

'Intended 3 Shots': Officer Quotes Ruby

A Dallas detective dealt a devastating blow Thursday to the defense claim that Jack Ruby shot Lee Harvey Oswald while "in a blackout."

Detective Don R. Archer quoted Ruby as saying, "I intended to shoot him three times."

Archer told jurors in Ruby's murder trial that the balding striptease club manager made the statement within five minutes after he shot Oswald in the City Hall basement Nov. 24.

Archer said he told Ruby, "Jack, I think you've killed him."

Then, the detective testified, Ruby replied, "I intended to shoot him three times."

The testimony could hurt the defense contention that Ruby didn't know what he was doing when he shot Oswald.

If jurors believed the testimony, they could conclude that:

- Ruby knew exactly what he was doing when he shot the 24-year-old suspect in the assassination of President Kennedy.
- Ruby acted with malice.
- Ruby shot to kill.

THESE ARE basic points which Dist Atty. Henry Wade and his assistants—A. D. Jim Bowie, William F. Alexander and Frank Watts—must prove to get a conviction of murder with malice.

Defense lawyers say they believe Ruby was temporarily insane and, therefore, innocent of murder under Texas law. If he is guilty of murder, they argue, it is murder without malice—a charge which carries five years in prison as the maximum penalty.

Melvin Belli, the chief defense lawyer, cross-examined Archer at length in an attempt to discredit his testimony. The detective said he was certain that Ruby stated he intended to fire two more shots.

Archer said he had discussed his testimony "two or three times" with prosecutors.

The detective also said that he didn't mention Ruby's remark to two FBI agents who questioned him.

"They didn't ask me," Archer told Belli. "They were interested in the breakdown of security—how he got in (the heavily guarded basement)."

JUDGE Joe B. Brown let Archer testify about his brief conversation with Ruby despite defense objections.

Ruby's lawyers argued the testimony was inadmissible because Ruby was under arrest. But Judge Brown allowed Archer to testify on the theory that the conversation was closely related to the shooting itself.

Archer gave other testimony damaging to the defense.

Replying to questions from Wade, the detective said he heard Ruby shout the phrase "son of a bitch" an instant before he shot Oswald.

"His lips were moving, but I couldn't hear the rest of what he said," the witness added.

Archer said also that Ruby appeared calm after the shooting.

Belli asked, "Was there any doubt whether he (Ruby) was acting automatically or under his own volition?"

"NO, SIR," Archer replied. "I never had any thought in my mind about that."

The reply led to this exchange:
Q. When you first saw his face, was it calm and blank?

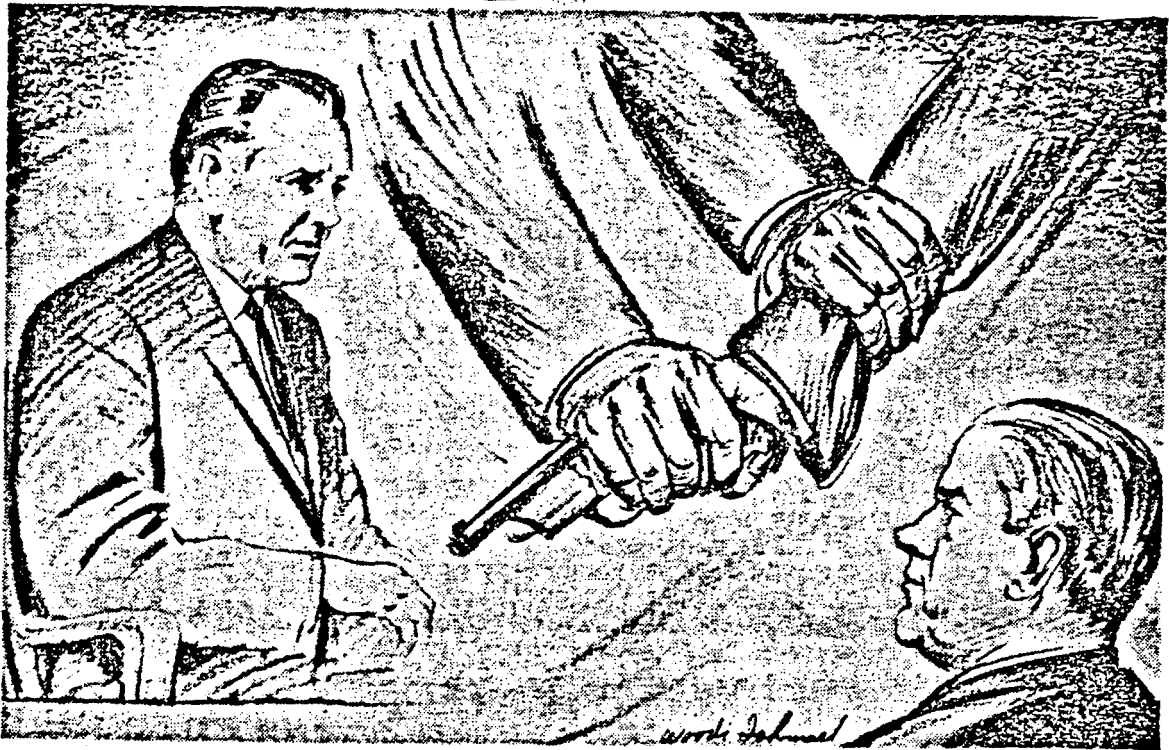
A. Under the circumstances, I'd say it was exceptionally calm.

Q. What do you mean by 'under the circumstances'?

A. The fact he had just killed a man.

When officers overpowered Ruby, Archer related, the night-club manager told them, "You all know me. I'm Jack Ruby."

Defense lawyers say Ruby recalls making this statement. They say it is the first thing he can recall after he "blacked out" seconds before he shot Oswald.



—Associated Press Sketch.

This sketch by artist Woodi Ishmael depicts the scene in Criminal District Court in Dallas Thursday as the first witness, L. C. Graves, left, a Dallas police officer, explains to Dist. Atty. Henry Wade, right, how he grappled with Jack Ruby after Ruby had shot Lee Harvey Oswald on Nov. 24.

6