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Belli Says Ruby Victim of Conspiracy To Keep Him From Getting Fair Trial Press Agent's Role Questioned

By BOB FENLEY and JERRY RICHMOND, Staff Writers
Defense attorney Melvin Belli charged Wednesday that Jack Ruby is a victim of "a conspiracy" to deprive him of a fair trial.

But two witnesses—including Dallas Crime Commission President John McKee—testified in Ruby's change-of-venue hearing that they thought he could receive a fair trial here.

Mr. Belli made the charge of a "conspiracy" after questioning public relations man Sam Bloom, Wednesday morning's first witness, who also said he believed Ruby could get a fair trial here for the slaying of assassin Lee Harvey Oswald.

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

1 "The Dallas
Times-Herald"
Dallas, Texas

Date: 2-12-64
Edition:
Author:
Editor: Felix R. McKnight
Title:

Character:
or
Classification:
Submitting Office: Dallas
 Being Investigated

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At this point, the state objected to the line of questioning and Mr. Belli replied: "Since this man is obviously prejudiced and biased, we feel the defense has a right to know who got him in, what his function is and how he outlined the seating arrangement for the press."

"We believe there is a conspiracy, no matter how sophisticated or subtle it may be," Mr. Belli charged, referring to the efforts to try Ruby in Dallas.

But, Mr. Bloom said earlier, he volunteered his firm's services without compensation to handle only the mechanics of the case.

"Members of our firm assigned to this activity were instructed there would be no press releases and they would work only with the mechanics involved in supplying the press with those tools of the trade they need for accurate coverage," he said.

Mr. Bloom, who had been subpoenaed to bring all his files on the Ruby case to court, said his firm was not representing any individual and had not been contacted by any individual or group to offer its services in the case.

Asst. Dist. Atty. Bill Alexander objected immediately to defense lawyer Belli's attempt to have all of Mr. Bloom's records put into evidence. Judge Joe B. Brown sustained the objection.

Mr. Belli asked Mr. Bloom if part of his job was to "make an image."

HASSLE DEVELOPS

The four manila folders containing Mr. Bloom's records a few minutes later became the center of an involved legal hassle as the defense hammered at the public relations man's role in the proceedings.

At a later recess the state said it would be all right if the defense copied the records.

Judge Brown had several times refused introduction of the records when Mr. Belli asked that they be made a part of the record or identified. Mr. Belli said that without the records, I think our defendant is very seriously prejudiced.

"May they be preserved by the clerk?" asked Mr. Belli.

"No, sir," replied Judge Brown.

Attorney Tonahill interjected: "May we just have a photograph of them?"

The judge again refused and added: "Let's go on."

"I can't go on," replied Mr. Belli. "I can't go into federal court and say we have been precluded from seeking evidence without having some record that the evidence exists."

LATER ADMITTED

The files were later admitted into evidence after Dist. Atty. Henry Wade withdrew the state's objections to their materiality in the hearing.

This action came after the 15-minute recess during which Mr. Belli threatened to go immediately to a federal court in an effort to force Judge Brown's court to identify or admit into evidence the four disputed folders.

The four folders were admitted after being opened and perused by defense attorneys. They contained foreign, domestic and local press requests and the carbon copies of agency replies to requests.

Asked if he used memos to handle the requests for seats and other equipment, Mr. Bloom replied, "No sir, because in this case the press needs were too fluid."

He explained that each medium of the press had different kinds of requests.

Mr. Belli snapped, "Who decided it was fluid?"

This question prompted a heated exchange and was never answered.

"DON'T BARK AT ME"

"Mr. Belli, don't bark at me," Mr. Bloom said.

"Then don't you smile at me," retorted Mr. Belli.

Judge Brown then ordered Mr. Belli to be seated to continue his questioning.

STORY INACCURATE

Mr. Belli asked Mr. Bloom about a passage from a Times Herald story which stated that a press release announcing the television ban had been issued by the Bloom agency.

"That is incorrect," said Mr. Bloom after reading the story.

"Do you see any other inaccuracies?" asked Mr. Belli, and the public relations man said, "I don't know."

Just prior to the questioning about The Times Herald story, Mr. Bloom was asked whether he controls the telephone and telegraph communications for the press outside the courtroom.

"When did you tell Mrs. Hankins no one was to get a telephone outside the courtroom without your approval?" Mr. Belli asked.

"I don't know anything about that," answered Mr. Bloom.

"You don't know," pressed Mr. Belli, "if when you call the telephone company they refer you to the Bloom agency?"

"No sir," said Mr. Bloom.

The defense then switched back to questioning on Mr. Bloom's opinion on a fair trial for Ruby. Asked why he thought Ruby could get a fair trial, Mr. Bloom replied:

"I believe the people of Dallas are decent and honorable and will struggle for fairness."

Mr. Bloom said he thought the city and its people were not on trial for any events leading up to Nov. 22 or after the assassination.

"Do you want him to be tried here," Mr. Belli asked.

"I would very much want Mr. Ruby to find justice in a court," replied Mr. Bloom.

At one point Mr. Belli asked Mr. Bloom if part of his job was to make "an image."

Mr. Bloom replied, "Yes, if that kind of thing is called for."

The defense attorney then remarked, "You wouldn't make a bad image, would you?"

And, Mr. Bloom answered, "No."

To repeated state's objections of Mr. Belli's inquiries as to the functions of a public relations man, Judge Brown remarked, "I'm going to overrule the state."

I would like Mr. Bloom to explain his relation with the court."

The witness then explained that his agency did not have public relations clients other than commercial institutions.

Mr. Belli then asked, "The image (you prepare) is to sell their commodity, isn't it?"

Bloom replied affirmatively.

He later described his agency as a corporation with 55 employees.

Under questioning by Mr. Belli, Mr. Bloom denied he had been requested by Dallas newspapers to handle the mechanics of the case. He said his motivation came shortly before the Dec. 23 bond hearing when he read stories that there would be a problem in handling newsmen for the case.

IMAGE TO SELL:
Mr. Belli brought up Mr. Bloom's handling of the visit to Dallas of President Kennedy.

"Regarding your handling of public relations for the President's visit, you wanted to sell Dallas as a friendly city?" asked Mr. Belli.

"Yes sir," answered Mr. Bloom.

"Are you still selling the image of Dallas as a friendly town?" asked Mr. Belli.

"No sir."

"When did you stop?" When the President was shot?"

"I never did start," Mr. Bloom replied. "I was interested in seeing the President had a warm welcome. I did not try to sell any image. I did not try to create an image, Mr. Belli."

"PEOPLE ARE FAIR"

Crime Commission President McKee told the hearing he thought Ruby could receive a fair trial in Dallas.

"Why do you feel this way," asked Mr. Tonahill.

"Because the people in Dallas are fair," he replied.

The Crime Commission president added that he did not know for a fact that it was Jack Ruby who shot Lee Harvey Oswald.

He said he saw television movies of the shooting in the City Hall basement, "five, six or ten times" but said he could not identify Ruby as the man who pulled the trigger.

Ruby was brought down from his cell to the jury room of Judge Brown's court at 7:57 a.m. Wednesday. Surrounded by what appeared to be an unusually large group of deputies, he was whisked by reporters with only time to say "good morning."

A sometimes turbulent and sometimes dreary second day of the hearing closed Tuesday with defense lawyer Joe Tonahill expressing gratitude that Judge Brown excused him from a \$25 contempt of court fine levied for "sidebar remarks" in the hearing for Ruby. Dallas night club owner who killed accused presidential assassin Lee Harvey Oswald.

16 WITNESSES
It was a day in which 16 witnesses sat on the stand. Twelve of them testified there couldn't be a fair trial in Dallas, two said there could be, one was neutral and one did not offer an opinion. It was the defense's day. The defense had taken a drubbing Monday when it sent seven witnesses to the stand and four of them said Ruby could get a fair

trial in Dallas. The others either brought newspaper evidence or testimony as to the proximity of the courtroom to the assassination site.

Asked what legal moves might come before the actual murder trial of Ruby, Chief Defense Counsel Melvin Belli said Tuesday he could make no comment, but defense sources indicated "every possible defense move would be used in Ruby's behalf."

One possibility is a motion for a sanity hearing before the actual trial which is scheduled to begin next Monday.

In comments to reporters during recesses in the change of venue hearing, Mr. Belli has said, "There are several federal avenues open to us."

Such moves might be made before the trial, if the motion for change of venue is denied.

Judge Brown remarked during a session of court Tuesday an extraordinary number of prospective jurors—900—had been summoned for all district courts on Monday.

When the state cross-examined County Judge W. L. (Lew) Sterrett and asked his opinion about a fair trial for Ruby, a violent dispute arose.

Defense attorney Tonahill complained bitterly about the lack of "courtesy on the part of prosecution attorneys."

Moments later when Asst. Dist. Atty. A. D. Jim Bowie apologized, Mr. Tonahill exclaimed, "I accept the apology."

Judge Brown immediately addressed Mr. Tonahill: "Go pay your \$25 and get your receipt from the clerk."

Taken aback, the Jasper, Tex., lawyer inquired why he was being held in contempt and the judge replied: "I have warned you about making sidebar remarks, then cautioned you and then warned you again."

Mr. Tonahill later reported his apology had suspended the fine. County Judge Sterrett had been asked by the defense about the county's ability to provide adequate facilities for a trial of "this scope."

He said, "It is the best we can do until our new building is complete (referring to the new county center now under construction)."

Judge Sterrett said, "We have been concerned about our court-rooms for years, and that is why we are building a new building now."

Defense attorney Tonahill had asked if the facilities provided for the Ruby trial had embarrassed the Commissioners Court, and a string of prosecution objections followed.

The judge upheld the prosecution objections which prevented Judge Sterrett from answering any subsequent questions concerning "rental of additional facilities for the witness subpoenaed in the hearing, withdrawal of beer and wine licenses to Ruby's clubs, or selection of newsmen to cover the Ruby trial in limited court facilities."

MARCUS DUBIOUS

Tuesday's lead witness for the defense, specialty store head Stanley Marcus, expressed "grave reservations" whether Ruby could receive a fair trial in Dallas, and set the pace for other defense witnesses during the day.

He was followed by Dallas attorneys Clayton Fowler, C. A. Droby and San Donosky, who each expressed doubt that Dallas could offer an atmosphere for a fair trial.

Ed Maher, a Dallas auto dealer and chairman of the board of Parkland Hospital, answered relatively little during violent bickering between state and defense. Questions by Mr. Belli as to whether Mr. Maher had refused

electroencephalograph and other brain test facilities to Ruby at Parkland, were batted down on state's objections.

Former Dallas Mayor Earle Cabell said he could not make a definite statement, one way or the other, as to whether a fair jury could be secured in Dallas. He affirmed during questioning that he had said Ruby brought down "trouble" on Dallas.

Mrs. Pauline Hall, a former part-time employe of Ruby at the Vegas Club, was the first woman called in the change of venue hearing.

She agreed with Mr. Tonahill that the feelings and expressions of persons she has come in contact with indicated Ruby could not get a fair trial in Dallas. When asked if she thought such feelings would prevent a fair trial, she replied, "I believe so." She testified she had known Ruby for eight or nine years.

Another of Ruby's friends, curly-haired Carousel Club burlesque drummer Bill Willis, took the stand to declare he (Willis) was a student of logic and, "I don't think he could get a fair trial here."

Mr. Willis said he had "denied vehemently" any association of Ruby with Communists and had termed "lunacy" those suggestions that Ruby shot Oswald for publicity.

"A logistical inadequacy has been established in the minds of people . . . by newspapers," he said.

In particular, said the musician, a newspaper reporter had done a story about hypnotist-mentalist Bill DeMar's feeling he may have seen Oswald in the Carousel Club.

"I said, 'Bill, you're going to cause a national sensation,'" the witness recalled. "DeMar said, 'I couldn't definitely say that he (Oswald) was (in the club).'"

"I think Jack is psychologically disturbed," continued the witness in further questioning.

He said he believed the statement by the mentalist affected half a million persons in Dallas. "Could Ruby," asked Prosecutor Bowic, "Get a fair trial anywhere in Texas?"

Mr. Willis said he didn't know. Dallas attorney Ben Henderson caused some confusion with his complex reasoning: "If you prove Lee Harvey Oswald is innocent, then this man (Ruby) is guilty; but if you prove him guilty, then this man is innocent."

"I've never known it to be an offense anywhere to kill a tyrant." "Who," asked Asst. Dist. Atty. Bill Alexander, "is the tyrant?" "If Oswald were actually guilty, he would be the tyrant," replied Henderson.

The defense then called Mrs. Doris Warner, a 19-year-old Irving resident who said she had managed the dwelling where Ruby and his friend, George Senator, had lived in adjoining apartments. Defense lawyer Sam Brody asked if she thought Dallas County could be impartial or indifferent.

"No," said Mrs. Warner. Mr. Alexander was curious about the apartment arrangement: Did Ruby and Senator live in the same or adjoining apartments? "They lived next to each other," she replied.

<p>Mr. Alexander asked if she had heard any opinion that Ruby should not be punished for his act and she replied in the affirmative.</p>	<p>Fred Carroll, a traveling salesman, said, "I don't believe he can get a fair trial here. There is a feeling of the citizens of Dallas like we were on trial. I was quite upset it happened here in Dallas."</p>	<p>To another line of questioning, Mr. Carroll answered he had once written a song which was recorded and he met Ruby when signing the contract with the singer.</p>	<p>Morning News columnist Tony Zoppi had stated to the court that in his recent visits to New Orleans and Las Vegas he has sensed a "hush" in the audience when he was introduced as a Dallas newspaper columnist.</p>
<p>"There are some, then, who don't want to burn him?"</p>	<p>"Are you Ruby or Burleson's friend," inquired Mr. Alexander.</p>	<p>The name of the song, testified Mr. Carroll, was, "Gila Monster."</p>	<p>"Very often when I was introduced from the audience it was apologetically," Mr. Zoppi said.</p>
<p>"What? What? Burn him?" shouted Mr. Belli, rising quickly from his chair.</p>	<p>"Eva Grant's," said the witness. (Mrs. Grant is Ruby's sister).</p>	<p>Ruby's former neighbor, J. D. Stokes of 213 S. Ewing, said under examination by the defense that he felt Dallas was "a little prejudicial against Ruby" and the accused murderer could get a fairer trial elsewhere.</p>	<p>One entertainer had introduced him: "Mr. Zoppi, the nightclub columnist from . . . I don't know if I should say the word . . . 'Dallas.'" according to his testimony.</p>
<p>"That's a shorthand rendition (of electrocution)," explained Mr. Alexander.</p>	<p>"Where did you meet her?" asked the prosecutor.</p>	<p>"At the B&B Cafe," said Mr. Carroll.</p>	<p>Mr. Zoppi testified that "we (Dallas) had been so closely tied and intimately involved (in the Ruby case) it would be hard to get a fair trial in Dallas."</p>
<p>"I think the chances are better for him getting a fair trial outside Dallas," continued the witness. "The newspapers here are prejudiced against him. They put in quotes never said."</p>	<p>"Did you know she was barred from the B&B?" queried Mr. Alexander, whereupon the defense raised objection and the protest was sustained by Judge Brown.</p>	<p>Mr. Stokes, an assistant to the pathologist at the Veterans Hospital in Dallas, said he based his opinion on his contacts with Dallas people he met in his work. Earlier in the afternoon Dallas</p>	



—Staff Photo by Eamon Kennedy

Ex-Landlady Mrs. Doris Warner.