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Ruby Woods Travel To Make Lab Tests

Dr. CARL FREDMAN, a Yale University psychologist, said today that he will travel to Dallas to make laboratory tests on Ruby Woods, the woman accused of murdering her husband.

Dr. Fredman said the tests would determine whether Ruby was suffering from a form of epilepsy that he said would cause her to lose control of her actions.

He said the tests would be conducted at the University of Texas at Dallas, where he is on sabbatical leave.

Dr. Fredman said he would travel to Dallas with a team of other psychologists to conduct the tests.

He said the tests would be conducted over a period of several days.

Dr. Fredman said he would be accompanied by Dr. Roy Scheffer, a Yale University psychologist, and Dr. John H. B. Krueger, a Dallas physician.

Dr. Fredman said he would be accompanied by Dr. Scheffer and Dr. Krueger.

He said the tests would be conducted at the University of Texas at Dallas.

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

1 "The Dallas Morning News" Dallas, Texas

Date: 1-23-64

Edition:

Author:

Editor: Jack B. Krueger

Title:

Character:

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Submitting Office: Dallas

Being Investigated

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JAN 23 1964

FBI - DALLAS

General Club License Renewal of Vegas Club

Jack Ruby, accused assassin of Lee Oswald, is applying for a new license to operate the Vegas Club in Dallas. The license is set to expire on May 3, 1964. The club has been operating since 1958. The license is issued by the Dallas County Board of Health.

Although Judge J. Lee Phillips, who presided over Ruby's trial, may issue a new license from a court of law, the club has been considered of a character which would be a felony offense.

Although Ruby has not been convicted of a felony, charges are pending. The club is expected to be closed until the license is renewed. The license may not be renewed if the club is still operating.

They can ask that the questions are expected to be asked again when the license of the Vegas Club comes up for renewal in the next couple of months.

The Vegas Club, on its present license, lists Ruby as the sole owner. The license expires May 3.

William D. Woodfield Told The Dallas Morning News

William D. Woodfield, a State Court Clerk, Dallas, Tex., told The Dallas Morning News that he was certain that Ruby had killed Oswald's "strong."

Woodfield said the story would read "The Jack Ruby as told to William D. Woodfield," and would be released Jan. 13 to newspapers and radio. He would give no further specifics about the planned marketing of the story or the financial arrangements.

There have been unconfirmed rumors that the defense of Ruby, charged in the killing of accused presidential assassin Lee Oswald, would be financed by his brother Earl Ruby, a laundry operator in Detroit, and by the sale of the Jack Ruby "story."

(Mount Clipping in Space Below)

Wade Will
Faint, illegible text from a newspaper clipping, possibly containing a name and a title.

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

"The Dallas
Times Herald"
Dallas, Texas

Date: 1-22-64

Edition:

Author: Foliz R. McKnight

Editor:

Title:

Character:

or

Classification: Dallas

Submitting Office:

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Memo Pointless, According to DA

Atty. Gen. Wade declared Wednesday he will not request a writ of habeas corpus for Jack Ruby in Dallas County at a change-of-venue hearing Tuesday.

At 10:30 a. m. Brown scheduled the hearing Tuesday in Dallas County. Lawyers claimed Ruby could not be tried in Dallas because of widespread publicity surrounding the shooting by Ruby of Lee Harvey Oswald, assassin of President John F. Kennedy.

"We think the state could be tried in Dallas because any place you go, you will have the same problem," Mr. Wade said.

Mr. Wade said it is a personal choice of a jury to try a case in any place in the state of Texas that hasn't had the case before. He said he would not ask for a change of venue of the Oswald slaying.

Mr. Wade made a recent appeal to court officials in a case involving Mr. J. T. Brown, former Dallas District Attorney, that a jury need not be disqualified because he had been a defendant in a case involving facts about the case in which he was to pass judgment.

If prospective jurors could not decide what they had read and heard about a case and follow the law, protecting the defendant innocent, they would be qualified to serve, said Mr. Wade.

"Everything else being equal, the defendant is supposed to be tried where his crime occurred," he

Delli Feels TV Might Aid Legal Training

Melvin Bell, chief defense counsel for Jack Ruby, indicated in a speech here he felt television might be a good way to educate the public about its legal system.

Speaking at a luncheon meeting of the Dallas County Bar Association here, Bell, the noted San Francisco attorney, suggested lawyers might use television as doctors have used the media to improve their public image. He cited as an example a 15-hour telecast in San Francisco of a case of open heart surgery, which had a tremendous impact on viewers and brought added respect to the medical profession.

Mr. Delli said, however, he was not recommending "wholesale television coverage" of courtroom proceedings, although he felt many noncontroversial cases could be televised. This would not include the Ruby case, he said.

He called on attorneys to create a better understanding of their profession by speaking before civic groups and going to the people to explain their laws and how they are carried out in the courtroom.

Mr. Delli deplored what he termed the modern trend in America's law schools to emphasize such subjects as accounting and taxation, while de-emphasizing the history of the common law.

He said all young lawyers should be thoroughly grounded in common law history because "the law is not something that comes up like mushrooms after a rain, but has grown slowly throughout history."

"By not emphasizing the history of the common law, the law professors are amputating us from our profession," he concluded, urging more young lawyers to become involved in trial work.

(Mount Clipping in Space Below)

Arguments Set Feb. 10 On Ruby Venue Change Defense Lawyers Drop Bond Effort

By CARL FRIED

Judge Joe B. Brown announced Tuesday that he will hear arguments Feb. 10 on a defense request that he transfer the Jack Ruby murder trial to another county.

Judge Brown also announced that Ruby will stand trial Feb. 17 in Criminal District Court No. 3 if the request is denied. If Judge Brown grants the venue change, the judge of the new court will set a trial date.

The judge's announcement came after Ruby's lawyers dropped attempts to free the 52-year-old slayer from the county jail.

Ruby has been held without bond on a murder charge since he shot Lee Harvey Oswald while millions watched on television Nov. 24.

Oswald had been accused of shooting President Kennedy, Patrolman J. D. Tippit and Gov. John Connally two days earlier.

Three Doctors Chosen

Judge Brown told reporters in a brief press conference that he has chosen three doctors to supervise hospital tests which Ruby will undergo.

They include Dr. Robert Subbikfield, professor and chairman of the department of psychiatry of the University of Texas Southwestern Medical School here; Dr. Martin L. Towler of the Titus

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

"The Dallas
Morning News"
Dallas, Texas

Author: Jack B. Krueger

Dallas

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Harris Clinic at John Sealy Hospital in Galveston, and Dr. John Hebbrock, a Dallas psychiatrist who has examined Ruby at the request of the district attorney's office.

Dr. Stullfeldt examined Edwin A. Walker after the former general was arrested during rioting at Oxford, Miss.

They will supervise and analyze a "brain wave" test of Ruby's thought patterns, a spinal tap, blood test and skull X-rays.

Judge Brown said present plans do not call for Dr. Tavler or Dr. Stullfeldt to make a detailed psychiatric study of Ruby.

Test Site Yet Undecided

Judge Brown said he has not decided where the tests will be made. Fairland Hospital and other hospitals have been reluctant to have Ruby as a patient.

Sheriff Bill Decker's deputies will guard Ruby while the tests are made. He is expected to spend 30 hours in the hospital.

Defense lawyers announced at 11:50 a.m. Tuesday that they were withdrawing their request that Judge Brown let Ruby go free on bond. Instead, they said, they would concentrate on getting his trial transferred to another county.

The lawyers—Melvin Belli, Joe Tonahill, Sam Brody, Phil Durleson and Tom Howard—said they "got what we wanted" when Judge Brown approved the tests for Ruby.

Dist. Atty. Henry Wade and Assistant Dist. Atty. William F. Alexander hailed the defence decision as a prosecution victory.

Wade Hails Decision

"Ruby is staying in jail and that's where we wanted to keep him," Wade observed.

Ruby's lawyers told Judge Brown the balding defendant, who appeared nervous and depressed as he sat in the courtroom Tuesday, could not get a fair trial here because "Dallas itself is on trial before the world."

They filed an 18-page brief in which they stated:
"Ruby cannot get a fair trial in Dallas County because of a general animosity against him incited and aided by adverse publicity and particularly because Dallas itself is on trial before the world . . .

"Within Dallas County, it is the Dallas community—not Jack Ruby—that is on trial. Indeed, within Dallas County, the defense of the community from unwarranted outside attacks transcends the importance of giving Jack Ruby what the Constitution decrees—a fair and impartial trial, free from prejudicial influences."

Wade says Ruby can get a fair trial here.

Observation About Jurors

The district attorney noted that potential jurors are not disqualified simply because they have heard or read about the case. They are eligible to serve, he said, if they swear they can decide the case strictly from the courtroom evidence and instructions given them by the judge.

Each side may call witnesses and present arguments at the Feb. 10 hearing.

Dubin's trial had been scheduled Feb. 3, but his lawyers said they had another case set that day.

Judge Brown's announcement followed a 2-hour conference with lawyers who considered possible trial dates and haggled over "ground rules" for the tests which Ruby will receive.

The bond hearing ended abruptly after witnesses testified Tuesday.

Witnesses and highlights of their testimony:

Police Captain G. D. King—After shooting Oswald, Ruby stated, "You didn't think I was going to let him get by with it?"

Prosecutors say this shows malice on Ruby's part and indicates also that he was not acting like a robot, as a defense psychiatrist claimed.

Dr. E. Silverman, rabbi of Congregation Shearith Israel—Ruby was very emotional and appeared unstable and incoherent at times. He showed an unusual affection for his dogs and referred to them as his "children."

ASSASSINATION

Ruby Sheds Tears At Talk of Event

Jack Ruby wept in a courtroom here Tuesday as he described his reaction to the assassination of President Kennedy.

Ruby broke into tears during an impromptu press conference after deputies led him into Criminal District Court No. 3 for more testimony in his bond hearing.

The balling nightclub manager told reporters he was "more remorseful than angry" when he shot Lee Harvey Oswald after Oswald had been accused of assassinating the President here.

"Anger is not in my vocabulary," Ruby said. "I am not an angry man. I was more remorseful than angry."

A REPORTER suggested that Ruby describe his feelings when he learned President Kennedy had been shot.

Ruby's face contorted. Tears welled in his eyes.

"I can't understand how a great man like that could be lost," he said in a voice barely audible.

Defense lawyers ended the interview at this point.

Before losing his composure, Ruby said:

—He never saw or talked to Oswald before the 24-year-old Marxist shot President Kennedy.

—A 1959 trip to Cuba, where Fidel Castro had seized power, was "only a vacation."

A NEW YORK psychiatrist, Dr. Walter Bromberg, quoted Ruby as saying he expected to "make a quick dollar" by selling merchandise to Communist Cuba. Dr. Bromberg said Ruby stated this was the reason for the Cuban trip.

Asked about the psychiatrist's testimony, Ruby became agitated.

"That is a fabrication."
Then, gaining control of him-

self, Ruby continued:

—I went to Havana on a vacation for a few days with a friend, (L. J. McWalter, a former gambler in the Fort Worth-Dallas area). I stayed in his apartment."

DEFENSE LAWYERS interrupted to say that, although Castro was in power, the United States remained on friendly terms with Cuba at the time.

"We were in harmony with them," Ruby said. "Jack Parr was down there and I think maybe Ed Sullivan."

Apparently intending to speak of the Cuban government, Ruby said, "They interrogated me as though I was against them. They've got a little Gostepo down there."

Ruby contended he considered selling "civilian goods . . . various things . . . enriched earth and things like that" to Cuba.

"It was a new country and I saw an opportunity to get out of the beer business," he said. (This was a reference to his night club.)

RUBY SAID he tried to contact a man friendly to the Castro government, but never actually negotiated to sell goods to Cuba.

Ruby appeared nervous and dejected as he sat in the courtroom Tuesday.

When Assistant Dist. Atty. William F. Alexander described him as "a proper candidate for the electric chair," he frowned and flinched with his necktie.

Later he scratched his ear, rubbed his face with his palm and twisted nervously in his courtroom chair.

A smock, which Ruby wore when he sat in the same courtroom during an earlier bond hearing, was gone.

Ruby Emotional, Rabbi Testifies

Jack Ruby, who shot down Lee in his eyes," the rabbi related. "I Harvey Oswald as he stood man- knew he wanted to say something, acted and helpless, showed "a tre- and I supposed it was about Presi- mendent love" for dogs and even dent Kennedy. He surprised me went so far as to refer to them as by thanking me for visiting his "my children." sister (Miss Lee Silverman) while at

This was the testimony Tues- was in a hospital." day of Ruby's rabbi, who de- On another occasion, Dr. Silver- scribed the 52-year-old murder- man said Ruby sought help in suspect as extremely emotional, reflecting a reconciliation after an Defense lawyers called Dr. argument with his sister.

Isaac E. Silverman, rabbi of Con- Replied to a question by As- sistant Dist. Atty. William F. scription Shearith Israel, to the stand in Criminal District Court Alexander, Dr. Silverman said he No. 3 before dropping attempts had not suggested that Ruby to free Ruby on bond. "should be sent to a mental hos-

Dr. Silverman, who has known Ruby 16 years, termed the slayer "quite emotional and at times un- stable." The rabbi added, however, that he did believe Ruby needed consultations with a psychiatrist before the assassination.

Dr. Silverman told of visiting Ruby in his county jail cell.

The rabbi said he found Ruby upset over trivial matters.

"He becomes most emotional," Dr. Silverman said. "Tears well up and he talks rapidly."

Dr. Silverman said Ruby frets over the welfare of his dogs while he is held behind jail bars.

"He feels toward his dogs as a father would feel toward his children," Dr. Silverman continued.

He recalled a conversation in which Ruby told him, "I'm not married and I have no children. These (his dogs) are my children."

Dr. Silverman described Ruby as a man of varying moods, calm one moment and extremely excited the next. Referring to Ruby as "incoherent at times," he said the slayer would change the subject of a conversation in the middle of a story.

Dr. Silverman told how Ruby approached him after a memorial service for President Kennedy the night of Nov. 22.

"He came up to me with tears

Belli Urges 'Education' On Courts

Melvin Belli, chief defense counsel for Jack Ruby, Tuesday called for a better understanding between the courts and the laymen so as to create more respect for legal processes.

Speaking before a luncheon meeting of the Dallas Criminal Bar Association in Hotel Dallas, Belli said the laymen "must be taken into our courtrooms, into our counsel" so he can understand what goes on during trial proceedings.

He said this was not a recommendation for wholesale television coverage in the courtroom although he admitted that to some extent such coverage might be justified.

Although not referring specifically to Ruby's case, he said laymen must rely on other news media to communicate the court happenings to the public.

"But on the other cases (of Ruby's case) we are not bringing the public into the courtroom," he said, not specifying the use of television cameras or how this should be done.

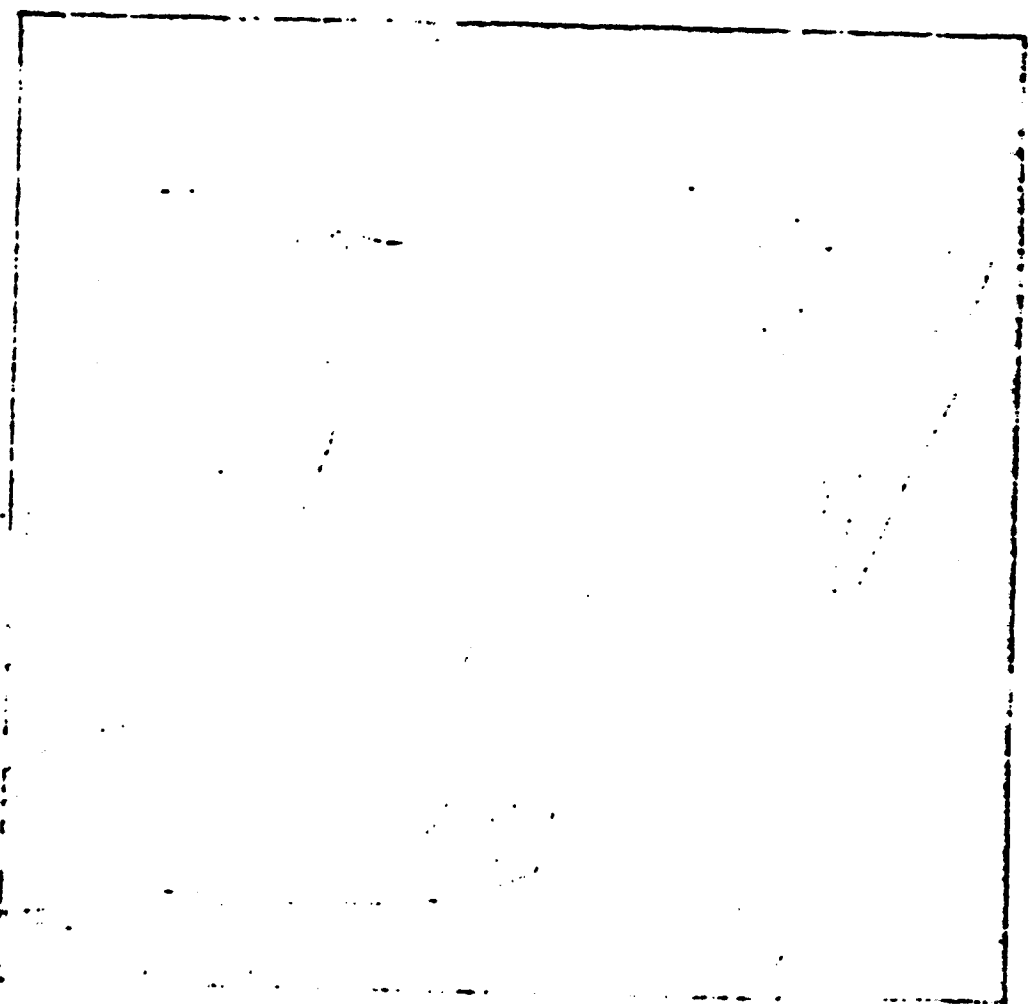
"The more knowledge and understanding we, as lawyers, can impart to the laymen about what we are doing in the courtroom, the more respect they will have for the court and legal proceedings."

He said that movies and television programs, although they have excellent writers, tend to give a skewed and wrong impression of trial lawyers.

"So this is really a plea for lawyers to be trial lawyers," he said, noting the difference between the attorneys who go into court and argue cases before juries and the "office lawyers" who handle other legal matters, as he termed them.

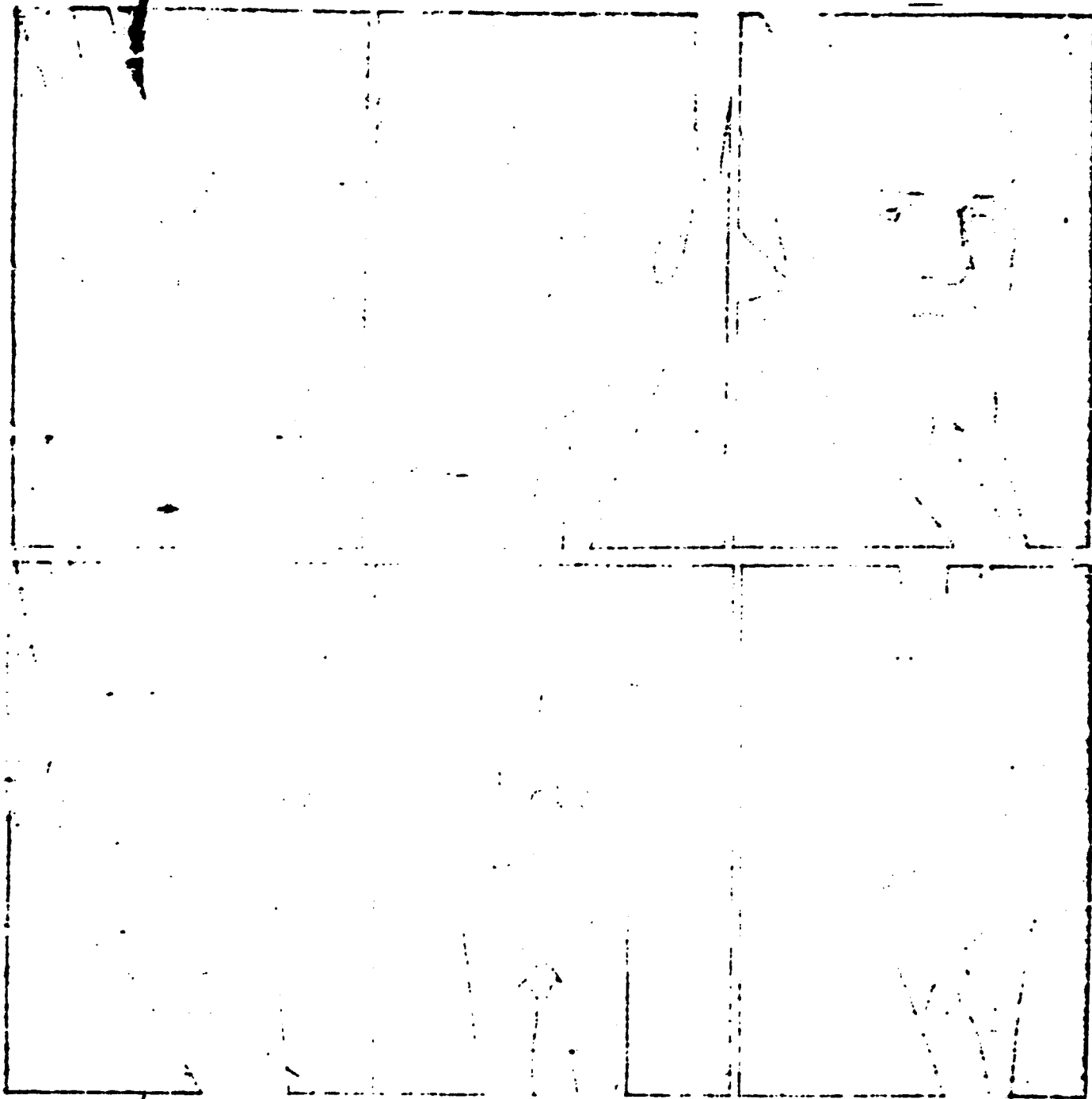
He said too many young lawyers who do not know enough about the "history of common law" are graduated from law schools across the nation. He termed their education, which he said turns out more accountants than lawyers, "too commercial. It tends to separate us from our great tradition."

"The law is teamwork," he said. Teamwork between attorneys for both sides and the judge.



His wife, General Assistant Dist. Atty. William F. Alexander appeared ready for a scrap as he and Dist.

Atty. Henry Wade sat at the per- scription table Tuesday during the Jack Ruby bond hearing.



**The many faces of Jack Kuo, mirrored emotions—ranging from tears to laughter—
as he sat in Judge Joe B. Brown's district courtroom during bond hearing Tuesday.**

Ruby Tearfully Tells of Nov. 22

Nightclub operator Jack Ruby broke into uncontrolled sobs Tuesday morning as he told reporters his feelings about the assassination of President John F. Kennedy.

The interview came minutes before Ruby's bond hearing resumed in Judge Joe B. Freeman's Criminal District Court.

Ruby—accused of murdering Lee Harvey Oswald, the President's alleged assassin—told he felt no anger at the Nov. 22 tragedy.

"They've been using the word 'angry' about me and that word is not in my vocabulary," the nightclub operator said. "I have never heard the word 'angry' before."

Then, holding his lips and shaking back tears which finally flowed down his cheeks, Ruby sobbed:

"I lost . . ." The rest of his remark was unintelligible.

When Ruby began sobbing, deputies who had been standing by the defense table and minutes later the hearing to determine if Ruby is eligible for release on bond began.

Earlier in the impromptu interview, Ruby denied ever knowing Oswald and told of his 1959 trip to Cuba.

"I never spoke to Lee Oswald in my life," said Ruby. "I never saw him before and I never knew him in my life."

DISPUTES TESTIMONY

He disputed Monday testimony about a deep-sea fishing trip to Fidel Castro's Cuba in 1959 after making financial arrangements for the deal in Houston.

He said his attempt to deal in surplus was because he wanted to "get out of the beer business."

"The story that I went to Hous-

ton was a fabrication," he said. "I never went to Houston at that time."

Ruby said he went to New Orleans and then to Cuba. "I stayed in the apartment of a friend the whole time in Havana," he said. "I had not had a vacation in years," said Ruby. "I tried to contact a friend of Castro's about surplus. I just charmed it, knowing a new country had opened up. I felt it was an opportunity."

"I never tried to make a fast buck in my life, but I wanted to get out of the beer business."

IDENTIFIES FRIEND

Ruby identified the friend with whom he stayed in Havana as J. M. Willie, a former Dallas and Fort Worth man now living in Las Vegas.

"I had no motive to go to Cuba except to have a good time," Ruby said.

Ruby said he "convinced the FBI" that he was just on vacation.

"As a matter of fact the Cuban government interrogated me," Ruby said. "They were very suspicious of Gostapo." He did not elaborate on his use of the term "Gostapo."

Ruby said television personality Jack Paar and other well-known Americans were in Cuba at the same time—all with U.S. government approval.

Ruby also denied reports that he planned to write a book of his life.

"I don't know anything about that story that I'm going to write a book," he said.

22 Reasons Given For Venue Change

Here are the 22 reasons cited by Jack Ruby's defense attorneys in their motion for a change of venue filed Tuesday with Dist. Judge J. B. Brown.

"Assassination of President Kennedy on Dallas streets.

"Assassination site close to courthouse where Jack Ruby will be tried.

"Assassination site still a hot land boom, still placed nearby.

"Assassination and shooting of Oswald are exceptionally newsworthy.

"Dallas blamed directly or indirectly for assassination of the president.

"Dallas blamed for allowing shooting of Oswald.

"Dallas citizens often have the racial feelings of prejudice on parade.

"Dallas County's deprivation of guaranteeing Oswald could find protection in the prosecution of Ruby.

"Disturbance over Stevenson spitting and efforts to blame Dallas for such incidents. (This was a reference to U.S. Ambassador Allen Stevenson's treatment at a United Nation's Day rally here.)

"Dallas blamed for promoting extremism.

"Dallas County cannot judge Ruby fairly while state, nation and world judge Dallas.

"Publicity regarding fear of political or economic reprisals against Dallas.

"Unusual effort on Dallas buy of the publicity against the Dallas community.

"Dallas district attorney paid bribed pre-trial demand for the death of a citizen who is charged with killing the vicious assassin of the President.

"Adverse publicity concerning Ruby's legal counsel and clearance by grievance committee of district attorney's press release.

"Such extreme pressure and publicity that trial judge received several requests for venue change.

"Necessity of taking extreme measures to insure fair treatment of Ruby to county with news stories for transfer to county will include closed location of jail cell, newspaper's own security precautions, and protection of courthouse by bailiff and police.

"Adverse local press stories carrying imputations of complicity between Ruby, Oswald and Communists.

"Threats of physical violence against other citizens of Dallas after assassination of President and shooting of Oswald.

"Adverse local press referring to Ruby as 'tough guy, Chicago mobster and strip joint owner'.

"Anti-semitism against Ruby, sparked by publicity that name had been changed from Belmont.

"Such strong local publicity as fair Parkland hospital, which treated the accused Mark Lane, 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)

Psychiatrists Say Ruby Mentally Sick

Prosecution Has Different Theory

By CARL FREUND

A New York psychiatrist said Monday that Jack Ruby "did not realize what he was doing" when he shot Lee Harvey Oswald to death, after 24-year-old Marxist Oswald had been accused of assassinating President Kennedy here.

Prosecutors suggested, however, that Ruby pulled the trigger "in a fit of rage, jealousy and becoming rich."

Judge Brown also alluded to the conflicting theories in a heavily guarded courtroom as defense lawyers resumed their attempt to free Ruby on bond.

Judge Brown said he would hear more testimony Tuesday. He instructed deputies to return Ruby to Criminal Dist. Court No. 3 at 9 a. m.

More Testimony Due

Ruby has been held without bond since he leaped forward in the City Hall courtroom Nov. 24 and fired a shot into Oswald's back as white soldiers watched on television. The mortally wounded accused slayer slumped to the floor as officers snatched a pistol from Ruby's grasp.

Defense lawyers relied heavily on testimony of Dr. Walter Bromberg, a New York psychiatrist, and Dr. Roy Schafer, a psychologist.

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

"The Dallas
Morning News"
Dallas, Texas

Jack B. Iruege

Dallas

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on the staff of Yale University. Both examined Ruby in his county jail cell.

Dr. Bromberg described Ruby as a mentally sick man who sank into periods of deep depression—periods in which he contemplated

Brain Disorder Claimed

Dr. Schafer said his tests convinced him the striptease club owner has a brain disorder—probably a form of epilepsy—which can produce "explosive behavior" when he is emotionally upset.

The two discussed their findings at length during questioning by Melvin Belli of San Francisco and Joe Tonahill of Jasper, the chief courtroom spokesmen for the defense legal staff.

Dist. Atty. Henry Wade and his assistant, William F. Alexander, challenged the conclusions of the defense witnesses.

Alexander charged that Ruby lied to Dr. Bromberg when the psychiatrist questioned him.

"If some of the things he told you were false, then that would make your findings erroneous, wouldn't it?" the prosecutor asked.

Conclusions Defended

Dr. Bromberg said he felt his conclusions were correct.

The psychiatrist said Ruby was in a "fugue state" when he shot Oswald.

Dr. Bromberg explained this is a condition in which a man performs various acts with no conscious knowledge of doing them. He cited cases of boxers continuing to fight throughout a match and then not remembering it.

Dr. Bromberg said Ruby told him he does not remember shooting Oswald.

"He told me he remembers going down the ramp (into the City Hall basement) and seeing Oswald, but doesn't remember anything else until he found himself struggling with officers," the psychiatrist related.

Question Arises

Alexander asked:

"If he said, 'I hope the — dies,' would that be out of character for someone in this fugue state?"

Not necessarily, Dr. Bromberg replied.

Alexander asked seconds later, "Ruby thinks he's about half-way tough, doesn't he?"

"He thinks he's tough," the psychiatrist agreed.

Dr. Bromberg said Ruby is subject to "basic emotional instability so severe that he occasionally breaks out crying for no apparent reason."

The witness said "a depressive episode" began building up on Oct. 22 when Ruby saw a newspaper ad which criticized President Kennedy.

'Emotional Shock'

"The death of President Kennedy produced a severe emotional shock which resulted in agitation and confusion," Dr. Bromberg continued.

He said stress kept building up inside Ruby's organically impaired brain and the night club owner finally "exploded" by shooting Oswald.

"When he was telling you what he did, did he remember going to a party Saturday night (between the time President Kennedy was assassinated and the time Oswald was shot)?" Alexander asked.

"No, he didn't tell me," the psychiatrist replied.

Although defense lawyers pictured Ruby as acting like a rebel when he shot Oswald, Alexander suggested that Ruby knew exactly what he was doing.

"Don't you think he stood there and figured he could become immortal—a national hero—and write a book and make a million dollars and open 'Black Ruby's on Broadway'?" the prosecutor asked.

Delli objected to the question, terming it "dramatic."

Trip to Cuba Bared

Wade and Alexander brought out also during their cross-examination of Dr. Bromberg that Ruby made a trip to Cuba "about nine months after Castro came to power."

Dr. Bromberg said Ruby stated he "hoped to make a quick dollar" by selling merchandise to Cuba.

Repeated objections by prosecutors blocked defense lawyers during their questioning of Police Chief Jesse Curry.

Judge Brown ruled they could not question Chief Curry about his investigation of the assassination. The judge said those questions had no place in a bench hearing.

When Tench persisted, Judge Brown warned him sharply.

Dr. Schofer said he believes Ruby suffers from psychomotor epilepsy, but is not paranoid or schizophrenic. He said this epilepsy may have resulted from a head injury or a brain inflammation known as encephalitis.

Without showing the symptoms which laymen usually associate with epilepsy, the psychologist said, Ruby would suffer attacks which left him unable to control his impulses.

Ruby a 'Fighter'

Dr. Bromberg described Ruby, who grew up in a rough-and-tough area of Chicago, as "a fighter . . . geared to attack." But, the psychiatrist said, he has suffered periods of deep depression.

Dr. Bromberg said Ruby and his family recalled one case in which Ruby showed far more than the normal grief after a friend was killed during a scuffle in a Chicago labor dispute in 1949.

The psychiatrist said Ruby stated he "holed up in a hotel room for weeks" and contemplated suicide after a business failure 12 years later.

Notes: Ruby Nervous, Judge Stern in Court

By MUGH ANNESWORTH

For his sister from the jail.
Dallas, Jan. 1 (UPI)—Murdan.
Jack Ruby, though he answered, "I'm fine, thank you," to a reporter's question as to how he felt, looked considerably more nervous Monday than at the previous hearing.

He nibbled on his nails, wrung his hands, many times scratched his neck, adjusted his tie and once had washed tears in his eyes as Dr. Walter Brantley and Assistant Dist. Atty. Bill Alexander talked about Ruby being "a lightning man."

"He thinks he's about half tough, you mean?" Alexander asked. "No, Ruby is placed quite like Alexander, who has known for 12 years, and dabbed his eyes."

Judge Joe B. Brown ruled with a strict hand Monday. Once, when the audience—some press, some citizens—laughed aloud at an exchange between Alexander and defense attorney J. C. Tenahill, Brown snapped, "Any more of that and I'm going to empty the courtroom. I'm not going to put up with that."

He later admonished Tenahill by saying, "Let's get on with some thing else. Let's don't have a falling out here."

Tenahill brought another snicker from the crowd with, "You mean a falling out between me and

Alexander, don't you judge? You and me ain't gonna fall out!"

Dallas Police Chief Jesse Curry appeared briefly on the stand, but, on the advice of Dist. Atty. Henry Wade, did not bring with him all the personal effects taken from Ruby, including the death weapon.

The prosecution maintained, and was upheld, that Curry did not have to bring this paraphernalia, since the court had not so ordered.

As Curry stepped down, Tenahill said sarcastically, "Thank you. You are very nice. I think you'd tell us the truth if they would let you."

When Dr. John P. Holbrook told of his talks with Ruby Nov. 25 and Dec. 4, he hit a sore spot with the Ruby family.

He said Ruby told him he had a "peculiar situation" with some of his brothers and sisters, that "they often used him."

Mrs. Eva Grant, his sister who lives in Dallas, winced a bit, then looked toward Jack. But he didn't look toward the family. His brothers, Sam of Dallas and Earl of Detroit, sat beside Mrs. Grant in the fourth row through most of the session.

One of the last to be seated at

the morning session was Mrs. Melvin Belli, wife of the chief defense attorney. She strode in, wearing a black dress, white scarf, a strand of pearls and a smile. She sat in the jury box during the session.

As she arrived, Belli stood and said, "I'd be willing to accept her as a permanent juror."

"Let's don't have any levity," snapped Judge Brown. "Let's get on with the next witness."

Sheriff Bill Decker witnessed the entire proceedings. He stood during the morning session and part of the afternoon. But he got to sit down when he was called a chair to the courtroom later in the day.

As the proceedings broke up, Decker smiled and asked Belli, "Will you please get your press conference over out there (morning outside the front door of the court where Belli usually stops for television cameras) so I can clear the halls?"

As Ruby was taken back to his cell, he was tired looking.

Belli said the trial was still slated for Feb. 3, "but it might slip 'til the 10th or 17th. I hope it's the 17th."

He said Tenahill, his helper from Jasper, would ask for a change of venue—probably Tuesday. "It's kinda been held up," Belli said.

How was he doing?

"I'm always hopeful, even when I'm a lap behind," he replied.

Variety of Moods Displayed by Ruby

By LEWIS HARRIS

“Wonderful! Wonderful!” a testimony from the stand that he jaunty Jack Ruby exclaimed “thinks of himself as a tough friend to the question of how he felt.”

was feeling as he was hustled. He said Sheriff Bill Decker into court under heavy guard for “has been real great to me—the second round of his bond hearing without giving me any extra ing.”

A short, balding, sharp-nosed man with a perpetual 5 o'clock shadow, Ruby seemed to welcome the hearing as a break to his jail-cell confinement.

He was a man of various moods during the day.

Cocky and self-assured at the beginning, he faced whirring TV cameras and brief questioning from the press with pasty smiles and flip answers.

As the testimony progressed, he expressed irritation, boredom and nods of approval—depending on the turn of the evidence.

“Do you think you’re going to beat it?” a reporter asked Ruby about his case. “Give me a pill and I’ll answer that,” he replied without explanation.

“Was he excited?” “My blood pressure is at a faster pace than 157 years before this, wouldn’t you think?” came the mixed answer.

Ruby snapped some of his answers from the side of his mouth.

Prosecutor Bill Alexander emphasized to one witness the possibility that a man might act and react differently “if he stands in the shadow of the electric chair.”

It seemed to take a few minutes for the implication to sink in on Ruby. Then he stared blankly at the floor for a long time, eyes

as if to bolster later psychiatric testimony from the stand that he thinks of himself as a tough friend to the question of how he was feeling as he was hustled. He said Sheriff Bill Decker into court under heavy guard for “has been real great to me—the second round of his bond hearing without giving me any extra ing.”

liberties, you understand.” He said he does perhaps and setting up exercises to combat a weight problem.

“They give us a lot of gratification the mashed potatoes but it is delicious,” he added. Asked if he felt sorry about shooting accused presidential assassin Lee Harvey Oswald, Ruby was mulling an answer when one of his attorneys ordered him not to reply—and cut off any further questions from reporters.

Ruby generally paid close attention to the testimony. He nodded in agreement when a defense psychologist testified that a head injury probably contributes to an unbalanced mental condition he feels Ruby suffers.

The defendant seemed agitated as the testimony dwelled on the effects of excessive drinking and pressure is at a faster pace than a technical discussion of epileptic repercussions he may have experienced.

His lips moved wordlessly as he apparently talked to himself.

Prosecutor Bill Alexander emphasized to one witness the possibility that a man might act and react differently “if he stands in the shadow of the electric chair.”

It seemed to take a few minutes for the implication to sink in on Ruby. Then he stared blankly at the floor for a long time, eyes

DETERMINE BRAIN DAMAGE, IF ANY

3 Say Ruby Needs Series of Tests

By KENT FRITTE

Two psychiatrists and a psychologist who testified at Jack Ruby's bond hearing Monday agreed that Ruby needs a series of tests to find if his brain is damaged.

Dr. Roy Schafer, an associate professor of psychology at Yale University, and Dr. Walter Bromberg, clinical director of Pine-wood Psychiatric Hospital at Katonah, N.Y., said that in interviews with Ruby they found indications he may at one time have suffered brain damage through injury or illness.

Doctors Schafer and Bromberg were defense witnesses.

Dr. John T. Holbrook of Beverly Hills Hospital in Dallas agreed with them that the tests are needed. Dr. Holbrook will be a major defense witness. He was called by

the defense for the Monday hearing. However,

The tests reportedly needed for Ruby include a brain wave examination, blood tests, skull X-rays and a spinal tap.

While Dr. Holbrook was on the witness stand, he mentioned that such tests should be made.

Melvin Belli, chief attorney for Ruby, said, "All you have to do is get Mr. Wade (Dist. Atty. Henry Wade) to call Parkland and we can get him in."

The implication was that Wade was somehow blocking Ruby's admittance into a hospital where the tests could be given.

After the hearing recessed, Wade said that was not the case. "We are just as anxious as the defense that the tests be conducted," said Wade. "But we

want them performed on our terms with experts on hand to give them."

He indicated he would insist that Dr. Holbrook be present when the tests are conducted. Wade said the tests, requiring two or three days, would be performed sometime after the close of the bond hearing.

Judge Joe B. Brown of Criminal Dist. Court No. 3 said no aspects of the bond hearing seem to hinge directly on the outcome of the tests so nothing would be lost in the tests' being delayed until the hearing is completed.

The judge left the bench during the morning session to take a phone call from a Parkland Hospital spokesman. The judge was in hopes that Parkland had agreed to accept Ruby for the tests. Such was not the case, he said.

Monday night no date had been set for the tests.

Sanders Jots Notes At Hearing

U. S. Dist. Atty. Barclay Sanders was a prominent observer Monday at the resumed Jack Ruby bond hearing.

"We are keeping the Justice Department informed," Sanders said of his note taking.

"What about the White House?" Sanders is known to be a close political friend of President Lyndon Johnson, whose interest in the Dallas hearings are apparent.

"Let's just say that we are working through the Justice Department," Sanders said, smiling. He said that the same applied to information which might be supplied to the Warren Commission. That is the federal body established to investigate all aspects of the assassination of President John F. Kennedy.

Sanders apparently was on hand also to handle any conflict involved in testimony by two Federal Bureau of Investigation agents summoned to testify at the hearing.

Federal and state attorneys in Dallas have clashed recently on just how far an FBI man can be forced to reveal findings in a state court.

During one of the agent's testimony, Sanders joined state attorneys in objecting to defense efforts to get the agent to tell whether any connection had been established between Ruby and accused presidential assassin Lee Harvey Oswald.

Sanders said the agents were authorized to testify only to the facts of their interviews with Ruby, not to venture any opinions or touch on any other subject.

SELLING MERCHANDISE TO CUBA

Doctor Testifies Ruby Sought 'Quick Dollar'

Jack Ruby was quoted Monday as saying he tried to "make a quick dollar" by selling merchandise to Communist Cuba.

Dr. Walter Bromberg, a New York psychiatrist, testified in Criminal District Court No. 3 that Ruby told him this was the reason for a 1959 trip to Cuba.

Dr. Bromberg, who interviewed Ruby in his county jail cell, testified during a bond hearing for the 23-year-old murder suspect.

Objections Ring Out at One Question

Objections sounded through the courtroom when an agent of the Federal Bureau of Investigation was asked a key question by a defense lawyer at the Jack Ruby bond hearing Monday.

Special Agent Roy Bell was on the witness stand. Defense attorney Lee Tomahill asked: "Mr. Bell, did the FBI, in its investigation, find any connection between Jack Ruby and Lee Harvey Oswald?"

Dr. Atty. Henry Wade and Assistant Dist. Atty. Bill Alexander were both on their feet objecting that this matter was irrelevant to the bond question. At the side of the courtroom,

U.S. Dist. Atty. Barclay Sanders had quietly come to his feet also. "Your Honor, I'd like to add my objection. Mr. Hall is authorized to state only facts of the interviews he may have had with Mr. Ruby. He is not authorized to voice opinions on that or other matters."

Judge Joe B. Brown overruled the objections.

Dist. Atty. Henry Wade asked about the Cuban trip while cross-examining the psychiatrist.

"Did he tell you about a Cuban trip about nine months after Castro came into power?" Wade asked.

Dr. Bromberg said Ruby had mentioned the trip.

"He said he wanted to make some money in a hurry . . . to make a quick dollar . . . selling something to the people there," Dr. Bromberg said.

Dr. Bromberg said Ruby stated he made the trip in September, 1959, with "a Mr. McWille." This was apparently a reference to L. J. McWille, a former gambler in the Fort Worth-Dallas area.

The psychiatrist said Ruby spent about 10 days in Cuba.

"He said the deal didn't go through," Dr. Bromberg related.

Dr. Bromberg testified he couldn't recall what Ruby said he planned to sell in Cuba, but he sure it was not guns.

Wade suggested that Ruby planned to sell Jeeps to the Castro government and Dr. Bromberg said Ruby may have mentioned Jeeps.

"I can't recall positively," the psychiatrist said.

Chief of Defense Hopes to Wind Up Hearing by Noon

Melvin Belli, chief defense lawyer for Jack Ruby, said Monday following the recess of a bond hearing for his client that he hopes to complete the hearing by noon Tuesday.

He added that his colleague, Joe Tomahill, has communicated with the Warren Commission, investigating the assassination of President Kennedy and its attendant tragedies, that Jack Ruby wants to testify before that body.

Belli indicated, however, that in return for making Ruby available, he felt the commission should provide Ruby's lawyers with information it has collected in its investigation thus far.

Belli said Ruby is willing to take a lie detector test or truth serum in the presence of commission investigators.

The defense contends that Ruby should be released on \$5,000 bond.

The state argues that Ruby should not be released on bond of any amount.

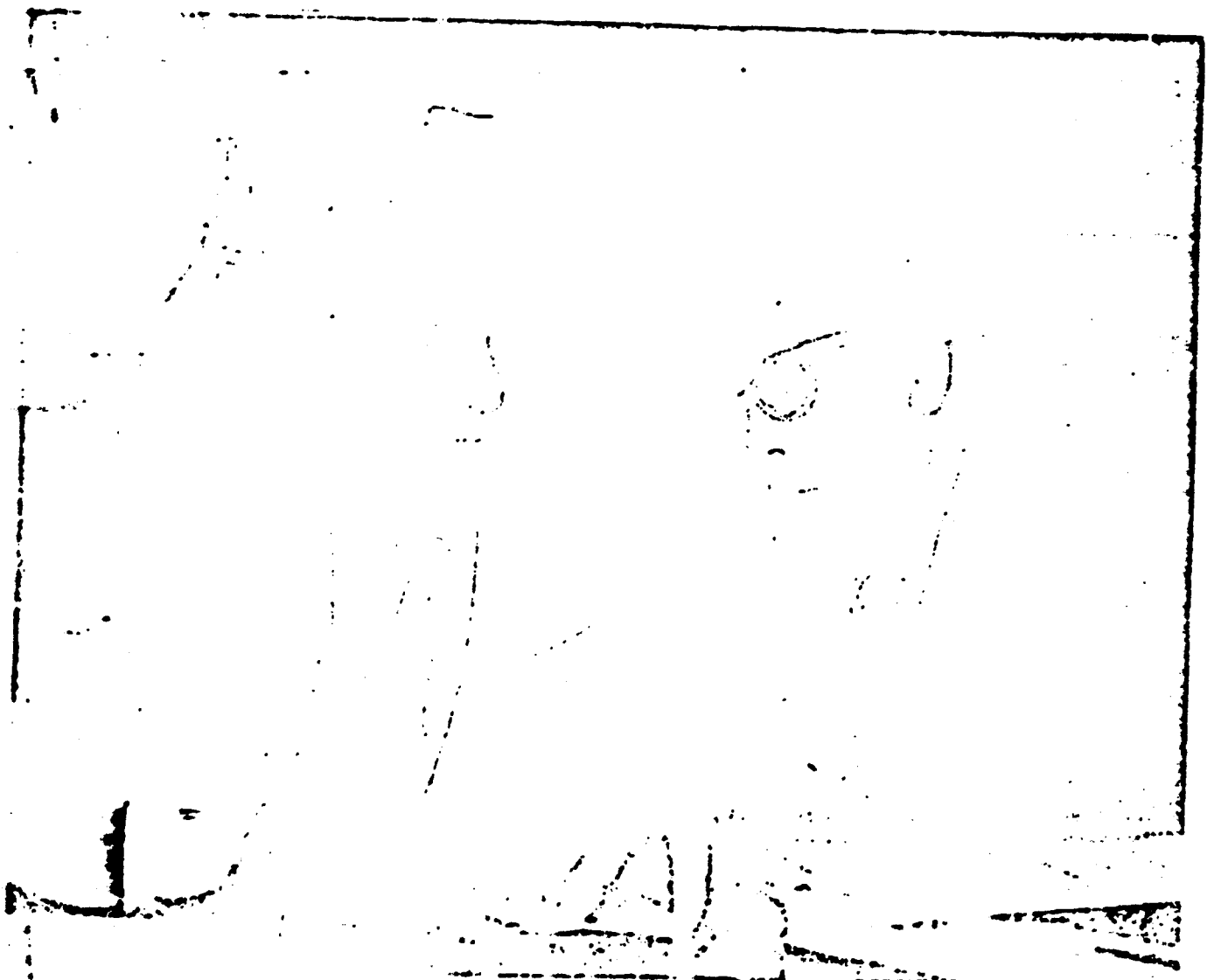


—Julius F. Brown for the Times Herald

TESTIMONY DURING RUBY BOND HEARING

Judge Joe B. Brown presides over Criminal Dist. Court No. 3 Monday as Yale University psychologist Dr. Roy Schafer testifies in Jack Ruby's bond hearing. A court reporter, in front of witness stand, takes down the testimony as attorneys and the

defendant listen. They are, from left, Dist. Atty. Henry Wade, Assistant Dist. Atty. William Alexander, defense attorneys Sam Brody, Joe Tonalill and Melvin Belli. Ruby, who is charged with killing Lee Harvey Oswald, is at the far right.



Ruby, center, watches as lawyers Belli, right, and Tonahill discuss strategy.

—The News Staff File by Tom D. Hill

(Mount Clipping in Space Below)

Witness Says Ruby's Brain Impaired

Jail Exam Cited By Psychologist

A Yale University psychologist testified Monday that tests he had given Jack Ruby showed there was an impairment of the nightclub operator's brain.

Dr. Roy Schafer, called by defense attorneys, said the pattern from the tests showed "a definite impaired functioning of Jack Ruby's brain on a physical basis."

He said it was an organic malfunction and not a functional disorder and the tests indicated "psycho-motor epilepsy was very likely."

The psychologist administered the tests to Ruby in his county jail cell some three weeks ago. Ruby's

attorneys contend Ruby, charged with the pistol slaying of accused presidential assassin Lee Harvey Oswald, should be freed on bond for further testing pending his trial.

"I arrived at the conclusion he (Ruby) should have extensive physical testing of the brain," Dr. Schafer testified after Judge Brown's ruling.

The Yale psychologist said he ruled out schizophrenia and paranoia as the cause of Ruby's condition and said the impairment could be caused by either an old head injury or encephalitis.

Characteristic patterns of such impairment, he stated, were lack of knowledge of what the patient was doing and impulsiveness.

Dr. Schafer said there would be periods of mental confusion in which thinking would not be well organized and a person so suffering could lose temporary control over impulses for a second or two up to a day or more.

STATE OBJECTIONS

Dr. Schafer's testimony came over objections by prosecutors. The psychologist testified he saw Ruby for 3 days and spent 9 1/2 hours testing him.

He said he administered some 15 tests to the nightclub operator, including the Roschach (ink-blot) test, Wechsler-Bellevue intelligence tests, and had definite findings from them.

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

"The Dallas Times Herald"
Dallas, Texas

Author: **Felix R. McKnight**
Editor:
Title:
Character:
Submitting Office: **Dallas**

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Prosecutors objected when Mr. Bell asked what the tests showed claiming such testimony had nothing to do with the question of bond for Ruby. Judge Brown overruled the state when Mr. Bell said the information was being offered to show Ruby's mental state. He said it would indicate the nightclub operator did not know right from wrong, showing the case against him would not call for the death penalty and Ruby should be allowed bail.

NORMAL APPEARANCE

During the actual seizure state, he said, the afflicted person might appear normal but may be acting in a slightly bizarre manner.

"It can be set off by an emotional state, but I can't say it's always set off by emotional stimuli," Dr. Schafer testified.

On cross-examination, Dr. Schafer admitted to Dist. Atty. Henry Wade that a pre-senile dementia—a form of old age setting in early—could not be ruled out and that severe alcoholism could sometimes give the same results.

Dr. Schafer told Mr. Wade the results of Ruby's ink blot test was a type of response typically found where there is "a compulsive, explosive, aggressive attitude."

In answer to a series of quick questions from Mr. Wade, the psychologist said the attitude would take the form of aggressive outbursts, including hitting someone, fighting, cursing and "knocking someone in the head."

Dr. Schafer told the district attorney, however, alcoholism would explain less of his findings than psychomotor epilepsy and that pre-senile dementia would not be consistent with all the findings.

The psychologist said Ruby had frequent periods of mild confusion when responding to his questions during the testing. Ruby's speech was loose and his sentence structure disorganized, he added.

"He was almost incoherent at times, but didn't seem to realize it," Dr. Schafer testified, stating the Ruby had difficulty with abstract words and "if" questions.

The psychologist said when Ruby became disorganized he would struggle to get back to rational thinking, a characteristic not present in disorders such as schizophrenia and paranoia.

Under cross-examination by Dist. Atty. Henry Wade, Dr. Schafer said Ruby had an overall IQ of 100, placing him in a high percentile of the population.

"He would not be subject to the ambiguities of persons of lower IQ," the psychologist stated.

Ruby was transferred under heavy security guard from his cell to the jury room in Judge Brown's court some three hours before the hearing reconvened.

He walked into the main courtroom area just before 10 a.m., flanked with reporters and pored over photographs. Though chatting easily with reporters, Ruby appeared less amiable and a little tense.

Asked if he were nervous, Ruby said: "Your blood pressure is at a faster pace, wouldn't it be?"

He told reporters he had been doing push-ups in his cell for exercise.

In the courtroom, among the crowd of reporters and spectators, were Ruby's sister, Mrs. Eva Grant, and his brothers, Earl of Detroit, and Sam of Dallas.

Sam Brody of Los Angeles, one of the associates working with the team of attorneys representing Ruby, said a motion for change of venue was expected to be filed Monday. A hearing on the motion would not be expected until the beginning of Ruby's trial, he said.

AREA GUARDED

Sheriff Bill Decker and his deputies again threw a tight cordon in and around the courthouse. Lawmen were stationed at each stairwell leading to the second floor of the Courts and Records Building, where Judge Brown's court is located.

The security job appeared more efficient Monday than in December, with three additional criminal district courts and the city probate court, all on the same floor, open for business.

Sheriff Decker's men expected some confusion when jury panels called for the other courts mingled with newsmen and spectators in the hall outside of Judge Brown's courtroom.

When the long hearing began in December, deputy sheriffs searched each person coming into the courtroom, including newsmen wearing identification badges.

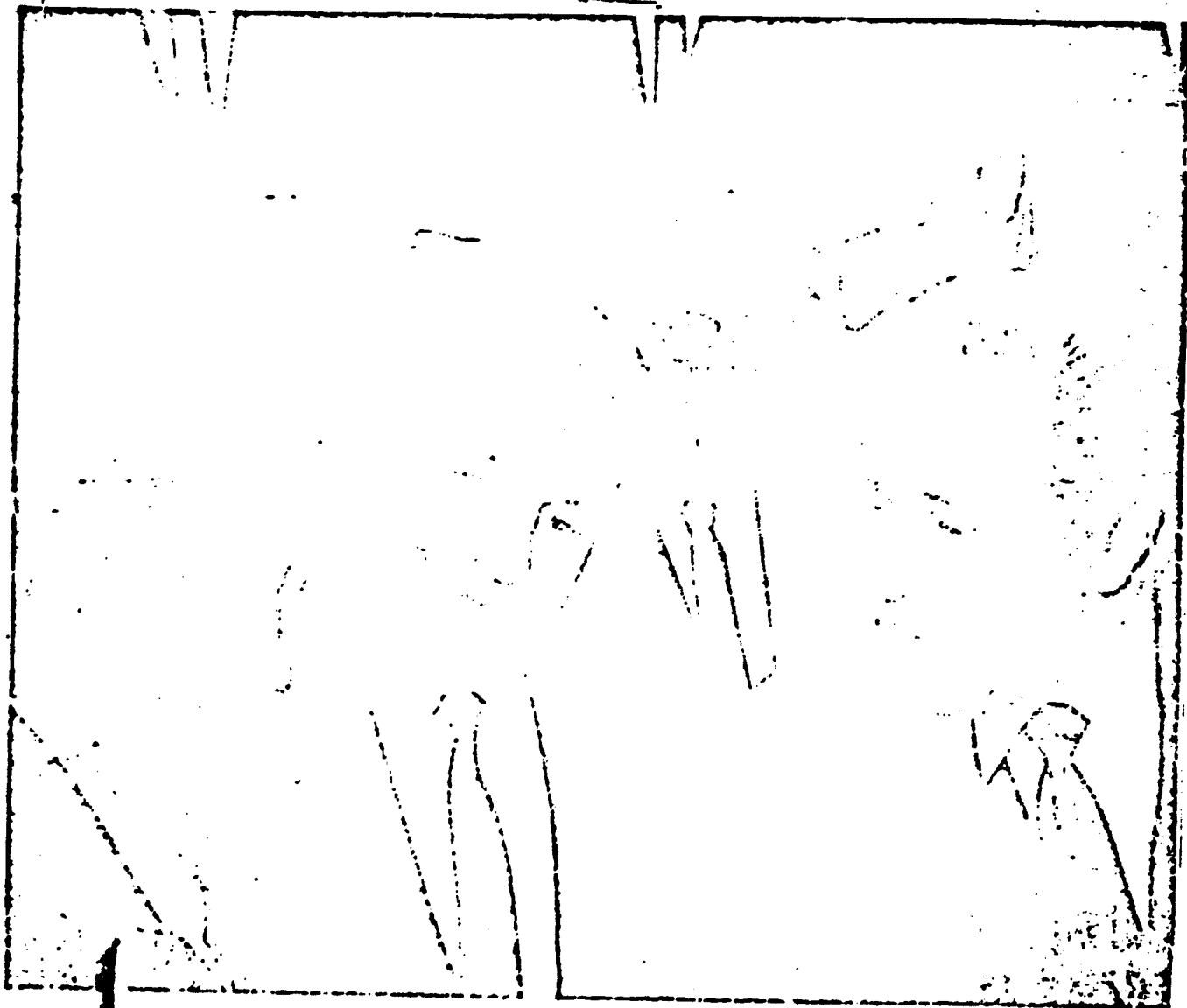
The precautionary measures uncovered an empty, broken pistol in the large handbag of a 19-year-old Fort Worth stripper, Karen Lyn Bennett, who was called to testify by attorneys representing Ruby.

The girl, who formerly performed at Ruby's Carousel Club in downtown Dallas under the name "Little Lyn," was charged with carrying a concealed weapon and was jailed briefly after testifying.

She was the last witness called before Judge Brown recessed the hearing for the Christmas holidays, refusing to allow Ruby to leave the county jail under bond until the hearing resumed.

Both defense and prosecuting attorneys agreed Saturday to have Ruby undergo brain tests by two impartial neuropsychiatrists named by Judge Brown. Information from the electroencephalograph tests would be made available to all involved in the case.

Judge Brown was expected to announce the time and place for the tests Monday.



RUBY HEARING REOPENS

Flanked by his attorneys, Jack Ruby, second from left, appears in Judge Joe B. Brown's court at the reopening of a hearing to determine whether he should go free on bond while awaiting trial for the

slaying of accused assassin Lee Harvey Oswald. Left to right are J. H. Tomahill, Ruby, Tom Howard, Sam Brady and Melvin Belli.—Staff Photo by Bob Jackson.

(Mount Clipping in Space Below)

HOSPITAL BALKING?

Brain Tests Set For Jack Ruby

By JERRY RICHMOND and BOB FINLEY Staff Writers

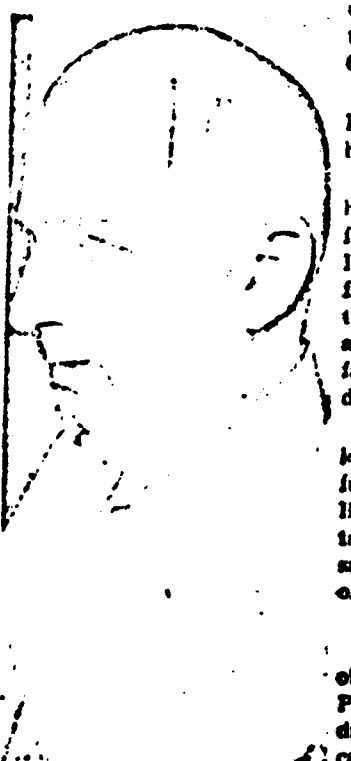
Prosecution and defense Saturday agreed to submit Jack Ruby to extensive brain tests but the defense claimed the board chairman of Parkland Hospital refused the institution's facilities for the examination.

Dist. Judge Joe B. Brown announced that the slayer of accused assassin Lee Harvey Oswald would be given a series of "impartial scientific brain tests" by a well-known psychiatrist. Those tests, the judge announced after a lengthy conference in his chambers with state and defense lawyers, will include electroencephalograph chartings.

The agreement pointed up the bond hearing for Ruby which is scheduled to reconvene at 10 a.m. Monday.

Ruby's chief defense attorney, Melvin Belli, arrived in Dallas Saturday afternoon to say he had hoped the tests would be concluded by Monday night. The psychiatrist agreed on for the tests is Dr. Martin Towler, professor of neuropsychiatry for the University of Texas medical branch at Galveston.

brought to Dallas, Parkland Hospital chairman Ed Maher refused the hospital's facilities for more testing, according to defense attorney Joe H. Towhill. However, Judge Brown said he



JACK RUBY Brain Tests Due

hoped the tests could be given at Parkland.

Dr. Towler is noted as a brain-wave specialist and is to be assisted by Dr. Tynus W. McNeel, senior resident in neuropsychiatry at the medical school at Galveston.

As to Mr. Maher's refusal, Mr. Belli remarked: "I think he's a better Samaritan than that."

Mr. Maher and other hospital board members were unavailable for comment Saturday afternoon. It was learned hospital officials felt that adequate private facilities for psychiatric testing are available without using a public facility designed mainly for indigents.

There were reports that Baylor Medical Center had also refused to administer the tests. But Baylor's assistant administrator, David Hill, denied that such a request had been made of the hospital.

HOSPITAL'S POSITION

C. Jack Price, administrator of the hospital district that runs Parkland, pointed out that the district is charged by law with caring for indigent patients. "The few private patients we do receive are special cases where

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

"The Dallas Times Herald" Dallas, Texas

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needed equipment or services is not available at other non-profit or private institutions."

Mr. Price said furthermore that all cases at Parkland must be under the care of a physician associated with the University of Texas Southwestern Medical School or on the attending staff at the hospital.

"Ruby is not indigent, and examinations such as that requested could be performed in a number of local doctors' offices, private clinics and at Terrell State Hospital," said Mr. Price.

He pointed out that the request was for hospitalization of Ruby for the tests, when electroencephalograph tests commonly are conducted on an out-patient basis.

Mr. Tonahill said he made the request Friday night. The agreement between the state and defense was not reached until Saturday.

WADE APPARENTLY AGREES

Although the tests were first sought by the defense, Dist. Atty. Henry Wade apparently agreed to them under certain "controlled conditions." Mr. Wade attended the conference in Judge Brown's chambers and left without comment.

Asst. Dist. Atty. William Y. Alexander and Frank Watts re-

mained in the three-hour meeting with Judge Brown, the doctors and defense attorneys Tonahill and Phil Burleson.

Judge Brown announced that accord had been reached on the tests, describing them as an "impartial medical study for the court's information."

Mr. Alexander said the state's psychiatrist, Dr. John T. Holbrook, would probably participate in the tests.

"The state wants whatever scientific tests are necessary to determine the mental condition of Jack Ruby," Mr. Alexander said.

REQUIRE SEVERAL DAYS

Judge Brown said the tests would include testing under both sleeping and waking conditions and would take several days.

Mr. Belli arrived by jet Saturday afternoon and said he felt a "moment of truth" is at hand in the case. He said the defense feels entitled to the full FBI reports on the assassination of President Kennedy, the shooting of Officer J. D. Tippitt and the killing of Oswald. The lawyers said they had received a reply from FBI Director J. Edgar Hoover leaving it up to the discretion of the Warren Commission.

Belli said he hopes for a change of venue in the case because he feels the people of Dallas are being propagandized.

Mr. Belli said he thinks the bond hearing which reconvenes Monday might not last over two or three days despite the number of witnesses subpoenaed.

The hearing began Dec. 23 but was recessed.

Ruby has been held in his Dallas County jail cell under close security imposed by Sheriff Bill Decker since he was transferred from the city police station where the shooting occurred.

(Mount Clipping in Space Below)

Ruby Hearing Monday To Strike Legal Sparks

BY ED JOHNSON
Star-Telegram Writer

DALLAS, Jan. 18—Two courtroom lions will tangle at 9 a. m. Monday in Round 2 of the Jack Ruby bond hearing.

At stake is whether the night club owner will get out of jail before his trial in the slaying of Lee Harvey Oswald.

Stars of the legal fray are District Attorney Healy Wade, who wants to keep Ruby locked up until the big battle, and chief defense counsel Melvin Belli of San Francisco, who is just as determined to obtain temporary freedom for his client.

Belli and Wade, both white-maned lions in their profession, first clashed Dec. 23 when the hearing began.

That encounter sparked the type of legal infighting that may make the whole courtroom drama one of the trials of the century.

There is another aspect of the bond hearing—a sort of fishing expedition for the bigger trial ahead.

Prosecutors generally don't like such hearings because in presenting evidence before the court they tip the defense on the texture of their principal case.

But the defense is now in the midst of its presentation in behalf of Ruby's freedom.

JUDGE JOE B. BROWN will rule in line with Texas law, which says that a defendant may be held without bond if it is likely a trial jury will give the death penalty.

This, of course, is a guessing game peculiar to the law.

The polished and colorful Belli has said the bond hearing may go on all week, a likely timetable if he uses all of the 21 defense witnesses subpoenaed.

These include Dallas Police Chief Jesse Curry, who has no reason to be friendly to the defense.

Others called include FBI agents, detectives, doctors, reporters and editors and two men identified as brothers of Ruby.

Belli wants to get in evidence at the bond hearing the state's case against the slain Oswald, who was charged with murdering President John F. Kennedy and Dallas Police Officer J. D. Tippit.

THE PROSECUTION will fight just as hard to keep that evidence out on grounds that Oswald's possible killings have nothing to do with the case against Ruby.

Belli maintains that Ruby's mind was so inflamed by the assassination that he shot Oswald in the Dallas police station before a host of reporters and policemen and millions watching on television.

Belli has said, in effect, that Ruby did what thousands of outraged Texans wanted to do.

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

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

Date: 1/18/64
Edition:
Author:
Editor: John Ellis
Title:

Character:
or
Classification: Dallas
Submitting Office:

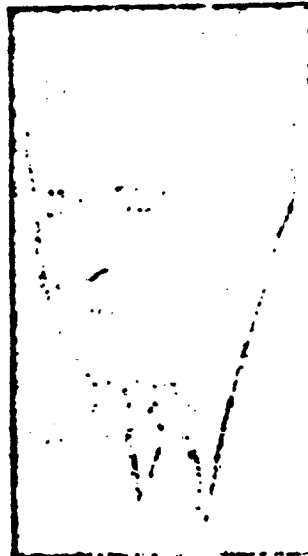
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JACK RUBY



HENRY WADE



MELVIN BELL

THE OSWALD evidence
could give the defender a look
at FBI and Dallas police re-
ports on the self-styled Matx-
ist.

The defense also has filed a
26-page motion.

"The defense must prove Os-
wald was the man who accu-
sated the president of the shot
of the Texas," the motion
states.

The motion also contends
that Oswald was temporarily insane
when he killed Oswald.

The president's assassination,
the wounding of Governor Con-
nelly and the slaying of Tip-
pit "terraced their client to
such an extent that their client
was temporarily insane," the
defense motion says.

Officers testifying for the
state in the first part of the
hearing said Ruby acted calm
both at the time he shot Os-
wald and in questioning after
he was arrested.

Justice Brown probably will
rule during the final hearing
on Belli's announced intention
of filing a motion for a change
of venue and on his request that
the murder trial be postponed
Am Feb. 3 to 1 ca. 10.

(Mount Clipping in Space Below)

Ruby to Get Brain Test

Wave Study Designed to Spot Any Damage

BY KING RUTHERFORD

Psychiatrists will conduct a series of tests on the right foot of Jack Ruby, the eighth-foot convict who shot down accused assassin Lee Harvey Oswald Nov. 24.

Judge Joe B. Brown of Civil Dist. Court No. 3 made the decision Saturday after a meeting with the morning with state and defense attorneys.

The judge said the brain tests will be done on Ruby's head before he is taken to prison at the city jail.

Defense attorney J. E. Tonahill of Dallas made an oral motion that the tests be given, examining the brain for any damage to the brain. The tests to spot damaged areas of the brain.

Prosecutors agreed to the proposal after they were assured that results of the study would be made available to the state as well as the defense.

Tonahill said results will also go to state and federal investigators who are probing the slayings of President John F. Kennedy. Dallas policemen J. D. Tippit and Oswald.

"This will be an impartial medical test," said Judge Brown. "I'm trying to get at the

truth. That's what we're after. This measure has the approval of both the state and defense."

Accompanying defense lawyers Tonahill and Phil Burleson when they visited Judge Brown Saturday were two brain specialists from the University of Texas Medical Branch in Galveston.

They were Dr. Martin Towler, professor of neurology and psychiatry, and Dr. Lynus McNeel, chief resident in neurology and psychiatry at John Sealy Hospital.

Just when the tests will begin was not decided Saturday. Assistant Dist. Atty. William F. (Bill) Alexander said they would not begin until after Ruby's head hearing is completed.

Tonahill said he had hoped to have the tests begun Saturday but indicated that a hospital official had been reluctant to agree.

The hospital was expected to approve the plan, however, after its endorsement by Judge Brown. Tests will require at least a couple of days.

Doctors use a device called an electroencephalograph to trace brain impulses. The physicians have indicated they wish to study Ruby both while he is awake and while he is asleep.

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

"The Dallas Morning News" Dallas, Texas

Date: _____

Author: _____

Editor: **Jack B. Krueger**

Title: _____

Character: _____

Classification: _____

Submitting Office: **Dallas**

Investigation: _____

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Ruby's Lawyers, DA, Judge Meet

Attorneys in the Jack Ruby murder case conferred in chambers meeting, which began about 9 with Judge Joe B. Brown Saturday a.m., after about 30 minutes, but morning, but the purpose of the others remained in the judge's meeting temporarily remained a chamber for several hours. Mr. Wade declined comment on the mystery.

The surprise session, apparently meeting called Saturday by the defense. San Francisco defense attorney was held with no public explanation by defense or prosecuting attorneys. Melvin Belli and his West Coast associates were due to arrive Saturday afternoon by plane. A hearing to determine whether Ruby should be released on bond is scheduled Monday.

However, it was learned that two doctors attended the session along with defense counsels Joe Tenahill and Phil Burlington and state's attorneys Henry Wade and Bill Alexander. Meanwhile, subpoenas for 23 witnesses were issued late this week by the defense for the writ of habeas corpus hearing. The unusually large number of witnesses called supported a prediction made by Mr. Belli that the bond hearing may be the longest in Texas history.

The district attorney's office has indicated it will seek to limit matters at the hearing to the issue of whether bond should be granted for the Nov. 24 slaying of Lee Harvey Oswald.

Prosecutors said they would ask that other matters be restricted and the hearing shortened. On Dec. 23, the state called only two witnesses to testify that Ruby killed Oswald in the basement of City Hall.

Dist. Judge Joe B. Brown recessed the hearing after Mr. Belli stated defense testimony would take several days.

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

"The Dallas Times Herald" Dallas, Texas

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Author: Felix B. McKnight
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Limitations Urged For Ruby Hearing

Prosecutors urged Judge Joe B. Brown Friday to limit testimony during the Jack Ruby hearing next week to matters which involve his right to post bond.

First Assistant Dist. Atty. A. D. Jim Bowie said Judge Brown should schedule separate hearings on other defense requests.

Meanwhile, Ruby's lawyers subpoenaed Sheriff Bill Decker for the hearing scheduled to start at 10 a.m. Monday in Criminal District Court No. 3.

The subpoena directs Decker to bring the pistol which Ruby used to shoot Lee Harvey Oswald after the 24-year-old Communist sympathizer was accused of assassinating President John F. Kennedy here.

Defense lawyers also asked Decker to bring money taken from Ruby and photos, notes, letters and other documents found by officers who searched his apartment and striptease club.

Bowie noted defense lawyers have asked Judge Brown to order Dist. Atty. Henry Wade and Police Chief Jesse Curry to let them examine prosecution evidence.

In addition, Bowie noted, the lawyers have asked Judge Brown to move Ruby's murder trial to another county. They contend the 52-year-old slayer could not get a fair trial in Dallas County because its residents have been prejudiced against him.

"Neither of these matters are proper subjects for the hearing scheduled next week," Bowie said. "Judge Brown should not allow testimony on whether Ruby could get a fair trial in Dallas. Nor should he hear arguments on the defense claim that it has a right to examine our evidence. Those are matters for other hearings."

Dist. Atty. Henry Wade con-

tends the death penalty is likely and, as a result, Judge Brown should deny bond.

Defense attorneys told Judge Brown in papers filed Thursday they are convinced jurors would return one of two verdicts:

—Ruby did not know right from wrong when he shot Oswald and, as a result, should go to a state hospital.

—Ruby is guilty of murder without malice, a charge which carries five years in prison as the maximum penalty.

Defense lawyers have subpoenaed 22 witnesses. They include Decker, Police Chief Jesse Curry, advertising executive Sam Bloom, doctors, Dallas detectives, FBI agents and newspapermen.

Judge Brown refused at the end of a December hearing to set bond for Ruby. The judge said, however, that he was willing to hear more testimony.

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

"The Dallas Morning News" Dallas, Texas

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JAN 23 1964
FBI - DALLAS

(Mount Clipping in Space Below)

Oswald Data Asked By Ruby Attorneys

By JERRY RICHMOND
Staff Writer

Defense attorneys for Jack Ruby have indicated that accused assassin Lee Harvey Oswald will be on trial along with their client when Ruby's murder trial begins.

"The defense must prove Oswald was the man who assassinated the President and shot Officer Tippit," a lengthy defense motion declared.

The motion, filed Thursday afternoon by attorney Phil Gault, seeks to force authorities to turn over to the defense all records and investigative reports of the assassination of President Kennedy, Officer J. D. Tippit's murder and the slaying of Oswald.

The defense attorneys also issued 23 subpoenas Thursday for Ruby's bond hearing which begins Monday before Judge Joe B. Brown. Among those subpoenaed were law officers, physicians, federal agents and newspapermen including Times Herald reporter Warren Bosworth.

The 20-page defense motion contended night club operator Ruby was temporarily insane with rage when he gunned down Oswald in the City Hall basement.

The President's assassination, the wounding of Gov. John Connally and the subsequent murder of Patrolman J. D. Tippit ordered their client to such extent that their client was temporarily insane," the motion states.

Those subpoenaed for the bond hearing included:

Four doctors—Dr. John T. Hill, a psychiatrist who examined Ruby for the district attorney, who was ordered to bring all records of that examination, and three physicians, Dr. Coleman Jacobson, Dr. Herman Ulinitch and Dr. Perry E. Gress.

Four newspapermen—Ray Zaubel, editor of the Oak Cliff Tribune; Warren Bosworth, Times Herald reporter; and Carl Freund and Dick West, employees of the Dallas Morning News.

Three police officers — Dallas Police Chief Jesse Curry, who was directed to bring records regarding Oswald's death; and police detectives L. C. Graves, B. H. May and B. E. Cindest.

Two Federal Bureau of Investigation agents—Ray Hall and Manning Clements.

Individuals subpoenaed were Dist. Atty. Henry Wade and Sheriff Bill Decker, both ordered to bring their records; Sam Bloom, advertising executive; Leo Torti, salesman; Tommy Jennings, accountant; Marvin Rubenstein of 5015 Meadowcrest; Sidney Rubenstein of 1120 Crestbrook; Marvin E. Galt, Hall, business executive; and Mrs. Ollie Nichols, secretary.

The long list of defense subpoenas indicated that Ruby's bond hearing will last at least a week. Defense lawyers have just warned that the hearing to determine if Ruby is eligible for release from jail on bond will be exhaustive.

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

"The Dallas Morning News" Dallas, Texas

Ruby Protagonists Dispute Over Oswald 'Trial' Request

By CARL FREUND

A dispute arose Thursday over the right of defense lawyers to "try" Lee Harvey Oswald during the Jack Ruby murder trial.

Ruby's lawyers told Judge Joe B. Brown he should let them present testimony which would prove that Oswald murdered President John F. Kennedy and Officer J. D. Tippit and seriously wounded Gov. John Connally here Nov. 22.

The lawyers said this testimony would shed light on Ruby's reasons for shooting down Oswald, a 24-year-old Marxist, two days later.

First Assistant Dist. Atty. A. D. Jim Bowie retorted that Oswald's guilt or innocence has no bearing on Ruby's case. Judge Brown will rule later on the defense request.

In other developments:

—Defense lawyers subpoenaed 21 witnesses for Round Two of Ruby's bond hearing. It is scheduled to start at 9 a.m. Monday in Criminal District Court No. 3.

—The lawyers asked Judge Brown to order Dist. Atty. Henry Wade to let them inspect prosecution evidence.

—Acting under a court order,

Assistant Dist. Atty. William F. Alexander and federal agents opened a bank deposit box which Ruby and a sister, Mrs. Eva Grant, rented in 1962. They found the box empty and noted records showed Mrs. Grant had opened it Dec. 9.

Witnesses subpoenaed by Ruby's lawyers for the Monday hearing include Police Chief Jesse Curry, doctors, reporters and editors, two FBI agents, three detectives, and two men identified as brothers of the defendant.

Defense lawyers told Judge

Brown he should order Wade and Curry to let them inspect, copy and photograph "every book, paper, statement, document, photo, or other tangible object" obtained during the investigation of the deaths of Kennedy and Oswald.

The lawyers said this would include FBI reports, grand jury testimony and a lengthy report by police department officials who investigated the slaying of Oswald.

While millions watched on television, Ruby shot Oswald as detectives led him through the City Hall basement.

Bowie termed the request ridiculous.

"Our state laws clearly do not give them the right to have our evidence," the prosecutor said.

Defense lawyers, who want the trial transferred to another county, repeated their claim that newspaper reports have prejudiced Dallas residents against Ruby.

The defense subpoenas for two FBI agents could touch off a new courtroom fight next week. The FBI contends state courts cannot force agents to reveal matters in its confidential files.

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Bank Deposit Box of Ruby, Sister Raided

District Attorney, FBI Officials Had Warrant Authority

Representatives of the district attorney's office and federal agents Thursday raided a bank deposit box rented by Jack Ruby and his sister, Eva Grant.

Asst. Dist. Atty. Bill Alexander said the box was empty.

Meanwhile, attorneys for Ruby filed a motion asking access to investigative reports dealing with the death of Lee Harvey Oswald. Ruby is charged with murder in the shooting of President Kennedy's accused assassin.

A locksmith drilled into the box at the Bank of Dallas, 3708 Lemon Ave.

The box was opened under the authority of a warrant issued by Justice of the Peace Pearce McBride. The warrant was executed by Mr. Alexander and H. H. Davis, of the Dallas County district attorney's office, and agents of the FBI and Internal Revenue Service.

Mr. Alexander said the box had been rented under the names of Jack Ruby and Eva L. Grant in 1962.

Mr. Alexander said Mrs. Grant had opened the box on Dec. 9, 1963.

Prosecutors said they had learned about the box and routinely got a search warrant to see if there were any documents or information that might be perti-

nent to the Ruby case in the box.

The motion filed by Ruby's attorney Thursday morning claimed that fundamental unfairness would exist in Ruby's trial unless he has access to police and district attorney's investigative reports.

The motion, filed by attorney Joe H. Tonahill, claimed that without these police records Ruby would be denied equal protection of the law and due process of law under the 14th amendment to the U.S. Constitution.

The defense asked permission to copy and photograph the police and district attorney's records regarding the assassination of the President, the slaying of officer J. D. Tippit, the shooting of Gov. John Connally and the subsequent shooting of Oswald.

The petition cited 20 federal and state cases to support the defense contention that it has the right to secure the police records.

The defense petition also claimed Ruby's attorneys had the right to examine state evidence before it could be presented in court.

The motion was mailed to Judge Joe B. Brown by attorney Tonahill.

Meanwhile, the second round in Ruby's bond hearing will begin at 9 a.m. Monday. Chief defense counsel Melvin Belli said the hearing may be one of the longest in history.

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

3 "The Dallas Morning News" Dallas, Texas

RUBY HEARING

Sheriff Puts Security Into Effect Again

Sheriff Bill Decker said Wednesday his deputies will enforce "strict security requirements" when Round 2 of the Jack Ruby bond hearing begins Monday in Criminal District Court No. 3.

Decker said security rules will be similar to those used during a December hearing.

Deputies searched reporters and spectators at that hearing. Other deputies stood outside the building with walkie-talkie radios.

Judge Joe B. Brown refused to allow Ruby to go free on bond after the December hearing, but he agreed to hear more testimony Monday. Attorneys said the hearing may last a week.

Ruby was charged with murder after he shot Lee Harvey Oswald, who had been accused of assassinating President John F. Kennedy here Nov. 22.

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Ruling in Estes Case May Guide on Ruby

By CARL FREUND

A ruling by the Texas Court of Criminal Appeals in the Billie Sol Estes case will provide a legal blueprint for the judge who presides during the Jack Ruby murder trial.

After the appeals court upheld Estes' 8-year prison term Wednesday, First Assistant Dist. Atty. A. D. Jim Bowie noted it ruled on points which will arise in Ruby's trial.

"The judge in Ruby's trial can take the appeals court decision and apply it to his case," Bowie said.

Judges of the appeals court said a juror may serve even though he has expressed an opinion about a case.

They said also that a prospective juror is not disqualified merely because he has learned facts about a case while watching television and reading newspapers.

The ruling said the test is whether the juror can set aside anything he may have heard—or any opinion he has formed—and return a verdict based on testimony from the witness stand and instructions given him by the court.

The appeals court noted that Estes, like Ruby, made headlines throughout Texas.

But, its judges wrote, "The wheels of justice must not stop merely because an accused is of such prominence that he and his alleged misdeeds have been publicized throughout the state."

Attorneys for Ruby contend the striptease club owner cannot get an impartial trial in Dallas County.

ty. They say most prospective jurors here saw TV and newspaper pictures of Ruby shooting Lee Harvey Oswald after Oswald had been accused of assassinating President Kennedy.

The lawyers say also that most Dallas County residents read newspaper accounts and formed opinions.

Estes' lawyers claimed he could not get an impartial trial because jurors had heard and read so much about his case and had formed opinions.

The appeals court noted 9 of the 12 jurors stated they had heard or read about the case before the Pecos financial manipulator went on trial.

Its judges commented:

"Some stated they had formed no opinion as to the guilt or innocence of appellant (Estes), while others stated that from reading newspaper accounts and magazines and watching television they had formed some opinion.

"Those prospective jurors who indicated they had formed some opinion about the case stated that they could lay such opinion aside and follow the evidence and the court's charge (instructions on the law) in rendering their verdict . . . No abuse of discretion is shown on the part of the court in holding the veniremen (jurors) qualified."

The appeals court took note also of defense complaints about live television coverage of Estes' trial.

Noting that cameramen photographed the trial from an inconspicuous booth at the rear of the courtroom, the judges said in their 2-page ruling that the television did not prevent Estes from receiving a fair trial.

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Carr Tells of White House Conference That Set Up Inquiry

The story behind the creation of a Texas Court of Inquiry to investigate President Kennedy's assassination was revealed publicly by Atty. Gen. Waggoner Carr in a talk here Monday night.

Carr, addressing the brotherhood of Highland Baptist Church, told of a White House conference at which the court of inquiry was decided on, and traced subsequent events which resulted in making the Warren Commission responsible for the inquiry at present. He pledged that the Texas investigation would be resumed if his group feels additional facts should be revealed after the Warren Commission reports.

A partial text of Carr's remarks follow:

AS A RESULT of the tragic events of Nov. 22 through Nov. 24, it goes without saying that all of our lives have been changed to some degree. Since that time literally millions of words have been written of those fateful three days . . . some of them true . . . some of them misleading . . . some of them false. And since the attorney general's office was involved in one particular area of those proceedings, I thought you might be interested in hearing tonight the complete story of the Texas court of inquiry . . . from its inception . . . till now.

The story really began in Washington, D.C., where I, along with Lt. Gov. Preston Smith and Speaker Byron Tunnell, had traveled to serve as official representatives of the State of Texas to the funeral of President Kennedy.

After a conference with the White House, it was decided that a court of inquiry should be held in Texas for the purpose of developing and disclosing publicly the facts surrounding the assassination of President Kennedy, the attempted assassination of Gov. Connally, the murder of Dallas police officer J. D. Tippit, and subsequent events. There were three primary reasons why such proceedings were felt to be desirable, and, indeed necessary.

FIRST, THE President was going to call for a complete and thorough report from the FBI, and it was feared that this action might be misinterpreted by the rest of the United States and the world to mean that the integrity of justice and law and order in Texas had broken down to such an extent that nothing less than federal agents could bring order out of chaos.

The federal government also wanted to avoid giving the impression that it was taking over the responsibility of Texas in the enforcement of state laws.

Secondly, the Eastern and Northern press, and even the international press, were, at that time, beginning to insinuate and openly state that there was some deep, dark, and mysterious con-

spiracy to prevent the truth from becoming known . . . and that this conspiracy was being aided and abetted by the authorities of Texas. It was being said that the lips of the man accused of the President's assassination had been forever sealed by those who feared the story which he might tell. And they went on to hint darkly that the killing of Oswald had been allowed by the Dallas police . . . either ingeniously or stupidly.

WITH SUCH insinuations being made as to the veracity of Texas authorities, it was felt that Texas must quickly demonstrate its own initiative and desire to determine the facts, no matter what they might reveal, in plain view of the world through a public hearing.

And thirdly, the development and disclosure of the facts should sometime, in the course of the entire investigation, be done by a judicial hearing where witnesses would be examined under oath and where unwilling witnesses might be forcibly subpoenaed. The federal government had no statutes whereby this could be accomplished. The State of Texas, however, does have such a statute which authorizes the calling of a court of inquiry for the purpose of determining whether a crime has been committed. Such a court has state-wide subpoena powers, authority to enforce the attendance of witnesses should

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the subpoenas be disobeyed, and authority to place each witness under oath to tell the truth — such oath to be enforced by a felony indictment for perjury should the witness lie. The examination would be conducted by the attorney general of Texas and the local district attorney.

We also planned to select one or more outstanding lawyers of Texas, not connected with the government, as special counsel.

I AGREED that Texas had an unusual obligation to determine the facts and to make them public. It was only in this manner that the world of the present and future would know the difference between fact and rumor. In accordance with this decision, made in conference with the White House, I announced in Washington that I would call a court of inquiry upon my return to Texas.

Within the next 24 hours, the U.S. Department of Justice sent its third-ranking assistant attorney general, Mr. Herb Miller, head of the criminal division, to Austin. This visit was felt to be desirable for two reasons.

First, to make initial decisions as to how the federal and state governments could most effectively work together toward their common objective of establishing facts, and secondly, to visibly demonstrate to the people of Texas that the federal government recognized the responsibility of Texas in the determination of facts arising out of these tragic events. Mr. Miller was accompanied to Austin by the U.S. district attorney for the Northern District of Texas, Mr. Barefoot Sanders of Dallas. During a two-hour conference, we were able to establish a very fine basis of cooperation.

IMMEDIATELY following this meeting, a press conference was held, with all three of us present, where statements were mutually made expressing the desire of both governments to cooperate in this objective. It was announced that this would be a 3-pronged affair.

(1) The FBI would make its full report to the President, and Texas would cooperate in this first step by turning all files and evidence over to the FBI so that agency might have the benefit of our information in making its report to the President. This we promptly did.

(2) The second phase of the investigation would be the Texas court of inquiry which was to be called as soon as the state could prepare its evidence following the report of the FBI to the President. In this phase, the federal government, including, of course, the FBI, would cooperate with Texas authorities by making all federal evidence and witnesses available for the court of inquiry. This included even witnesses outside the State of Texas and thus beyond the reach of a Texas subpoena.

(3) THE THIRD phase would be undertaken by the presidential commission. This commission would possess all of the facts developed by the federal agencies as well as the testimony from the Texas court of inquiry, and from these facts, would draw conclusions and report its findings.

Immediately thereafter, the top staff of my office began to brief legal questions which confronted us in the selection of a city where the court might be held, as well as many other questions which you would expect to arise in such an endeavor.

From the very outset, we remained in close contact with the White House staff, the governor's office, and the office of the Dallas district attorney, Mr. Henry Wade.

One of the most pressing and important decisions which I had to make was the selection of one or more eminent Texas lawyers who would serve as special counsel. It was necessary that these men have, not only the highest possible prestige and respect of the people of Texas, but also the people of this nation.

AS YOU know, I selected Houston attorney Leon Jaworski and

Dallas attorney Robert G. Storey. Both of these men enjoy reputations for ability and integrity in the practice of law which are far beyond reproach from coast to coast.

A few days later, President Johnson announced the creation of the presidential special commission. In his announcement, the President stated that this commission should take into consideration all of the facts developed by all investigative agencies, as well as testimony from the Texas court of inquiry.

Three weeks ago, Mr. Jaworski and I were requested by the Department of Justice to come to Washington for the purpose of discussing ways in which we could continue to most effectively cooperate. During our stay in the nation's capitol, the presidential commission held two meetings for the purpose of perfecting its organization and hiring of its staff. As you know, this commission is made up of seven members appointed by the President. Its Chairman is Chief Justice of the Supreme Court, Earl Warren.

CHIEF JUSTICE Warren visited personally with Mr. Jaworski and me in behalf of the commission. At that time, he made the following request, and he repeated this request in a letter which he sent to me in Austin. I quote in part from that letter:

"All of the members of the commission are aware of the deep interest of Texas in the tragic event which occurred there and with respect to which all of us are exercising the responsibilities laid upon us. We share your view that it is desirable to have state officials do everything possible to uncover all the facts, and are appreciative of the availability of these facts to the commission.

"As you know, at this time the commission is organizing its procedures and we do not yet have available the comprehensive report of the FBI or of other investigative agencies, both federal and state. While we expect to receive this material soon, it will take time to analyze it thoroughly, and

I am sure you will agree that there may remain matters which will require further investigation before we feel we are in possession of all the relative data upon which to make evaluation and judgment. We are most anxious, as I am sure you are, to take no steps which could impede investigation or which could lead the public to mistaken conclusion based upon partial factual information. In addition the commission, as well as the Texas court of inquiry, must be extremely careful not to prejudice in any way the trial in Texas of Jack Ruby.

"THE COMMISSION would not wish to interfere in any way with you or other state authorities in the conduct of matters which are your responsibilities, and in which, as you point out, the State of Texas has a proper and important interest. At the same time, it is the view of the commission, for the reasons stated above, that a public inquiry in Texas at this time might be more harmful than helpful in our mutual search for the truth. Recognizing that the timing of this inquiry is your responsibility and your decision, we cannot refrain from the suggestion that you consider the wisdom of postponement of this court.

"It would be the commission's desire that you and your special counsel, or either of you, participate in the commission's work, and counsel with it, it being the commission's wish that you as the representative of the State of Texas be fully advised of the progress that is made in the course of the commission's investigation and advance such suggestions as you consider helpful to the accomplishment of the commission's assignment. It may develop that the commission would deem it advisable that testimony of certain witnesses residing in Texas should be taken before a Texas court of inquiry, and in that event, we would expect to call upon you to render this additional assistance.

"LET ME assure you of the

desire of the commission to work most closely with you and of our conviction that in spirit of close cooperation we can responsibly meet our independent obligations."

As a result of these conferences with the chairman of the commission, J. Edgar Hoover of the FBI, top-level authorities of the Department of Justice and the White House, Mr. Jaworski and I had become convinced that the investigative authority of the federal government was being used to the fullest extent. The commission would be granted subpoena powers; and the investigation, which had already reached across many states and several nations, was being conducted vigorously. Therefore, pursuant to the commission's request, it was our considered judgment that the Texas court of inquiry, if held at this time or in the immediate future might bring about an interruption in the continuity of the nation-wide investigation.

FOR THESE reasons, it was my conclusion and decision that the convening of the Texas court of inquiry should, for the present time, be withheld. At the same time that I announced this decision, I also accepted the invitation of the special commission in which they asked Mr. Jaworski, Dean Storey and me to attend their hearings and assist with the commission's important task.

Since that time, Mr. Jaworski, Dean Storey and I have returned to Washington to begin our work with the commission. At that time, we examined all evidence which has been placed in the hands of the commission, as well as the future plans of the commission, and I can honestly tell you that we were impressed with the thoroughness of the investigation that is planned.

As I talk to you, the investigation continues to cross state lines . . . and even into foreign countries. It is a voluminous task.

It is my desire, and I believe the desire of the commission, that all the evidence and proof gathered by this cooperative effort be

made public at the proper time.

It is imperative that this report be thorough and that it be able to stand the test of future examination by us and the world.

Let me stress once again that it is clearly understood by all concerned that if, after we have assisted the commission in this work, we feel the necessity of additional investigation to disclose further facts, we will then have no hesitancy in calling for the Texas court of inquiry.

ONLY ONE THING is uppermost in our minds. Every possible fact concerning these tragic events must be sought out and established. Then, and only then, will the public confirm that justice has been accomplished.

I have become increasingly concerned with the general abuse which has been heaped on this wonderful city of Dallas and the over-all condemnation of the city which has resulted in some quarters.

Much has been said about the political climate of Dallas prior to that tragic date, but too much has been left unsaid by too many people . . . and the result has been an unjust vilification which should be of deep regret to sober-thinking people everywhere.

Our Eastern writers were quick to brand Dallas as a city of political extremism. I would assume that we could also paraphrase that to state that its citizens hold deep convictions. In any event, it is inconceivable that one political reaction, applicable to 600,000 citizens, could result from the deed of one twisted mind.

I THINK it is comforting to note, however, that these vicious and wholesale attacks on Texas, in general and Dallas, in particular, were the results of momentary prejudice and emotion. Since that time, it is heartening to find our Eastern writers and commentators, possibly after a great deal of self-examination, returning to a more reasonable line of thought, and, in some cases, actually apologizing for words uttered

in haste. Certainly it would be folly to say that all of these discordant voices have been silenced, however, even though they continue, you must never allow these emotional attacks to destroy your confidence in a great city and a great state.

And to those who persist in libeling our citizens, I would say "Come to Texas, come to Dallas—and talk with us. Talk to our people who have the same dreams, the same aspirations and the same measures of success and failure as the people of any other geographic division. Come to Dallas and talk with the parents of 3,000 men and women who gave their lives while defending these United States in World War II and the Korean conflict."

AND FINALLY, I would say to these analysts, come to Dallas and talk with our ministers, our priests and our rabbis and discover that our people have the same abiding faith, the same reverence and the same sincere belief in spiritual guidance.

I think we would all agree that nothing is needed so desperately today than a cessation of finger pointing by one area of our country toward another. The fact that each of us may share different political beliefs should not open the flood gates of slander to any group or area.

All America today needs the

outspoken influence of men who recognize that a difference of opinion, as long as it is expounded in a reasonable and nonviolent manner, is the very heart of our democratic system.

I know not what our history books will say concerning the tragic events which occurred in Dallas. But this I do know:

Out of the tumult will arise a city with greater vitality than ever before—a city whose citizens, gaining strength from each other and from the Almighty God, will reach heights never before attained in its history.

For you see, I know the citizens and the leaders of Dallas. I know the force, the tenacity, and the moral courage which exists here. And I know that the only result can be a stronger, more vibrant community. A city that will continue to play a leading role in the dramatic future of a great state and a great nation.

(Mount Clipping in Space Below)

Oswald-Ruby Case Expected To Spur Sociopathic Study

By JIMMY BANKS

Austin Bureau of The News

AUSTIN, Texas—Action to treat

and control sociopathic personal-

ities may be expedited by the Lee

Harvey Oswald and Jack Ruby

cases, Sen. George Parkhouse of

Dallas said Tuesday.

"We're just spinning our wheels

until we get public acceptance of

the need," Parkhouse told the or-

ganizational meeting of a 17-mem-

ber committee created to study

sociopathic personalities and rec-

ommend new laws.

"It took a drought to get a wa-

ter conservation program

passed," said Parkhouse, who was

elected chairman of the study

committee.

Dr. H. Herlan Crank, a promi-

nent Houston psychiatrist, told

the committee that a "gold mine

of material" on sociopathic prob-

lems was lost when Oswald was

shot.

"RUBY MIGHT also teach us

something," said Dr. Crank, a

professor at the Baylor School of

Medicine and also head of the

psychiatry department at the Uni-

versity of Texas Graduate School

of Biomedical Sciences.

Later, Dr. Crank told The Dal-

las News that he considers Os-

wald and Ruby "good examples

of the sociopathic problem, adding

that they seem to be "entirely dif-

ferent clinical types."

"From everything I can learn

about him," Dr. Crank, "Ruby

represents the sociopath who has

boiled over and exploded in rage."

"Oswald probably would be some in prisons," said Dr. Rul-

mann, who was elected vice-

chairman of the committee.

Dr. George Rein, general man-

ager of the Texas Department of

Corrections, said one of the main

problems involved is a fundamen-

tal one.

"Who is responsible," he asked,

"for the man who commits a fel-

ony and is mentally ill — the

state hospitals or the prison sys-

tem? Which agency is responsi-

ble for the criminally insane?"

DR. CRANK complained of a

new law passed last year by the

Legislature which makes it man-

datory for a judge to grant free-

dom to anyone who appeals a

commitment to a mental hospital,

pending disposition of the appeal.

"This is a dangerous law," said

Dr. Crank. "It has intimidated

psychiatrists and kept them from

signing commitment papers on

paranoid individuals. It ties the

hands of the medical profession to

protect society from these people

—and many are capable of mur-

der as well as suicide."

Parkhouse named subcom-

mittees to gather information on

steps which have been taken in

other states on the problem. He

also asked each member of the

committee to put his own views

in writing and send them to Dr.

James A. Turman, executive di-

rector of the Texas Youth Coun-

cil.

Turman was instructed to make

copies of these and send them to

all members of the committee

prior to the next meeting, which

was tentatively scheduled for the

latter part of February.

"Some wind up in hospitals and

others are in prisons."

Dr. Crank said Dr. Rul-

mann, who was elected vice-

chairman of the committee.

Dr. George Rein, general man-

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

"THE DALLAS MORNING NEWS" DALLAS, TEXAS

Author: JACK B. KRIEGER

DALLAS

44-1639

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(Mount Clipping in Space Below)

Wade Says Ruby Slipped by Guard

Jack Ruby apparently slipped into the City Hall basement on the day he killed Lee Harvey Oswald while a police officer on duty time," the district attorney said.

Mr. Wade said he probably will make public the reports after the Ruby case is concluded.

Mr. Wade Monday afternoon received detailed reports of the Oswald Warren Commission appointed by the Texas Chief of Police Jesse Curry.

Apparently from the reports Ruby walked in the north ramp also from Main Street while the officer on duty there was busy assisting in a traffic problem which occurred at the entrance," Mr. Wade told The Times Herald.

The district attorney said he has not yet read the voluminous report in its entirety, but he has learned from the report that there was no collusion between Ruby and any police officer.

He refused to say whether the report indicated any collusion between Ruby and Oswald.

"Nearly all the reports deal with evidence in the Ruby case and I don't want to discuss it at this time," the district attorney said.

Mr. Wade said he probably will make public the reports after the Ruby case is concluded.

He said, however, that the Warren Commission appointed by the Texas Chief of Police Jesse Curry.

the assassination of President Kennedy and the Oswald slaying Ruby also has copies of the Dallas police report and possibly could release them before he does.

The reports received by Wade consist of statements by all officers on duty at the City Hall basement on the day of the Oswald slaying.

maps of the area and other information.

measures at the time Oswald was being transferred to the county jail.

Oswald was shot to death Nov. 24 during the Lambert. Millions saw the shooting on television.

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

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Ruby Interview By Panel Hinted

AUSTIN BUREAU

AUSTIN — A psychiatrist suggested Tuesday that Jack Ruby, slayer of Lee Harvey Oswald, might be called before the new state Committee to Study Sociopathic Personalities.

Sen. George Parkhouse of Dallas was elected chairman of the 16-man committee at its first meeting.

The playing of accused presidential assassin Oswald robbed the state of a "gold mine" of material in the study of sociopaths. Dr. Harlan Crank of Houston, representing the Texas Neuro-Psychiatric Association, said in a statement to the Fort Worth Star-Telegram.

He added that Ruby, Dallas night club operator who shot Oswald, would before a nationwide television audience, may be made available and may lead to discovery of prevention or treatment.

He said the majority of sociopathic patients are not treatable and must be kept in some kind of

controlled situation. He said his association is concerned over an amendment to the Mental Health Code which was passed by the same legislature that created the study committee.

Under it, he contended, both Oswald and Ruby could have obtained freedom if they had been committed for psychiatric care.

The amendment provided that a patient can appeal commitment orders of a county judge and the judge must release the person until a district court can hear the appeal.

During that time, Dr. Crank said, the patient might get out and kill the judge or some citizen.

Many such patients are capable of both murder and suicide, he said.

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Ruby Hearing Date Will Be Advanced

Bond Plea Scheduled For Jan. 20

Jack Ruby's bond hearing will be moved up from Jan. 24 to Jan. 20, District Judge Joe B. Brown said Monday after defense and state attorneys agreed to the earlier date.

The move was initiated by attorney Joe Tonahill of Jasper, a member of the five-man legal team which represents the killer of accused assassin Lee Harvey Oswald.

At the same time the defense attorney announced he will seek various reports on the Ruby-Oswald case from local, state and federal authorities—and will ask for court orders to obtain them if necessary.

Mr. Tonahill said he asked for the earlier bond hearing date because "the longer the delay, the longer bail is denied—and we want him out."

The Jasper attorney asked Judge Brown Tuesday morning for a change in the date of the bond hearing. Mr. Tonahill said Judge Brown told him it would be all right with him if the prosecution agreed.

Dist. Atty. Henry Wade agreed to the change.

"We don't have any objections. We're ready to hear it at any time," he told the defense attorney.

Mr. Tonahill said he will ask FBI Director J. Edgar Hoover to hand over to defense attorneys reports on all FBI investigations on the assassination of President Kennedy and the killing of Oswald.

At the same time he will ask Chief Justice Earl Warren to submit a complete report on the findings of the special presiden-

tial commission to investigate the assassination.

Finally, the state will be asked to provide the defense with copies of police reports which Chief Jesse Curry submitted to Mr. Wade Monday afternoon.

"These matters should not be secret. The defendant is entitled to these reports," Mr. Tonahill said.

Stressing that the defense is entitled to every piece of evidence about Lee Harvey Oswald in the hands of authorities, he added: "The defense is entitled to prove the character of Oswald—what kind of character he had."

Mr. Tonahill said that if the Curry report is not handed over to the defense, he intends to file a motion to require that the district attorney surrender it.

"We will request that Mr. Hoover and Mr. Warren provide their reports, but if they refuse to do so, we will go to federal court," he added.

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Jack Ruby Jail Mail Drops Off

Letters arriving at the Dallas County jail for Jack Ruby have dropped off from the huge volume he received in the first days of his arrest.

The former nightclub operator, charged with slaying accused assassin Lee Harvey Oswald in the basement of the Dallas Police Station on Nov. 24, has been in the county jail for 39 days.

He writes some letters, but his jailers, who screen all incoming and outgoing mail, say he is not writing an unusual number of letters compared with other prisoners. Through Saturday he had written 47 letters.

Ruby is given the same telephone privileges as other prisoners. He has made fewer than 15 calls since being transferred to county jail Nov. 26.

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James W.

Commission Will Quiz Ruby During Probe of JFK Death

By VICTOR RIESEL

WASHINGTON — Despite the public's belief that the security reports on the assassination of John Kennedy are virtually all completed, the case of the double killing still appears wide open.

Special FBI agents are tracking down every one of jaunty Jack Ruby's connections in many cities. They are not satisfied that they have them all. Federal men in the bureau and Secret Service, working with the Central Intelligence Agency and State Department "security" people, are retracing the movements and background of Lee Harvey Oswald and his widow.

Another investigatory force will be the President's Commission on the Assassination of John F. Kennedy. It has not yet swung into action in its 12-room headquarters covering the entire fourth floor of the Veterans of Foreign Wars Building at 200 Maryland Ave., N.E., which is sort of cater-cornered from the Supreme Court.

When it does so, early in the year, under the direction of the

Nebraska-born, 36-year-old legal scientist J. Lee Rankin, it will conduct investigations of its own on several levels. It will not have an investigation division, but will draw on government agencies as it wishes.

The commission already has established a permanent liaison with the Justice Department. This is maintained by Assistant U.S. Atty. Gen. Howard Willens, who is second in charge of the Criminal Division of the department. He has been peeled off from "Justice" and is spending full time at the commission headquarters.

Commission members themselves will probe into the assassination instead of doing an armchair research job. They will go into the field singly and in groups and it is fully expected that the entire commission will eventually sit in Dallas. There appears to be no doubt that they will talk at great length with Ruby, the cocky killer of the alleged assassin.

That will come after the trial, it can be presumed. Some insiders expect a swift court session for Ruby. Then, Ruby will

be placed under oath by the commission and will testify as a regular witness. The commission has the power to issue subpoenas.

Digging into Oswald's "fuzzy Marxism," (a State Department description) will hardly be difficult for either former CIA director Allen Dulles, or for the commission's chief counsel J. Lee Rankin. The latter, while

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solicitor-general, argued for the United States in the Supreme Court on the Communist passport and Communist party membership cases under the Smith Act.

Back in April, 1955, Rankin wrote a scholarly treatise on the question of trading in surplus agricultural commodities with Soviet bloc countries.

All sides, including the high-

est bar association circles, consider him one of the finest and most objective legal minds in the land.

Aiding him and the commission will be two groups of lawyers. One set will consist of six or eight senior attorneys. They are being chosen geographically, as well as for their legal accomplishments and erudition. They will sift and analyze all federal agency reports—and whatever is found under the commission's own direction.

"These will be mature men," I was told, "with large experience in trials and investigation and evaluation. They cannot yet be identified. During the early stages they will be fulfilling their obligations to their own clients. They will interrupt their personal work, however, to cooperate with the commission.

"In later stages they will be at commission headquarters a good deal of the time.

They are chosen not only geographically but for their varied experience. They have trial experience in criminal

cases. They will attempt to evaluate evidence and discover additional areas of inquiry. There is great detail of information in certain areas. This always indicates to trained legal people possible additional questions and situations where doubts could arise which need to be examined.

"We need to see if this evidence and these details support what has been reported, or are incorrect.

"Sometimes such evaluation leads to entirely new facets."

There will also be a junior group of six or seven lawyers. They will spend full time and will devote themselves to the preliminary analyses and collating of the vast amount of information and documents already pouring in. There also will be the necessary stenographic help.

There is no timetable. President Johnson did not fix any deadline. The commission will function as long as it believes there is a single new fact to be found and an elusive suanoo to be interpreted.

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Ruby Bond Hearing Postponed

Dist. Judge Joe B. Brown ordered a two-week delay in the Jack Ruby bond hearing Friday because of a conflict in his trial schedule.

The hearing, which was recessed Dec. 23 by Judge Brown because of the Christmas holiday and lengthy testimony, was due to resume next Friday. Judge Brown reset the hearing for the morning of Jan. 24, subject to the district attorney's office being ready to continue.

Ruby's attorneys are seeking his release on bond while awaiting trial on charges of murdering accused assassin Lee Harvey Oswald.

Judge Brown said he ordered the two-week delay because of the scheduled murder trial next week of Webb Washington, a 43-year-old yardman accused of beating his employer, Mrs. Sonia Gue, to death with a hammer Oct. 12.

Judge Brown said Melvin Belli, the San Francisco attorney heading Ruby's team of defense lawyers, had called Friday expressing a desire for a brief delay in the hearing because of a conflict in his schedule.

Mr. Belli informed the court he would be in trial in Ohio next week and would find it difficult to be in Dallas Jan. 30.

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