

Ruby Trial Seating Told World Press

Telegrams were speeding their way around the world Monday advising newsmen about seating arrangements for the Jack Ruby murder trial, scheduled to begin Feb. 17 unless a change of venue is granted.

The wires also advised reporters that a briefing session will be held in Dallas Sunday to discuss pooling arrangements for covering the trial.

Judge Joe B. Brown has allocated only 48 seats out of the maximum 63 in his small courtroom for news representatives. Fifteen seats have been allocated to Dallas news media, 24 for the national press, six for international press, two for state media and one for an artists' pool.

Judge Brown said Monday he has not yet received any complaints about the arrangements, although many individual newsmen do not yet know whether they'll be allowed in or excluded from the courtroom.

About 60 visiting newsmen were in Dallas Monday as a change of venue hearing to move Ruby's trial from Dallas began. This number is expected to mushroom at a rapid rate when the actual trial begins.

About 250 formal requests for seats in the courtroom have been received.

John Gold of the London Evening News complained bitterly about the six seats allocated to foreign reporters.

"Foreign reporters will be here by the scores," he said. "As far as I can see we've been shut out."

Tony Delano, London Daily Mirror said, "If I'm excluded I'll feel very bad since I represent the world's largest newspaper, with 5 million circulation."

Ed Linn, Saturday Evening Post commented: "We've asked for two seats—one for myself and one for an artist—and we'll be disappointed if we don't get them."

Louise Hudkins, Houston Post, said, "It's unfortunate its such a small courtroom, but they're doing the best they can."

Stan Redding, Houston Chronicle said, "We've been assured we'll have a seat in the courtroom. We intend to have five men covering the trial."

Sam Oste, Dauens Nyheter (Sweden) added: "It's strange that they can't change to a larger courtroom. I'll be unhappy if I'm not permitted in the courtroom, but if a pooling arrangement is the best they can do, I'll have to accept it."



AP Wirephoto by Eamon Kennedy

Jack Ruby displays variety of expressions in talks with newsmen.

TRUTH HAS COME TO ME

Jail Cell Bible Reading Confided by Inspired Ruby

By JIM LEHRE
Staff Writer

Jack Ruby confided Monday in a breaking voice that his reading of the Bible in his jail cell had given him a new slant on life.

Talking with newsmen in Judge B. Brown's courtroom minutes before his change of venue hearing began, the balding nightclub operator who killed Lee Harvey Oswald said:

"The truth has come to me during my incarceration."

Ruby said that reading Genesis and other books of the Bible has helped him to "grasp the meaning of the Bible."

"I said he has learned further that he can develop a close-knit couple of another faith. He had a tremendous effect on me," he said.

Ruby declined to name the individual of the faith with particularly high regard to him and said that people can find in and have faith

in the same God," he said, his voice cracking and tears swelling in his eyes.

In answer to newsmen's questions, Ruby said that he was feeling well and had managed through reading the Bible to avoid "thinking of anything material at this time."

"I'm trying to forget the things that I was involved with on the outside," he said.

Ruby said a message delivered to him from Barney Ross, the Marine hero and prize fighter, had also been a big boost to his morale.

Noting that he had known Ross for 40 years, he said the well-known personality had told Ruby's sister, Mrs. Eva Grant, that "he would rather be in here than me."

He said Ross called Mrs. Grant from New York with the message and told her that he had known Ruby for many years and had never given him a "knock."

Ruby explained that a "knock" means a derogatory remark.

The nightclub operator said he was continuing to receive large amounts of mail and he said it has all been "for me."

Ruby said anticipating the mail is the high point of his days in jail.

He said he exercised daily doing pushups and situps, mostly, and he noted that he had not lost any weight since being jailed.

"I had been on a diet before this happened and now I am back up to my regular weight," he said.

Ruby praised Sheriff Bill Decker and his deputies for the treatment he has received in jail, labeling the sheriff "a great man and a great human being."

"I consider him my friend and I hope he accepts me as his friend," he said.

As for his fellow prisoners, they speak to him cordially, Ruby said. "They're all for me."

"Of course. I'm isolated from them," he said.

Ruby also confirmed that he had

written notes which served as the basis for an autobiographical series which appeared in a score of newspapers in the United States and Europe.

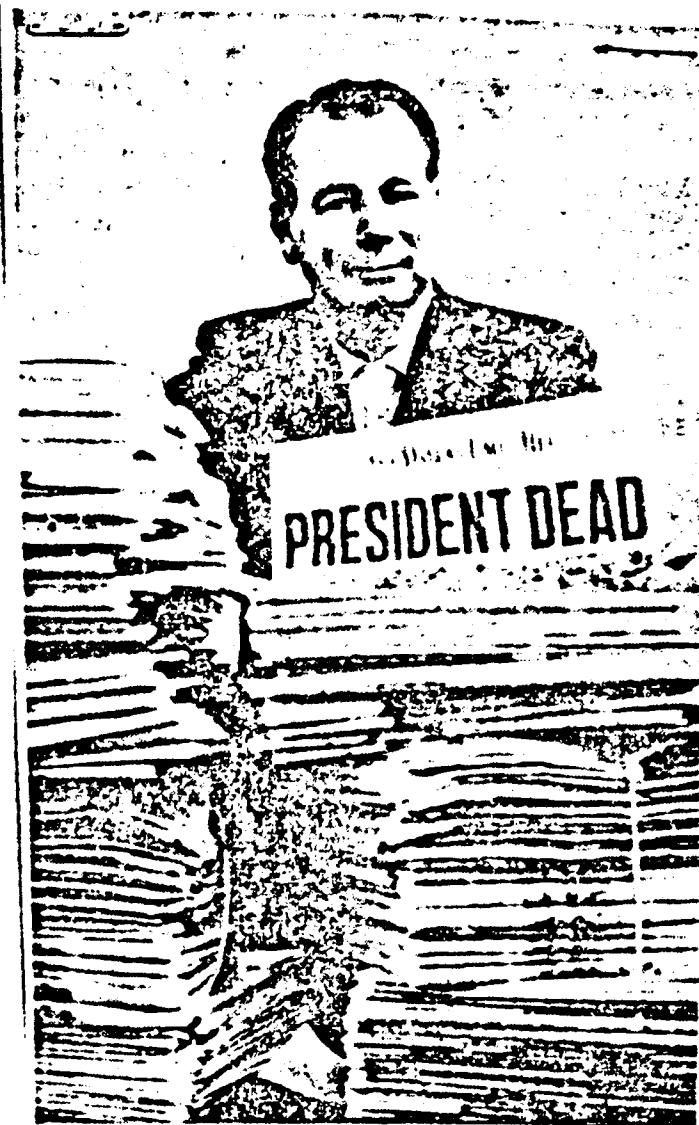
Ruby's interview was conducted amidst the crush and push of some 25 newsmen seeking information about his life in jail.

Melvin Belli, one of Ruby's lawyers, admonished his client at the beginning of the interview to follow the example of the groundlings and "just give your name, rank and serial number."

Mr. Belli and fellow defense attorney Joe Tonahill on several occasions interrupted the interview to warn Ruby against answering certain questions.

One of those questions was: "Jack, do you think you could get a fair trial in Dallas?"

Mr. Belli said, "I don't think he should answer that, because if he said 'yes' there wouldn't be much point in our being here today."



FOR THE RECORD

Times Herald City Circulation Manager Dean Campbell gathered this pile of newspapers representing every issue published by The Times Herald since the assassination of President Kennedy. He was subpoenaed by defense lawyers in the Jack Ruby case, who want the newspapers introduced into the record.—Staff Photo.

Ruby Asks Court Shift Of Trial From Dallas

DALLAS, Feb. 10 (AP).—Jack Ruby's defense chief asked today that Ruby's trial on charges of murdering President Kennedy's accused assassin be transferred to another city without going into any evidence. District Judge Joe B. Brown overruled him.

The chief defense attorney, Melvin Belli, made the request after Judge Brown ruled against him on a motion that would have required the State to turn over to the defense all its evidence against Ruby.

An attempt by Mr. Belli to read aloud newspaper stories about the killing of Lee Harvey Oswald by Ruby was turned down also.

Ruby shot Oswald on November 24, two days after Oswald was charged with murder in the assassination of President Kennedy and the killing of Dallas patrolman J. D. Tippit.

Ruby, 52, returned to court to watch his lawyers fight to have his trial moved to another city on the ground that he cannot get a fair trial here.

District Attorney Henry Wade said he would not object to having the newspaper stories entered in evidence, but did not want them read aloud. Judge Brown agreed, saying that if they were all read into the record "we will be here for 25 years."

Ruby talked at length with newsmen before the change of venue hearing began.

Fighting back tears, he said mail from many people and a telephone message relayed to

him from ex-boxer Barney Ross had given him a big lift while in jail.

Unless the case is transferred, Ruby's trial is scheduled to begin in Judge Brown's court on February 17.

The defense claimed "Dallas County cannot judge Ruby fairly while the State, the Nation and the world judge Dallas."

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

- The Washington Post and Times Herald _____
- 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 _____

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Tolson _____
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 Gandy _____

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(RUBY)

DALLAS--MEMBERS OF JACK RUBY'S HIGH-POWERED DEFENSE BATTERY SAID TODAY THEY WERE "DEFINITELY CONFIDENT" THEY CAN FORCE HIS MURDER TRIAL OUT OF DALLAS AND INTO ANOTHER TEXAS CITY.

THE SLAYER OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD SAT PLACIDLY IN HIS MAXIMUM SECURITY JAIL CELL AWAITING HIS APPEARANCE IN COURT TOMORROW FOR A CHANGE OF VENUE HEARING TO DETERMINE WHERE THE TRIAL WILL BE HELD. SHERIFF BILL DECKER SAID THE 53-YEAR-OLD STRIP-TEASE NIGHTCLUB OPERATOR "APPEARED CALM."

THE LEGAL BATTLE OVER WHERE TO HOLD THE TRIAL STARTS TOMORROW IN THE COURTROOM OF CRIMINAL DISTRICT COURT JUDGE JOE B. BROWN. HE HAS SCHEDULED THE TRIAL TO START IN DALLAS FEB. 17, IF CHANGE OF VENUE IS NOT GRANTED.

DISTRICT ATTORNEY HENRY WADE WAS FIGHTING TO KEEP THE TRIAL IN DALLAS, WHERE RUBY SHOT OSWALD BEFORE A NATIONWIDE TELEVISION AUDIENCE LAST NOV. 24.

LED BY FAMED SAN FRANCISCO ATTORNEY MELVIN BELLI, THE SIX-MAN DEFENSE TEAM HELD DAY-LONG STRATEGY SESSIONS TODAY IN A DOWNTOWN DALLAS HOTEL.

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WASHINGTON CAPITAL NEWS SERVICE

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Dallas to Go on Trial In Ruby Venue Hearing

BY ED JOHNSON
Star-Telegram Writer

DALLAS, Feb. 8—Dallas will stand trial Monday when Jack Ruby's gilt-edged defense voices an impassioned plea to get his murder case moved out of here.

The defense—in a hearing before District Judge Joe B. Brown—will attempt to forge a case against Dallas, its residents and its news media.

The argument is that Ruby can't get an impartial jury here because of the feelings stirred by the assassination of President John F. Kennedy and the slaying of Lee Harvey Oswald.

The state is expected to oppose feverishly the defense contention.

THE CHANGE of venue hearing will determine whether strip joint operator Ruby goes on trial Feb. 17 for murdering Oswald or whether the case goes to another county for a court setting later.

Melvin Belli, Ruby's chief defense strategist, has subpoenaed 170 witnesses for the

venue hearing—at last count, that is.

The list is an unofficial "Who's Who in Dallas County"—an array of luminaries in the city's business, religious, educational, governmental and cultural life.

That collection has prompted Judge Brown to reserve another courtroom to closet them while they await their turn on the stand.

To use the Texas vernacular, Belli is trying to put Dallas between a rock and a hard place in convincing the court anywhere would be better than here.

Rumors have flowed that Dallas powers are on both sides of the fence about the murder trial here. Talk of pressures to keep or move it is common.

One side is the contention that Dallas has reaped enough abuse from the tragic events of late November.

That school doesn't cotton to the thought of Dallas datelines continuing to go everywhere in the world day after day.

THE OTHER feeling is that the whole mess began in Dallas so Dallas should see it to its conclusion, that is, justice should be done here.

Belli, moving like a courtroom fox, has noted these differences of opinion in a 35-page brief, printed in pamphlet form, which he already has submitted to the court.

This includes quotes from the Dallas Morning News, and the sources are none other than Texas Attorney General Waggoner Carr and Dallas District Attorney Henry Wade, the chief prosecutor. Both are on Belli's subpoena list.

The story on Carr published at the time he was talking about a court of inquiry into the assassination is cited in the brief in part:

"There was speculation that the Dallas civic leaders asked Carr to hold the investigation elsewhere because of the notoriety Dallas has already received as a result of the assassination of President Kennedy."

Belli caught Wade with his words down a few days after Ruby was charged—at the time he told the news media he would ask the jury to convict Ruby of murder with malice. Wade is quoted as saying:

"Our whole judicial system will be on trial. This trial will determine whether Dallas has a government based on the orderly process of law or a government in which an individual can take the law into his own hands."

BELLI EVEN JUMPS the Atlantic to the London Daily Express ("The disgrace of the Dallas police is complete") in his effort to show Dallas is in a hanging mood to compensate for the November murders. Judge Brown has the books



ED JOHNSON

(Indicate page, name of newspaper, city and state.)

16 "Ft. Worth Star Telegram" Ft. Worth, Texas

Date: 2-9-64
Edition:
Author:
Editor: John Ellis
Title:

Character:
or
Classification:
Submitting Office: Dallas

TOP CLIPPING
DATED 2-9-64
FROM
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128 FEB 19 1964

to consult in ruling on the change of venue but the rub is in the discretionary powers the statutes give to the court. He faces that forensic tight-rope with the defense cat-like in its eagerness to pounce on any ruling that might bring, at a later date, a mistrial or a reversal, circumstances that no jurist fancies.

A Fort Worth judge appraised the Star-Telegram of some of the pitfalls in the change of venue law.

Judge Brown may cut the hearing off at any time, saying he has heard enough testimony to convince him, one way or the other, about getting a fair and impartial jury here.

If, after hearing a handful of Belli's witnesses, the judge rules the trial should be moved, then move it he does without another verbal shot. The state has no relief from that decision.

"But," commented the judge, "if the court denies a change too quickly, watch out!"

IF THE MURDER trial jury returns an adverse verdict against Ruby, then Belli most certainly would argue that the court abused its discretion.

He would tell the appellate court that Brown acted capriciously or whimsically in not hearing out enough of his witnesses. Such contentions can win reversals.

Earlier, Belli also said he might go to the federal courts for relief if Judge Brown does-

n't heed his cry for a change.

There is nothing unusual about the burgeoning list of those subpoenaed, the Fort Worth judge said.

"In small towns, a lawyer will sometimes go as far as to subpoena everybody to show the defendant can't get a fair trial in that town," he said.

THE STELLAR list of personalities Belli has called also is meaningful. Here are a few:

Business, Industry, Labor—Stanley Marcus of Neiman-Marcus; Erik Jonsson, Texas Instruments board chairman; Robert Stewart, First National Bank president; Allen Maley, Dallas AFL-CIO secretary-treasurer.

Religion and Education—Dr. Willis Tate, president of Southern Methodist University; Episcopal Bishop Avery Mason; Catholic Bishop Thomas K. Gorman; Methodist Bishop William C. Martin; Dr. E. S. James, Baptist Standard publisher; Rabbi Hillel Silverman, Ruby's pastor.

Government and Law — For-

mer Mayor Earle Cabell; U. S. District Attorney Barefoot Sanders; Sheriff Bill Decker; Police Chief Jesse Curry; Wade and Carr.

Also summoned are more than a score of newspapermen, from editorial writers to police reporters.

BELLI'S OBJECT in summoning such lights is simple—they supposedly have the competence, the education, the contacts to know what the temper of the city really is.

"The words of the high powered people carry more weight than Bob Smith or Jim Jones on the street," the Fort Worth judge noted.

The law also states that a change of venue should be to the next adjacent county "where prejudice does not exist."

That, of course, is again up to the judge's discretion.

And the prosecution is apt to argue that it would be difficult to find a county anywhere in the nation where feelings do not run high.

The usual procedure in Tex-

as in venue changes is to move half a dozen counties away.

Prosecutors follow the case but it is unusual for a judge to move with a change of venue, the Fort Worth jurist said. This involves some change-of-bench paperwork.

THE CATCH phrase, "trial by newspaper," will be aired at the hearing. Lawyers will argue the cast of characters involved are portrayed differently in print from real life.

Belli devotes half of his brief to quotes from newspapers. Some claim "adverse publicity" against Jack Ruby, the judge, the attorneys, the city.

He said the mind of Dallas has been inflamed because of such phrases:

"Jack Ruby, the man who thought two wrongs make a right, a swaggering, fat-fingered, sapphire-ringed man; a health faddist and a preener."

And, "Jack Ruby, he runs a girly show."

And, "Ruby was a tough guy around the club . . . he even had his own little jail." (A

published statement from an inmate at Huntsville.)

And, "Ruby's flamboyant attorney, Melvin Belli." (Belli fumes at the word "flamboyant.")

And, "Dallasites flooded churches in search of answers."

And, "Arab newspapers seized on the fact that Jack Ruby, charged with killing Oswald, is a Jew."

And, "If the world thinks Dallas has been loose and informal, wait till they see Judge Brown."

Dallas Trial Hit With 22 Reasons

Special to the Star-Telegram

DALLAS, Feb. 8 — Defense attorney Melvin Belli opposes Jack Ruby's murder trial in a building a few feet from the spot where President John F. Kennedy was cut down and a dozen blocks from City Hall where Lee Harvey Oswald was slain.

He feels there are at least 22 factors which "have so simmered in Dallas County as to preclude the probability of a fair trial for Ruby." As listed by Belli, they are:

1. "Assassination of President Kennedy on a Dallas street.
2. "Assassination site close to the courthouse where Jack Ruby will be tried.
3. "Assassination site still visited and flowers are still placed near by.
4. "Assassination and shooting of Oswald are conceptually intertwined. . . .
5. "DALLAS blamed directly and indirectly for the assassination of the President.
6. "Dallas blamed for allowing the shooting of Oswald.
7. "Dallas representatives have expressed feeling of re-creation publicly.
8. "Dallas County's deprivation of prosecuting Oswald could find atonement in the persecution of Ruby.
9. "Revulsion over Stevenson spitting and efforts to blame Dallas for such incidents.
10. "Dallas blamed for promoting extremism.
11. "Dallas County can not judge Ruby fairly, while state, nation and world judge Dallas.
12. "Publicity regarding fear of political and economic reprisals against Dallas.
13. "SUBLIMINAL effect on Dallas jury of the publicity against the Dallas community.
14. "Dallas District Attorney Henry Wade published a pre-trial demand for the death of a citizen who is charged with killing the vicious assassin of the President.
15. "Adverse publicity concerning Ruby's legal counsel and clearance by the Dallas Bar's grievance committee of district attorney's press releases.
16. "Such extreme pressure and publicity that trial judge needed services of public relations expert.
17. "Necessity of taking extreme security precautions for transfer of Ruby to county jail, undisclosed location of jail cell, newspapers' own security precautions, and protection of courtroom for bail bond hearing.
18. "Adverse local press stories carrying innuendos of conspiracy between Ruby, Oswald and Communists.
19. "Threats of physical violence against other citizens of Dallas after assassination of the President and shooting of Oswald.
20. "ADVERSE LOCAL press referring to Ruby as 'tough guy, Chicago mobster and strip joint operator.'
21. Anti - semitism against Ruby sparked by publicity that name has been changed from Rubenstein.
22. "Such strong local prejudice that Parkland Hospital, which treated the avowed Marxist, Oswald, initially refused to permit Ruby to undergo tests that were to be made available to defendant's counsel, the state and the Warren commission."

(Mount Clipping in Space Below)

DUE IN COURT MONDAY

Round 3 for Ruby

By CARL FREUND
News Staff Writer

Jack Ruby needed only a second to fire a lethal bullet into Lee Harvey Oswald, before millions of television eyewitnesses.

But lawyers may spend months in courtrooms before there is a final verdict on whether the balding striptease club manager committed murder when he shot the 24-year-old Marxist accused of assassinating President Kennedy here.

Sheriff Bill Decker's deputies will form a human shield again Monday and escort Ruby from his county jail cell into Criminal District Court No. 3.

The courtroom appearance will be Ruby's third. Two bond hearings ended with officers returning the 32-year-old defendant to his cell, where he has been held since the Nov. 24 slaying.

This time Judge Joe B. Brown will hear testimony and arguments to determine whether Ruby should stand trial in Dallas or another county.

DEFENSE LAWYERS want the case transferred. Dist. Atty. Henry Wade doesn't.

Ruby is scheduled to stand trial Feb. 17 if Judge Brown denies the defense request.

Courthouse officials have mailed notices to 300 prospective jurors—a record number for Dallas County—but there is speculation Ruby's lawyers would seek a postponement.

If Judge Brown transfers the case, the decision would cancel the trial date automatically and the judge of the new court would set another date. Members of the jury panel for Feb. 17 would still report to the courthouse here, but many would be excused after arriving there.

The defense request for a transfer is known legally as a plea for a change of venue.

(Dictionaries show the word

(Indicate page, name of newspaper, city and state.)

20 "The Dallas Morning News" Dallas, Texas

Date: 2-9-64
Edition:
Author:
Editor: Jack B. Krueger
Title:

Character:
or
Classification:
Submitting Office: Dallas
 Being Investigated

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68 FEB 20 1964

"venue" derives from the Latin "venire" and refers to "the place for coming into court.")

Defense lawyers have subpoenaed public officials, pastors, business and social leaders and newspaper reporters for the hearing.

THE ATTORNEYS claim Ruby could not get a fair trial here because of news stories about the case and the feeling among many Dallas residents that a death penalty would improve the city's image.

Wade, who denies this feeling exists, will try to limit defense testimony.

Referring to a ruling by the Court of Criminal Appeals in the Billie Sol Estes case, the district attorney says the matter boils down to one basic point:

Could lawyers get a jury here which would disregard what its members may have seen on television or read in newspapers — a jury which would decide the case strictly on the basis of courtroom testimony and legal instructions given by the judge?

Judge Brown has said he would like to "go with the case" and preside in the new court if he transfers it to another county. This could be done, but is not normal procedure.

IF NORMAL procedures are followed, the judge of the new court would decide. Its district attorney would join Wade in prosecuting the case.

Since he would be more familiar with residents of his county and their backgrounds, the prosecutor there would take the lead in questioning prospective jurors.

Then Wade and his assistants

William Alexander, A. D. Jim Bowie and Frank Watts — would present testimony with which they hope to send Ruby to the electric chair.

State laws do not provide for an immediate appeal to the Texas Court of Criminal Appeals by defense lawyers if Judge Brown denies their request. However, the appeals court could consider the denial in deciding whether to grant a new trial if Ruby is convicted.

Attorney Melvin Belli of the defense staff has hinted that he may go into the federal courts if Judge Brown orders lawyers to attempt to pick a jury here.

AN APPEAL to the federal courts could result in a postponement of the trial.

If Ruby stands trial here, Judge Brown will face a problem which even Solomon, with all his wisdom, probably could not have solved.

More than 350 reporters plan to converge on Dallas to cover the trial for newspapers, magazines, radio stations and TV networks throughout the world. But Judge Brown's courtroom is one of the smallest here and he says only 48 seats will be available for press representatives.

Judge Brown and Sam Bloom, a Dallas advertising and public relations executive who is serving as his press adviser, pondered various suggestions.

They recognized there was no solution which would please everyone.

Saying he was "doing the best I can under the circumstances," Judge Brown spelled out "ground rules" Friday for press coverage of the trial if it is held here.

JUDGE BROWN specified the number of seats which he would make available to various segments of the press, such as na-

tionally circulated magazines and newspapers.

The plan involves "pool arrangements" among reporters.

These are often used in covering presidential conferences and other news stories where space is limited.

One reporter inside the courtroom would represent numerous newspapers in addition to the paper for which he worked. He would make his stories available to those unable to get into the crowded courtroom.

Radio stations would use similar arrangements.

In addition, Judge Brown said, the court would make official copies of testimony available to reporters at intervals throughout the trial.

Judge Brown said he also wanted to "clarify the role" of the Bloom Agency.

THE JUDGE said it is "in no way acting as a public relations agency" or trying to tell reporters how to write their stories.

Judge Brown said Bloom and members of his agency are merely assisting in the "basic mechanics" of press coverage. He said they answer requests for credentials, provided identification badges, and perform other similar tasks.

Defense lawyers implied earlier that Dallas civic leaders hired Bloom as a "press agent" for the trial because they wanted to keep the city's image from becoming even more tarnished.

Judge Brown said, however, that Bloom volunteered his services.

"I welcomed his services," the judge said. "I don't have the background or time to take care of all the details in making arrangements for the press."

Bloom knew he had a thankless task. Regardless of what plan the court followed, numerous re-

porters would be unhappy — and some would likely be bitter. But he worked to achieve the most reasonable and equitable arrangements possible.

TESTIMONY at the trial will center on Ruby's mental condition when he fired the shot.

Prosecutors will say Ruby planned the slaying and then carried it out in the erroneous belief it would bring him fame and fortune.

They will say Ruby is guilty of murder with malice and will call for the death penalty.

Should the jury convict Ruby of this charge, it could send him to the electric chair or assess a prison term ranging from 2 years to life.

Defense lawyers will argue that, if Ruby is guilty of murder, it is murder without malice. The maximum sentence on that charge is 5 years in prison.

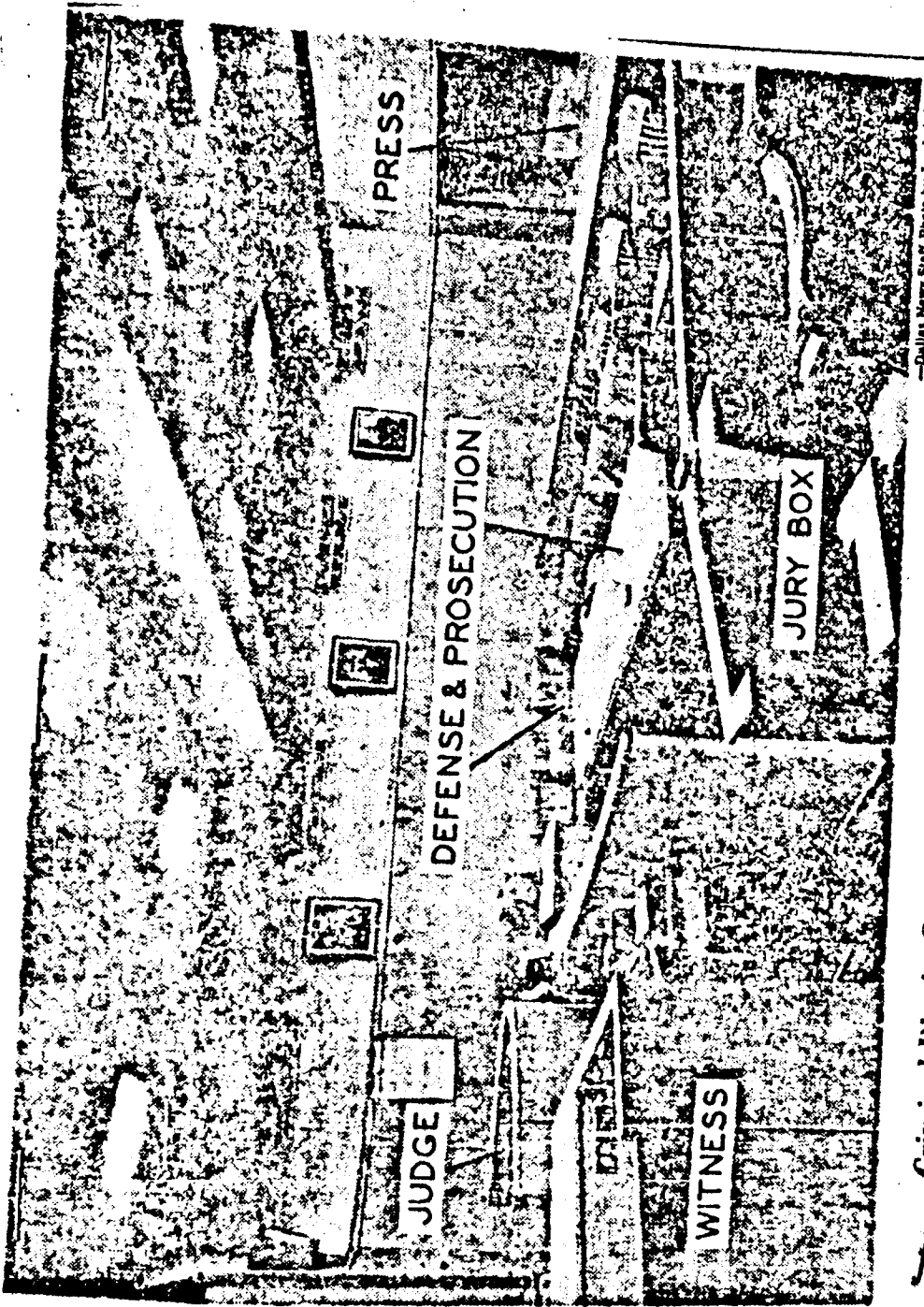
The lawyers will say, however, that they are convinced Ruby did not know right from wrong when he fired the shot. If jurors agreed, they would find the slayer innocent of murder, since he would have been insane in the eyes of the law.

RUBY WOULD go free if the jury said he was insane at the time, but sane now. If jurors decided he had not regained his sanity, he would go to a state mental hospital.

The legal battle would end abruptly if jurors found Ruby innocent. Wade could not appeal. But, if jurors found Ruby guilty and imposed a severe penalty, his lawyers would appeal to the higher courts.

They would go to the Court of Criminal Appeals and, if turned down there, could go into the federal courts by raising a constitutional question.

This would take months — perhaps years.



—Dallas News Staff Photo by Joe Laird.

— Criminal District Court No. 3: It'll be packed for Ruby hearing Monday.

(Mount Clipping in Space Below)

Seats Allocated For Ruby's Trial

District Judge Joe B. Brown has announced that 48 seats will be allocated to newsmen if the murder trial of Jack Ruby remains in Dallas County.

In a meeting with press representatives in the small courtroom in which Ruby is scheduled to go on trial Feb. 17 for the murder of accused assassin Lee Harvey Oswald Judge Brown Friday outlined the limited press facilities.

Viewing the more than 300 requests from newsmen for seats in the courtroom, which will accommodate only approximately 60 people, he said, "I am forced to lay down certain procedures for the press."

TV COVERAGE OUT

The judge announced that all audio-visual transmissions from the courtroom during the trial had been overruled.

An adjacent courtroom, Dallas

Probate Court, was designated a press room, and the official transcripts of the testimony was promised members of the press.

Inside the courtroom 48 seats were to be made available on the following basis: national press, 24; Dallas-Fort Worth press, 15; international press, six; state press, two; and artists' pool, one.

SEATING ARRANGEMENTS

A further breakdown of seating arrangements issued to newsmen on a mimeographed sheet explained The Dallas Times Herald and the Dallas Morning News would be allotted three seats each.

Other Dallas-Fort Worth media representatives were to be assigned one seat in the courtroom, including, KRLD-TV (Channel 4), KTVT-TV (Channel 11), WFAA-TV (Channel 8) and WBAP-TV (Channel 5). The Fort Worth Star-Telegram and the Fort Worth Press were assigned one seat each. Three seats for local radio stations were to be made available.

The 24 seats for the national press were assigned as follows: The Associated Press, three; United Press International, three; Columbia Broadcasting System, two; National Broadcasting Co., two; American Broadcasting Co., two; and one seat to each of these—Time, Life, National Observer and New York Times.

In addition six seats for national newspapers were to be made available.

The six seats for the foreign press were to include four for a pool arrangement, and two for Reuters.

The Ruby venue hearing was scheduled to begin at 9 a.m. Monday and approximately 170 persons called as witnesses.

(Indicate page, name of newspaper, city and state.)

4 "The Dallas Times-Herald" Dallas, Texas

Date: 2-9-64
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas
 Being Investigated

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XOP CLIPPING

DATED

FROM

MARKED FILE AND INITIALED

68 FEB 20 1964

(Mount Clipping in Space Below)

ANSWER DUE
Can City
Be Fair
To Ruby?

By **JERRY RICHMOND**
Staff Writer

Can the slayer of President Kennedy's accused assassin get a fair trial in Dallas?

One man, a judge, must decide the question this week after opposing attorneys ask all or some of 170 Dallas citizens their views about the three days in November that all mankind shared.

The legal question over the location for the murder trial of Jack Ruby will be posed at 9 a.m. Monday in the small, lined-oak court-

(Indicate page, name of newspaper, city and state.)

1 "The Dallas Times-Herald" Dallas, Texas

Date: 2-9-64
Edition:
Author:
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Title:

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District Judge Joe B. Brown. The decision about the time and place to try Ruby for shooting accused assassin Lee Harvey Oswald is his alone.

170 SUBPOENAED

Ruby's lawyers say he can't get a fair trial in Dallas because of widespread publicity given the case. They have subpoenaed 170 Dallas citizens representing a cross-section of community life to support their contention.

Opposing attorneys will seek to settle the question with testimony and then cross-examination of the citizens called for the hearing.

District Attorney Henry Wade is expected to lead the prosecution team in cross-examining the civic leaders, businessmen, officials, educators, religious leaders and newsmen subpoenaed for the hearing.

The prosecution contends Dallas is the proper place to try Ruby because the law provides, except in cases where a fair trial cannot be obtained, the accused should be tried in the county where the crime occurred.

DEFENSE STAND

The defense, headed by Melvin Belli of San Francisco and Joe H. Tonahill of Jasper, seek to remove the case from Dallas County. They say Dallas County cannot judge

Ruby fairly, while the state, the nation and the world judge Dallas," they claim in an application for change of venue.

Although no subpoenas have been issued by the state for witnesses to appear Monday, Mr. Wade has said he will cross-examine those called by the defense and will introduce affidavits to support his office's stand.

The hearing, in which Ruby will make his fourth courtroom appearance since his arrest, could last a full week. His trial is set for Feb. 17, and 800 veniremen have been summoned to appear for possible selection as Ruby's jury if the trial is not transferred from Dallas County.

Mr. Tonahill said Saturday the defense "fully intends to call all the witnesses subpoenaed for the hearing." He said the defense is prepared to present evidence throughout the week.

"And longer if necessary," he added.

Witnesses called by the defense will report at 9 a.m. Monday to be sworn in. The rule of evidence, which prevents them from discussing the case or appearing in the courtroom during the hearing, is not expected to be involved, according to both prosecution and defense spokesmen.

Because of limited space in the courtroom, only about 60 can be seated inside the court. Arrangements have been made to house the witnesses waiting to testify in the Fifth Civil Appeals Court on the sixth floor of the Records Building. Many witnesses have arranged to be available on 30-minute call by the court, including members of the Dallas City Council and a number of newsmen.

A Ruby defense spokesman said Saturday an agreement had been made with Dallas City Attorney Henry Kucera to excuse the subpoenaed members of the City Council until Tuesday because of Monday's City Council meeting. These include Mayor Erik Jonsson and Councilmen Elizabeth Blessing and Joe Golman.

The judge's decision, according to law, will be based on what these Dallas citizens say on the stand and the application of their testimony to the laws governing venue.

(Mount Clipping in Space Below)

Seats at Ruby Trial Allocated to Press

By CARL FREUND

Judge Joe B. Brown allocated seats Friday for press coverage of the Jack Ruby murder trial and drew up "ground rules" for reporters.

Judge Brown said he would not allow television equipment cameras or tape recorders in his courtroom during the trial.

Ruby is scheduled to face a jury Feb. 17 in Criminal District Court No. 3 on a charge of murdering Lee Harvey Oswald, a Marxist accused of assassinating President John Kennedy here.

The trial date will be canceled, however, if Judge Brown decides at a hearing next week to transfer the case to another county.

Judge Brown noted he has only 48 seats available for the press in his small courtroom. But, he said, he has received requests from more than 300 reporters from throughout the world.

The judge said he studied various suggestions for "affording the most comprehensive coverage possible."

He said he decided, finally, to allot seats to various segments of the press.

Reporters within some of these segments will "pool" their coverage, the judge said.

This is an arrangement under-

which one reporter covers a news event and shares his stories or notes with others. It is often used when space is limited.

(When Gov. John Connally held his first "press conference" after he was wounded during the assassination, only one reporter was allowed to question him in his Parkland Hospital room.)

To help reporters, Judge Brown said, official transcripts of testimony will be furnished by shorthand reporters at intervals throughout the trial.

Judge Brown said he ruled out proposals for closed-circuit television which would allow reporters to watch the trial on TV sets in a "press room."

The jurist gave no reason for his decision, but reporters speculated he feared that some radio stations might attempt to broadcast proceedings by placing microphones near the TV sets.

Judge Brown said he had decided also against attempting to conduct the trial in a larger courtroom. The courtrooms of Judges J. Frank Wilson and Henry King are larger, but trials are sched-

uled in both on Feb. 17.

(Indicate page, name of newspaper, city and state.)

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65 FEB 20 1964

Houston Sure To Get Trial, Attorney Says

HOUSTON, Texas (AP)—Houston Atty. Percy Foreman feels sure the Jack Ruby trial will be shifted from Dallas, to Houston.

Defense attorneys for Ruby contend he cannot get a fair trial in Dallas in the slaying of Lee Harvey Oswald, accused assassin of President Kennedy. A hearing opens Monday at Dallas on a defense motion to move the trial out of Dallas.

Foreman, one of the most sought-after attorneys in Texas as a defense lawyer in criminal cases said Thursday night in an interview that Houston's size makes it the only city where the trial can be held.

"There's no other place in Texas where you could handle a case with that many witnesses," he said. "You've got to figure on hotel accommodations."

"I don't think there's a Chinaman's chance to get an impartial jury in Dallas—frankly, not here either.

"But everybody knows the case will probably come to Houston."

Foreman said he had been offered an opportunity to participate in the Ruby trial and also had been "offered employment in representing Oswald's interests before the Warren Commission" but he had declined in both instances.

Wade Against Shift of Trial To Houston

Dist. Atty. Henry Wade indicated Friday he would oppose Houston as a site for the Jack Ruby murder trial if Judge Joe B. Brown decides to move it out of Dallas.

"I don't think he should be tried anywhere that any story appeared," Wade commented.

The district attorney referred to a series of stories which appeared under Ruby's byline in newspapers in Houston, New York and other cities.

Wade said the stories are "obviously designed to create sympathy for Ruby."

A defense lawyer, Melvin Belli, told New York reporters this week he would be "tickled pink" to have Ruby stand trial in Houston. A Houston lawyer, Percy Foreman, said Wednesday he thought chances were good that Judge Brown would move the trial there.

Wade said he is confident a hearing next week will end with Judge Brown ruling that Ruby should stand trial here on a charge of murdering Lee Harvey Oswald.

(Mount Clipping in Space Below)

Ruby Lawyers Gathering To Plan Hearing Strategy

Defense lawyers for Jack Ruby were scheduled to gather in Dallas Friday to begin preparing for Monday's change of venue hearing.

Attorney Joe H. Tonahill of Jasper was to arrive in Dallas Friday and meet local attorneys, Tom Howard and Phil Burleson. Chief defense lawyer Melvin Belli, who has been in New York most of the week, was expected to join the group either late Friday or Saturday.

Meanwhile, Mr. Howard requested three additional subpoenas be added to the 170 al-

ready issued. Subpoenaed late Thursday were Dallas Bar Association President Hubert D. Johnson, Dallas News columnist Paul Crume and Leroy S. James of Richardson.

The hearing is slated to convene at 9 a.m. Monday in the court of District Judge Joe B. Brown with the defense attempting to support its claim that Ruby cannot be given a fair trial in Dallas for the Nov. 24 slaying of accused assassin Lee Harvey Oswald in the basement of the police station here.

Defense lawyers claim that Dallas is in effect on trial itself and

therefore cannot give Ruby a fair trial.

The state contends that a recent interpretation of the law governing jurors allows a person to serve even though they have read or heard about a case if the person says he can set aside what he has read or seen.

On this basis, the state will fight to keep the murder trial in Dallas.

Meanwhile, a noted Houston defense attorney said he believes Houston has "better than a 50-50 chance of getting the Jack Ruby trial," the Associated Press reported.

The attorney, Percy Foreman, made the remark in an interview Thursday night on radio station KTRH.

The Associated Press also quoted Mr. Belli as saying he would be "tickled to death" if the trial is transferred to Houston.

He said the defense would not ask for a delay of the trial if a change of venue is not granted, the Associated Press said.

"If they go ahead in Dallas, we'll go," Mr. Belli was quoted as saying. "But they won't have a case in any court that will stand up on appeal."

In other developments, officials of the central jury room were working on measures to provide room for the record 900 veniremen called for the week of the Ruby trial, Feb. 17.

The room seats 285 and extra folding chairs will seat about 100 more. A courtroom may also be used for the overflow and jury panels probably will be dispatched to courts as quickly as possible.

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DAMAGE SUIT PLANNED

Attorneys for Ruby Hit Back at Critics

Attorneys for Jack Ruby struck back at critics Thursday. Melvin Belli of San Francisco, the chief defense lawyer, announced in New York that he intends to file a \$15,000,000 damage suit against the publishers of the Saturday Evening Post.

Meanwhile, other defense lawyers subpoenaed Hubert D. Johnson, Dallas Bar Association president, who criticized Belli's conduct. The subpoena directs Johnson to appear Monday in Criminal District Court No. 3 for a hearing which will determine where Ruby stands trial.

Belli said the Feb. 8 issue of the Post carries an article "slanted viciously to make look ludicrous and ridiculous." He referred to an article entitled "A Flashy Lawyer for Oswald's Killer."

Belli was in New York to publicize a book he has written.

Defense lawyers also subpoenaed two other witnesses for the Monday hearing, bringing the number on their roster to 169.

The lawyers subpoenaed Leroy S. Jameson of 3435 Arapaho Road in Richardson and Dallas News columnist Paul Crume.

Judge Joe B. Brown will decide whether Ruby should stand trial in Dallas or another county on a charge of murdering Lee Harvey Oswald. While millions watched on television, Ruby shot Oswald after the 24-year-old Marxist had been accused of assassinating President Kennedy.

Johnson, who emphasized he was speaking as an individual, said Wednesday that Belli had violated canons of ethics of the American Bar Association and the State Bar of Texas by making statements about the Ruby case.

Johnson noted these canons specify lawyers shall not seek publicity.

Johnson said he does not believe Belli is subject to disciplinary action by the State Bar since he is not a Texas lawyer.

The Dallas Bar Association at its Friday meeting will hear District Judge Dee Brown Walker discuss proposed revisions in the Texas canons of ethics. One would strengthen Canon 17, which prohibits a lawyer from seeking

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62 FEB 21 1964

Houston 'Great,' Belli Says as He Talks Trial Shift

Melvin Belli said Thursday in New York he would be "tickled to death" if the Jack Ruby murder trial is moved from Dallas to Houston.

Belli, who said Houston is "terrific," "tolerant" and "great," made the comments in a telephone interview, the Associated Press reported.

The hearing will begin Monday in Dallas on a defense motion to change the site of the trial. The defense, headed by Belli, contends Ruby cannot get a fair trial here in the slaying of Lee Harvey Oswald, accused assassin of President John F. Kennedy.

Belli said if the change of venue is not granted the defense will not ask for further delay.

(Mount Clipping in Space Below)

Bar President, Judge Charge Belli Violated Code of Ethics

Attorney Melvin Belli, chief counsel for the defense of Jack Ruby, has been refused permission to participate in a personal injury lawsuit in Anchorage, Alaska, and the president of the Dallas Bar Association Wednesday said he believed Belli has violated ethical codes governing the conduct of lawyers in connection with the Ruby case.

Superior Court Judge Ralph Moody in Alaska told the Associated Press he had denied Belli permission to take part in the suit because he had violated professional ethics of the American and Alaska Bar Association last September in an interview with an Anchorage newspaper.

Belli denied the charges in New York Wednesday, the Associated Press reported.

Judge Moody was quoted by the Associated Press as saying Belli violated Canon 20 and Canon 27 of the bar codes. Canon 20, he described as saying public statements about pending court action may interfere with a fair trial, and Canon 27, he said, declares it unprofessional for an attorney to advertise himself directly or indirectly.

In the interview with the Alaska newspaper, Belli was quoted as saying he considered damages awarded by Alaska juries in personal injury cases too small, and

that insurance companies "are running the courts and the court calendars in Alaska."

"I did not violate any ethics. I made a statement which was true. I stick by the statement," Belli told the Associated Press Wednesday.

Hubert D. Johnson, president of the Dallas Bar Association, in saying Belli has violated ethical codes, said he was speaking as an individual. He added, however, that he believed his views represented the opinion of most Texas lawyers.

"The American Bar Association and the State Bar of Texas have canons of ethics," Johnson pointed out. "Among other things, they prohibit lawyers from trying their cases in the newspapers and from making public statements about their evidence and what they intend to prove."

"I do not believe any reputable lawyers like to see these canons violated, either by a member of the State Bar or by a lawyer trying cases in a Texas court by permission."

As chief defense attorney for Jack Ruby, who is scheduled to stand trial here Feb. 17 on a charge of murdering Lee Harvey Oswald after Oswald had been accused of shooting President Kennedy here, Belli wants the trial transferred to another county.

Belli told reporters in New York Tuesday that "the people of Dallas, perhaps unconsciously, have to have a sacrifice in order to cleanse themselves . . ."

Dist. Atty. Henry Wade termed the statement "too silly to warrant a reply."

Wade added that he has refrained "from trying this case in the papers," but has found this increasingly difficult as a result of Belli's tactics.

Since Belli is not a member of the State Bar here, Johnson said, the California lawyer is not subject to its disciplinary procedures.

Johnson said Belli, who has homes in San Francisco and Los Angeles, "paid lip service" to the canons when he first came to Dallas and indicated he would comply with them. But, the bar association president said, Belli "now appears to have a complete disregard" for the canons which prohibit a lawyer from publicizing his cases.

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900 Prospects Due Call for Ruby Jury

By CARL FREUND
Courthouse officials will mail notices Friday to 900 prospective jurors for the Jack Ruby murder trial.

They termed the panel "the biggest ever called" for a Dallas County criminal trial.

C. A. Maxwell, bailiff of the central jury room, said clerks are preparing the notices. They direct prospective jurors to report Feb. 17—the day Ruby is scheduled to stand trial on a charge of murdering Lee Harvey Oswald.

While millions watched on television, Ruby lunged forward in the City Hall basement Nov. 24 and fired a bullet into Oswald. The shooting came only two days after police had arrested Oswald as the No. 1 suspect in the murders of President John F. Kennedy and Patrolman J. D. Tippit. "We'll put the notices in the mail Friday," Maxwell said. "Those called for jury duty should receive them Saturday or Monday."

Normally, the bailiff said, only 650 men and women are called for jury service. An additional 150 were chosen for the week of Feb. 17 because of the Ruby trial.

Maxwell said he expects "about 300" to appear.

Others will fail to get notices because they have changed addresses or will claim exemptions.

Meanwhile, Judge Joe B. Brown of Criminal District Court No. 3 said he has arranged for witnesses

to use one floor of a building at 501 Elm St. as a "waiting room" during a hearing scheduled to begin Monday.

It will determine whether Ruby stands trial in Dallas or another county.

If the trial is transferred or delayed, Judge Brown said, numerous prospective jurors will be excused after they report Feb. 17.

Although defense lawyers have subpoenaed 165 witnesses for the hearing, Judge Brown said he hopes to complete it within three days.

Dist. Atty. Henry Wade said he will attempt to limit defense testimony and stop Ruby's lawyers from presenting evidence "which has nothing to do with his case."

Defense lawyers say Ruby cannot get a fair trial here because Dallas residents feel the city is "on trial." Wade says lawyers can choose an impartial jury here.

Chief defense attorney Melvin Belli declared in New York City Tuesday night that Dallas "has been deeply scarred" by the assassination of President Kennedy and the slaying of accused assassin Lee Harvey Oswald.

As a result, he continued, the people want to send Ruby to a "public abattoir (slaughterhouse) to cleanse themselves. They feel that the best way to prove that it is a law-abiding community would be to give him a fair trial—and then hang him," United Press International reported.

(Indicate page, name of newspaper, city and state.)

1
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Tactics of Belli Bring Criticism

The outspoken and flashy chief defense attorney for Jack Ruby found his professional ethics a matter of serious discussion Wednesday in Dallas—and in Anchorage, Alaska.

The head of the Dallas Bar Association, Hugh D. Johnson, said he personally felt that if Melvin Belli were a Texas lawyer he would be courting a visit by the State Bar's Grievance Committee.

Mr. Johnson referred to remarks made Tuesday in New York by Mr. Belli to the effect that Dallas had chosen Ruby as a scapegoat.

And Superior Court Judge Ralph Moody at Anchorage, Alaska, said Mr. Belli has been refused permission to participate in a personal injury case because of remarks in a newspaper interview.

Judge Moody referred to remarks by Mr. Belli accusing insurance companies of "running the courts" and the court calendars

in Alaska," according to The Associated Press.

Mr. Belli denied unethical conduct in the Alaskan incident. There was no immediate comment on Mr. Johnson's charge.

The San Francisco attorney prompted Mr. Johnson's criticism with a public remark that he was seeking a change of venue for the Ruby trial because "the people of Dallas, perhaps unconsciously, have to have a sacrifice in order to cleanse themselves, to prove that Dallas is a law-abiding community."

"They feel if Ruby is executed it would re-establish some sense of law and order," the Associated Press quoted Mr. Belli as saying.

Mr. Belli, in New York to promote a book he has written, described his client to newsmen as "a Damon Runyon character."

"He is a scrounger with a million and one different ventures. He builds up in his own mind

all sorts of grandiose ideas," Mr. Belli said.

Mr. Johnson said Canon 17 of the Texas Bar Association says that a member of the bar should not publicize pending litigation.

WANTED TO COMPLY

The Dallas Bar president said he understood that when Mr. Belli came to Dallas he indicated he wanted to comply with Texas Bar canons.

"Don't you see it (Mr. Belli's New York remarks) as a form of ignoring these canons?" asked Mr. Johnson. "It would seem to me that he is doing just what our canons forbid."

Mr. Johnson said, "If a Texas lawyer did the same thing he would be subject to a call by the State Bar functionaries (the Grievance Committee.)"

The bar's committee, he said, has the power to suspect a lawyer or — in aggravated cases — recommend his disbarment.

Dallas Dist. Atty. Henry Wade, commenting on Mr. Belli's actions, said he tried "to abide by the canons of the State Bar but its most difficult when you have an opposing attorney who violates the canons daily."

Mr. Johnson, in criticizing Mr. Belli, added that he felt "the state has not always been circumspect" in the Ruby case.

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Ruby Trial Facilities Unsolved

Problems of providing adequate space for witnesses, reporters and attorneys involved in the Jack Ruby change of venue hearing remained critical Wednesday.

Dist. Judge Joe B. Brown said negotiations have fallen through for use of a building adjacent to the Dallas County courthouse to house some 170 witnesses called by the defense for the hearing Monday.

The building at 501 Elm houses a garment factory, and a vacant space in the structure was thought available. Judge Brown said Wednesday he had been informed that because of some insurance technicalities, the space could not be used as a witness waiting room.

"We are still working on the problem of housing the unusually large number of witnesses called for next Monday's hearing," Judge Brown said.

The judge said he would confer further with courthouse officials in an effort to solve the space problem. He pointed out, however, that Dallas County courthouse facilities have long been crowded. Judge ~~Smith's~~ courtroom holds a maximum of 60 persons.

(Mount Clipping in Space Below)

By PAUL CRUME

WHILE DIST. Atty. Henry Wade and his assistant, Bill Alexander, were meeting with the presidential commission investigating the assassination of President Kennedy, someone mentioned that Jack Kuby had been out one day taking a picture of a sign on a lawn.

"What kind of sign?" asked Chief Justice Earl Warren.

"This is embarrassing, Mr. Chief Justice," said Wade, having worked up his courage, "but it was an 'Impeach Earl Warren' sign."

The silence was heavy for a moment.

"But, Mr. Chief Justice," broke in Alexander hurriedly, "it wasn't a very big sign."

The Chief Justice seemed hugely amused by the whole thing, but he observed that he was not quite as objective about the size of these signs as his Texas visitors might be.

"None of them seem small to me," he said with a grin.

At least, that's the story being told Monday around Joe Banks' cafe, which is as good a place as any to hear the gospel.

(Indicate page, name of newspaper, city and state.)

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68 FEB 20 1964

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Ruby Lawyers Call 76 More Witnesses

Attorneys for Jack Ruby subpoenaed another 76 witnesses Monday for the Feb. 10 hearing, which will determine whether he will stand trial in Dallas.

They included City Mgr. Elgin Crull, Superintendent of Schools W. T. White, County Judge Lew Sterrett, U.S. Dist. Atty. Barefoot Sanders, religious and business leaders, and newspapermen.

This brings to 165 the number of witnesses which defense lawyers have subpoenaed for the hearing in Criminal District Court No. 3. The lawyers contend Ruby could not get a fair trial here on a charge of murdering Lee Harvey Oswald, who had been accused of assassinating President Kennedy.

Dist. Atty. Henry Wade, who accused Ruby's lawyers of "frivolous conduct," contends the slayer could get a fair trial here.

Among witnesses on the new roster are Bishop Thomas K. Gorman, pastors of churches throughout Dallas, City Councilman Joe

H. Golman, Edward Marcus, Angus Wynne Jr., W. Dawson Sterling, Robert L. Thornton Jr. and R. D. Lee Starr.

Also subpoenaed was Mrs. Eleanor Cowan, the Dallas teacher who became the center of a controversy after she sent a letter to Time magazine.

Another defense subpoena directed John McKee, president of the Dallas Crime Commission, to bring commission records which relate to the "failure of Dist. Atty. Henry Wade to get indictments and prosecute 83 persons charged with murder during the past two years."

Meanwhile, Judge Joe B. Brown predicted at least 300 reporters and photographers from throughout the world would converge on Dallas for Ruby's trial if it is held here. Judge Brown said he will attempt to "make arrangements to accommodate everybody," although only 47 seats will be available in his courtroom for members of the press.

(Indicate page, name of newspaper, city and state.)

1
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68 FEB 20 1964

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- Mr. Tolson _____
- Mr. Belmont _____
- Mr. Mohr _____
- Mr. Casper _____
- Mr. Callahan _____
- Mr. Conrad _____
- Mr. DeLoach _____
- Mr. Evans _____
- Mr. Gale _____
- Mr. Rosen _____
- Mr. Sullivan _____
- Mr. Tavel _____
- Mr. Trotter _____
- Tele. Room _____
- Miss Holmes _____
- Miss Gandy _____

RUBY REPORTED IN CUBA IN 1962

Student Directorate Delegate Gets Word

Jack Ruby was in Cuba as late as last year, a New Orleans delegate of the Cuban Student Directorate asserted Monday.

Ruby is charged in Dallas, Texas, with slaying Lee H. Oswald, accused assassin of President John F. Kennedy.

Carlos Bringuer said Monday he was informed by the Miami headquarters of the Cuban Student Directorate that Ruby was in Cuba at the end of 1962 and the beginning of 1963.

He said a message was sent last week through the organization's radio program on WRUL in New York City to the group's agent in Havana named "Chevela."

The agent was asked to confirm or deny that Ruby had made a trip later than one in 1959 which was made known previously. The 1959 trip was reportedly an attempt by Ruby to negotiate a jeep trade deal.

The agent said, according to Bringuer, that Ruby arrived in Havana at the end of 1962, flying from Mexico, and stayed in Havana until January, 1963.

The agent reported that Ruby frequently visited a tourist store on the Paseo del Prado that was located immediately in front of the Hotel Sevilla.

(Indicate page, name of newspaper, city and state.)

Page 7 Sec. 1

THE TIMES PICAYUNE
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Lee Harvey Oswald,
aka-VICTIM (Deceased)

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Montgomery
R/R

B. Rubin
CR

44-24016-A-

OFFICE

F. L.
6-11-64

1 FEB 1964 44-24016

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RUBY TRIAL PANEL UPPED

Record 170 Venue Witnesses Demand Special Arrangement

Officials said Tuesday 250 extra jury summonses are being issued for the week of the Jack Ruby murder trial and that a privately-owned building will be used to house the 170 witnesses called for the Ruby venue hearing.

C. A. Maxwell, bailiff of the cen-

tral jury room, said he will summon 900 veniremen for the district courts the week of Feb. 17, when Ruby is slated to go on trial for the murder of Lee Harvey Oswald.

Normally 650 are summoned, Mr. Maxwell said, and several hundred of these are usually excused for various reasons.

Meanwhile, Judge Joe B. Brown announced that vacant space in a building adjacent to the courthouse complex will be used to house the extraordinary number of witnesses subpoenaed for the hearing on change of venue which is scheduled to begin Feb. 10.

The defense, which already had prepared 80 subpoenas for witnesses for the hearing, sought subpoenas Monday for 80 additional witnesses.

"Due to the lack of space and the large number of witnesses called for the hearing, a facility has been made available to the court at 501 Elm St. to accommodate the witnesses," Judge Brown said.

Judge Brown also said that after witnesses are sworn in before the court Monday a system probably will be devised which will allow most of the witnesses to be dismissed until the day they testify.

(Indicate page, name of newspaper, city and state.)

5 "The Dallas Times-Herald" Dallas, Texas

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~~Class~~ of other Dallas County criminal district courts pitched in Tuesday to help Judge Brown's clerk prepare the 80 new subpoenas sought by defense attorneys.

The list includes city government officials, employes of The Times Herald and other newspapers and radio stations, pastors and police officers and brings the total subpoenaed for the hearing to 170.

Sheriff's sources said most of the 80 subpoenas issued earlier have been served by a team of 14 deputy sheriffs. Serving of the new batch was to resume as they are typed and approved by the court.

The subpoena list included these Times Herald staffers:

Carl Burgen, Don Safran, Joe Sherman, Al Hester, Bob Jacksch, Jim Lehrer, Stewart M. Doss, Bob Fenley, John Schoellkopf, Bill Burrus, Bob Taylor, Warren Bosworth, Darwin Payne, Vivian Castleberry, Hunter Schmidt, George Carter, Frank Langston, Charles Dameron, Bob Hauton, Felix R. McKnight, Stan Weinberg and Bob Brock.

Also listed with Times Herald employes were a former staffer, Mrs. Conoly Hester; Associated Press columnist James Marlowe; syndicated columnist Henry J. Taylor, Newman McLarry and Dr. Lloyd V. Berkner.

Other newsmen subpoenaed were:

Bob Walker, Tom Perryman and Charles H. Britt Jr., all of Radio Station WFAA; Russell Knight of Radio Station KLIF; Wes Wise of Radio Station KRLD; Lorrie Brooks and John Brakeham of the Dallas Morning News; and Lorraine HUDKINS of the Houston Post.

Businessmen, civic leaders and government officials listed were:

Barefoot Sanders, Edward Marcus, Joe H. Golman, W. Dawson Sterling, Angus Wynne Jr., Mrs. Charles Marcus, James Smith, Mrs. Edwin C. Fritz, J. Howard Payne, Jack Goren, R. D. (Lee) Starr, Robert L. Thornton Jr., E. R. Haggar, M. M. Cress, Dr. W. T. White.

Also Andrew Armstrong, Elgin Crull, Bill Willis, Mrs. Eleanor Cowan, H. Louis Nichols, Clayton Fowler, Pierce McBride, Wayne Woodruff, J. R. Phillips, Judge W. L. Sterrett.

Dallas religious leaders and lay workers listed were:

Bishop Thomas K. Gorman, Dr. Dean Harrison, Rev. George French Kempell Jr., Mrs. Edwin Toblowsky, Rev. Oscar Huber, Mrs. Stanley Weinberg, Rev. Russell Muller, Dr. Robert Raible.

Law enforcement officers subpoenaed were:

Capt. H. M. Kriss, Sgt. R. A. Cox, Asst. Chief M. W. Stevenson, FBI Agent Ray Hall, Detective Joe Cody, Officer D. L. Blankenship, Lt. George Butler.

Four duces tecum subpoenas were issued requiring J. Dean Campbell of the Times Herald to bring all copies of all editions of The Times Herald from Nov. 22 through Feb. 10, Ray Zauber to bring all copies of his Oak Cliff Tribune, the circulation manager of the Dallas Morning News to bring all copies of all editions of his paper and for John McKee to bring records of his investigation of alleged failure of the district attorney's office in murder prosecutions.

Space at Ruby Trial Remains Problem

Dallas County officials appear no closer to solving the problem of providing working space for an expected 300 news media representatives who will be assigned to the trial of accused murderer Jack Ruby. Courthouse building supervisors have said they have working space for only about a dozen reporters

because all existing courtrooms will be in use during the trial if it begins on schedule Feb. 17.

Criminal Dist. Court No. 3, where Judge Joe B. Brown presides, has a spectator seating capacity for approximately 60. During the hearings already concluded only 40 seats were reserved for newsmen.

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BELLI IN POST

Ruby's Counsel Subject of Story

The Saturday Evening Post turns its attention this week to Jack Ruby's chief defense attorney, Melvin Belli.

In an article titled "A Flashy Lawyer for Oswald's Killer" — penned by Richard Warren Lewis — The Post's Feb. 8 issue focuses on the San Francisco lawyer as "one of the most successful, most controversial and most flamboyant of present-day lawyers."

Mr. Belli was quoted in San Francisco papers as saying he would sue the Post for enough to make the Wally Butts case look like it should have been in small claims court, if the magazine published the article.

The article centers on Mr. Belli's penchant for flamboyancy and controversy, quoting him as saying "I can afford to be flamboyant because I am a ---- good lawyer."

The Post feature dwells on Belli's courtroom technique and way of life, pointing out his pre-eminence in personal injury cases involving presentation of sometimes complicated medical testimony through models and special demonstrations.

The article covers Belli's three homes, including one with a \$16,000 bathroom, and his office—a three-story building which has become a sightseeing attraction—and the elaborate parties he likes to host.

His enjoyment of twisting the tail of what Belli terms "the monumental bureaucratic oppression of city government and major corporations" is touched on, including the presentation of racketeer Mickey Cohen as an Irish income tax expert to an American Bar Association meeting.

Belli claims to know as much "medicine" as law and the Post reviews the fascination psychiatry and psychology hold

for Belli and his use of such testimony in his trials.

Of the Ruby trial, Belli is quoted as saying, "What we're trying is whether Ruby was deprived of his senses—that's what no one saw. It will require the testimony of the finest psychiatric experts . . ."

(Indicate page, name of newspaper, city and state.)

7 "The Dallas Times-Herald" Dallas, Texas

Date: 2-2-64
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas
 Being Investigated

NOT RECORDED
128 FEB 19 1964

68 FEB 2 1964

TOP CLIPPING
DATED
FROM

MARKED FILE AND INDEXED

Ruby's Travels Included Trips to Cuba and Mexico

Last in a Series

By Jack Ruby
And William Read Woodfield

DALLAS — The following is the last half of an interview with Jack Ruby, who is to be tried in Dallas for the murder of Lee Harvey Oswald:

Q—We have heard that you traveled to Cuba. Would you tell us about this and about any other traveling you have done?

A—Well, three or four months ago I went to New Orleans and stopped off at Aetna to see Candy Barr (an exotic dancer). I spent two days with her. I was also in Houston. I haven't been back to Chicago since 1958.

Q—What about foreign travel?

A—I only went to Laredo and Juarez, Mexico. Also to Windsor, Canada, out of Detroit. I did go to Cuba in '59. I had a good friend there from Dallas named L. C. McWhiters (Las Vegas gambler). He wanted me to come to Cuba to see him. He sent me the plane ticket to Havana. I stayed 8 or 10 days.

Q—Did you have anything to do with Cuban politics?

A—No. I didn't fool around at all in any political activities in Cuba. I bought a ticket to a day-long celebration, that's all. I never went back and I had never been there before. And I haven't received any letters from Cuba.

Q—Did you ever run guns into Cuba?

A—No. But when Castro came into power, I thought Cuba was going to be a new and democratic country and I tried to sell them surplus jeeps. I was going into the G.I. surplus business. I saw a lawyer about it in Houston, Tex., but he told me I was too little a punk for such a deal. But there was no talk of gun running. A lot of people have called the FBI and told them a lot of things, just trying to get into the act.

Q—What organizations do you or did you belong to?

A—The Boy Scouts, the Democratic Party, the Variety Club and AGVA, the entertainment union. I was never a member of the Communist Party or any such thing, or any subversive organization. I made donations to Angels, Inc., which is a home in Dallas for homeless kids. As for the Fair Play for Cuba Committee, I do not belong to it, never belonged to it and I have never received any literature from it or any other Cuba organization. I once had an argument with some guy about communism and had to throw him out of the club.

Q—Have you ever had any trouble with mental illness? Or has your family had a history of mental illness?

A—Well, I've been hit on the head a few times but I don't have a metal plate in my head or anything like that. There's no history of mental illness. In 1958 my brother, Earl, had some problems and had himself committed to the Veterans Administration hospital. My mother, who passed away in 1943, thought my father was taking the children's love from her but I don't know if that means anything.

Q—Have you ever thought of suicide?

A—I was very depressed when my business failed in '52. I broke down completely. I wanted to commit suicide. I just stayed in the Cotton Bowl Hotel for several weeks. I didn't want to face people. I was ashamed of being a failure in Dallas. I left for Chicago. Earl helped me a lot. I found the courage to return to Dallas and I've been here ever since.

Q—Let's go into your feelings about the events of November 22

A—I was in mourning from the minute I heard the news. The world had come to an end.

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- Conrad _____
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- Evans _____
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- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele Room _____
- Holmes _____
- Gandy _____

1/18/64

*Jack Ruby
Dallas, Texas
1/18/64*

*FBI
6-10/64*

- The Washington Post and Times Herald A-26
- 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 _____
- People's World _____
- Date 1/18/64

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Q—How did you feel about Oswald?

A—When he appeared before me, something inside me went blank and it just tore out of me. I never saw that kind of person (Oswald) before in my life. Oswald had blemished this beautiful city. Those are the things that went through my mind. No one knew I was going to shoot Oswald—not even me. I had not discussed it nor thought of it. There was nothing to discuss. No one helped me or gave me access.

Q—Do you feel you did a service to the United States by shooting Oswald?

A—No. It isn't a service to the country. It's a shame. But I didn't do it intentionally. I didn't even know I had done it. I'm sorry I did it. I've embarrassed my country.

Q—What do you think should be done with you?

A—I feel that something should be done with me. I'm willing to go into a mental hospital and stay as long as it's necessary, even if it's the rest of my life. I've offered to submit to truth serum test,

polygraph test or any other scientific test the FBI wanted. They said they didn't want me to. I want to be bona fide with the FBI.

Q—Are you sorry?

A—Yes.

Q—Would you do it again?

A—Oh, hell, no!

Q—What if Oswald were not the man?

A—Then Dallas police and the District Attorney's office made a hell of a mistake. My attorneys tried to get Henry Wade to agree in court that Oswald was the killer of our

President. Henry Wade refused. I can't understand why. With my own ears I heard Henry and Chief Fritz say there was no doubt that Oswald was the assassin and he said Oswald wasn't insane, that he knew what he was doing, that he planned the murder of our President and Henry promised that he would kill Oswald in the electric chair.

I know Henry Wade is an honest man. I believed him. Oswald was a dead man before I shot him.

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The Washington Post and Times Herald _____
 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 _____
 People's World _____
 Date _____

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Three days before the shooting, Bill Alexander told me he heard I was upset because a competitor was hiring Candy Barr (an exotic dancer), bringing her back to Dallas. She was run out of Dallas after serving a jail sentence. Bill said, "If you know anybody she's running with that's wrong, you let me know and nobody will ever know you told me." It was then I gave him the complimentary card to the Carousel. Bill took it, signed his name and I took it back to have it plastic-coated for him. Now the card is missing. They searched my office and confiscated it. Bill told Captain Fritz, "See that Jack gets his rights." The next day he came in with the psychiatrists.

What a friend!

Q: Let's get back to your police record. Have you ever been arrested for anything other than fighting?

A: They were mostly minor fights. I had a little trouble with the liquor men. Then I was in traffic court and was pulled in for carrying a gun. Even though I know many of the officers, I never asked anyone to dismiss a case against me. Only once did I ever have trouble with an officer. He tried to rough me up. I hit him with my pistol and when I apologized to the Captain, he told me to forget it. They didn't want cops like this one on the force.

Q: Have you ever been involved in pandering?

A: Absolutely not. I never

took a prostitution dime. I never pushed prostitutes at all. I have been described as hypersensitive, hypermoral. Andy Anderson, who works at the Carousel, will swear I never took calls for prostitutes at the place.

SUNDAY: Final question and answers.

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(Mount Clipping in Space Below)

McKee Feels Ruby Can Get Fair Trial

Dallas Crime Commission President John McKee Friday said he believes Jack Ruby can receive a fair trial in Dallas for the murder of accused presidential assassin Lee Harvey Oswald.

But McKee, speaking at the commission's first meeting since President Kennedy was killed, said the opinion is his as a private citizen and not necessarily the position of the commission.

He said the commission will not issue any statements concerning the assassination or the killing of Oswald until after Ruby's murder trial is completed.

A subpoena ordering McKee to appear as a defense witness at the Feb. 10 change-of-venue hearing for Ruby has been issued. But McKee said he had not been served with the paper Friday morning.

"I think Ruby can get a fair trial here," he said. "The intelligence of the people of Dallas is as high or higher than anyone in the state."

Dist. Atty. Henry Wade's office was preparing an affidavit to be signed by McKee and Grand Prairie oil distributor W. C. Hardman, denying that any prejudice exists in Dallas that would re-

sult in Ruby not getting a fair trial.

(A similar affidavit is being prepared for Wade himself and Assistant Dist. Atty. William F. Alexander.)

McKee told Crime Commission directors—who he thinks also will be subpoenaed—that he doesn't believe that anyone who saw Oswald shot on television could say with certainty that Ruby was the killer.

"They saw a man run up there and shoot him, but they couldn't see his face, they can't say for sure that it was Ruby," he said.

The directors agreed that residents of Dallas should "keep their heads" and not react violently to the accusations being made against Dallas by news media and residents from other parts of the nation.

"This whole area is being needled by experts about something over which we had no control," said Willard Crowder, a member of the commission.

McKee said there will be no trouble if the citizens, and the commission and law enforcement agencies in particular, will continue to deal with these "outsiders" by giving them factual information about the tragic events and about Dallas.

(Indicate page, name of newspaper, city and state.)

5 "The Dallas Morning News" Dallas, Texas

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or
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Submitting Office: Dallas
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128 FEB 19 1964

ON 'CHEER' REPORT

Attorneys to Quiz Minister, Teacher

Attorneys for Jack Ruby plan to question a pastor and a teacher about reports that children cheered after they heard that President John F. Kennedy had been assassinated here.

Sheriff Bill Decker's deputies were serving subpoenas Friday on Rev. William Holmes, pastor of Northaven Methodist Church, and Miss Joanna Morgan, a 22-year-old English teacher at Lake Highlands Junior High School in the Richardson School District.

The subpoenas direct both to appear at a Feb. 10 hearing in Criminal District Court No. 3. Judge Joe B. Brown will decide whether Ruby should stand trial here or in another county on a murder charge filed after he shot Lee Harvey Oswald, accused assassin of Kennedy.

The 24-year-old pastor touched off a controversy when he said on a network television program that some school children had applauded upon hearing how a sniper killed Kennedy.

Miss Morgan, who attended his church, said she had heard students shouting "we're free" as they trooped down a hall.

Principal Dan Lair said, however, that students were "shocked and grieved." Many were tearful, he said.

In other developments:

Sheriff Decker said Ruby com-

plained of a headache — possibly an aftermath of the spinal tap he underwent during laboratory tests this week.

—Harried deputies prepared to serve another 100 subpoenas which defense lawyers say they will file in an attempt to prove Ruby could not get a fair trial here.

—U.S. Dist. Atty. Ravelont Sanders said he has received no request from defense lawyers to see FBI reports although they stated they would ask to see them. Asked whether the Justice Department would grant the request, Sanders said, "We'll cross that bridge when we get to it."

—Dist. Atty. Henry Wade refused to confirm or deny Dallas News stories that tests failed to show that Ruby had suffered significant physical brain damage. The News received its information from informed sources.

Ruby's lawyers apparently hope to use testimony from the pastor and teacher to back up their claim that Dallas residents feel "the city itself is on trial" as a result of the assassination and the slaying of Oswald.

Wade contends there is only one issue: Could attorneys get a jury here which would decide the case solely on the basis of evidence from the witness stand and legal instructions given by the court.

—CARL FREEMAN

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6-11/*

Ruby Denies Ever Knowing Lee Oswald

Fifth in a Series

By Jack Ruby
And William Read Woodfield

DALLAS — The following is the first of a two-part interview of Jack Ruby, who is to be tried in Dallas for the murder of Lee Oswald.

Q: Did you ever know Lee Harvey Oswald?

A: I never saw him in the Carousel Club, never in the world, at any time. The master of ceremonies at the club, Bill DeMarr, said he thought he had seen Oswald at the club but now he denies he ever saw him. It was such a shock to me because Bill has such a wonderful memory.

I never heard Oswald's name and I usually greet customers at the club by name.

Someone even said I once had an apartment next to Os-

wald but this is absolutely not true.

Q: Why did you carry a gun?

A: I've been cut at, knifed and the only way to get respect in Dallas is to carry a gun and the thugs and hoodlums know it. Hoods can cause all kinds of trouble. They get put in jail and get out the next morning with a mere \$10 fine. That's the way it is in Dallas and that's why I carried a gun, to protect my business and my money. I have no permit—they know it—but they know all night club owners carry guns. You have to carry a gun. Dallas is like a jungle.

Q: What are your feelings toward the Dallas police and how do they feel towards you?

A: I love the Dallas police.

I love the Department. I love to hang around there. They handle civil rights with less fuss than any town.

We often have off-duty policemen working in the Carousel to keep order. They get \$7 per night. This is common. Christmas, cops get whisky. But the police never have their hands out in Dallas. They get a special price of beer in the club—40 cents instead of 60 cents—but they don't drink while they're on duty. And I don't make them pay the cover charge to come in. I never ask an officer to do special favors for me.

I pass our permanent guest cards for the Carousel to certain people to use any night but Saturday and Sunday. I give these cards to the police. It's public relations. Bill Alex-

The Washington Post and Times Herald 0-13
 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 _____
 People's World _____
 Date 2-1-64

Jack L. Ruby
 Harvey Lee Oswald - Victim (Deceased)
 Civil Rights

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128 FEB 7 1964

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What a friend!

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A: Absolutely not. I never

took a prostitution dime. I never pushed prostitutes at all. I have been described as hypersensitive, hypermoral. Andy Anderson, who works at the Carousel, will swear I never took calls for prostitutes at the place.

SUNDAY: Final question and answers.

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- Mr. Tolson _____
- Mr. Belmont _____
- Mr. Mohr _____
- Mr. Casper _____
- Mr. Callahan _____
- Mr. Conrad _____
- Mr. DeLoach _____
- Mr. Evans _____
- Mr. Gale _____
- Mr. Rosen _____
- Mr. Sullivan _____
- Mr. Tavel _____
- Mr. Trotter _____
- Tele. Room _____
- Miss Holmes _____
- Miss Gandy _____

2d Ruby Test Result Same, Sources Say

By CARL FREUND

A second "brain wave" test given Jack Ruby supported an earlier conclusion that the 32-year-old slayer had not suffered significant physical brain damage, informed sources said Thursday.

Ruby underwent an electroencephalographic "brain wave" test Tuesday in the Dallas Neurological Clinic at 715 Washington. Another test was given Wednesday at the request of Dr. Martin Towler of Galveston.

Dr. Towler represented the defense on a 3-man team of psychia-

trists appointed to supervise Ruby's laboratory tests.

The Dallas News was told: —After analyzing the test patterns, Dr. John Holbrook and Dr. Robert Stubblefield agreed there was no significant evidence of organic brain damage or epilepsy marked by "compulsive behavior of an explosive nature."

—Dr. Towler said he was inclined to agree, but wanted to consult with another psychiatrist before expressing a final opinion.

—The psychiatrists noted patterns not normally found, but concluded they were not symptoms of any brain disease or insanity

which would cause Ruby to kill someone.

—The spinal tap showed no evidence of inflammation or pressure on the brain.

—A blood test did not reveal any disease.

The "brain wave" test, often termed an EEG by doctors, measures electrical impulses of the brain. In asking for a second test, Dr. Towler said he thought tests should be given on at least two separate days.

The psychiatrists will prepare reports which they will submit to Criminal District Judge Joe B. Brown and prosecution and defense lawyers. A defense lawyer, Joe Tonahill, said he expects the reports within a week.

Ruby has been held without bond since he shot Lee Harvey Oswald, who had been accused of assassinating President John F. Kennedy.

Defense lawyers presented testimony at a bond hearing that Ruby acted like a robot, without knowing what he was doing, when he shot Oswald.

A psychologist said he believed Ruby was a victim of a form of epilepsy which produced "compulsive behavior."

*File
6-9-64*

79 FEB 10 1964

(Indicate page, name of newspaper, city and state.)

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Submitting Office: Dallas

Being Investigated

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128 FEB 7 1964

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Ruby Test Results Press 'Leaks' Hit

Wade Doubts if Reports Of Exams Are Accurate

By **JIM FEATHERSTON**, Staff Writer
Dist. Atty. Henry Wade, disturbed over evidence leaks in the Jack Ruby case, said Friday that reports on neurological tests given the nightclub owner probably are not accurate.

The county's chief prosecutor said he is disturbed about evidence being leaked to the press by "unknown persons."

"Results of the tests are evidence and should be presented to the jury and not to the press," the district attorney said.

"I don't know whether the published results of the tests are factual or not. I doubt if they are accurate."

At the same time, an official source who refused to be named confirmed giving out information that tests given Ruby this week did not initially show any significant evidence of organic brain damage or epilepsy in the 53-year-old slayer of accused presidential assassin Lee Harvey Oswald.

Three psychiatrists who supervised the tests, however, say they are still evaluating the test results and will provide reports to Dist. Judge Joe B. Brown, who ordered the tests, and attorneys on both sides. They said Friday that no report had been issued.

(Indicate page, name of newspaper, city and state.)

15 "The Dallas Times-Herald" Dallas, Texas

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128 FEB 19 1964

68 FEB 20 1964

TOP CLIPPINGS
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Even if the tests show no apparent physical brain damage suffered by Ruby, it will not weaken his defense of temporary insanity, one of his attorneys said Friday.

"Abnormalities could be present which the tests would not reveal," said J. H. Tonahill of Jasper, a member of Ruby's defense team.

Ruby underwent neurological tests Tuesday and Wednesday at the Dallas Neurological Clinic, at 715 Washington.

The official source said Friday electroencephalographic tests given the night club operator showed some abnormal patterns in Ruby's "brain waves," but not any that were symptomatic of any brain disease.

The source said a spinal tap given Ruby did not reveal evidence of any pressure on the brain and serological tests did not reveal the presence of any disease that would affect Ruby's thinking processes.

At Ruby's bond hearing, earlier this month, Dr. Roy Shafer, a Yale University psychologist, had testified results of tests he had given Ruby in his jail cell indicated the night club operator had suffered some brain damage or a form of epilepsy, which would produce irrational behavior under great emotional stress.

Mr. Tonahill said defense attorneys had hoped the tests would confirm Dr. Shafer's analysis. Lack of evidence of physical brain damage in the tests administered this week, however, would not disprove the Yale psychologist's findings, he added.

The defense attorney said brain damage could be present which the neurological tests given Ruby would not necessarily reveal.

Ruby has been held in the Dallas County jail without bond since shooting Oswald two days after President Kennedy was assassinated. His attorneys dropped efforts to get him out of jail on bond when Judge Brown agreed to order the tests.

The judge will hear defense arguments for moving Ruby's trial from Dallas at a change of venue hearing scheduled before him on Feb. 10. Defense attorneys have subpoenaed nearly 100 Dallasites and indicated Thursday they would ask that subpoenas be issued for an additional 100.

Mr. Wade said earlier the prosecution would not call any witnesses but would file controverting affidavits to the defense motion to move Ruby's trial.

Friday, the district attorney's office was preparing the affidavits—one signed by Mr. Wade and his chief assistant, Bill Alexander, and another by W. C. Hardman, a Grand Prairie oil distributor, and Dallas civic and business leader John McKee.

The affidavits, in essence, deny that any great prejudice exists against Ruby in Dallas so that he could not get a fair and impartial trial.

Defense attorneys had filed 22 reasons a change of venue was necessary. Their basic contention was that Ruby could not get a fair trial while Dallas, itself, was on trial because of President Kennedy's assassination.

Grieved for Slain President

Ruby Says He Shot Because Oswald 'Wiped Out Everything I Lived For'

Fourth in a Series

By Jack Ruby

With William Read Woodfield

In this article, Ruby describes the 24 hours before he shot down Lee Oswald.

DALLAS—About 11:30 a.m.

—I got up, washed, dressed and went to "the wreaths." (The spot in Dallas where President John F. Kennedy was shot was marked with flowers and wreaths by Dallasites).

I saw Officer Chaney (a Dallas policeman with whom Ruby was friendly) on the curb and asked him to show me the window the shots were fired from. He did, and I looked up and felt sick.

At the wreaths, I said, "We grieve for you." I looked at each wreath and read what they said. It was too sad. "We grieve for you, Mr. President," I said to him.

About 1:15 p.m., I went to Sol's Turf Bar and a lot of guys are talking about the Weissman ad (an anti-Kennedy ad in the Dallas News). They're screaming mad. I said, "Look what I've got. Three pictures. 'Impeach Earl Warren.'" (The day before, Ruby had taken pictures of a poster with these words on it.)

Calls Lawyer on Picture

About 2:30 p.m., I called lawyer Stanley Kauffman and told him I had this picture and thought he should do something.

"What?" he said. I didn't know what I went back to the guys and made a speech about Dallas being a good town. I let off steam. Then I left.

After 2 p.m., I watched TV of the President's coffin being moved from the White House and drank juice—glass after glass of juice—and I was dried out from crying.

About 8 p.m., I went home and made dinner. I watched the mourners pass by the President's coffin—thousands of them—thousands of grieving Americans.

About 10 p.m., I went to the Carousel and called Ev (his sister). I heard the TV on in the background. I asked her

what was happening. She said, "Sadness is all. They're moving that creep to the jail in the morning . . . at 10."

Sunday, Nov. 24, about 1 a.m., I had no occasion for any gaiety. I was in mourning. I went to bed.

Took Diet Pills

About 9:30 a.m., I was up early. I was sad. I took my diet pills and a cold prescription.

The diet pills help me with my diet but they aggravate me. They make my problems worse and I had doubled my dosage four or five days before.

When I take a drink with them, I get nasty, mean and conceited. My friends don't know me. I don't care about the business. I just want to have a ball. This morning I also took CRD tablets.

I was watching TV. Rabbi Seligson in New York was eulogizing the President. I became very emotional. He really brought this thing home to me.

About 10 a.m., Linn (Karen Linn Bennett, an entertainer at Ruby's club), called, asking for \$25 to pay her rent. I told her I'd be going downtown and would send the money to her in care of Western Union in Fort Worth.

About 10:15 a.m., I put my money in one pocket and my pistol in my right trouser pocket. I got in my car and pulled out.

About 11 a.m., I went down Main Street and I saw TV and all kinds of people in front of the County Jail. I knew that Oswald was going to be moved at 10. I glanced at a clock. It was a couple of minutes past 11. I assumed that he had already been moved to the County Building from the City Jail. I continued on up to the Western Union office and as I passed the City Jail I saw people there, too.

I could see people down the ramp in the basement. I got out of the car, left Sheba (his dachshund) and went into the Western Union office. I waited my turn and sent Linn \$25. The clerk stamped the message while I was still in the

telegraph office. The time stamp says 11:17 a.m.

Then I walked out of the telegraph office and started back toward my car. I passed the ramp to the basement of the City Hall. An officer was directing cars out of the basement and I walked down the ramp just as a car driven by Sam Pearce—an officer I've known for years—came up the ramp at full speed. I just took my normal stride and walked down the ramp.

Sought Closer View

At 11:19 a.m. I reached the bottom of the ramp. I didn't see anyone I knew. I put my hands into my pocket to be comfortable and walked to get a closer view of whatever was going to happen. Suddenly there was a great commotion.

Out of there walked Oswald. He was about 10 feet from me. He came out all of a sudden with a smirky, defiant, cursing, vicious Communist expression on his face.

I can't convey what impressions he gave me. I lost my senses. There was no one standing by me. Suddenly this person pops out.

I must have pulled my gun and took a couple of steps. They (the police) could have blown my head off. I must have been crazy. I only shot him once.

I had no thought of doing any violence to anyone when I went down there. I didn't even think about it. This man had wiped out everything I loved and lived for.

I remember being down on the floor and I said, "You don't have to beat my brains out. I'm Jack Ruby. What am I doing here? What are you guys all jumping on me for? Why am I here? I'm Jack Ruby. I'm not somebody that's wanted."

11:21 a.m., they dragged me into the elevator. They brought me upstairs. They told me I had shot Oswald. That was the first time I realized what I had done. I said, "My God. My God!"

SATURDAY: Questions and Answers.

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

Handwritten signatures and scribbles, including 'FBI' and 'Mantel'.

- The Washington Post and Times Herald
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
People's World

144-24016-11
NOT RECORDED
128 FEB 7 1964
44-34016

RA
31

Beer Permit Applications Do Not Carry Ruby's Name

Jack Ruby, killer of accused presidential assassin Lee Harvey Oswald, apparently has severed all connections with the Vegas Club and the Carousel Club, now known as the Big D. Copa.

Ruby formerly was listed as the sole owner of the Vegas Club, 3506 Oak Lawn, and was manager and a vice-president of the Carousel Club, 1312 1/2 Commerce.

But applications for new beer and wine license permits filed in County Judge Lew Sterrett's office Thursday do not list Ruby as an owner of either establishment.

The present license for the Carousel Club expires March 8. An application for a renewal of this license was refused by Judge Sterrett last Tuesday.

Three Mesquite residents, listing themselves as officers of the Nolley Corp., made application for a new license for the Vegas Club, although its permit does not expire until May 3.

Mrs. Dolores Nolley, president of the corporation, said in the appli-

cation that the company is "buying furniture, fixtures and name" of the club from Jack Ruby.

The club, which has been closed since the City of Dallas cancelled its dancing permit shortly after Jan. 1, listed Bob Young as vice-president and J. A. Knox as secretary of the corporation.

Officers of the S&R Corp., owners of the Carousel, or Big D Copa Club, were listed as Ralph Paul of Arlington, president; S. D. Ruby, brother of Jack Ruby, vice-president, and Leo Torti, secretary-treasurer.

Paul also owns and operates a drive-in restaurant in Arlington known as The Bull Pen, and listed its location as his permanent address on the application.

Judge Sterrett will hold hearings on the applications later, but no dates have been set.

Dallas police and State Liquor Control Board officials are expected to appear at the hearings to protest the issuance of new beer licenses for both establishments.

TOP CLIPPING
DATED 1-31-64
FROM [unclear]
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79 FEB 10 1964

114-24016-11
NOT RECORDED
128 FEB 7 1964

'Frivolous Conduct' Charged by Wade

Dist. Atty. Henry Wade accused defense lawyers of "frivolous conduct" in the Jack Ruby murder case Thursday.

Wade referred to the manner in which Ruby's lawyers subpoenaed witnesses in wholesale fashion for a Feb. 10 hearing in Criminal District Court No. 3. The hearing will determine where Ruby stands trial on a murder charge filed after he shot Lee Harvey Oswald, who had been accused of assassinating President Kennedy here.

Ruby's lawyers subpoenaed 89 witnesses Tuesday. They included Mayor Earle Cabell, Atty. Gen. Waggoner Carr, City Council members, doctors, lawyers, business leaders, educators and newspapermen.

The lawyers said they plan to subpoena another 100 witnesses before the hearing.

Wade commented:

"This is frivolous conduct on their part. It appears they want to harass Dallas people. Maybe they figure that, if they harass enough and inconvenience Dallas people enough, they'll want the trial moved to another county."

Wade said he thought Ruby's lawyers were also guilty of "frivolous conduct" during a bond hearing for the 32-year-old slayer.

"They tie up the court for two days asking bond for Ruby and then, when they see the judge intends to rule against them because they hadn't made out a case, they withdrew their request," Wade said.

(Ruby's lawyers said they withdrew the request because they were assured the striptease club

manager would undergo laboratory tests.)

When Ruby's lawyers filed their subpoena list Tuesday, they said it contained more than a hundred names. But there were several duplications and a check showed 89 witnesses were called.

They said they needed the witnesses to show Ruby could not receive a fair trial here because of newspaper stories and the feeling here that "Dallas itself is on trial."

The strategy posed a new problem for Judge Joe B. Brown.

Judge Brown said defense lawyers are entitled to have all their witnesses in court Feb. 10, but it has only 62 seats.

After witnesses answer a roll call, Judge Brown said, lawyers may agree to excuse them if they agree to report when phoned.

"I'm sure we can work out some plan so they won't have to sit up here awaiting their turn to testify," the judge said.

Wade says he intends to rely on affidavits and the cross-examination of defense witnesses to show Ruby could get a fair trial here.

TOP CLIPPING
DATED 1-11-64
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79 FEB 10 1964

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128 FEB 7 1964

89 Get Subpoenas For Ruby Hearing

Sheriff Bill Decker's deputies were serving subpoenas Thursday on 89 witnesses called by defense lawyers for the Feb. 10 hearing which will determine whether Jack Ruby stands trial here.

(When they filed their list, Ruby's lawyers said they were subpoenaing more than 100 witnesses. But the roster contained some duplications.)

Witnesses summoned by Ruby's lawyers include:

Ed Maher, Dallas auto dealer who heads the county hospital board; Sam Bloom, a public relations executive who helped Judge Joe B. Brown with press arrangements; Charles Maxwell, county grand jury bailiff; the Rev. Frederick Carney, Perkins School of Theology at SMU; Mrs. Marvin Rubenstein, 8915 Meadowcrest; Sidney Rubenstein, 11430 Crest Brook; attorney Stanley Kaufman; attorney Harold B. Berman; Dist. Atty. Henry Wade; Police Chief Jesse Curry; Sheriff Bill Decker; Assistant Dist. Atty. William F. Alexander; Atty. Gen. Waggoner Carr.

Mayor Earle Cabell, Stanley Marcus of Neiman-Marcus; attorney Samuel Donosky; Erik Johnson, Texas Instruments board chairman; Robert Stewart, First National Bank president; Dr. Walter Bennett, Westminster Presbyterian Church; the Rev. Marshall S. Pinkerton, St. Andrews Presbyterian Church; the Rev. Russell Muller, St. Paul's United Church of Christ; Dr. J. W. Martin, First Communitary Church.

John McKee, Crime Commission president; Allen Maley, Dallas AFL-CIO secretary - treasurer; Dr. Willis Tate, Southern Methodist University president; Councilwoman Elizabeth Blessing; Councilman Joe Moody; Everett L. DeGolyer Jr., foundation executor; attorney C. A. Droby; Mrs. C. A. Droby; Dr. Hillel Silverman, Temple Shearith Israel; Dr. Levi Olan, Temple Emanu-El; Msgr. Thomas Tschoepe, Dallas-Fort Worth Catholic Diocese; Methodist Bishop William C. Martin.

Episcopal Bishop Avery Masch; the Rev. W. A. Welsh, East Grand Christian Church; Dr. E. S. James, Baptist Standard; Dr. Thomas Fry, First Presbyterian Church; Dr. William Dickinson, Highland Park Methodist Church; Dr. William M. Elliott, Highland Park Presbyterian Church; the Rev. Luther Holcomb, Greater Dallas Council of Churches.

Dr. Kemp Clark, Dr. Malcolm Perry, Dr. Tom Shires, Dr. Ronald Jones, Dr. M. T. Jenkins, C. J. Price, Steve Landregan and Mrs. Nora Smith of Parkland Hospital.

First Assistant Dist. Atty. A. D. Jim Bowie; Eric Severeid, radio commentator and Dallas News columnist; Detective Capt. Pat Gannaway; Homicide Capt. Will Fritz; Detective Capt. O. A. Jones; Detective H. B. Combest; Police Capt. Glen King; Detective J. R. Leavell; Dr. Donald Cowan, University of Dallas president; Councilman W. H. Roberts; Durwood A. Sutton, former grand jury foreman; the Rev. William Holmes, Northhaven Methodist Church; Joanna Morgan, Lake Highlands Junior High School teacher.

John Newnam, Donald Campbell and Jerry Coley of The Dallas News advertising department.

Dick Hitt, Irene Bradley, John Weeks and A. C. Greene of the Dallas Times Herald staff.

Dick West, Allen Duckworth, James Ewell, Carl Freund, Lewis Harris, Roy Edwards, Harry McCormick, John Geddie, Jack Beers, Hugh Aynesworth, Larry Grove, Kent Biffle, Carlos Conde, Tony Zoppi, Carl Harris, Francis Raffetto, Mike Quinn, Larry Dum and Joe Thornton of The Dallas News staff.

Ruby's lawyers also asked Bloom to bring records or memos dealing with agreement to help Judge Brown handle press arrangements.

In addition, they requested the pistol and money taken from Ruby and Parkland Hospital records which pertain to treatment given Lee Harvey Oswald after Ruby shot him.

TOP CLIPPING
DATED 2-4
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128 FEB 7 1964

They showed Oswald on television. I thought to myself, "If he's the right man, he's got to be either a John Birchler or a Communist."

About 10:30 p.m., I drove around downtown Dallas. I saw clubs open, people having fun. I was shocked that there was not more sadness.

Greeted by Policemen

I went to the police station and parked in the lot. A police officer asked me where I was going and I told him.

As I walked through the halls, fellows kept saying, "Hello Jack," "Hi, Jack." I didn't feel so lost. I took the elevator upstairs. There were a lot of officers who knew me and who said hello to me.

Saturday, Nov. 23, 1963—
Midnight: Suddenly Chief Curry (Dallas Police Chief Jesse Curry) and Homicide Captain Will Fritz appeared with Oswald.

I was suddenly in a swarm of people. I lost my purpose in going there. I'm in a world of history.

He was mumbling. I didn't think much of him. He looked like a creep. But he didn't look like he would have killed our President all alone.

Chief Curry took us to the basement to the assembly room—a large room. Capt. Fritz and Henry Wade, the Dallas County District Attorney (a friend of Jack Ruby's who, ironically is now in charge of prosecuting Ruby) brought Oswald out into view of the TV cameras and the photographers. They took their pictures and the reporters asked Oswald questions. He was mumbling answers. I had my gun in my pocket this night.

I had no thought of killing him. It never entered my head. Besides, he was still only a suspect—innocent until proven guilty.

"Evidence to Convict"

"We have enough evidence to convict," I heard my friend, Henry Wade, announce to the hundreds of reporters and TV men. Henry also announced that Oswald had refused to take a lie detector test.

Wade also told us that Oswald had denied being a Communist but admitted being a Marxist and having defected to Russia.

Chief Curry confirmed that

the evidence was "conclusive" and someone said that fingerprints had been found. Henry Wade told us that he would "ask for and get the death penalty." I felt proud that Henry Wade was my friend

and I slipped a Carousel guest card into Henry's pocket and patted him on the back.

I never at any time thought of shooting Oswald. I thought he would get to trial. I did not think he would get shot.

About 5:30 a.m. I went home and fell asleep immediately.

FRIDAY: The last 24 hours before I shot Lee Oswald.

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