

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAR 10 1964
TELETYPE

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Miss Gandy	

FBI WASH DC

FBI DALLAS

2-05 PM CST URGENT 3-10-64 WD

TO DIRECTOR (44-24016) ATTN - CIVIL RIGHTS DESK

FROM DALLAS (44-1639) 3 P

JACK L. RUBY, AKA. ^{ALSO KNOWN AS} LEE HARVEY OSWALD, AKA - VICTIM DECEASED. CR.

PRIOR TO OPENING OF MORNING SESSION, SHERIFFS DEPUTIES DETERMINED PRESENCE OF MRS. MARGUERITE OSWALD IN CORRIDORS SEEKING ADMITTANCE TO COURTROOM. SHE WAS PROMPTLY SERVED WITH SUBPOENA AS STATE WITNESS AND EXCLUDED FROM COURTROOM UNDER RULE PREVIOUSLY INVOLVED. DEPUTY SHERIFF STATED EXCLUSION SOLE PURPOSE OF SUBPOENA

MORNING SESSION WAS CONSUMED WITH TESTIMONY OF DR. MARTIN TOWLER/ ATTACHED TO STAFF OF UNIVERSITY OF TEXAS MEDICAL BRANCH, GALVESTON, TEXAS, AS PROFESSOR OF NEUROLOGY AND PSYCHIATRY.

TESTIFIED WAS ONE OF THREE COURT APPOINTED DOCTORS WHO CONDUCTED NEUROLOGICAL AND ELECTRO-ENCEPHALOGRAPHIC EXAMINATION OF RUBY

JANUARY TWENTYSEVEN, TWENTYEIGHT AND TWENTYNINE LAST, 12 1964

TOWLER STATED OBTAINED CASE HISTORY FROM RUBY AND SISTER EVA GRANT, WHICH, WITH RESULTS OF ENCEPHALOGRAPHIC TESTS, LED TO HIS CONCLUSION OF BRAIN DAMAGE. EXHIBITED ENCEPHALOGRAPHS SHOWED ABNORMAL PATTERN. TESTIFIED ALL OTHER TESTS INCLUDING X-RAYS OF

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ES-111)
OF SCHOOL WERE NEGATIVE. STATED HAD NO WAY OF KNOWING WHETHER
BRAIN DAMAGE WAS RESULT OF REPORTED PROTRACTED INFLUENZA IN NINETEEN
EIGHTEEN WHICH MAY HAVE RESULTED IN ENCEPHALITIS OR WHETHER

DAMAGE MAY HAVE RESULTED FROM BLOWS TO THE HEAD FROM ONE OR MORE

OF NUMEROUS INCIDENTS, INCLUDING BRAWLS AND FIGHTS ALLEGED BY

RUBY AND SISTER. STATED HIS CLINICAL OPINION BRAIN DAMAGE HAS
RESULTED IN PSYCHOMOTOR EPILEPSY MANIFESTED BY PHYSICAL, EMOTIONAL
AND BEHAVIORAL PHENOMENA. STATED ONE IN SUCH SEIZURE CAN PERFORM
EVERYDAY ROUTINES WITH PRECISION AS AN AUTOMATION, THAT SUCH A
PERSON DOES NOT KNOW WHAT HE IS DOING, THAT SEIZURE MAY BE
ACCOMPANIED BY AMNESIA CAUSING NO RECOLLECTION OF DETAILS DURING
SEIZURE OR MEMORY GAPS.

DURING CROSS EXAMINATION IT WAS BROUGHT OUT AGAIN ALL
OTHER TESTS SHOWED NO ABNORMALITIES AND RUBY'S INTELLECTUAL LEVEL
WITHIN NORMAL LIMITS.

WITNESS TESTIFIED LESS THAN ONE PERCENT OF NORMAL PEOPLE
MIGHT SHOW SAME ABNORMALITIES ON ENCEPHALOGRAPHS. STATED
FUGE STATE CAN BE PART OF, BUT NEED NOT BE, PART OF PERSON UNDER

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SEIZURE OF PSYCHOMOTOR EPILEPSY. ADMITTED HAD NO WAY OF KNOWING WHETHER RUBY WAS IN FUGE STATE AT TIME OF SHOOTING, HAD NO OPINION AS TO WHETHER KNEW RIGHT FROM WRONG AND CONSEQUENCES OF ACTIONS. ADMITTED THERE CAN BE DIFFERENCES OF INTERPRETATIONS OF ENCEPHALOGRAPHS, STATING SAME ARE MERELY DIAGNOSTIC AIDS.

END MSG ONE

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MR. ROSEN

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