if this 'match' was staged in San Francisco, or on neutral ground.

One of the first things a member of the prosecution said after the jury's verdict, was not how just the verdict was, but how Belli could have put up a better defense. He also criticized Belli and indicated how pleased and thrilled he was to beat Belli.

Now that the prosecution won their battle against Melvin Belli, it will be interesting to see the extent to which they will go in their effort to prevent an early insanity hearing, or prevent the Supreme Court of Texas from doing justice in this case by granting Mr. Ruby a new trial.

ORGANIZED EFFORT NEEDED TO RESTORE SANE DISPOSITION OF CASE IN RE "JACK RUBY."

Since it is the aim of all concerned to protect the rights of Jack Ruby, efforts should be made to organize and co-ordinate the thinking and efforts of everyone concerned with "justice", so that appropriate steps will be promptly taken, in the right direction, to avoid any future conflicts, pitfalls or regrettable omissions.

Anti-Semites have already used this case to plant and spread rumors that Ruby was connected with Communists and conspired with Oswald to kill the President, and that Ruby killed Oswald to seal his lips. (Even the staid New York Times repeated these unfounded rumors).

But as Tom Paine or Emil Zola would say -

"TRUTH IS ON THE MARCH"

There is no clear secular record of what happened 2,000 years ago, but the record in this case can be made clear for anyone to read by a new trial, so that the jury's determination of the facts in this case will not be distorted and added to an already sordid 1900 year old record of distortions, imaginations, conjectures and theories based on what one wishes to believe.

RECOMMENDATIONS

The following is suggested merely by way of remedies, to complete the record, and correct some of the past and present omissions and mistakes so that the real issues involved in this case are solidly in the record for proper review by the Supreme Court of Texas (and U. S. Supreme Court if it becomes necessary).

1) Thorough and complete psychiatric examination of Jack Ruby's life should be made with the help of such information as can be supplied by members of his family, friends, record of the Army or any other records or sources of information.

PETITION TO RE-CONSIDER ORDER DENYING NEW TRIAL - OR TO VACATE VERDICT.

2) Since no claim or appeal has been filed, a motion for reconsideration of the Order denying the motion for a new trial or to "vacate the verdict," should be filed before Judge Brown outlining and pinpointing the foregoing Anti-Semitic remarks. The other items should be described as 'newly discovered evidence' supported by affidavits of psychiatrists who have examined him since the trial. See 163 Texas Cr. Ap. 27; 290 S. W. 2nd 234.

Judge Brown, if properly motivated and courageous, could order a new trial on his own motion.

"TRUST AND CONFIDENCE" IS AN ESSENTIAL PART OF MEDICAL TREATMENT, ESPECIALLY IN MENTAL CASES.

To TREAT RUBY

The doctors selected, must be those in whom Ruby can have complete trust and confidence, and be impartial. See 41 Am. Jur. Sec. 74, page 196.

The doctors chosen to treat Ruby must not be such who may be gathering evidence for the prosecution for other proceedings or in case a new trial is ordered by the Supreme Court of Texas.

Attempts have already been made for the prosecution to hide behind the claim that Ruby is now 'stir-crazy.'

" *** The section then provides that other experts may be sworn by either prosecution or defense. This is an idle provision, for in the face of the certificate of character, fitness, and ability given to the court experts by the court, experts summoned by either side would receive but scant consideration at the hands of the jury; their testimony would be swept aside in a breath. Juries are most anxious to ascertain the opinion of the court as to the guilt or innocence of the accused, and, ordinarily, more than willing to adopt that opinion as their own. Trial courts, therefore, in doubtful cases, have jealously guarded their own opinions in order that juries might determine controlling facts uninfluenced by the mental attitude of the judge.

"The expert witnesses provided for by this section testify under a sanction which gives to their testimony practically the same weight as if it were delivered by the court itself, and if that testimony, being against the accused, were either wilfully false or ignorantly mistaken, its baneful results would be appalling. To give to the testimony of a witness or witnesses this extraordinary certificate of candor, ability, and truthfulness, while the other testimony in the case must be judged by the jury by ordinary standards, is to subvert the very foundations of justice. In People v. Vanderhoof, 71 Mich. 158 (39 N.W. 28), this court said: