

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
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20  
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THE PRESIDENT'S COMMISSION  
ON THE  
ASSASSINATION OF PRESIDENT KENNEDY

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Dallas, Texas  
Room 7-M, Dallas County  
Jail  
Saturday, July 18, 1964  
11:00 a.m.

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The President's Commission met, pursuant to recess,  
at 11:00 a.m., in Room 7-M, Dallas County Jail at Dallas,  
Texas, Staff Counsel Arlen Specter presiding.

PRESENT:

Arlen Specter, Staff Counsel

Bell P. Herndon, Special Agent, FBI, Washington

W. James Wood, Special Agent, FBI, Dallas

Clayton Fowler, Chief Counsel for Jack Ruby, Dallas

Joe H. Tonahill, Co-Counsel for Jack Ruby, Jasper

William F. Alexander, Assistant District Attorney  
for Dallas County, Texas

Allan L. Sweatt, Chief Criminal Deputy and  
Polygraph Operator for  
Dallas County, Texas

Odell Oliver, Court Reporter

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INDEX

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Page

Preliminary Statements regarding Polygraph-- 2-38  
Test to be given Jack Ruby

"Consent to Interview with Polygraph" ----- 38  
signed by Jack Ruby

Polygraph Proceedings as Conducted by ----- 39-211  
Mr. Bell P. Herndon of FBI

|               | (Page) |
|---------------|--------|
| Series (1)    | 48     |
| Series (2)    | 65     |
| Series (3)    | 74     |
| Series (3)(a) | 104    |
| Series (4)    | 115    |
| Series (5)    | 137    |
| Series (6)    | 150    |
| Series (7)    | 157    |
| Series (8)    | 166    |
| Series (9)    | 181    |
| Series (9)(a) | 182    |
| Series (10)   | 188    |
| Series (11)   | 209    |

Statement of Dr. William Robert Beavers ---- 212

Reporter's Certificate ----- 244

Monday - July 18, 1964  
Dallas County Jail, 7-M  
Dallas, Texas

PROCEEDINGS

1  
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5 MR. SPECTER: May the record show that present at  
6 this time are Mr. Clayton Fowler, Chief Counsel for Jack  
7 Ruby; Mr. Joe H. Tonahill, Co-Counsel for Jack Ruby;  
8 Mr. William F. Alexander, Assistant District Attorney for  
9 Dallas County, Texas; Mr. Allan L. Sweatt, Chief Criminal  
10 Deputy and polygraph operator for Dallas County, Texas;  
11 Mr. Bell P. Herndon, the polygraph operator with the FBI,  
12 Special Agent for the Federal Bureau of Investigation;  
13 Mr. W. James Wood, Special Agent of the Federal Bureau of  
14 Investigation; Odell Oliver, court reporter; and Arlen Specter,  
15 Assistant Counsel of the President's Commission.

16 We have discussed preliminarily the procedure to be  
17 followed on the polygraph examination, where those currently  
18 present may remain while the polygraph operators, Mr. Herndon  
19 and Mr. Wood, explain the questions to Mr. Ruby, and then  
20 everyone would leave except the operators, Messrs. Herndon  
21 and Wood, and the court reporter and me, and the question  
22 now subject to resolving is the issue of whether anyone will  
23 be present from the Sheriff's Office.

24 As you know, we with the Warren Commission are trying  
25 to bring our work to a close and the Chief Justice promised

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1 a polygraph test and that was six weeks ago tomorrow, but  
2 there have been a lot of things we have had to work out, and  
3 I think it all ought to be on the record and I would want to  
4 give him every opportunity to put his request right on the  
5 record in any way you want and of course I think that all  
6 your objections and comments about it should go on the record.

7 and after you have so stated, I will state responsively the  
8 Commission's conclusion on that.

9 I will say further that there is no closed mind on  
10 these issues and that they will have to be weighed and  
11 evaluated by the members of the Commission themselves.

12 MR. FOWLER: Let me first suggest then---why don't  
13 I discuss this with Jack?

14 MR. SPECTER: That's fine.

15 MR. FOWLER: And then Jack may say whether he  
16 wants to go ahead with this and how I have advised him, and  
17 that he has on numerous occasions requested it, and I will  
18 tell him that the Chief Justice promised to give it to him  
19 and they are here ready to do it, which I am going to tell  
20 him, and if he insists on it, I can't and won't try to hold  
21 him back.

22 MR. TONAHILL: That's a good suggestion.

23 MR. SPECTER: Fine, and if he has changed his mind  
24 for any reason, I will just actually want to have it on the  
25 record, and that will conclude the issue, so far as the

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1 Commission concerned.

2 MR. FOWLER: Let's see---he's on what floor?

3 MR. TONAHILL: 6-M.

4 MR. FOWLER: Let me step down and chat with him for  
5 just a few minutes.

6 MR. TONAHILL: Do you want me to go with you?

7 MR. FOWLER: I may need you later.

8 MR. SPECTER: Let the record show that Mr. Fowler  
9 left the room, and in approximately five minutes thereafter,  
10 returned to the room from his conference with Mr. Ruby.

11 MR. FOWLER: He says he's going to take this test  
12 regardless of his lawyers, and he says---"By God, I'm going  
13 to take the test".

14 MR. TONAHILL: Well, you know the law is in his  
15 favor and that he is presumed to be sane, and there can't  
16 anybody speak for him but himself.

17 MR. FOWLER: I have advised him, and I have read  
18 this letter to him, and I have explained all of this to him  
19 when I talked to him.

20 MR. TONAHILL: If he wouldn't take it now----

21 MR. FOWLER: Well, I won't want to go back there  
22 then.

23 MR. TONAHILL: If he ever gets his hands on you,  
24 they'll let him have it.

25 MR. SPECTER: (addressing the court reporter) If

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1 you have had a chance to put these observations on the  
2 record---I hope you have.

3 MR. FOWLER: I also want this further put into the  
4 record as to how many requests, in addition to this one,  
5 that were made for this test.

6 MR. SPECTER: We would be willing to accede to that  
7 request, and as you know, we have been trying to set this up  
8 for a long while, and the circumstances of the Commission's  
9 time table require us to proceed today, that is, either pro-  
10 ceed or find out from Mr. Ruby that we would not ever pro-  
11 ceed along this line.

12 I have requested Sheriff Decker to have a physician  
13 standing by so that he may protect to the fullest extent  
14 possible Mr. Ruby's physical condition if he needs medical  
15 attention, but without Dr. Tanay from Detroit being present.  
16 There is no way we can implement that, although we have no  
17 objection to having any other doctor who can be present  
18 here today.

19 With respect to Request Number 2 made during our  
20 preliminary discussion, that the results of the tests be held  
21 confidential, The Commission has heretofore on other  
22 questions refused to make any commitment because of the  
23 high nature of its responsibility in disclosing or not dis-  
24 closing what it concludes is in the public interest, or  
25 stated differently, they just won't be committed.

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1           The results of this examination will not be dis-  
2 closed to anyone until the Commission itself has reviewed  
3 the results and makes a decision, bearing many factors in  
4 mind, including your request, to have the information remain  
5 confidential.

6           MR. FOWLER: All right, now in the past, of course  
7 we feel this---that as to the other information that we  
8 assumed would be confidential and would not be released to  
9 the press, this of course has been done, and we strenuously  
10 request that this matter not be released to the press.

11           (At this point Sheriff Decker entered the room.)

12           MR. DECKER: (Addressing Mr. Fowler) Jim Kerr  
13 caught you making a 50 yard dash and they are circling  
14 around downstairs and Jim Kerr is just going in circles  
15 wanting to know what Clayton Fowler is doing up in the jail.

16           (At this point Sheriff Decker left the room.)

17           MR. SPECTER: Mr. Fowler, as to your last statement,  
18 I don't know what you are referring to specifically, and  
19 without taking them up in terms of specific items, I couldn't  
20 comment about them but I don't know that it would be really  
21 useful to go into those at this time.

22           The material given to the Commission, where the Com-  
23 mission says it will be kept confidential, to the best of my  
24 knowledge has always been honored. There are in these pro-  
25 ceedings many chains and it is not possible in some cases to

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1 pinpoint responsibility, but the Chief Justice and the Com-  
2 mission have honored every commitment they have made hereto-  
3 fore, and if they feel in their judgment, of course, they  
4 have the paramount responsibility for the entire investiga-  
5 tion, that the results of this proceeding ought to be kept  
6 secret, you may be assured that it will be implemented to  
7 the fullest extent possible.

8 MR. FOWLER: Well, of course, our request is that  
9 this matter be held strictly confidential because it is  
10 being given at the request of the Commission and for the  
11 benefit of the Commission, and we feel that the Commission  
12 and only the Commission should have this information, and  
13 before any of it is released for public consumption or  
14 private consumption, Number (1)--the Sheriff's Office, the  
15 District Attorney's Office, the Federal Bureau of Investiga-  
16 tion, or any other agency of the Government outside the  
17 Warren Commission---that we be told that this is going to be  
18 done.

19 MR. SPECTER: That request, I think, can be honored  
20 in that you will be notified in advance of any publication,  
21 that the Commission will make a publication if in fact it  
22 ultimately decides to make such a publication.

23 Now, there is one facet of this matter which is  
24 difficult to control and that is the fact itself that a  
25 polygraph examination is being administered. I do not know

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1 at this time what circulation has been given to this fact,  
2 if any, by any of the people who are involved, since it has  
3 touched many bases among many parties in this proceeding.  
4 That fact itself may have already been disclosed, but with  
5 respect to the results of this examination, I propose to  
6 keep those within the custody of the Commission through the  
7 Federal Bureau of Investigation and its operators, who are  
8 conducting this test, and their report will be made avail-  
9 able only to the Commission until the Commission decides  
10 whether it should be made public to any further extent or  
11 made public at all.

12 MR. FOWLER: All right. Now then, I would like for  
13 this record to also show that this letter from Mr. Gordon  
14 Shanklin has been handed to you and that you are fully  
15 appraised of what this letter contains, and I want the  
16 record to further show that on this date (1:05 p.m.), not  
17 later than ten minutes ago, I talked with Jack Ruby. I  
18 read the letter to him. I explained it to him to the best  
19 of my ability. I also advised him that the family legal  
20 advisor, Mr. Sol Dann, an attorney of Detroit, had made these  
21 requests, and that following these requests that I as Jack  
22 Ruby's attorney advised him not to take the test, and that  
23 if he did so he would be doing it against the advice of his  
24 attorney, against the advice of his family advisor's attor-  
25 ney, and against the advice of the family, and that notwith-

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1 standing ( ), Jack said that he had ( ) uested this before  
2 either Mr. Sol Dann or myself came into this case as  
3 attorneys, and that Chief Justice Warren had promised that  
4 he would give him this test, and that regardless of what  
5 Mr. Dann's wishes would be, together with his entire family  
6 and together with his attorneys of record, that he insisted  
7 on this test, but that a further proceeding of it would be  
8 against the advice of his lawyers, and at this time we do  
9 respectfully request that the Commission not disclose any  
10 of the questions that will be submitted to Jack Ruby to any  
11 other person other than the operators, the Investigator for  
12 the Warren Commission, and his attorneys present---Mr. Joe  
13 Tonahill and Clayton Fowler, and that more specifically that  
14 these questions not be given to anyone connected with the  
15 Dallas Sheriff's Office, the Dallas Agency of the Bureau of  
16 Investigation, the Dallas District Attorney's Office, and  
17 more specifically, Mr. Bill Alexander, who is present in the  
18 room at this time and representing the District Attorney's  
19 office, and Mr. Allan Sweatt, who is present in the room and  
20 representing the Dallas Sheriff's Office.

21 Anything else, Joe?

22 MR. TONAHILL: I might go back on a little background  
23 whenever you finish.

24 MR. FOWLER: I wish you would.

25 MR. SPECTER: With respect to the notation for the

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1 record concerning the contents of the letter from Mr. Gordon  
2 Shanklin, Special Agent in Charge of the FBI Office here in  
3 Dallas, that identical information has been conveyed through  
4 the Federal Bureau of Investigation to Mr. J. Lee Rankin,  
5 General Counsel of the Commission, and having considered  
6 those requests and those factors, the General Counsel has  
7 instructed me to proceed to have this polygraph taken today  
8 if Mr. Jack Ruby wanted to have this polygraph taken in  
9 accordance with his prior request to the Commission on  
10 June 7, 1964 and the commitment given by the Commission  
11 through the Chief Justice that such a polygraph examination  
12 would be given.

13 With respect to the request that none of the questions  
14 be made available to anybody from the Dallas Police Depart-  
15 ment or the Dallas District Attorney's Office or the Dallas  
16 Sheriff's Office, the Commission's position on that is that  
17 if the questions are to be submitted in advance to the  
18 Counsel for the Defendant, that there is equal standing on  
19 the part of the State to have similar treatment.

20 Previously, I outlined for you the procedure that we  
21 proposed to adopt during the course of this polygraph  
22 examination, to-wit, having the people present in the room  
23 who are here at the present time, which includes Mr. Clayton  
24 Fowler and Mr. Joe Tonahill, representing Mr. Ruby; Mr. William  
25 F. Alexander, representing the Dallas District Attorney's

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1 Office; Mr. Allan L. Sweatt, Chief Criminal Deputy of the  
2 Dallas Sheriff's Office; Mr. Bell P. Herndon, Special Agent  
3 of the Federal Bureau of Investigation, and Mr. W. James  
4 Wood, Special Agent of the Federal Bureau of Investigation,  
5 who are going to administer the polygraph examination.

6 The questions to be asked of Mr. Ruby at the time of  
7 administration of the examination would be set forth to  
8 Mr. Ruby so that he would understand them fully, and with  
9 the other people present it would be known what questions  
10 were going to be asked of Mr. Ruby in advance of the actual  
11 asking.

12 Then, it was the Commission's view that everybody  
13 should leave the room except for the two Special Agents of  
14 the FBI who would be administering the test, the court  
15 reporter and me, so that the minimum number of people would  
16 be present.

17 I have conveyed that request to Sheriff Decker and he  
18 has insisted that a member of his staff be present as  
19 custodian of the body of Jack Ruby, since he has that respon-  
20 sibility. It is not yet determined who that will be, but  
21 the Commission proposes to proceed on the administration of  
22 the polygraph test under those circumstances, with the only  
23 open question being the identity, if anyone, of the represen-  
24 tative of the Sheriff who has charge of the custody of the  
25 body of the Defendant here or Jack Ruby, since he is not a

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1 Defendant in this proceeding, actually

2 MR. TONAHILL: I should like to say as one of Jack  
3 Ruby's defense counsel along with Chief Defense Counsel  
4 Clayton Fowler, that when I entered the defense of Jack Ruby  
5 back in December of 1963 with Mr. Belli, at that time we in-  
6 sisted before undertaking his defense that he agree to a  
7 polygraph test and truth serum test or any other scientific  
8 test that would reflect whether or not there was a connection  
9 between him and Lee Harvey Oswald or in any respect a con-  
10 spiracy. He agreed and insisted at that time that there was  
11 no such conspiracy. He did not know Lee Harvey Oswald and  
12 there was no connection between them and that he would under-  
13 take any type of a scientific test that we could have made  
14 available for him. Jack Ruby has insisted on those tests  
15 ever since.

16 We have from time to time proposed to the FBI through  
17 Mr. Gordon Shanklin and others, that a lie detector test be  
18 given Mr. Ruby. We have filed Motions to obtain scientific  
19 tests. Mr. Ruby has insisted on these tests very strenuously  
20 and has felt that I have stood in the way of him obtaining  
21 them.

22 I was present during the Warren Commission deposition  
23 of Jack Ruby along with Mr. Jim Bowie of the District Attor-  
24 ney's Office some six weeks ago when Chief Justice Earl  
25 Warren on numerous occasions responded to Jack Ruby that he

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1 had it in his power to make available to him some day in  
2 the future a polygraph test and would do so at Mr. Ruby's  
3 request.

4 Now it has come down that Chief Justice Earl Warren  
5 and the Warren Commission are now in the process of keeping  
6 faith with their promise to Mr. Ruby.

7 Mr. Fowler and I have talked with the various psychia-  
8 trists, Drs. Tanay, West, and Beavers, each of whom feels  
9 that because Jack Ruby is of unsound mind and mentally ill,  
10 this polygraph test is a mistake and would produce nothing  
11 by way of an accurate result or deception, truth, or con-  
12 clusiveness in any regard and feel that it should not be  
13 made.

14 As Co-Counsel with Mr. Fowler, I yield to his posi-  
15 tion here and concur with him, but as a personal individual,  
16 very close and very knowledgeable of the entire history of  
17 this polygraph demand on the part of Ruby, it is my personal  
18 view that even though he is of unsound mind, does not know  
19 right from wrong, is mentally ill, and his psychiatrist are  
20 opposed to it, unless he is given the polygraph test there  
21 will never be any satisfaction in any respect. His condi-  
22 tion might even grow worse without it, and in the interest  
23 of satisfying everyone concerned, the State, the Nation, and  
24 the World----that in all probability if this polygraph test  
25 is not given, there will be left hanging in the clouds

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1 certain doubts as to whether there was a conspiracy between  
2 Ruby and others or Oswald, or whether they knew each other,  
3 despite the fact that his mental condition may be such that  
4 it will not demonstrate any effective results.

5 Nevertheless my personal view is that it might be  
6 well to go forward with it, and certainly if all appellate  
7 efforts are exhausted on behalf of Jack Ruby and his case is  
8 affirmed all the way up, which I feel that it won't be; if  
9 his family and Jack Ruby should refuse to undergo a polygraph  
10 test, certainly the Board of Pardons and Parole may look  
11 with disfavor upon that fact and infer possible premeditation  
12 on his part in the shooting of Oswald or a possible con-  
13 spiracy and might rule against him in granting clemency, in  
14 the event it ever reached that stage. And, irrespective  
15 of whether an effective polygraph test can be run of this  
16 man at this time in his present mental state or not, I  
17 personally feel that an effort should be made to do it.

18 MR. SPECTER: For the record I want to add that  
19 requests have been received by the Commission, requests made  
20 on behalf of Mr. Ruby, to have a polygraph test, prior to  
21 the time the Commission heard his testimony on June 7 of this  
22 year, and that the Commission has not initiated any effort  
23 whatsoever to have a polygraph test taken but is only con-  
24 ducting these proceedings today to make available to  
25 Mr. Ruby this examination if he wishes to have it at this

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1 time, in accordance with the promise made by the Commission  
2 through the Chief Justice on June 7.

3 I want to be emphatic and clear on this question  
4 that we do not now and have never asked for or insisted on  
5 a polygraph examination, that if Mr. Ruby does not want to  
6 have such an examination taken, that is acceptable to the

7 President's Commission on the Assassination, and as we dis-  
8 cussed informally before we started a record proceeding, in  
9 this event we are willing to have anything put on the record  
10 that Mr. Fowler or Mr. Tonahill wish to place on the record  
11 as his attorneys, and of course, we do not wish to, have not,  
12 and will not interfere in any way with your representation  
13 of Mr. Ruby, as his counsel, so that he may take your advice  
14 and proceed in accordance with your advice.

15 If you wish to put on the record any medical evidence,  
16 I am authorized to have that done here today or at a later  
17 date. Mr. Tonahill and I discussed this matter by tele-  
18 phone last Wednesday and I indicated to him at that time  
19 that the Commission was willing to have such evidence placed  
20 on the record as an aid to their evaluation of whether to  
21 place its credence in the tests which are going to be ad-  
22 ministered.

23 It has been somewhat uncertain as to whether this  
24 proceeding would go forward today, so that counsel for  
25 Mr. Ruby wish to provide any supplemental data by way of

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1 testimony, letter, affidavit or in whatever form you choose,  
2 the Commission will be glad to receive it and to weigh it  
3 in evaluating whatever these tests may disclose.

4 May the record further show that arrangements have  
5 been made to have Dr. Norman Beavers available, adjacent to  
6 the room where these proceedings will take place, in the  
7 event that there is any medical attention required for  
8 Mr. Ruby.

9 MR. TONAHILL: Sheriff Decker gave me this phone  
10 number and said he would be standing by.

11 I would like to add to Mr. Specter's comments that  
12 it is correct that numerous letters have been written by me  
13 to the Warren Commission requesting the polygraph test prior  
14 to the intervention of the psychiatrist, who felt that it  
15 would be a mistake.

16 At no time has the Warren Commission agreed and  
17 stated that they desired the polygraph test. The test, as  
18 I understand, has grown out of the agreement between Mr. Ruby  
19 and Mr. Chief Justice Earl Warren at the hearing that oc-  
20 curred here about six weeks ago.

21 I should like to say that I asked Sheriff Bill Decker  
22 to get in touch with Dr. Norman Beavers, and this was as a  
23 result of the conversation with Mr. Specter, and have  
24 Dr. Norman Beavers available so that he could be interrogated  
25 subsequent to the running of the polygraph test. Is that

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1 agreeable?

2 MR. SPECTER: Yes, that is agreeable, if you desire  
3 to do just that.

4 MR. FOWLER: Further, let's add this, Joe, that in  
5 whatever capacity or degree it would help to substantiate  
6 that in our opinion we believe that Jack Ruby is of unsound  
7 mind.

8 We would like to submit at a later date a report by  
9 Dr. Emanuel Tanay, a practicing psychiatrist in Detroit,  
10 Michigan, a report by him based upon the examination of  
11 Jack Ruby, together with the report of Dr. West, and we would  
12 respectfully request that this matter be furnished to you at  
13 a later date. We have it available but not for today, and  
14 we would like to make it a part of this record, as suggested  
15 by Counsel.

16 MR. SPECTER: Mr. Fowler, the Commission will be  
17 glad to receive any evidence that you may wish to submit on  
18 all the questions which you have raised during the course  
19 of this proceeding.

20 MR. TONAHILL: Whoever is in charge of his body  
21 ought not to be an expert on this thing (referring and indi-  
22 cating the polygraph machine).

23 MR. FOWLER: You and I have done all we can do on it.  
24 I am not going to physically manhandle Jack Ruby.

25 MR. TONAHILL: No, Jack Ruby is going to insist on

1 doing it, and until he is declared a ward through an insanity  
2 proceedings, he is presumed to be able to exercise his own  
3 consent.

4 MR. FOWLER: That's right.

5 MR. SPECTER: Let us discuss this off the record a  
6 moment.

7 (Discussion between Mr. Specter and Messrs. Tonahill  
8 and Fowler off the record regarding presence in the  
9 room of anyone able to operate polygraph machine  
10 other than the FBI operator, Mr. Herndon.)

11 MR. FOWLER: Let us put this into the record, that  
12 we would further object to anyone in the Sheriff's Office  
13 being present, if the only valid reason is one of security,  
14 and I would like the record to reflect that we are within the  
15 confines of the Dallas County Jail, namely, on 7-M, which is  
16 a part of the Dallas County Jail, and that it would appear  
17 to me to be virtually escape proof, and as I understand  
18 previously when Mr. Warren was here, that he was allowed to  
19 talk with Jack Ruby by himself and without the presence of  
20 anyone from the Sheriff's Department, which further leads  
21 me to believe that this is not for security purposes only,  
22 and we will object to the presence of anyone from the Dallas  
23 County Sheriff's Office.

24 MR. SPECTER: In response to your objection,  
25 Mr. Fowler, for the record I will state that the Commission

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1 has requested that its preference be honored to have no one  
2 other than the FBI personnel administering the test, the  
3 court reporter, and me present, but that Sheriff Decker  
4 has taken the position that the prisoner, Jack Ruby, is his  
5 responsibility and that he must have someone on his staff  
6 present. Sheriff Decker did agree to substitute as that  
7 person the Chief Jailer, who has no knowledge of or exper-  
8 ience with polygraph operation, so that the confidentiality  
9 of these proceedings is secure in my view.

10 . Sheriff Decker's position is not that Mr. Ruby may  
11 escape, but there may be an incident which would require  
12 having someone present, and the Sheriff feels that someone  
13 from his staff ought to be present, and in view of his  
14 position on that, it is my conclusion that such a proviso  
15 is justifiable under all the circumstances:

16 With respect to the conversations between the Chief  
17 Justice and Mr. Ruby, I was present at the time those conver-  
18 sations were held and they were held in the corner of the  
19 room in which we are now sitting, following the formal testi-  
20 mony of Mr. Ruby at the time when there were numerous people  
21 in another portion of this room in which we now sit, so that  
22 at no time was the Chief Justice alone with Mr. Ruby in any  
23 separate room.

24 Mr. Tonahill was present at that time and I think can  
25 confirm my version.

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1 MR. TONAHILL: We were all present and the Sheriff's  
2 Department men did leave, the personnel there---the Sheriff  
3 and his deputies. He left him in the custody---we left  
4 Ruby's body in charge of a Secret Service man.

5 MR. SPECTER: Elmer Moore.

6 MR. TONAHILL: Yes, sir.

7 MR. SPECTER: And that time there were also present  
8 Mr. Tonahill, Mr. Rankin, Congressman Ford, Mr. Ball of the  
9 Commission's Staff, and I was present. At no time did the  
10 Chief Justice have any conversations privately with Mr. Ruby  
11 except that, at the very end, Mr. Ruby, the Chief Justice and  
12 I were in a corner of the room conversing, and there were  
13 many others present at that time, and I think Mr. Tonahill  
14 can verify that.

15 MR. TONAHILL: I was present.

16 MR. SPECTER: Now, for the record, I want to state  
17 that Mr. Fowler has previously gone to discuss the matter  
18 with Mr. Ruby to determine what are Mr. Ruby's desires in  
19 terms of having a polygraph examination, in view of the  
20 stated position of the Commission that it does not request  
21 such an examination, but has made such an examination avail-  
22 able to Mr. Ruby if he wants one, pursuant to his request to  
23 have such an examination, made during the course of Commission  
24 proceedings on June 7, 1964 and the response by Chief Justice  
25 Warren that the Commission would offer him such a polygraph

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1 examination in response to his repeated requests.

2 MR. FOWLER: Now, I would like to answer regarding  
3 the presence of a Deputy Sheriff here. I believe you  
4 advanced the theory that it was thought by Mr. Decker that  
5 there might be something that might occur during the giving  
6 of the polygraph tests that perhaps might disrupt things.

7 We further feel and respectfully request that if  
8 there is this feeling by the polygraph operator himself,  
9 that he will be conducting this test some ten or 12 feet  
10 from a door, and if the Sheriff is allowed at all, that he  
11 be allowed to stand at the door and any other exit that might  
12 be in the building, to not be able to view the chart or any  
13 part of it. This would be our request to that.

14 MR. SPECTER: The conditions set forth in your  
15 request will be granted and the Sheriff's custodian will be  
16 present at the door so that he may not have access to the  
17 chart, to insure the confidential nature of these proceed-  
18 ings.

19 I think we are now ready to have Mr. Ruby come in,  
20 but before he comes in, let's take a five minute recess.

21 Let the record show we are taking a five minute  
22 recess.

23 (Proceedings recessed and resumed as stated.)

24 MR. ALEXANDER: I assume that once Jack is brought  
25 in, there will be complete silence.

1 MR. SPECTER: Yes. Mr. Alexander, do you want to  
2 make your request for the information?

3 MR. ALEXANDER: Yes, please. At this time for and  
4 on behalf of the Dallas County, Texas District Attorney's  
5 Office, a request is made that the Warren Commission furnish  
6 the District Attorney's Office a list of the questions asked  
7 Jack Ruby in this polygraph examination, and that a copy of  
8 the recording made by the polygraph machine be furnished the  
9 Dallas County District Attorney's Office.

10 We would also like a copy of the interpretation of  
11 the test, but whether or not we are given an interpretation  
12 of the test, we do want the aforementioned questions and  
13 actual tape on the polygraph machine.

14 MR. SPECTER: Mr. Fowler, you may want to make a  
15 similar request as to the results.

16 MR. FOWLER: In behalf of Jack Ruby and as attorney  
17 for Jack Ruby, I respectfully request that the Warren Com-  
18 mission deny the request of the Dallas District Attorney's  
19 Office for the following reasons: Number One---that this  
20 is a matter of request that has been made by Mr. Ruby to the  
21 Warren Commission only, that if the District Attorney's  
22 Office were furnished with these questions and answers and  
23 any other matters pertaining to the giving of this polygraph  
24 test, it might and could and very well well affect the out-  
25 come of his case that is now on appeal before the Court of

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1 Criminal Appeals here in the State of Texas, and we respect-  
2 fully request that the request by the District Attorney's  
3 Office be denied by the Warren Commission in all of their  
4 requests for this information.

5 On the other hand, we who represent Jack Ruby,  
6 respectfully request that we be furnished a copy of the  
7 questions that will be asked and that if some determination  
8 is made as to the answers and the outcome is ever made public,  
9 that we be furnished the information of the outcome of the  
10 tests.

11 Now, this is off the record.

12 (Statement by Mr. Fowler to Mr. Specter, off the  
13 record, requesting that Mr. Ruby be advised again  
14 when brought into the room for the test, the requests  
15 of his attorneys and family with respect to taking the  
16 test.)

17 MR. SPECTER: In response to those two statements,  
18 no commitment can be made on behalf of the Commission an-  
19 ticipating the action of the Commission in advance of knowledge  
20 by the Commission of the results of the tests, and any addi-  
21 tional evidence which may be submitted on the competency of  
22 Mr. Ruby which may aid the Commission in the evaluation of  
23 the results of the polygraph examination, the request of  
24 Mr. Alexander and Mr. Fowler will be transmitted to the  
25 Commission and will be carefully studied by the Commission

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1 before any final decision is reached.

2 With respect to a list of questions, the procedure  
3 as previously outlined will permit all parties to be present  
4 when the questions are enumerated, so that the questions  
5 asked of Mr. Ruby will be a surprise to no one, but will be  
6 discussed in his presence and in the presence of representa-  
7 tives of both the District Attorney's Office and with respect  
8 to Mr. Ruby, specifically his defense counsel, so that there  
9 is no limitation to the taking of notes on the questions that  
10 may be asked.

11 With respect to the results, including a copy of the  
12 results themselves and a copy of the interpretation, no  
13 commitment can be made until the Commission has examined  
14 the results in this matter fully.

15 With respect to affecting the outcome of any subse-  
16 quent proceedings, the Commission has exercised the greatest  
17 possible care in avoiding the influencing of the State Court  
18 proceedings.

19 The action taken by the Commission has been designed  
20 to fulfill its function, while at the same time not inter-  
21 fering or interfering to the minimal possible extent with  
22 the State Court proceedings.

23 Now, before we get Mr. Ruby in, do you want to make  
24 a request for his doctor, and when we get Mr. Ruby in, we  
25 will make the other statement and then we will be able to go

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1 ahead, but don't think we want to through any more  
2 with him present than we have to.

3 MR. TONAHILL: Yes. It is requested that  
4 Dr. Norman Beavers, who has been retained by Jack Ruby's  
5 family to observe and treat Jack Ruby, be present during  
6 the examination in order that he may observe and render any  
7 expression that he may have to offer that will be of benefit  
8 to the Commission as well as to Jack Ruby's mental health  
9 condition, with special reference to interpreting the results  
10 of the polygraph tests, and as an aid and guide to the Com-  
11 mission in its interpretation of it as to what weight and  
12 value to give to it.

13 MR. SPECTER: Does that request, Mr. Tonahill, go  
14 only for the time that everyone is present, or do you want  
15 him present while the examination itself is going on?

16 MR. TONAHILL: While the examination itself is going  
17 on---before and during the examinations---before the examina-  
18 tion and during the actual examination, so that he can  
19 actually observe the actual examination.

20 MR. SPECTER: In view of the expression of concern  
21 that has been made by Dr. Tanay, that request will be granted,  
22 since it is made by Counsel for Mr. Ruby at this time.

23 THE JAILER HOLMAN (on entering the room) He will be  
24 right up.

25 (Mr. Ruby entered the hearing room at 2:23 p.m.)

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1 MR. SPECTER: May the record now show that Mr. Ruby  
2 is present.

3 Mr. Ruby, I am Arlen Specter. How are you today?

4 MR. RUBY: Fine---how are you?

5 MR. TONAHILL: Jack, that's Mr. Specter of the  
6 Warren Commission.

7 MR. SPECTER: Mr. Ruby, why don't you have a chair  
8 over here----we've been getting things set up, and let me  
9 introduce you to everybody so you will know who everybody  
10 is.

11 This is Miss Odell Oliver, who is the Court Reporter,  
12 and she will take your testimony just like we did before.

13 MISS OLIVER: How do you do, Mr. Ruby?

14 MR. SPECTER: And I guess you know Dr. Beavers, and  
15 this is Mr. Wood. He is one of the polygraph operators with  
16 the FBI, and this is Mr. Herndon, one of the operators and  
17 with the FBI also. This is Mr. Alexander, and your name,  
18 Sir?

19 THE JAILER: Mr. Holman, E. L.

20 MR. SPECTER: This is Mr. Holman.

21 MR. RUBY: Can Fowler remain here after I start with  
22 the interrogation?

23 MR. SPECTER: Yes, Mr. Ruby. The procedure which  
24 we've discussed is this and this is subject to agreement of  
25 all sides, and we've been through it, but let me go through

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1 it with you.

2 We are going to conduct the polygraph examination in  
3 a standard way, which involves a series of questions, about  
4 8 or 9 in duration. Before we start with the series, the  
5 questions will be explained to you in advance so that you  
6 will know exactly what the questions are to be and you will

7 know what the operator means by the questions. He will  
8 explain them so that there is no possibility of any confusion  
9 in terms of what the questions mean so they won't surprise  
10 you. You will have full awareness of what is going to be  
11 asked.

12 At that time, everybody who is present in this room  
13 will be present when the discussions are discussed in a  
14 general way. So that the record may be complete, let us show  
15 that Mr. Fowler is here and Mr. Tonahill is here, and  
16 Mr. Alexander is here, and Mr. Herndon and Mr. Wood are here,  
17 Dr. Beavers is here, and Chief Jailer E. L. Holman is here,  
18 Odell Oliver is here, and of course I am here. Those are  
19 the only people who are here now and they are the only people  
20 who will be present when we explain each series of questions  
21 to you, so that you understand what is happening and what  
22 questions are going to be asked.

23 Now, scientifically, it's preferable to have as few  
24 people possible at the time the examination is administered  
25 as we can, so for that purpose, we are trying to cut down the

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1 number as much as we can. We had originally thought that  
2 the only people present would be the two operators, the  
3 court reporter and me, and now we have had Mr. Holman here  
4 on the custody question, and then your Counsel requested  
5 especially that Dr. Beavers be present at the time of the  
6 administration of the tests, and it is our desire to have  
7 only those people present, which would mean Mr. Alexander  
8 wouldn't be here and Mr. Tonahill wouldn't be here and  
9 Mr. Fowler wouldn't be here at the time the test is ad-  
10 ministered.

11 MR. RUBY: I would like to have Mr. Fowler here  
12 in preference of Dr. Beavers. May I request that?

13 MR. SPECTER: Yes, you may request that.

14 MR. RUBY: And how soon will the answers be  
15 released, as soon as possible?

16 MR. SPECTER: Well, the answers are going to be  
17 compiled by the FBI and then they're going to go to the  
18 Commission, to Chief Justice Warren of the Commission, and  
19 I am not in a position to say to you when the answers will  
20 be released. That will be up to the Commission. They will  
21 have to study the results of the tests and make a decision  
22 on the time of release of the tests. Everything is up to  
23 them as to whether they will be released, what the release  
24 will be, and when it will be made.

25 I want to say preliminarily before we start, that the

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1 Commission has not requested the test, but it is responding  
2 to the request which was made on your behalf by letter,  
3 before the Chief Justice questioned you on June 7.

4 MR. RUBY: Yes.

5 MR. SPECTER: You requested then that a test be  
6 given.

7 MR. RUBY: Yes.

8 MR. SPECTER: We want it to be perfectly plain for  
9 the record that the Commission isn't pushing this matter,  
10 but it's only in response to your request, and that you have  
11 learned counsel here who are representing you, and you are  
12 aware, and we want to make it pointed and clear that anything  
13 you say could be used against you, and it is possible for  
14 adverse or unfavorable inferences to be drawn. Whenever  
15 a Defendant who is involved in a criminal proceedings says  
16 anything, anything he says could be held against him.

17 I know Mr. Fowler and Mr. Tonahill have advised you  
18 of that and that has been brought to your attention, but  
19 this record should show that we called it to your attention  
20 as forcefully and as clearly as we could so that you would  
21 understand what we are doing here.

22 MR. ALEXANDER: Mr. Specter, let me explain one  
23 thing. Under Texas law, nothing that Jack says here could  
24 be used against him in Texas.

25 MR. RUBY: Bill, I'm not quarreling with that, and I

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1 know you certainly are not going to help me, I know that,  
2 but I want to get a copy to the Chief as soon as I can,  
3 Chief Holman over there.

4 MR. SPECTER: You would like to do what, Mr. Ruby?

5 MR. RUBY: To have the report as soon as the results  
6 are analyzed.

7 MR. SPECTER: That, as I say, is up to the Commission,  
8 but you understand what I have said to you here?

9 MR. RUBY: Yes.

10 MR. SPECTER: And under those circumstances do you  
11 continue to request that such an examination be given you?

12 MR. RUBY: Yes---any questions you want to ask,  
13 anything pertaining to this---I will answer anything without  
14 reluctance. There's no punches to be pulled. I want to  
15 answer anything and everything.

16 MR. SPECTER: Mr. Fowler, I think, wants to make a  
17 statement for the record too.

18 MR. RUBY: In fact, Bill, you can stay here if you  
19 want to.

20 MR. FOWLER: Jack, let me ask you this: A little  
21 while ago I came up into the jail cell and talked with you,  
22 is that correct?

23 MR. RUBY: Yes.

24 MR. FOWLER: And at that time I advised you that the  
25 Warren Commission people were here at your request to give

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1 you a polygraph test?

2 MR. RUBY: Yes.

3 MR. FOWLER: I also showed you a letter from  
4 Mr. Gordon Shanklin of the FBI here in Dallas, that he had  
5 received requests that were submitted to him by Mr. Sol Dann,  
6 who is the legal advisor to your family?

7 MR. RUBY: Right.

8 MR. FOWLER: And that certain requests were made  
9 there, Number (1), that the tests would be given in the  
10 presence of Dr. Tanay, with no outsiders present, with particu-  
11 lar reference to anyone from the District Attorney's Office  
12 or the Sheriff's Office, and further, that it would have to  
13 be assured that the results of the tests would be held con-  
14 fidential by the Commission, and that under no circumstances  
15 made available to the District Attorney or the press.

16 Further, that written authority for such examination  
17 be obtained from Mr. Earl Ruby.

18 Now, I have explained this to you, have I not?

19 MR. RUBY: Yes---can I change that now?

20 MR. FOWLER: Well, let me go on further, Jack, and  
21 as your attorney of record, at that time I advised that you  
22 not take nor submit to this polygraph test.

23 MR. RUBY: Yes.

24 MR. FOWLER: And at this time, as your attorney of  
25 record, I advise you in the presence of these gentlemen and

1 Commission these people representing the Commission, that  
2 you will be doing so against the advice of your counsel.

3 MR. RUBY: Right.

4 MR. FOWLER: And against the advice and wishes of  
5 your family.

6 MR. RUBY: Right.

7 MR. FOWLER: Now, do you still at this time wish to  
8 take the tests?

9 MR. RUBY: Yes, and I would also like to add that,  
10 if I have a right to say this---I want it be made immediately  
11 that the District Attorney's Office should receive whatever  
12 is necessary in regard to the answers to the District  
13 Attorney, and as I once wrote to District Attorney Henry  
14 Wade, that I didn't want to publicize it, but if possible  
15 they may----I would prefer that naturally, but at that time  
16 it was so easy to get a lie detector test, I wrote to Henry  
17 Wade; that it is not for publicity purposes but only for  
18 authenticity and the truth.

19 So, I agree with everything except that if I may  
20 supersede the attorney and say I'm not concerned about with-  
21 holding anything. I want it to be released immediately to  
22 all parties concerned.

23 MR. SPECTER: Well, Your request on that, Mr. Ruby,  
24 will be transmitted to the Commission and they will consider  
25 that very carefully in reaching whatever conclusion they do

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1 about releasing it.

2 MR. RUBY: I want to supersede the attorney,  
3 Mr. Dann, in stating that I want everything to come out  
4 immediately, as soon as possible, and whoever wants to know  
5 the results---what the results are---I want it to be known,  
6 regardless of which way it turns.

7 MR. SPECTER: Mr. Ruby, you want Mr. Fowler to  
8 remain with you during the course of the examination?

9 MR. RUBY: Yes.

10 MR. SPECTER: In view of Mr. Ruby's request, it is  
11 my view that it ought to be honored and that the group is  
12 of such a size now that it ought to remain as it is consti-  
13 tuted at the present time for both sessions.

14 We have done our best to limit it, but since it is a  
15 legitimate request here to include Mr. Fowler, we will sit  
16 in this group during all portions of the test.

17 Mr. Ruby has indicated that he has no objection to  
18 having Mr. Alexander here, and if one side is here, the other  
19 may be.

20 MR. ALEXANDER: Mr. Specter, if it will help the  
21 ultimate in the tests, I have no objection to leaving the  
22 room, and perhaps Mr. Tonahill, I think, could very well  
23 leave, or if Jack has no objections and perhaps wants us  
24 here, we will stay.

25 MR. SPECTER: I am advised by Mr. Herndon that the

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1 technical considerations are not persuasive as to one or  
2 two more people, with this many present, so that if it's  
3 acceptable to all parties, specifically Mr. Ruby, we will  
4 just proceed with the group that's present here during all  
5 portions, the explanatory portion of to Mr. Ruby and the  
6 actual testing itself.

7 Is that agreeable, gentlemen? Is that agreeable  
8 with you, Mr. Ruby?

9 MR. RUBY: Well----

10 MR. FOWLER: Jack, let me make this request. I  
11 don't think Bill can read a polygraph test, but I would  
12 feel better as your attorney if Mr. Alexander were not  
13 present.

14 MR. RUBY: I don't mind everyone remaining here.

15 MR. FOWLER: Well, of course, again---let me advise  
16 you that if Mr. Alexander remains---let me advise you of  
17 your rights---that if Mr. Alexander remains, he is a member  
18 of the District Attorney's staff, the answers to these  
19 questions could be used against you at some later date, if  
20 they are adverse to your rights, and as your attorney, I  
21 advise you that it would be my suggestion to you and request  
22 to you that Mr. Alexander not be allowed to remain.

23 MR. RUBY: (Addressing Mr. Alexander) Will you  
24 object?

25 MR. ALEXANDER: Not at all, Jack.

1 MR. RUBY: All right.

2 MR. SPECTER: If Mr. Alexander is willing to abide  
3 by your request, Mr. Ruby, then your request will govern  
4 as far as the proceeding is concerned.

5 MR. FOWLER: Now, Mr. Alexander and I---when it  
6 comes to me representing you or any other client---I  
7 represent one client and he represents the other. He, in  
8 my opinion, is a perfect gentleman, but in the courtroom he  
9 is a perfect prosecutor, and I like to be as near a perfect  
10 defense lawyer as I can, and I believe that by allowing him  
11 to stay here----

12 MR. RUBY: No, Fowler---

13 MR. FOWLER: Well, I'm thinking of you now. I'm  
14 asking you to do this, and again, this is entirely up to  
15 you, so it's your decision. I think I have fully explained  
16 to you the reason why we would not want him here.

17 MR. RUBY: Now, I've got the monkey on my back now.

18 MR. FOWLER: Well, you've got more than a monkey  
19 on your back, Jack. This is your decision.

20 (Conference between Mr. Fowler and Mr. Ruby out of  
21 the hearing of this reporter and others in the room.)

22 MR. RUBY: Well, whatever my attorney suggests, I  
23 guess I will have to follow through.

24 MR. SPECTER: Your request then is that Mr. Alexander  
25 not be present?



1 MR. RUBY: Yes.

2 MR. ALEXANDER: That will be fine.

3 MR. SPECTER: If it is all right with you, we will  
4 proceed on that basis, but of course, that will go only for  
5 the time the test is actually being administered to you.

6 MR. FOWLER: That's right.

7 MR. SPECTER: Mr. Bell Herndon will now start to  
8 explain the proceedings to you. He is the operator of the  
9 polygraph, the principal operator here, Mr. Ruby. As I  
10 explained to you, Mr. Herndon and Mr. Wood, are joint  
11 operators for the FBI on the polygraph or lie detector test  
12 and Mr. Herndon will take over now to explain just how it's  
13 going to work.

14 MR. HERNDON: Thank you. Mr. Ruby, first of all,  
15 I want to show you my credentials so you will know that I  
16 am a Special Agent and I am from the FBI Laboratory in  
17 Washington, D. C. (Exhibited instruments to Mr. Ruby)

18 MR. RUBY: Yes.

19 MR. HERNDON: Perhaps to set the record straight,  
20 Mr. Specter, I might mention that my colleague, Special  
21 Agent Wood, is not actually a polygraph examiner, but he is  
22 here to assist me in this examination. Is that all right?

23 MR. SPECTER: Yes, that's fine to specify that  
24 exact status.

25 MR. HERNDON: He is here to assist me and to help me

1 in the interrogation of this gentleman.

2 MR. DIRECTOR: Mr. Herndon, before you start on the  
3 questioning, we will want to put Mr. Ruby under oath, so  
4 pause at that point, but proceed now to explain what is  
5 going to happen.

6 MR. HERNDON: Mr. Ruby, actually prior to any poly-  
7 graph examination which the Federal Bureau of Investigation  
8 gives to anyone, we have a consent form that I want to read  
9 to you, and as I want to remind you, of course, you have  
10 been advised of your rights, and there is no sense of my  
11 going over it again, but I want to remind you that your  
12 counsel and your attorneys are here.

13 I will now read to you this consent form that we use  
14 as a standard procedure on this type of examination.

15 "Consent to Interview with Polygraph". "I, Jack L.  
16 Ruby"-----I believe that's the way you sign your name?

17 MR. RUBY: Yes.

18 MR. HERNDON: "I, Jack L. Ruby, consent freely and  
19 voluntarily to be interviewed by Special Agents of the  
20 Federal Bureau of Investigation, which I also know as the  
21 FBI, in connection with the President's Commission on the  
22 Assassination of President Kennedy investigation. I agree  
23 to the use of the polygraph or so-called lie detector during  
24 this interview or any part of it, and I am willing to be  
25 present at the time and place of interview for such time as

1 is necessary to complete the interview.

2 "No threats or promises of any kind have been made to  
3 me to obtain my consent to this interview".

4 Now, I can let you read that if you would like or  
5 your attorney might like to read it.

6 MR. RUBY: That's perfectly all right.

7 MR. HERNDON: If it's agreeable with you, I would  
8 appreciate it if you would sign it, Mr. Ruby, if that's  
9 agreeable with your counsel?

10 MR. RUBY: Yes.

11 MR. HERNDON: And Mr. Wood and I will witness that.

12 MR. RUBY: Do you want it "Jack Ruby" or "Jack L.  
13 Ruby"?

14 MR. HERNDON: You sign it as you usually sign, but  
15 do you want to read it any further, Sir?

16 MR. RUBY: I'll just sign it.

17 (Mr. Ruby at this time signed the instrument referred  
18 to, which was thereafter signed by witnesses Special  
19 Agents Herndon and Wood.)

20 MR. RUBY: Did you get your pants sewed up, Joe?

21 MR. TONAHILL: It went through to my leg.

22 MR. RUBY: That was a pretty rough brawl we had,  
23 wasn't it, Joe?

24 MR. TONAHILL: Yes.

25 MR. RUBY: Joe, I'd appreciate it if you weren't in

1 the room. n I ask you to leave, Joe

2 MR. TONAHILL: I'll be glad to leave, if you want me  
3 to, Jack.

4 MR. RUBY: As a matter of fact, I prefer Bill  
5 Alexander to you, you're supposed to be my friend.

6 MR. TONAHILL: Let the record show that Mr. Ruby says

7 he prefers Bill Alexander being here during this investiga-  
8 tion, who is the Assistant District Attorney who asked that  
9 a Jury give him the death sentence, to myself, who asked the  
10 Jury to acquit him, his attorney.

11 MR. HERNDON: May we proceed?

12 MR. SPECTER: Please do, Mr. Herndon.

13 MR. HERNDON: Mr. Ruby, as you know, we have a  
14 doctor here, and before we begin anything, I want you to try  
15 to relax. I realize that there is some tension here, and  
16 before we proceed any further, I want to ask you very gener-  
17 ally, how do you feel today, right now, specifically speak-  
18 ing?

19 MR. RUBY: Very good, except---may I be very honest?

20 MR. HERNDON: Of course.

21 MR. RUBY: What is the preference of the doctor  
22 being here? Is he supposed to be my doctor, I mean  
23 Dr. Beavers?

24 MR. HERNDON: Mr. Specter, do you want to answer  
25 that?

1 MR. SPECTER: Yes, Mr. Ruby, he is here at the  
2 request of Mr. Tonahill, and I believe concurred in, by  
3 your Chief Counsel, Mr. Fowler.

4 MR. HERNDON: The reason I asked you about your  
5 health, Mr. Ruby, obviously I don't want to proceed with this  
6 interrogation of the polygraph type when you obviously may  
7 not feel well physically today. I wouldn't want to subject  
8 you to the examination unless you felt well enough to take  
9 it, and I will ask you some very general questions about  
10 your health in regard to your history in that regard.

11 Have you ever had any respiratory diseases or ill-  
12 nesses such as asthma or trouble with breathing, Mr. Ruby?

13 MR. RUBY: None whatever.

14 MR. HERNDON: Any sinus condition or trouble?

15 MR. RUBY: No.

16 MR. HERNDON: Have you ever had any heart  
17 ailments?

18 MR. RUBY: No, sir.

19 MR. HERNDON: No heart trouble to your knowledge.

20 MR. RUBY: (No response).

21 MR. HERNDON: Mr. Ruby, have you had any medication  
22 of any type whatsoever today, such as tranquilizers, aspirin,  
23 any drugs at all today?

24 MR. RUBY: None whatsoever.

25 MR. HERNDON: While you've been here in custody,

1 have you been under any medication?

2 MR. RUBY: None whatever.

3 MR. SPECTER: Mr. Herndon, perhaps at this time  
4 I shall administer the oath to Mr. Ruby.

5 MR. RUBY: You want me to stand up?

6 MR. SPECTER: Yes, sir, if you would please.

7 During the testimony before the Commission and as Assistant  
8 Counsel, I have the authority under the law to administer  
9 an oath to you before proceedings in the nature of deposi-  
10 tions.

11 Do you solemnly swear that the answers and informa-  
12 tion you shall give in this proceeding before the President's  
13 Commission on the Assassination of President Kennedy will  
14 be the truth, the whole truth and nothing but the truth?

15 MR. RUBY: I do.

16 MR. SPECTER: Have the answers you have heretofore  
17 given in response to the informal questions already asked  
18 of you been the truth, Sir?

19 MR. RUBY: Repeat that again?

20 MR. SPECTER: Have the answers which you have  
21 already given in response to the informal questions put to  
22 you by Mr. Herndon and others here, are they all true?

23 MR. RUBY: Yes, about my health---are all true---  
24 yes.

25 MR. SPECTER: All right, Mr. Herndon, will you

1 proceed.

2 MR. HERNDON: Yes. Thank you.

3 I understand, Mr. Ruby, that you have had your  
4 lunch today, is that correct? I want to make sure you  
5 have had a chance to eat?

6 MR. RUBY: Yes, I did.

7 MR. HERNDON: When did you eat, how long ago?

8 MR. RUBY: I would guess approximately 12:30.

9 MR. HERNDON: You've had no digestive problems  
10 while you've been here?

11 MR. RUBY: No.

12 MR. HERNDON: Have you had any coffee today----  
13 these are questions that will help us later on?

14 MR. RUBY: One early in the morning.

15 MR. HERNDON: Early in the morning?

16 MR. RUBY: Yes.

17 MR. HERNDON: Did you have more than one cup?

18 MR. RUBY: One and a half cups.

19 MR. HERNDON: That's your usual amount of coffee  
20 you have?

21 MR. RUBY: Yes.

22 MR. HERNDON: Did you have any coffee at lunch,  
23 Mr. Ruby?

24 MR. RUBY: No, I did not.

25 MR. HERNDON: Now, Mr. Ruby, have you ever had a

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1 polygraph examination?

2 MR. RUBY: Never have---no, I haven't.

3 MR. HERNDON: I'm going to refer to this as a  
4 polygraph. That's the word technically used, and as you  
5 know, it's often referred to as a lie detector test. They  
6 are one and the same, but I will refer to it as a polygraph  
7 test.

8 Inasmuch as this is your first examination, I want  
9 you to be fully aware of what I'm going to do and give you a  
10 little, in layman's terms if I can, general idea of how the  
11 polygraph works, and what I'm going to record and measure.  
12 I want you to be fully aware of that.

13 However, before I take you over here and put you in  
14 this polygraph chair, I usually like to give anybody an  
15 opportunity to make any statements they wish to make prior  
16 to actually taking the tests, the polygraph tests.

17 MR. RUBY: I feel well and I am not reluctant, as  
18 I repeat.

19 First, I would like to know----do I sound as though  
20 I have all my senses to you when I answer your questions?

21 MR. HERNDON: Well, I'm not in a position to  
22 answer that, Mr. Ruby.

23 MR. RUBY: The main job is to my sanity.

24 MR. HERNDON: Mr. Ruby, you are cooperating very  
25 fine with me.



1 MR. RUBY: The reason why I say this, there  
2 was some newspaper items recently that brought up the  
3 fact that I was of unsound mind.

4 Do I sound that way to you at the present time?

5 MR. HERNDON: I don't feel that I am qualified at  
6 this time to make any statement in that regard. I'm sure  
7 you would understand that that is something you can't give  
8 in a moment's notice.

9 MR. RUBY: Yes.

10 MR. HERNDON: Would you care to sit over here,  
11 Mr. Ruby, and I will further explain the test to you.

12 MR. RUBY: Surely.

13 (At this time Mr. Ruby conferred with Mr. Fowler  
14 out of the hearing of this reporter and others in  
15 the room.)

16 MR. RUBY: All right.

17 (At this time Mr. Ruby seated himself in the poly-  
18 graph test chair.)

19 MR. HERNDON: This is a polygraph chair. The  
20 reason it is so constructed, we want to take advantage of  
21 these high arms (indicating arms on the polygraph chair) so  
22 that we can get a better tracing, and very frankly, Mr. Ruby,  
23 I want to give you as best an examination as I can. So,  
24 it's going to take a little time and I want you to relax as  
25 best you can. I realize you might be a little nervous, and

1 I will certainly take that into consideration.

2 Let me just briefly, Mr. Ruby, tell you about the  
3 polygraph examination and what we're going to do today.

4 I want to proceed by hooking up some of these pieces  
5 of equipment and briefly tell you what it is.

6 Now, may I ask you to remove the material you have  
7 in your pocket, Sir, and you might want to give it to your  
8 Counsel.

9 MR. SPECTER: Let the record show that Mr. Ruby  
10 has removed all the objects from his upper lefthand  
11 pocket.

12 (After removing objects mentioned, Mr. Ruby handed  
13 the same to Mr. Fowler.)

14 MR. HERNDON: I gather from looking at your overalls  
15 that you don't have any restrictive garments or belts or  
16 anything underneath on you which would hinder you or your  
17 relaxation?

18 MR. RUBY: No, sir.

19 MR. HERNDON: You are very comfortable?

20 MR. RUBY: Yes.

21 MR. HERNDON: Very fine, Mr. Ruby.

22 Now, Mr. Ruby, there are two ways I can do this. I  
23 can do two things---I can either go ahead and put this equip-  
24 ment on you right now and describe briefly how it's going  
25 to work, or if you want, I can go over these first series of

1 questions and give you some instructions, and then put the  
2 equipment on. Which do you prefer?

3 MR. RUBY: Which is the most effective way to get  
4 what you want?

5 MR. HERNDON: Well, I think in view of the fact  
6 that we will have some discussion here, I want to make sure  
7 that you perfectly understand these questions, I will go  
8 ahead and give you some basic instructions about how these  
9 questions are going to be asked and how I want you to answer  
10 them.

11 MR. RUBY: All right.

12 MR. HERNDON: And then later on, as I hook you up,  
13 I will briefly describe what this equipment is going to do.

14 MR. RUBY: Yes.

15 MR. HERNDON: The polygraph examination will  
16 entail, as Mr. Specter indicated, just approximately 8 to 9  
17 questions, Mr. Ruby, and what we call a series.

18 Now, I'm going to go over these questions with you  
19 right now very carefully. I want to make sure that the  
20 way I have them phrased is in such a way that you understand  
21 perfectly what I mean by them. We will discuss the  
22 question and you may if you want to, even answer the question  
23 at this time.

24 MR. RUBY: I would appreciate it myself.

25 MR. HERNDON: In other words, I'm going to tell you

1 what the question is going to be and you shall feel free to  
2 answer it "Yes" or "No".

3 MR. FOWLER: Excuse me, Sir.

4 MR. HERNDON: Certainly.

5 MR. FOWLER: At this time, Jack, I request that in  
6 view of the fact that you're not hooked up, that you do not  
7 answer the question and reserve those until such time as you  
8 will be on the machine.

9 MR. RUBY: That's fine.

10 MR. HERNDON: Then, we will just discuss the  
11 questions.

12 MR. RUBY: Do it to your advantage, may I add.

13 MR. HERNDON: I generally prefer in my practice  
14 with the polygraph to have the gentleman answer the question  
15 so that he knows he has already answered it, and as a matter  
16 of record, he knows that that question is coming along.

17 MR. RUBY: Please let me do it, will you?

18 (Addressing Mr. Fowler)

19 MR. FOWLER: (No response)

20 MR. HERNDON: I will bow to whatever Mr. Specter  
21 or counsel wants to do in this regard.

22 MR. RUBY: Fowler, I hate to dispute with you, but  
23 let me do it this way?

24 MR. FOWLER: Well, Jack, again, Mr. Alexander is  
25 here and again I tell you this---that the answers to some of

1 these questions could be absolutely very detrimental to  
2 you.

3 MR. RUBY: They can't be.

4 MR. FOWLER: I'm talking about from a legal  
5 standpoint. Now, morally, I know how you feel and you  
6 want to do the best you can for the Commission.

7 MR. RUBY: I will.

8 MR. FOWLER: But by the same token, this gentleman  
9 over here (referring to Mr. Alexander) represents the State,  
10 who at this time is not representing you. Now, if we could  
11 allow Mr. Alexander to have the benefit of the nature of  
12 the questions, with the exception of the answers---if this  
13 is what Jack wants---but I do not want Mr. Alexander to have  
14 the benefit of the answers.

15 MR. SPECTER: The test may be conducted either way.  
16 As Mr. Herndon has explained, he has a slight preference to  
17 have the answers, but the ultimate decision on that is up  
18 to Mr. Ruby and his counsel. The Commission will proceed  
19 in either manner.

20 MR. RUBY: It's unfortunate that my attorney,  
21 Mr. Fowler, don't see as I do. I would like to give every  
22 cooperation without the slightest fraction of interference.  
23 That's why I requested that.

24 You won't let me do it that way, huh, Fowler?

25 MR. FOWLER: I'm requesting that you do not, Jack.

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1 MR. HERNDON: It will be no problem.

2 (Addressing the court reporter) Do you have any  
3 problem hearing?

4 THE COURT REPORTER: If Mr. Ruby would talk just a  
5 little bit louder it would be fine.

6 MR. HERNDON: Mr. Ruby, I have placed all these  
7 questions in a form so that they are very short and concise  
8 and can be answered only by "Yes" or "No", and that's the  
9 way we have to ask a question during a polygraph examina-  
10 tion, but I'll go over them with you and give you an idea  
11 of what they're going to be.

12 During the normal series, I'm going to ask several  
13 questions, of course, which are pertinent to the Commission's  
14 investigation, but I will also ask you several questions  
15 which more or less just deal with your identity, your back-  
16 ground and your name, so you will have two types of questions  
17 that I will ask.

18 Now, the first question I'm going to ask you under  
19 Series (1), which is rather pertinent, and I want you to  
20 know that I'm going to ask it, and I'm going to phrase it  
21 as simply as I can.

22 "Did you know Oswald before November 22, 1963?"

23 Now, what I mean by "know" is did you have any  
24 personal acquaintance of this individual, any personal  
25 acquaintance? Have you ever seen him, did you have any

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1 conversation with him? In other words, as you would say,  
2 "Well, I know that person".

3 MR. RUBY: Should I answer that?

4 MR. FOWLER: Not now, Jack.

5 MR. HERNDON: That question will be asked or re-  
6 peated, and so you and I will understand what we want, I'll  
7 repeat it "Did you know Oswald before November 22, 1963?"

8 MR. RUBY: Right.

9 MR. HERNDON: Another question that I will ask in  
10 Series (1), after I get the instrument adjusted, and it will  
11 be short and simple and answerable only by "Yes" or "No":

12 "Did you assist Oswald in the Assassination?"

13 "Did you assist Oswald in the Assassination?"

14 Do you understand that question?

15 MR. RUBY: Yes, it is very clear.

16 MR. HERNDON: I tried to make them as short as  
17 possible and as clear as possible.

18 Again, I'm going to ask you just as a matter of  
19 format here, "Did you take any medication this morning?"  
20 You have already answered that question, but that will be  
21 one of the questions I will ask you.

22 I'm also going to ask on Series (1), just to give you  
23 a little time to relax here, some of these rather simple  
24 questions such as: "Did you voluntarily request this test?"  
25

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1 MR. RUBY: Yes.

2 MR. HERNDON: You have already indicated your  
3 answer to that.

4 And, I will ask a rather obvious question as a matter  
5 of identity, "Is your first name Jack? Is your last name  
6 Ruby?"

7 These types of questions will be asked and I want  
8 to make sure I cover each and every one.

9 I'm going to ask you, "Do you use the middle name  
10 'Leon'?"

11 I understand you do, is that correct?

12 MR. RUBY: No---very rarely, very rarely.

13 MR. HERNDON: All right, you can answer that as  
14 you see fit, when I ask it on the test.

15 I will ask you this question, and I want to ask this  
16 as a matter of record for me because I interview a lot of  
17 people: "Have you ever been arrested?"

18 Now, what I mean in this regard, and I'll probably  
19 change that phraseology to "Have you ever been arrested  
20 before? Prior to the shooting, have you ever been arrested?"

21 Now, what I mean by "arrested", Mr. Ruby, is were  
22 you ever actually placed under arrest and brought before  
23 some type of magistrate and charged with any crime. That  
24 question will also be on the first examination. Those are  
25 the questions I'm going to ask you. Do you have any



1 question about them, Sir? Are they clear and concise to  
2 you?

3 MR. RUBY: When you speak of the last question  
4 about a crime, I've never been involved in a crime, so if  
5 you've been arrested for selling beer after hours, does  
6 that qualify as an answer too?

7 MR. HERNDON: Well, what I mean by "arrested" is  
8 if you were formally charged with something?

9 MR. RUBY: Like a felony?

10 MR. HERNDON: Well, any type of a formal arrest,  
11 wherein you actually were arrested and charged before a  
12 magistrate, of offending a law that's on the record, either  
13 of a community, a city, or the state.

14 MR. RUBY: You don't necessarily have to have been  
15 found GUILTY or anything, just the point of being arrested,  
16 is that right?

17 MR. HERNDON: Now, let me inject this, Mr. Ruby.

18 If these questions when I ask them, if you have  
19 something in doubt in your mind of how to answer it "Yes" or  
20 "No", just refrain from answering it, and we'll go back after  
21 the test and discuss it.

22 MR. RUBY: Very well.

23 MR. HERNDON: In other words, I want you to be able  
24 to freely and truthfully say "Yes" or "No" to these  
25 questions. If one of them leaves any area of doubt in your

1 mind and your hesitant to answer it, feel free not to say  
2 anything, and we will just proceed, and after I stop the  
3 instrument, I will then go over that question with you.

4 All right, Sir?

5 MR. RUBY: Yes.

6 MR. HERNDON: All right, Mr. Ruby, I'll just  
7 briefly hook up the instrument and I'll probably run it for  
8 a little while just to get it adjusted to you, and inasmuch  
9 as you've never had a polygraph before, I will explain the  
10 instrument's parts to you. You can see here, Mr. Ruby,  
11 I have a rubber tube and I'm going to place that around  
12 your chest, Sir.

13 This is what we call the pneumograph and that will  
14 accurately record your respiratory pattern as you inhale  
15 and exhale.

16 Would you be kind enough to raise your arms, Sir?

17 MR. RUBY: (Complied with request of Mr. Herndon)

18 REPORTER'S NOTE: 2:58 p.m.

19 MR. HERNDON: Now, as you can see, as you inhale  
20 the tube stretches, and as you exhale it decreases in size  
21 and I will have a tracing of it on the polygraph.

22 MR. RUBY: Yes.

23 MR. HERNDON: During the examination and as we  
24 run the test, I would appreciate it if you would sit  
25 perfectly relaxed, rather straight in the chair, with both

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1 of your feet flat on the floor.

2 Now, that will record, during the interview, the  
3 tracing of your breathing, and I want you for this reason to  
4 breathe perfectly normal and perfectly relaxed.

5 Now, the next thing---I want to put on will be on  
6 your hand and I'll put it on your righthand here. I notice  
7 you have one finger cut off on that hand.

8 What happened there, Mr. Ruby?

9 MR. RUBY: Oh, running a night club you get  
10 involved in various altercations.

11 MR. HERNDON: Now, this next component that I want  
12 you to see will be what we call the Galvanic Skin Response,  
13 GSR. I'm going to place these on your fingers, and actually  
14 all this simply does, through these instruments and the  
15 electronic processes, is to record any variance in the  
16 electrical conductivity or the resistance of your skin.  
17 It's helpful to me in this examination.

18 Your hands are very good. They are not sweating a  
19 bit. Is that too tight?

20 MR. RUBY: No.

21 MR. HERNDON: Is it uncomfortable?

22 MR. RUBY: No.

23 MR. HERNDON: All right, Mr. Ruby. Now, neither  
24 one of these two components will you feel at all. That will  
25 be no problem at all.

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1 MR. JBY: All right.

2 MR. HERNDON: Now, the next component that I will  
3 put on your left arm, because it's closer to your heart, and  
4 this is the cardiograph cuff, and this is going to give me  
5 an accurate tracing of any relative changes in your blood  
6 pressure. These will just be relative changes. I won't  
7 be able to necessarily know what your blood pressure is.  
8 I will have relative ~~blood changes and low pressures,~~ <sup>blood pressure changes</sup> and  
9 I will also have on a chart a change in any heartbeat or  
10 heart rate you might have.

11 Now, I am going to record all these physiological  
12 responses as we discuss the questions, and as you answer them  
13 I will have an indication of what is taking place physio-  
14 logically, what is going on in your physical system, and  
15 which will assist me in interpreting whether or not you may  
16 be deceiving with regard to the question.

17 MR. RUBY: What is your name, please, Sir?

18 MR. WOOD: Wood. I'm with the FBI.

19 MR. RUBY: Where is Shanklin, I thought he was  
20 supposed to be here?

21 MR. WOOD: He is in town but he is not here.

22 MR. RUBY: Isn't Mr. Shanklin the Chief?

23 MR. HERNDON: Do you want to relax your arm, Mr. Ruby?  
24 Now, do you have any questions about what I've done  
25 so far, Mr. Ruby?

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1 MR. RUBY: No. Do you want me to relate my story  
2 to you now?

3 MR. HERNDON: No, I want you to sit perfectly  
4 still. There will be no conversation, and I'm going to  
5 get the instrument adjusted to you. That will take only a  
6 few minutes, so just sit and try not to move. I'm not  
7 going to ask you any questions at this time. I just want  
8 to adjust the machine to you.

9 MR. SPECTER: Mr. Herndon, have you now covered all  
10 the preliminaries up to the point of asking the questions?

11 MR. HERNDON: Just about. I will probably repeat  
12 some basic instructions for Mr. Ruby just before we start  
13 asking him the questions.

14 MR. SPECTER: All right, then I think those who  
15 are going to leave should leave now so that we are ready to  
16 go as soon as your instrument is attune.

17 May the record show that Mr. Alexander has left the  
18 room.

19 MR. FOWLER: Jack, do you have any objections to  
20 Mr. Tonahill being here?

21 MR. RUBY: If Tonahill is going to be here---I  
22 don't believe he's---I know Bill Alexander is my friend, so  
23 he can stay, but Joe is supposed to be my friend.

24 MR. FOWLER: Well, we're not putting it on that  
25 basis, Jack. This is just purely personal.

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1 MR. RUBY: Just let me tell you this, Fowler.  
2 I have nothing to gain by Joe being here, because---I have  
3 nothing to gain.

4 MR. FOWLER: All right, all right. Then, we  
5 will ask Joe and Mr. Alexander to step out.

6 MR. RUBY: You still want Alexander to step out?

7 MR. FOWLER: I certainly think so, Jack.

8 MR. RUBY: (Addressing Mr. Alexander who was  
9 standing in the doorway to the examining room) Now, Bill,  
10 don't say I didn't request you, now?

11 MR. ALEXANDER: I know it, Jack.

12 MR. SPECTER: May the record now show that  
13 Mr. Alexander and Mr. Tonahill have left the room---have  
14 departed the room.

15 MR. TONAHILL: Yes, departed.

16 MR. SPECTER: May the record show that they have  
17 just gone out of the room and are now absent.

18 MR. HERNDON: Mr. Ruby, it will take me a few  
19 moments to get this adjusted. If you desire to talk to  
20 Mr. Fowler, if you can sit still and talk it will be all  
21 right.

22 (Conference at this time between Mr. Fowler and  
23 Mr. Ruby out of the hearing of this court reporter  
24 and others in the room.)

25 MR. HERNDON: Do you want to sit still now,

1 Mr. Ruby. I'm not going to ask you any questions. I just  
2 want to get everything adjusted at this time. You will hear  
3 a few scratching noises on the paper.

4 Now, will you take a deep breath, Mr. Ruby, and then  
5 relax, Sir?

6 MR. RUBY: (Complied with request of Mr. Herndon)

7 MR. HERNDON: Now, just breathe normally.

8 Now, if everyone will just be quiet for a few  
9 moments. There will be no questions asked. I just want to  
10 get the instrument adjusted.

11 COURT REPORTER'S NOTE: 3:05 p.m.

12 MR. HERNDON: (Snapped his fingers twice) I made  
13 that noise purposely, Mr. Ruby. Now, I'm going to let you  
14 get the feel of that cuff as I inflate it, and there will be  
15 a little bit of pressure put against your arm. You've had  
16 your blood pressure taken by a doctor, I'm sure?

17 MR. RUBY: Oh, yes.

18 MR. HERNDON: You recall that. It will be the  
19 same feeling and I will have to leave it on just for a  
20 matter of a few moments, and if you will sit perfectly still  
21 and put your feet flat on the floor and look straight ahead.

22 I will now apply a little bit of pressure on that  
23 arm. You probably feel a little pressure. All right, Sir?

24 MR. RUBY: Yes.

25 MR. HERNDON: From time to time I may come over and

1 raise and lower your arm to make sure it's perfectly relaxed.

2 MR. RUBY: That's all right.

3 MR. HERNDON: Do you feel your pulse beat?

4 MR. RUBY: Yes.

5 MR. HERNDON: You can see and feel your pulse beat  
6 and in a moment you can see how it records. Very fine,

7 Mr. Ruby. You have been very cooperative. I don't think  
8 we will have any problem.

9 MR. RUBY: You can see the differences of nature---  
10 if certain things are wrong or right, can't you?

11 MR. HERNDON: Well, I have to very carefully inter-  
12 pret what I see. I'm going to take all these things  
13 together at a later date into consideration, and I don't  
14 see any difficulty.

15 MR. RUBY: Because---I want my Chief to understand  
16 this here and see that.

17 MR. HERNDON: Are you a little more relaxed now?

18 MR. RUBY: Yes.

19 MR. HERNDON: You seem to be. I don't want to  
20 begin until you feel you are perfectly relaxed.

21 MR. RUBY: Yes, I'm very much relaxed because I  
22 have nothing---I'm not sparring with it, so I must be relaxed.

23 MR. HERNDON: Very fine. I appreciate your  
24 cooperation very much and you are cooperating with me very  
25 well.



1 In a moment, you can move your hand a little bit  
2 to get a little circulation. You probably felt just a  
3 little tingling sensation?

4 MR. RUBY: Yes, I felt a little bit of throbbing  
5 in these two fingers.

6 MR. HERNDON: Are they too tight?

7 MR. RUBY: No, that's fine.

8 MR. HERNDON: I can relax this a little bit on  
9 your arm. I just want it close enough so that they won't  
10 <sup>slip</sup> sweat, just about like that. I don't want this to cause  
11 you any discomfort to you.

12 Now, if you are about ready?

13 MR. RUBY: I am ready.

14 MR. HERNDON: You remember, I'm going to ask you  
15 just the questions that we discussed before and that's all.

16 MR. RUBY: You mean that's all?

17 MR. HERNDON: Oh, no, this is just Series (1),  
18 Mr. Ruby. We're going to cover many questions.

19 MR. RUBY: All right.

20 MR. HERNDON: I'm going to go rather deliberately  
21 slow on this first one until you become acquainted with the  
22 procedure.

23 MR. RUBY: Believe me, I know the answers, so you  
24 can ask me as fast as you like.

25 MR. HERNDON: During the test, again, if you will

1 keep your feet on the floor at all times, flat on the floor  
2 at all times, and try not to move. I know it's hard to  
3 sit perfectly still for the three to four minutes, but it  
4 is to your advantage to try to keep from moving. If you  
5 have to cough or move, I'll probably observe it and take  
6 it into consideration.

7 During the examination, Mr. Ruby, I know we have  
8 other people in the room, but I would appreciate it if you  
9 would just try to concentrate as if there were just you and  
10 <sup>me</sup> I in here and these questions are coming out and if you know  
11 the answer in your own mind, I want you to truthfully answer  
12 them "Yes" or "No". Do not give any qualifying statement  
13 or additional comments.

14 MR. RUBY: All right.

15 MR. HERNDON: On the other hand, if I come to one  
16 of these questions that you're not sure whether you want to  
17 say "Yes" or "No", there is some area in doubt, just don't  
18 say anything and we'll go back and discuss it later.

19 MR. RUBY: Okay.

20 MR. HERNDON: If you will, look right over here,  
21 look straight ahead at the wall and relax, and hear my  
22 question and give your answer to it, "Yes" or "No".

23 MR. RUBY: Yes, sir.

24 MR. HERNDON: I will tell you when I am going to  
25 begin. I will tell you when this particular test is over,

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1 but do not relax or move until I give you the word.

2 MR. RUBY: Very well.

3 MR. HERNDON: As I say, you will hear a little  
4 scratching noise and I will be marking the paper as we  
5 proceed.

6 MR. RUBY: Can I speak?

7 MR. HERNDON: Right now if you want to, yes, sir.

8 MR. RUBY: Fowler, I beg you to get Bill Alexander  
9 and Joe Tonahill back in here. I tell you. Will you do  
10 it, please?

11 MR. FOWLER: Jack, let's go on just like it is  
12 now. I don't want you to have any apprehensions that we're  
13 trying to keep anybody out.

14 MR. RUBY: All right.

15 MR. HERNDON: It's taking me about a minute to get  
16 the instrument warmed up again here.

17 All right, I will now put a little pressure on that  
18 arm, Mr. Ruby, and I will let you know when I'm going to  
19 begin. Once again, just answer the questions truthfully,  
20 "Yes" or "No".

21 THE COURT REPORTER'S NOTE: 3:10 p.m.

22 MR. HERNDON: The test will now begin.

23 "IS YOUR FIRST NAME JACK?"

24 MR. RUBY: "YES."

25 MR. HERNDON: "IS YOUR LAST NAME RUBY?"

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1 MR. RUBY: "YES".  
2 MR. HERNDON: "DID YOU VOLUNTARILY REQUEST THIS  
3 TEST?"  
4 MR. RUBY: "YES".  
5 MR. HERNDON: "DID YOU KNOW OSWALD BEFORE  
6 NOVEMBER 22, 1963?"  
7 MR. RUBY: "NO".  
8 MR. HERNDON: "DO YOU USE THE MIDDLE NAME 'LEON'?"  
9 MR. RUBY: (No immediate response)  
10 How can I answer that? I don't have my driver's  
11 license, but I don't use it.  
12 MR. HERNDON: All right, just sit still and we will  
13 discuss it.  
14 "DID YOU ASSIST OSWALD IN THE ASSASSINATION?"  
15 MR. RUBY: "NO".  
16 MR. HERNDON: "HAVE YOU EVER BEEN ARRESTED?"  
17 MR. RUBY: "YES".  
18 MR. HERNDON: "DID YOU TAKE ANY MEDICATION THIS  
19 MORNING?"  
20 MR. RUBY: "NO".  
21 MR. HERNDON: "HAVE YOU ANSWERED ALL MY QUESTIONS  
22 TRUTHFULLY?"  
23 MR. RUBY: "YES".  
24 MR. HERNDON: This first series is over. If you  
25 will just sit still for a moment, I will release the pressure

1 on your and you may now move you and relax and  
2 get the circulation moving.

3 MR. RUBY: I'm all right.

4 MR. HERNDON: That wasn't too bad, Sir, was it?

5 MR. RUBY: (No response)

6 COURT REPORTER'S NOTE: 3:12 p.m..

7 MR. HERNDON: Mr. Ruby, there are two questions I  
8 want to ask you about on our first series.

9 I know you couldn't refrain from laughing and talking  
10 about that middle name of "Leon". Do you want to further  
11 explain that?

12 MR. RUBY: Yes, I don't use it, so hence it's sort  
13 of a remembrance of a very good friend of mine. I used it  
14 on my driver's license, but since then it has become a habit  
15 of keeping it on my driver's license, but I've never been  
16 called with it and very rarely do I sign papers that way, but  
17 once I stated it on my driver's license, I had to follow  
18 through with it that way, and that's the answer to it. Once  
19 you have it on your driver's license, you have to have it  
20 the same way.

21 MR. HERNDON: Do you like the name "Leon"?

22 MR. RUBY: Well, I did more for sentimental reasons,  
23 but as I went along later I sort of dropped it.

24 MR. HERNDON: Is it actually on your driver's  
25 license, though?

1 MR. RUBY: I think it's Jack Ruby. No---  
2 Jack Leon Ruby. It's Jack Leon Ruby on my driver's license  
3 and that's something that once you start with it, and it's  
4 been years ago, when you renew your license, it remains the  
5 same, but outside of signing papers or contracts or anything  
6 of vital importance, you only find out it's much simpler  
7 to sign "Jack Ruby".

8 MR. HERNDON: All right, Mr. Ruby, and one other  
9 question. I would just like to ask you what went on in  
10 your mind when you did answer the question "Yes" to "Have  
11 you ever been arrested?"

12 MR. RUBY: Well, the police had taken me---I had  
13 been arrested, because when the police officer said, "Jack,  
14 come on, we're taking you down", you're arrested.

15 MR. HERNDON: When was this? Are you referring  
16 to this current or some previous time?

17 MR. RUBY: Previous to that.

18 MR. HERNDON: What situation was that?

19 MR. RUBY: Well, it was---I was arrested for  
20 dancing after curfew. Some fellows smuggled in intoxicants  
21 after hours.

22 MR. HERNDON: Was this here in your own place or  
23 some other place?

24 MR. RUBY: At my own place. No felony crime,  
25 nothing serious---only misdemeanors.

1 MR. HERNDON: You consider that was a misdemeanor?

2 MR. RUBY: Oh, yes. In other words---a \$25 fine.

3 I never have been in any criminal activity.

4 MR. HERNDON: Very fine. Does your arm feel all  
5 right now?

6 MR. RUBY: Yes.

7 MR. HERNDON: Very good. We have finished with  
8 the first series.

9 MR. SPECTER: I am now going to ask Mr. Alexander and  
10 Mr. Tonahill to return between now and the time we start on  
11 the next test.

12 May the record show that Mr. Alexander and Mr. Tona-  
13 hill are back in the room.

14 MR. HERNDON: Did the cardio unit disturb you at  
15 all other than just a slight tingling sensation?

16 MR. RUBY: In this arm here (indicating left arm)?

17 MR. HERNDON: Did that bother you before the  
18 Series (1) group?

19 MR. RUBY: No, that's fine.

20 MR. HERNDON: Mr. Ruby, you are now a veteran of the  
21 first series. You did real well. You cooperated very  
22 fine.

23 Now, we will proceed with Series Number (2). I  
24 want to go over these questions with you so that you and I  
25 understand precisely and perfectly what they mean.

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1 MR. RUBY: All right.  
2 MR. HERNDON: Now, in this series of questions, I  
3 am going to ask as one of the ones which is pertinent in  
4 this investigation, "Are you now a member of the Communist  
5 Party?"  
6 MR. RUBY: No.  
7 MR. HERNDON: You don't have to answer that if you  
8 don't want to now, but I'm going to ask you that question,  
9 Sir.  
10 MR. RUBY: Okay.  
11 MR. HERNDON: You understand what I mean by that---  
12 that's about as short and sweet as we can get it.  
13 MR. RUBY: Yes.  
14 MR. HERNDON: I'm going to ask you, "Have you ever  
15 been a member of the Communist Party?"  
16 MR. RUBY: No.  
17 MR. HERNDON: You understand the difference---one  
18 is now and one is---have been perhaps sometimes in your  
19 youth or life---if you were affiliated with the Communist  
20 Party.  
21 MR. RUBY: Yes, I understand.  
22 MR. HERNDON: I'm going to ask you this question,  
23 Mr. Ruby: "Are you now a member of any group that ad-  
24 vocates the violent overthrow of the United States Govern-  
25 ment?"

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1 MR. RUBY: No.  
2 MR. HERNDON: Do you understand that question?  
3 MR. RUBY: Yes, sir.  
4 MR. HERNDON: I'm going to ask: "Have you ever  
5 been a member of any group that advocates the violent over-  
6 throw of the United States Government?"  
7 MR. RUBY: No.  
8 MR. HERNDON: It's very similar, only it's in  
9 the past tense.  
10 MR. SPECTER: Mr. Ruby, on those two questions---  
11 we can't go through all of those groups which advocate the  
12 overthrow of the United States Government, so we are  
13 generalizing with respect to them.  
14 MR. RUBY: Yes.  
15 MR. SPECTER: You have indicated you understand  
16 them?  
17 MR. RUBY: Yes, and my answer is "No---no collaborat-  
18 ing".  
19 MR. SPECTER: I don't think it is necessary to  
20 elaborate on that.  
21 MR. RUBY: No.  
22 MR. HERNDON: All right, in addition to those  
23 questions, I'm going to ask you a relatively simple question  
24 as this, that you should be able to answer "Yes" or "No".  
25 "Were you born in the United States?"

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1 MR. RUBY: Yes.

2 MR. HERNDON: "Were you born in Chicago?"

3 MR. RUBY: Yes.

4 MR. HERNDON: Now, this next question I'm going to  
5 ask you, you don't have to answer it now. You can discuss  
6 it with me later or you can wait and decide what you want  
7 to answer to it. "Did you ever make a false official  
8 statement?"

9 Now, that's a general question and I realize that,  
10 Mr. Ruby, and when I ask that question, obviously your mind  
11 probably went back to many things. We make a lot of  
12 official statements. Now, I'm asking that question in its  
13 broadest terms. In other words, <sup>to</sup> do your recollection,  
14 have you ever made a false official statement?

15 MR. RUBY: When you say "Official"---for instance,  
16 in order to have a job years ago---I want to explain this  
17 to you. In order to work in a department store, I had to  
18 use another name because this other person would be the  
19 right age that I could work, but outside of that, officials--  
20 to any authorities----I haven't.

21 MR. HERNDON: Obviously, this department store  
22 thing came to your mind when I asked that question?

23 MR. RUBY: Yes.

24 MR. HERNDON: Well, Sir, I'm glad you brought that  
25 out so I will have an understanding that that was in your

1 mind. What I mean here, however, is something more in the  
2 nature of an application for a license, an application for  
3 a permit, an application for insurance---anything that would  
4 come within the jurisdiction of being somewhat a legal or  
5 semi-legal form or application?

6 MR. RUBY: No.

7 MR. HERNDON: I want to make sure you understand  
8 what I mean by that question.

9 Then, I'll probably ask, "I understand you were born  
10 in 1911, is that correct?"

11 MR. RUBY: Yes.

12 MR. HERNDON: These are questions of identity---  
13 "were you born in 1911?"

14 Now, let me see, gentlemen, if we have gone over all  
15 the questions. I have gone over all the questions with  
16 Mr. Ruby that I'm going to ask for this next series.

17 MR. SPECTER: All right, prior to the administration  
18 of the second series, Mr. Alexander and Mr. Tonahill are  
19 now leaving the room again.

20 May the record show that Mr. Alexander and  
21 Mr. Tonahill have now departed from the room.

22 THE COURT REPORTER'S NOTE: 3:20 p.m.

23 MR. HERNDON: All right, now just relax. Can I  
24 get you a drink of water or anything, Mr. Ruby?

25 MR. RUBY: No, I'm perfectly all right.

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1 MR. HERNDON: All right, very fine.  
2 Once again, if you will try to refrain from moving,  
3 simply look straight again, and sit perfectly still and  
4 answer the questions "Yes" or "No".

5 I again will tell you when I am going to begin,  
6 Mr. Ruby.

7 Now, are you relaxed? Are you okay?

8 MR. RUBY: Yes.

9 MR. HERNDON: How does your arm feel? I noticed  
10 you had a little bit of pressure there around the cuff. Is  
11 the circulation all right?

12 MR. RUBY: Fine.

13 MR. HERNDON: You feel fine?

14 MR. RUBY: Yes.

15 MR. HERNDON: It will take me a moment again here  
16 to get the instrument adjusted. Before I put any pressure  
17 on the cuff, Mr. Ruby, I'm going to just tighten this up  
18 just slightly, do you want to move up just a moment? Does  
19 that bind you in any way or is it too tight (checking  
20 tube around Mr. Ruby's chest)?

21 MR. RUBY: No.

22 MR. HERNDON: All right, now just lean back and  
23 relax. All right, Sir. Now, we're getting a better  
24 tracing. All right, I am going to now put a little  
25 pressure on and I will tell you when I am going to begin.

1 THE COURT REPORTER'S NOTE: 3:25 p.m.

2 MR. HERNDON: Now, I'm checking this just so you  
3 can raise and lower your arm and keep relaxed. Look  
4 straight ahead, Mr. Ruby.

5 THE COURT REPORTER'S NOTE: 3:25 p.m.

6 MR. HERNDON: I will now begin.

7 "WERE YOU BORN IN THE UNITED STATES?"

8 MR. RUBY: "YES."

9 MR. HERNDON: "WERE YOU BORN IN CHICAGO?"

10 MR. RUBY: "YES."

11 MR. HERNDON: "ARE YOU NOW A MEMBER OF THE  
12 COMMUNIST PARTY?"

13 MR. RUBY: "NO".

14 MR. HERNDON: "HAVE YOU EVER BEEN KNOWN BY ANOTHER  
15 NAME?"

16 Don't answer that question. I didn't review it before.  
17 Skip it.

18 MR. HERNDON: Just sit and relax.

19 "HAVE YOU EVER BEEN A MEMBER OF THE COMMUNIST PARTY?"

20 MR. RUBY: "NO".

21 MR. HERNDON: "DID YOU EVER MAKE A FALSE OFFICIAL  
22 STATEMENT?"

23 MR. RUBY: "NO".

24 MR. HERNDON: "ARE YOU NOW A MEMBER OF ANY GROUP  
25 THAT ADVOCATES THE VIOLENT OVERTHROW OF THE UNITED STATES

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1 GOVERNMENT?"

2 MR. RUBY: "NO".

3 MR. HERNDON: "HAVE YOU EVER BEEN A MEMBER OF ANY  
4 GROUP THAT ADVOCATES VIOLENT OVERTHROW OF THE UNITED STATES  
5 GOVERNMENT?"

6 MR. RUBY: "NO".

7 MR. HERNDON: "WERE YOU BORN IN 1911?"

8 MR. RUBY: "YES".

9 MR. HERNDON: That concludes that series. Just  
10 sit still for a moment, Sir.

11 All right, you may now move your arm and relax,  
12 Mr. Ruby.

13 MR. RUBY: All right.

14 THE COURT REPORTER'S NOTE: 3:27 p.m.

15 MR. HERNDON: There was one irrelevant question  
16 that I failed to mention here. We will discuss that in a  
17 moment, and that is, "Have you ever been known by another  
18 name?"

19 You might want to mention that to the gentlemen,  
20 as a matter of record. I told him to refrain from answer-  
21 ing it. It's really not that pertinent.

22 MR. SPECTER: Fine, we will bring it to their  
23 attention.

24 MR. HERNDON: But, as long as I did ask it, if  
25 you want, I'd like him to answer it before the other

1 gentlemen come in.

2 MR. SPECTER: No, I think that's all right.

3 MR. RUBY: Have I ever had it changed legally,  
4 is that what you meant?

5 MR. HERNDON: In other words, when I asked you that  
6 question, I realized I hadn't gone over it.

7 MR. RUBY: That's all right.

8 MR. HERNDON: Therefore---I know you hesitated to  
9 answer it.

10 MR. RUBY: Well, I have two names---my name was  
11 Rubenstein and was changed to Ruby.

12 MR. HERNDON: That's what came to your mind, the  
13 fact that you actually had your name changed?

14 MR. RUBY: Yes.

15 MR. SPECTER: We are now between Series (2) and (3)?

16 MR. HERNDON: Yes.

17 MR. RUBY: How many series do I have now?

18 MR. HERNDON: I don't know quite yet, Mr. Ruby.

19 MR. SPECTER: Let the record show that Mr. Alexander  
20 and Mr. Tonahill are back in the room.

21 Gentlemen, there was one question which Mr. Herndon  
22 did not go over in advance and that was, "Was Mr. Ruby ever  
23 known by any other name?" Since he did ask it, but since it  
24 was obvious as soon as he had asked it that he had not gone  
25 over it, he asked Mr. Ruby not to answer it, and when the

1 series wa<sup>o</sup>ver, he asked Mr. Ruby t<sup>o</sup> question again and  
2 Mr. Ruby said that he had been known previously as "Jack  
3 Rubenstein" and had legally changed his name. With that  
4 one variation, all the questions asked during that series  
5 were identical with those discussed before you left the  
6 room.

7 MR. HERNDON: My apologies, gentlemen, but it was  
8 an irrelevant question.

9 Mr. Ruby, we shall now proceed to what we call  
10 Series Number (3). Here again these questions are going  
11 to be intermixed, some rather pertinent to what we're in-  
12 terested in here, others general questions. Let me go  
13 over the relevant questions, first, Mr. Ruby.

14 "Between the assassination and the shooting, did  
15 anybody you know tell you they knew Oswald?"

16 MR. RUBY: No.

17 MR. SPECTER: Now, you understand, Mr. Ruby, when  
18 he says "the shooting", that means the shooting of Oswald?

19 MR. RUBY: Repeat that over again---let me hear it  
20 again.

21 MR. HERNDON: I think you realized that, but I  
22 want to make certain that you understand, and I want to go  
23 back and break down that question----between the assassination  
24 of President Kennedy and the shooting----now, the shooting I  
25 mean is the shooting of Oswald?

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1 MR. RUBY: Oh, yes---yes--- answer is "No".

2 MR. HERNDON: I realize you understood the  
3 question, but the shooting in some other person's mind  
4 could be many things. I want to keep these sentences as  
5 concise and short as possible.

6 "Did anybody you know tell you they knew Oswald?"

7 MR. RUBY: No.

8 MR. HERNDON: Do you understand the question,  
9 Mr. Ruby?

10 MR. RUBY: Right.

11 MR. HERNDON: "Did you tell anyone that you were  
12 thinking of shooting Oswald before you did it?"

13 MR. RUBY: No.

14 MR. HERNDON: Is that question all right, do you  
15 understand it?

16 MR. RUBY: Yes---I take that back. Sunday  
17 morning---I want to elaborate on that---before I left my  
18 apartment---it evidently didn't register with the person  
19 because of the way I said it. In other words, the whole  
20 basis of this whole thing was that Mrs. Kennedy would have  
21 to come back for trial.

22 MR. FOWLER: Jack, let me ask you at this time---  
23 excuse my interruption, but why don't you just address your-  
24 self to the general questions that are asked you. I think  
25 it's all right.

1 MR. RUBY: All right.  
2 MR. JEWLER: I don't think it will help the  
3 Commission, and this may be in the form of a question later  
4 on, but just confine your answer to "Yes" or "No".  
5 MR. RUBY: Well, the thing is this----I have to  
6 answer---ask me the question again.  
7 MR. HERNDON: Let's go over it once more, Mr. Ruby,  
8 and I want you to be able to be in a position that you can  
9 freely, honestly, and truthfully answer it simply "Yes" or  
10 "No".  
11 MR. RUBY: Yes.  
12 MR. HERNDON: Now, if there's something in here in  
13 this area that troubles you, we can rephrase the question.  
14 MR. RUBY: Will you specify the time---the time  
15 element is very important.-  
16 MR. HERNDON: The only time element is before---  
17 before you did it. Now, "before" is a very broad  
18 coverage?  
19 MR. RUBY: That's it. That's a difficult question  
20 to answer.  
21 MR. HERNDON: That's the way the question is worded.  
22 Let me ask it again and see if you want to discuss it.  
23 "Did you tell anyone that you were thinking of shooting  
24 Oswald before you did it?"  
25 MR. RUBY: (No response)

1 MR. HERNDON: If you want me to re-word that  
2 question, I'll take it up with Mr. Specter.

3 MR. RUBY: Why don't you say this---"that Sunday  
4 morning, specifically?" That would be easier for me to  
5 answer.

6 MR. HERNDON: In other words, "Did you tell anyone  
7 you were thinking of shooting Oswald on Sunday morning?"

8 MR. FOWLER: Jack, again, excuse me, Sir.

9 MR. RUBY: Fowler, it puts me in a tough spot  
10 when he asks me that question and I evade it.

11 MR. FOWLER: I understand this, but I'm talking  
12 now specifically about in the presence of Mr. Alexander.  
13 Now, later on, if you want to answer it "Yes" or "No" to  
14 that question, it's perfectly all right. I want you to  
15 fully understand the question.

16 MR. HERNDON: I want to bow, of course, to  
17 Mr. Specter, of course, for the way the Commission desires  
18 it.

19 MR. SPECTER: If you would like us to break it  
20 down, we could do it in two questions. "Did you tell  
21 anybody on Sunday morning that you were going to shoot  
22 Oswald before you did it?"

23 MR. RUBY: Yes, that's easier to answer.

24 MR. SPECTER: Then, we can ask you this: "Before  
25 Sunday morning did you tell anybody you intended to shoot

1 Oswald?"

2 MR. RUBY: Now, that's a better way to ask it---  
3 the last question.

4 MR. SPECTER: Then, we've covered all the time in  
5 two parts.

6 MR. RUBY: The last question you asked me is a  
7 better way to ask me. The last question you asked, my  
8 answer is "No".

9 MR. SPECTER: Then, we'll want to ask you a follow-  
10 up question.

11 MR. RUBY: Do you understand what I'm saying---did  
12 you understand what I said?

13 MR. SPECTER: Yes, I understand what you're saying,  
14 but we will want to ask you for the purpose of the test,  
15 "On Sunday morning did you tell anybody that you intended  
16 to shoot Oswald?"

17 MR. RUBY: All right, I'll answer it.

18 MR. HERNDON: If I could get the court reporter to  
19 read back how you phrased that question, so that we could  
20 both agree on it.

21 THE COURT REPORTER: "On Sunday morning did you tell  
22 anybody that you intended to shoot Oswald?"

23 MR. SPECTER: There are two questions. "Before  
24 Sunday morning, did you tell anyone you intended to shoot  
25 Oswald?" That's all right for one question. Now, write

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1 this one down, Mr. Herndon. The question is "Before  
2 Sunday morning did you tell anyone that you intended to  
3 shoot Oswald?"

4 MR. RUBY: Now, before Sunday morning means any  
5 time element beyond the time I left my apartment. Is that  
6 what you're referring to when you say Sunday morning?

7 MR. SPECTER: Well, I'll even change that and I'll  
8 say "Before you left your apartment on Sunday morning, did  
9 you tell anyone you intended to shoot Oswald?"

10 Now, the following question will be: "From the time  
11 you left your apartment on Sunday morning, did you tell  
12 anyone you intended to shoot Oswald?"

13 MR. RUBY: Now, you'd better rephrase that. I  
14 hadn't already left the apartment. Do you follow me?

15 MR. SPECTER: Right. Well, I see what you're  
16 driving at---you're driving at the time.

17 MR. RUBY: The time element is very important.

18 MR. SPECTER: All right, we can make it in three  
19 parts: "While you were at your apartment on Sunday morning,  
20 did you tell anyone you intended to shoot Oswald?"

21 Now, we've broken it up three ways. That would  
22 really be covered, Mr. Ruby, in the first part: "Before you  
23 left your apartment on Sunday morning, did you tell anyone  
24 you intended to shoot Oswald?"

25 MR. RUBY: Now, you've got to get another question in

1 there: "Previous to your arising that morning, have you  
2 told anyone you're going to shoot Oswald?" You see my  
3 point?

4 MR. SPECTER: Yes, before you woke up, in other  
5 words?

6 MR. RUBY: Yes.

7 MR. SPECTER: "Before you woke up on Sunday morning,  
8 had you told anyone you intended to shoot Oswald?"

9 MR. RUBY: Before I awakened.

10 MR. SPECTER: Mr. Ruby, I don't want to leave any  
11 area of questionableness here or ambiguity---of course, you  
12 didn't say in your sleep this, so perhaps we ought to phrase  
13 it "Before you went to bed on Saturday night or early Sunday  
14 morning, did you tell anyone you intended to shoot Oswald?"

15 MR. RUBY: That's right.

16 MR. HERNDON: Would you repeat that, Mr. Specter?

17 MR. SPECTER: Yes. "Before you went to bed---"

18 What time did you go to bed that night?

19 MR. RUBY: At 1:15 or 1:30, but you must put it  
20 specifically---also, whether I received any phone calls from  
21 the time I went to bed and the time I arose. Do you follow  
22 me? In other words, I could clear myself by answering that  
23 question truthfully, but I could have received a phone call  
24 in between the time I went to bed and the time I awakened.

25 MR. HERNDON: So, the area we're trying to cover

1 here, Mr. Ruby, as I see it is---if you did tell anyone you  
2 were thinking of doing this---the approximate time.

3 Is that what we're getting at, Mr. Specter?

4 MR. SPECTER: Yes.

5 MR. HERNDON: Now, we can phrase that in several  
6 different ways. If your recollection is that good that  
7 you specifically recall an incident, you can tell me how  
8 you want me to ask it.

9 MR. ALEXANDER: May I make a suggestion?

10 MR. HERNDON: Yes.

11 MR. ALEXANDER: Ask it, "Did you tell someone by  
12 telephone you intended to shoot Oswald?"

13 MR. RUBY: Plus the fact that I think it should be  
14 included, "Did I talk to anyone before going to bed?"

15 MR. HERNDON: Mr. Specter?

16 MR. FOWLER: Now, we will certainly object to  
17 a question being framed by this attorney.

18 MR. SPECTER: Mr. Fowler, do I understand your  
19 position correctly, that you are concerned about the dis-  
20 closure of this information in the presence of Mr. Alexander?

21 MR. FOWLER: I am.

22 MR. SPECTER: But, do you have any concern about  
23 disclosing the answer to this question to the Commission?

24 MR. FOWLER: None whatsoever.

25 MR. SPECTER: Well, would it be agreeable with you

1 if Mr. Alexander leaves while this question is being formu-  
2 lated so we can understand it, and then that he comes back  
3 when we have formulated it?

4 MR. ALEXANDER: Jack knows that I know the answer  
5 to it, so there's no use in anybody getting upset about it.

6 MR. RUBY: Are you sure you know the answer to it?

7 MR. ALEXANDER: I think so, Jack.

8 MR. FOWLER: It would be preferable if he would  
9 leave.

10 MR. SPECTER: Mr. Alexander, do you have any objec-  
11 tion to stepping out just while we formulate this question?

12 MR. ALEXANDER: Not at all, not at all. Come on  
13 Joe.

14 MR. TONAHILL: I don't have to go.

15 MR. SPECTER: Mr. Alexander has now departed, may  
16 the record show.

17 All right, Mr. Ruby, we want to phrase the question  
18 in accordance with polygraph procedure in a way that gets to  
19 the point, as you see the point. So, tell us exactly what  
20 you have in mind here.

21 MR. RUBY: Well, you had better remind me again.

22 MR. HANDBON: Here's the area we're trying to cover.

23 Here's the question I originally asked you which created all  
24 this problem. "Between the assassination and the shooting"--

25 now, let me start that again---"Did you tell anyone that you



1 were thinking of shooting Oswald before you did?"

2 NO. I tried to put that as plainly as I could.

3 I'm not interested here in the area of when---

4 MR. RUBY: Yes, but if you're speaking in the area  
5 of when, it's pretty incriminating. It's a long premedita-  
6 tion, then, of time element.

7 MR. HERNDON: I think the Commission here has its  
8 question of whether or not you did tell anybody?

9 MR. SPECTER: Mr. Ruby, if you have no objection  
10 to answering that question, we would like you to do so now  
11 for purposes of giving us information, and then we will test  
12 you in just a minute as we go through with the polygraph, if  
13 you're willing to answer that question?

14 MR. RUBY: Clayton?

15 MR. FOWLER: Jack, let me say this---now, this is  
16 the very crux of your case. In other words, if there is  
17 premeditation on your part to murder or to kill, this can  
18 and will be used against you, and this information---let's  
19 project it a little bit and say that you do get a new trial,  
20 and that between now and that the the Warren Commission  
21 releases their information for public consumption or to the  
22 District Attorney's Office or to anybody else, then, if your  
23 answer to these questions might be "Yes", then it would be  
24 most difficult to appear and defend you.

25 MR. RUBY: Clayton, I'm here to tell the truth.

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1 I don't know how the heck to answer C. I appreciate  
2 you're in a tough spot.

3 MR. FOWLER: Well, of course, as you can readily  
4 see, this is why we advised you not to take this.

5 MR. RUBY: That's why I want it, because I know  
6 what's best for me.

7 MR. FOWLER: Well, I don't think you do, Jack.

8 MR. RUBY: Can I overrule you, Clayton, where you  
9 won't be too angry if I overrule you?

10 MR. FOWLER: Well, I have no---I'm not going to put  
11 a cob in your mouth, Jack.

12 MR. RUBY: Can I ask one more favor of you?

13 MR. FOWLER: Sure.

14 MR. RUBY: Will you let those two gentlemen back in  
15 the room, at your request?

16 MR. FOWLER: Not at my request---no, sir.

17 MR. RUBY: Please, Clayton?

18 MR. FOWLER: If you leave that up to me, I say "No".

19 MR. RUBY: All right, I'm going to answer your  
20 question.

21 MR. HERNDON: Mr. Ruby, why don't I just go over  
22 with you and ask all of them for this series of questions.

23 MR. SPECTER: At this time, I would like to ask  
24 Mr. Ruby if he is willing to answer the question about the  
25 conversations. I would like to develop the information

1 about the conversations so that we will know it is factual.  
2 This would be an extended question of the nature that the  
3 Chief Justice asked you on June 7---if you're willing to  
4 answer my question to you at this time, which is: "Did you  
5 tell anybody that you intended to shoot Oswald at any time  
6 before you did it?"

7 And, I would follow that up, if you answer that  
8 question, with---"Whom did you tell and when?"

9 With that information, we can then formulate these  
10 questions for the lie detector test to see if you're telling  
11 the truth.

12 MR. RUBY: Clayton, please? I've got to do this?  
13 I've got to, because I told it to the Warren Commission.

14 MR. FOWLER: In other words, these questions have  
15 already been talked about?

16 MR. RUBY: Yes, and will you ask them to come in?

17 MR. SPECTER: Mr. Fowler, I don't know that they  
18 have. I have reviewed the transcript, but I don't know  
19 that we've asked these before, but he answered everything,  
20 that was asked of him in the last session.

21 MR. RUBY: Yes, I was very voluntary.

22 MR. SPECTER: We didn't go into some areas because  
23 we deliberately did not, and other areas were not inquired  
24 into, suffice it to say, for this purpose, but this is the  
25 question we're concerned with at the moment, and we would like

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1 an answer substantively, in addition testing his truth-  
2 fulness, so it comes to a head when we try to formulate the  
3 questions for the polygraph, because we really have to get  
4 the underlying facts, and then we can point our efforts to  
5 see whether he's telling the truth according to the indi-  
6 cators from the examination.

7 MR. FOWLER: Again, I don't believe certainly he  
8 understands the full complicity of this thing.

9 If there are any questions that are asked that shows  
10 premeditation on his part, I would respectfully ask that he  
11 decline to answer and that you decline to ask it.

12 MR. RUBY: But it's already in there. I've already  
13 told it to the Warren Commission.

14 MR. FOWLER: Now, if there is an area that has been  
15 covered already and you still wish to go into it---I don't  
16 want this man---

17 MR. RUBY: So, would you mind calling Alexander in?

18 MR. FOWLER: Listen, Jack, will you please listen  
19 to me? This man got up down there and asked the Jury to  
20 send you to the electric chair.

21 MR. RUBY: I know it.

22 MR. FOWLER: He has not changed his opinion yet,  
23 and he will again ask it at some later date. Now, is this  
24 the kind of man you want to pussyfoot around in here with  
25 and let listen to these questions? Just "Yes" or "No"---if

1 it is---we'll bring him back in.

2 MR. RUBY: Yes, I want him in nere, and I want you  
3 to ask him to come in, please.

4 MR. FOWLER: I won't ask him to come in.

5 MR. RUBY: Joe, ask him to come in.

6 MR. TONAHILL: No, Clayton is your Chief Counsel  
7 and I'm going to respect his desires.

8 MR. RUBY: Chief---I know.

9 MR. SPECTER: Well, I will ask him to come in,  
10 Mr. Ruby. I'm willing to bring him back, if that's your  
11 request.

12 MR. FOWLER: I would like this record to reflect  
13 that this is against the advice of his attorneys present,  
14 and that it will be very detrimental to, Number One, his  
15 appeal, and Number Two, perhaps to any clemency that might  
16 be asked for in the future, and Number Three, for the actual  
17 trial of the case on the merits, if such ever occurs.

18 MR. SPECTER: Mr. Ruby, the Commission can proceed  
19 and conduct this test and not bring him back. I want you  
20 to be clear on that point, that these men do not have to  
21 be here for the purposes of getting this information here  
22 for the Commission, so we will know all the facts, or for  
23 the purposes of conducting this test. So, it's really  
24 extraneous. It doesn't really matter for them to be in  
25 here for the tests.

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1 MR. FOWLER: Jack, why do you want them back?

2 MR. RUBY: Because I happen to know what I'm  
3 talking about.

4 MR. TONAHILL: Now, Jack---

5 MR. RUBY: Joe, you're not my attorney any more.  
6 We know it. We understand one another, please. You're not  
7 helping me.

8 MR. FOWLER: Let's just direct our attention right  
9 now, Jack, to the things that are near to you. Why do you  
10 want Mr. Alexander here?

11 MR. RUBY: I feel I don't want him to think I'm  
12 holding out on anything. I don't want him to have any idea  
13 that I'm reluctant to answer things in front of him, believe  
14 me.

15 MR. FOWLER: Listen, at some future date---yes.  
16 Perhaps in a trial, another trial, yes. When you are on  
17 the witness stand, if you are able to go to the witness  
18 stand, perhaps these questions will be directed to you at  
19 that time, and you can make a full disclosure before a Jury,  
20 but I respectfully request that you do not do it in the  
21 presence of a District Attorney.

22 MR. RUBY: But Clayton, they knew all these  
23 questions already. Henry Wade, I spoke to, and I told him  
24 all this.

25 MR. FOWLER: Well, if he knows them already, then

1 why not just let him stay out? You're not trying to  
2 impress him, are you? Do you think that he can do anything  
3 to help you right now?

4 MR. RUBY: No---no, but the thing is that I have  
5 a few other thoughts in mind, as you well know about.

6 MR. FOWLER: What are they, Jack?

7 MR. RUBY: That I spoke to you about for your  
8 consideration.

9 MR. FOWLER: Jack, I'm not worried, I'm not con-  
10 cerned about anybody trying to do away with me. This is  
11 the least of my worries. Nobody has threatened me about  
12 this thing. Nobody has coerced me in any way.

13 MR. RUBY: I want harmony, that's what I want.  
14 I want harmony with you and the District Attorney's Office.

15 MR. FOWLER: Well, we can't harmonize over your  
16 situation, I'm sorry.

17 MR. SPECTER: Well, the point we got to was the  
18 question of getting the substantive information out before  
19 going on with the test.

20 Did you tell anyone that you intended to shoot  
21 Oswald?

22 MR. HERNDON: You mean---before?

23 MR. SPECTER: Well, I don't know if we're going  
24 to get an answer to it or not.

25 MR. FOWLER: Jack, now the question that is being

1 directed to you at this time---well, go right ahead.

2 MR. RUBY: Yes, Sunday morning.

3 MR. SPECTER: And whom did you tell?

4 MR. RUBY: George Senator.

5 MR. SPECTER: And where were you at the time you  
6 discussed it with him?

7 MR. RUBY: In my apartment.

8 MR. SPECTER: And state in as precise words as you  
9 can remember, just what you said to him and he said to you  
10 at that time?

11 MR. RUBY: Well, he didn't say anything---the  
12 funny part---he was reading the paper and I doubt if he  
13 even recalled me saying it.

14 I have to elaborate on it, but I was so carried  
15 away emotionally that I said---I don't know how I said it---  
16 I didn't say it in any vulgar manner---I said, "If something  
17 happened to this person, that then Mrs. Kennedy won't have  
18 to come back for the trial". That's all I said.

19 Now, would you mind asking me on that particular  
20 point? That happened Sunday morning. That's the only  
21 time any thought ever came to my mind, because that morning  
22 I read some articles in the newspaper that she would have  
23 to come back to trial.

24 MR. SPECTER: Did you ever say to anybody, "I am  
25 going to shoot Oswald", or anything to the effect that, "I

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1 am going to shoot or kill him"?

2 MR. RUBY: No, I just made the statement—that's  
3 the only thing I said.

4 MR. SPECTER: That statement you made to George  
5 Senator, that's the only thing, that's the closest you came  
6 to saying it?

7 MR. RUBY: That Sunday morning before I left my  
8 apartment.

9 MR. SPECTER: Did you ever tell Randolph Paul you  
10 were going to shoot him?

11 MR. RUBY: I don't even know a Randolph Paul.

12 MR. SPECTER: How about Breck Wall?

13 MR. RUBY: I know I never said that to Breck Wall.

14 MR. SPECTER: Perhaps the name was Ralph Paul,  
15 did you ever say it to Ralph Paul?

16 MR. RUBY: No, sir.

17 MR. SPECTER: Now, let's prepare the question this  
18 way, if we may, Mr. Herndon: "Aside from anything you  
19 said to George Senator, did you ever tell anyone you  
20 intended to shoot Oswald"?

21 MR. RUBY: No.

22 MR. SPECTER: Now, is that formulation acceptable  
23 for purposes of the test, Mr. Herndon?

24 MR. HERNDON: I want to make sure I get it correct.

25 MR. SPECTER: "Aside from anything you said to George

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1 Senator "did you ever tell anyone "se you intended to  
2 shoot Oswald?"

3 MR. RUBY: In the flippant way I said it, I doubt  
4 if he'd even---you know---the poor guy may not even have  
5 remembered it. We never discussed it after that.

6 MR. SPECTER: What was the exact time you recollect  
7 you said that to him?

8 MR. RUBY: I don't know---it was about 10:15 Sunday  
9 morning.

10 MR. SPECTER: Approximately?

11 MR. RUBY: Well, you know---ten minutes either way.

12 MR. SPECTER: All right, Mr. Fowler, we will  
13 phrase the question in that way, but that phraseology of  
14 the question carries certain implications which you under-  
15 stand.

16 MR. RUBY: May I repeat that question once more  
17 to make sure it's accurate?

18 MR. SPECTER: Mr. Alexander can come back in.

19 (Mr. Alexander at this time entered the room.)

20 MR. SPECTER: We have now formulated the question,  
21 Mr. Alexander, and Mr. Herndon will now read it, together  
22 with the other questions he intends to ask in this series.

23 MR. HERNDON: The question is "Aside from anything  
24 you said to George Senator, did you ever tell anyone else  
25 that you intended to shoot Oswald?"

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1 MR. RUBY: No.

2 MR. HERNDON: That will be one of the questions  
3 on the next series.

4 Mr. Specter, do you want that to be in lieu of this  
5 one or in addition to this question?

6 MR. SPECTER: Let's ask it in lieu of that  
7 question. Strike the other question, the original question.

8 MR. HERNDON: Strike the original question that  
9 commences, "Did you tell anyone you were thinking about---"?

10 MR. SPECTER: Yes, that's the one we've been  
11 talking about.

12 MR. ALEXANDER: Is this still Series (3)?

13 MR. HERNDON: We're still on Series (3), Mr. Alex-  
14 ander. As a matter of fact, if it's all right with you  
15 gentlemen, I'd like to start right over again on Series (3).

16 MR. SPECTER: Mr. Ruby, I think we have that one  
17 area resolved.

18 MR. HERNDON: I'm going to ask you as we said  
19 originally---before---back in the testimony, "Between the  
20 assassination and the shooting, did anybody you know tell  
21 you they knew Oswald?"

22 Then, the other relative or pertinent question here  
23 will be "Aside from anything you said to George Senator, did  
24 you ever tell anyone else that you intended to shoot Oswald?"

25 And, in addition to those questions, I will ask on

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1 this series the following questions---

2 MR. RUBY: Why don't you add---in---let's get the  
3 time element in there too, because that was Sunday morning.

4 MR. HERNDON: Well, I don't want to make these  
5 questions too long.

6 MR. RUBY: I know, but I want this because some-  
7 body might think that I mentioned it two days prior to that.

8 MR. SPECTER: We can add that if you want to.  
9 "Aside from anything you said to George Senator on Sunday  
10 morning, did you ever tell anyone else that you intended to  
11 shoot Oswald?"

12 MR. RUBY: Okay.

13 MR. HERNDON: All right, we're going to insert  
14 after "George Senator"---"on Sunday morning". Here again,  
15 the Sunday morning being that time after you wake up and  
16 prior to noon.

17 MR. RUBY: Remember, it was the flippancy way I  
18 said it that I doubt if the poor soul remembered it.

19 MR. HERNDON: The other questions in this series  
20 will be as follows, Mr. Ruby. Here again are some of  
21 the irrelevant questions. "Is your last name Ruby? Do  
22 you live in Dallas". I'm going to ask you "Are you  
23 married?". Just for the record, I understand you're single,  
24 so you could answer that "No". "Were you in the military  
25 service?"

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1 MR. RUBY: Yes.

2 MR. HERNDON: I'm going to ask you this question:  
3 "While in Service", and I mean the military service, "did  
4 you receive any disciplinary action?" Do you understand  
5 that question?

6 MR. RUBY: In other words, "While you were in the  
7 military, were you hurt?"

8 MR. HERNDON: No, Mr. Ruby, disciplinary action.  
9 Were you court martialed, Captains' Mast, or any disciplinary  
10 action?

11 MR. RUBY: None whatsoever.

12 MR. HERNDON: There's one other relevant question  
13 I want to ask on this series and I put it as simply as I  
14 can. "Did you shoot Oswald in order to silence him?"

15 MR. RUBY: No.

16 MR. HERNDON: One other question: "Have you ever  
17 served time in jail?" Now, what I mean by that question,  
18 Mr. Ruby, is not this present custody but any other time.  
19 "Did you ever actually serve time in jail?"

20 MR. RUBY: I have served 30 days---I mean---that  
21 would answer it.

22 MR. HERNDON: Then, you can answer that?

23 MR. RUBY: Yes.

24 MR. HERNDON: If that comes to mind, you could say,  
25 "Yes".

1 MR. RUBY: Yes.

2 MR. HERNDON: Now, let me make sure we've gone  
3 over these questions. Do you feel all right, Mr. Ruby?

4 MR. RUBY: Yes.

5 MR. HERNDON: All right, we will proceed.

6 MR. RUBY: That 30 days embarrasses me, because  
7 it was with reference to selling some song sheets back in  
8 the old depression days, and it wasn't for anything criminal.  
9 It was something that I didn't realize at the time there  
10 were copyrights on those songs. So, I don't want to become  
11 a felon just because---outside of what I am now.

12 MR. HERNDON: Well, these questions, I don't mean  
13 to embarrass you, Mr. Ruby. I want to ask these questions  
14 because they're going to help me later on, and I want to  
15 get some of these other questions on your background. Was  
16 that in Chicago?

17 MR. RUBY: Yes.

18 MR. HERNDON: When you explained about the song  
19 sheets?

20 MR. RUBY: Yes. I made a pretty good living at  
21 that time.

22 MR. HERNDON: You still recall that and it  
23 embarrasses you?

24 MR. RUBY: Yes.

25 MR. HERNDON: I will be ready to start Series (3)

1 in a moment.

2 MR. SPECTER: All right, if Alexander and  
3 Mr. Tonahill will leave the room, we will proceed with  
4 Series (3).

5 May the record show that Mr. Alexander and  
6 Mr. Tonahill are now absent.

7 THE COURT REPORTER'S NOTE: 3:58 p.m.

8 MR. HERNDON: Of course, we have been moving  
9 around and talking, Mr. Ruby, I'm going to make a few minor  
10 adjustments here. Are you comfortable, Sir?

11 MR. RUBY: Yes.

12 MR. HERNDON: Now, I'm going to put this up a  
13 little higher on your chest, and I want you to lean back  
14 and relax. Do you want to put your feet flat on the  
15 floor during the test, if you will.

16 All right. I again will tell you when we  
17 actually start the test. I'm going to put a little pressure  
18 on the arm, and once again, on these questions, if you will  
19 answer them simply "Yes" or "No" truthfully. Will you  
20 look straight ahead, please, Sir.

21 THE REPORTER'S NOTE: 3:59 p.m.

22 MR. HERNDON: The test will now begin. Look  
23 straight ahead, Mr. Ruby.

24 "IS YOUR LAST NAME RUBY?"

25 MR. RUBY: "YES".

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1 MR. HERNDON: "DO YOU LIVE IN DALLAS?"  
2 MR. RUBY: "YES".  
3 MR. HERNDON: "BETWEEN THE ASSASSINATION AND THE  
4 SHOOTING, DID ANYBODY YOU KNOW TELL YOU THEY KNEW OSWALD?"  
5 MR. RUBY: "NO".  
6 MR. HERNDON: "ARE YOU MARRIED?"  
7 MR. RUBY: "NO".  
8 MR. HERNDON: "ASIDE FROM ANYTHING YOU SAID TO  
9 GEORGE SENATOR ON SUNDAY MORNING, DID YOU EVER TELL ANYONE  
10 ELSE THAT YOU INTENDED TO SHOOT OSWALD?"  
11 MR. RUBY: "NO".  
12 MR. HERNDON: "WERE YOU IN THE MILITARY SERVICE?"  
13 MR. RUBY: "YES".  
14 MR. HERNDON: "WHILE IN SERVICE DID YOU RECEIVE  
15 ANY DISCIPLINARY ACTION?"  
16 MR. RUBY: "NO".  
17 MR. HERNDON: "DID YOU SHOOT OSWALD IN ORDER TO  
18 SILENCE HIM?"  
19 MR. RUBY: "NO".  
20 MR. HERNDON: "HAVE YOU EVER SERVED TIME IN JAIL?"  
21 MR. RUBY: (No response)  
22 MR. HERNDON: The test is over. Sit still for a  
23 moment and we will release the pressure on your arm.  
24 Do you feel a little better when I release that  
25 pressure?

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1 MR. RUBY: When you elaborate on "serving time",  
2 30 days isn't serving time.

3 MR. HERNDON: I was going to ask you to explain  
4 that, and you followed instructions explicitly there.

5 Then, actually in explanation to that, this 30 days  
6 to you were insignificant?

7 MR. RUBY: Well, yes, but I explained that.

8 MR. HERNDON: That's all right. I have to ask these  
9 questions.

10 MR. RUBY: To serve time is when you refer to a  
11 man being in the penitentiary.

12 MR. HERNDON: Now, there are a few questions I  
13 want to ask him with regard to that series.

14 MR. SPECTER: Go ahead.

15 MR. HERNDON: Just two points I want to clarify  
16 for my <sup>own</sup> use here.

17 Mr. Ruby, I asked you, "Are you married?" and you  
18 replied "No". Could you tell me if anything went on in  
19 your mind at the time you responded "No"?

20 MR. RUBY: Yes, I was thinking of the young girl,  
21 that had I been married I wouldn't have been in this trouble.  
22 I guess that's what flashed back in my mind.

23 MR. HERNDON: Is this a former sweetheart?

24 MR. RUBY: Yes. What else?

25 MR. HERNDON: I just wanted to get your explanation

1 at that particular point?

2 MR. RUBY: You noticed something there?

3 MR. HERNDON: Did you feel anything?

4 MR. RUBY: Yes, I knew I wasn't---something was  
5 working on me when you asked me that. I would probably  
6 have been living in another part of the City, and I wouldn't  
7 have been involved in this.

8 MR. HERNDON: Do you recall the girl's name?

9 MR. RUBY: Yes---Alice Nichols.

10 MR. HERNDON: And how long ago was this that you  
11 were acquainted with her?

12 MR. RUBY: Oh, for many years, and I guess we  
13 severed relations in '59----"relations"---I meant our  
14 company.

15 MR. HERNDON: That's the last time you were dating?

16 MR. RUBY: Yes, we were engaged and so on.

17 MR. HERNDON: You never actually married this  
18 young lady?

19 MR. RUBY: No, sir. That's why you see me in a  
20 moment of despair---like I am.

21 MR. HERNDON: Did you ever consider marrying her?

22 MR. RUBY: Yes---yes.

23 MR. HERNDON: All right, that clarifies that  
24 question for me.

25 One other area I'd like you to speak frankly and

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1 freely on ( ) and here again it gets back ( ) this military  
2 service. I asked you, "While in the military service,  
3 did you ever receive any disciplinary action?"

4 MR. RUBY: No.

5 MR. HERNDON: Did you ever get in any trouble at  
6 all while you were in the Service that came to your mind  
7 during that question?

8 MR. RUBY: When you say "trouble"?

9 MR. HERNDON: Disciplinary action for trouble?

10 MR. RUBY: No, I have never been called down for  
11 anything. I may have had a brawl with another soldier.

12 MR. HERNDON: Did you while you were in the Service  
13 ever have a fight?

14 MR. RUBY: Yes, but when you speak of "disciplinary"  
15 is when you go before a court martial or the Colonel calls  
16 you in or something happens.

17 MR. HERNDON: Were you called in before the  
18 Commanding Officer?

19 MR. RUBY: Sure, but it's not important enough  
20 to answer.

21 Evidently, you're getting a pretty good reading?

22 MR. HERNDON: I'm having no technical difficulty  
23 with regard to giving the test.

24 MR. RUBY: I wish you would prove to my Chief here,  
25 over there, how I stand with you (referring to Mr. Holman).

1 MR. HERNDON: I want to study these very carefully,  
2 of course, but you have been very cooperative, as far as  
3 running the actual examination.

4 That will complete Series (3).

5 MR. SPECTER: Fine, I will call the gentlemen in.

6 Let the record show that Mr. Tonahill and Mr. Alex-  
7 ander have returned.

8 MR. HERNDON: We will go on to another series now.

9 I am going to run a little different type of  
10 examination, Mr. Ruby, if you still feel like you want to  
11 continue. Do you want to take a break?

12 MR. RUBY: Oh, I want to go on completely.

13 MR. HERNDON: You are not tired?

14 MR. RUBY: No.

15 MR. HERNDON: This next one will be relatively  
16 short, and it won't take too long.

17 I'm going to ask you these questions somewhat in  
18 sequence and in consecutive order. There are five of them.  
19 They can be answered simply by "Yes" or "no".

20 "Did you first decide to shoot Oswald on Friday  
21 night?"

22 MR. RUBY: No.

23 MR. HERNDON: "Did you first decide to shoot  
24 Oswald on Saturday morning?"

25 MR. RUBY: No.

MR. HERNDON: "Did you first decide to shoot

1 Oswald Sur morning?"

2 MR. RUBY: Yes.

3 MR. HERNDON: And last, I'll ask you, "Have you  
4 answered all questions truthfully?"

5 MR. RUBY: Yes.

6 MR. HERNDON: In addition to those questions I've  
7 just asked, I'm going to ask, again to establish identity,  
8 "Is your first name Jack?"

9 MR. RUBY: Yes.

10 MR. HERNDON: "Is your last name Ruby?"

11 MR. RUBY: Yes.

12 MR. HERNDON: I will ask you of those questions  
13 that I have just related to you, those pertinent five  
14 questions in consecutive order, with considerable spacing  
15 and time between---I believe you understand what I mean by  
16 Friday night?

17 MR. RUBY: Definitely---the period of meditation.

18 MR. HERNDON: That's right---in the evening after  
19 6 o'clock, and Saturday morning we consider as being that  
20 time from when you wake up until you have lunch, and I think  
21 you understand these questions.

22 MR. RUBY: Also, is there any way you can ask me if  
23 my family had known of my doing anything like that?

24 MR. HERNDON: We may possibly get into that area  
25 or perhaps take that up with Mr. Specter.

1           MR. SPECTER: Well, actually C. Ruby, we have  
2 a great many questions to ask you and there are certain  
3 limitations on the test.

4           MR. HERNDON: I am going to proceed on this  
5 particular series now.

6           MR. SPECTER: All right. Mr. Alexander and  
7 Mr. Tonahill are leaving the room, and may the record show  
8 both have now departed.

9           THE COURT REPORTER'S NOTE: 4:08 p.m.

10          MR. HERNDON: Did you want to tell me something  
11 before, Mr. Ruby, before I start?

12          MR. RUBY: No.

13          MR. HERNDON: Again, I will tell you when the test  
14 begins.

15                 Will you let the record show that I have these  
16 designated as Series (3)(a).

17                 All right, do you feel all right now, Mr. Ruby?

18          MR. RUBY: Yes.

19          MR. HERNDON: Sit perfectly still and try to  
20 concentrate and look straight ahead and answer the questions  
21 truthfully "Yes" or "No".

22                 I now put some pressure on that arm cuff.

23                 The test will now begin.

24          THE COURT REPORTER'S NOTE: 4:10 p.m.

25          MR. HERNDON: "IS YOUR FIRST NAME JACK?"

1 MR. RUBY: "YES".  
2 MR. HERNDON: "IS YOUR LAST NAME RUBY?"  
3 MR. RUBY: "YES".  
4 MR. HERNDON: "DID YOU FIRST DECIDE TO SHOOT  
5 OSWALD ON FRIDAY NIGHT?"  
6 MR. RUBY: "NO".  
7 MR. HERNDON: "DID YOU FIRST DECIDE TO SHOOT  
8 OSWALD ON SATURDAY MORNING?"  
9 MR. RUBY: "NO".  
10 MR. HERNDON: "DID YOU FIRST DECIDE TO SHOOT  
11 OSWALD ON SATURDAY NIGHT?"  
12 MR. RUBY: "NO".  
13 MR. HERNDON: "DID YOU FIRST DECIDE TO SHOOT  
14 OSWALD ON SUNDAY MORNING?"  
15 MR. RUBY: "YES".  
16 MR. HERNDON: "HAVE YOU ANSWERED ALL QUESTIONS  
17 TRUTHFULLY?"  
18 MR. RUBY: "YES".  
19 MR. HERNDON: The test is over. Will you sit  
20 still a moment. I will release the pressure on your arms.  
21 You may now move your hands and get the circulation back.  
22 THE REPORTER'S NOTE: 4:12 p.m.  
23 MR. HERNDON: I have no questions on that.  
24 Mr. Ruby came in here what time---originally?  
25 THE COURT REPORTER: My notes indicate around 2 PM.

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1 MR. HERNDON: How do you feel, Mr. Ruby?  
2 MR. RUBY: Fine.  
3 MR. HERNDON: You're not tired?  
4 MR. RUBY: No.  
5 MR. HERNDON: Mr. Ruby, you are perfectly relaxed?  
6 MR. RUBY: Yes.

7 MR. HERNDON: As long as Mr. Ruby feels fine, I  
8 think we can continue and we can prepare the exact wording  
9 for the next series.

10 You may wish to bring the other gentlemen in.

11 MR. SPECTER: All right, thank you.

12 Let the record show that Mr. Alexander and  
13 Mr. Tonahill have returned to the room.

14 (Conference off the record between Messrs. Specter  
15 and Herndon regarding formulation of questions)

16 MR. RUBY: Joe?

17 MR. TONAHILL: Yes, Jack.

18 (Conference between Mr. Tonahill and Mr. Ruby  
19 from 4:13 to 4:15 p.m., out of the hearing of this  
20 reporter and others in the room.)

21 MR. ALEXANDER: Jack, you are a good man.

22 MR. RUBY: Who, Bill?

23 (Conference between Mr. Alexander and Mr. Ruby  
24 from 4:15 to 4:18 p.m., out of the hearing of this  
25 reporter and others in the room.)



1 MR. SPECTER: Mr. Holman, what time do you feed  
2 Mr. Ruby? What time do you start the evening meal?

3 THE JAILER HOLMAN: Well, we begin about 4:30 p.m.

4 MR. HERNDON: Are you hungry, Mr. Ruby?

5 MR. RUBY: No, I'm feeling fine.

6 MR. SPECTER: Well, let's go ahead with this series  
7 of questions and then we will take about a 20 minute break.

8 (Conference between Mr. Alexander and Mr. Ruby  
9 from 4:22 to 4:25 p.m., out of the hearing of this  
10 reporter and others in the room.)

11 MR. SPECTER: All right, we are ready to go on to  
12 the next series of questions.

13 MR. HERNDON: Do you feel all right, Mr. Ruby,  
14 at this time?

15 MR. RUBY: Yes.

16 MR. HERNDON: We will now go to the first question  
17 of this next series, Mr. Ruby, and I will ask you these  
18 questions. I want to make sure you have a clear under-  
19 standing of what they mean.

20 "Were you in the Dallas Police Department jail  
21 basement at the time Lt. Pierce's car drove out of the base-  
22 ment?"

23 Now, I see you are hesitating on that---I can  
24 rephrase it if you so like?

25 MR. RUBY: Oh, no.

1                   HERNDON: Let me go over it again, to make  
2 sure the question will be clear to you.

3                   "Were you in the Dallas Police Department jail  
4 at the time Lt. Pierce's car drove out of the basement?"

5                   MR. RUBY: If I can explain it---if I can  
6 elaborate on it, it will be easy to answer.

7                   MR. SPECTER: Go ahead now, if it's all right  
8 with your counsel, so we can focus in on what concerns you.

9                   MR. HERNDON: Perhaps I might want to ask that  
10 other question first and he would find he might not have  
11 as much of a problem if I asked it first.

12                   MR. SPECTER: Well, I prefer to stay with what  
13 we have now. I think we can. If it's all right to have  
14 him explain it, if it's all right with his attorney, I'd  
15 rather stay with that.

16                   MR. RUBY: I've already told it to the Warren  
17 Commission?

18                   MR. TONAHILL: Well, go ahead.

19                   MR. RUBY: As I left the Western Union, I walked  
20 towards the ramp, and as I walked down, Lt. Pierce's car  
21 was parked already on the curb, partly on the curb and partly  
22 some of it was on the ramp, and some Officer was talking to  
23 him, so consequently---I don't know how to answer that---  
24 whether I was in the basement---when his car had driven out?  
25

                  MR. SPECTER: Did you walk by his car?

1 C... RUBY: Yes. C

2 MR. SPECTER: At the same time it was parked  
3 there?

4 MR. RUBY: Yes.

5 MR. SPECTER: So that the Officer did not see  
6 you---

7 MR. RUBY: That's correct.

8 MR. SPECTER: ---because the car was parked there?

9 MR. RUBY: Yes, and his back was turned to me.

10 MR. SPECTER: To state it differently, did the  
11 presence of the automobile and the fact that he was talking  
12 to Lt. Pierce obscure the vision of the Officer who was on  
13 duty guarding that entrance or exit?

14 MR. RUBY: Yes, and I walked down because I  
15 didn't know they were guarding it---that there was anything  
16 going on there, you know?

17 MR. HERNDON: Well, with that question, I can  
18 see his area of conflict here.

19 MR. TONAHILL: What you want to know is was he  
20 in the basement, but he was out on the sidewalk. I think  
21 that's a straight question.

22 MR. ALEXANDER: "Were you in the basement or were  
23 you on the sidewalk when Lt. Pierce's car came out?" How  
24 about that?

25 MR. HERNDON: Yes, I will revise that one question

1 and break down.

2 MR. TONAHILL: Yes, that's a very good question.

3 MR. HERNDON: All right, Mr. Ruby, will this  
4 question create any problem for you? "Were you on the  
5 sidewalk at the time Lt. Pierce's car"---I had "drove out",  
6 but was he driving out or was he parked there?

7 MR. RUBY: When I noticed him he was already---he  
8 was stationary. He was parked. He had stalled there or  
9 something.

10 MR. SPECTER: "Were you on the sidewalk at the  
11 time Lt. Pierce's car stopped in front of the guard at  
12 the exit?"

13 MR. RUBY: Yes---yes. Why do you say "stopped  
14 at the exit?"

15 MR. TONAHILL: At the ramp exit.

16 MR. HERNDON: "The ramp exit"---that makes it  
17 specific.

18 Mr. Ruby, your question will then be, "Were you  
19 on the sidewalk at the time Lt. Pierce's car stopped on  
20 the ramp exit?"

21 MR. RUBY: Yes.

22 MR. HERNDON: Or, would you prefer "at the ramp  
23 exit?"

24 MR. RUBY: That's okay.

25 MR. HERNDON: Let's leave it "on the ramp exit".

1           A<sup>o</sup>ther question I will ask, <sup>o</sup> if you enter the  
2 jail by walking through an alleyway?"

3           MR. RUBY:    What do you call an alleyway---a ramp?

4           MR. TONAHILL:   It's a ramp, it isn't an alley.  
5 It goes under the building and comes out.

6           MR. SPECTER:   That's all right, we'll stand on  
7 that.

8           MR. HERNDON:   You will stand on that question,  
9 Mr. Specter?

10          MR. SPECTER:   Yes.

11          MR. HERNDON:   In other words, you can answer that  
12 as you want to?

13          MR. TONAHILL:   Now, if he says "No"---

14          MR. ALEXANDER:   It isn't an alley, now, it's a  
15 ramp.

16          MR. SPECTER:   Let me specify here---is there  
17 another entrance to the jail that you have to go through  
18 an alleyway?

19          MR. RUBY:    There's another---the Commerce Street  
20 entrance, and there's two entrances, and there's ways of  
21 coming through, I imagine, from the---

22          MR. TONAHILL:   But it's a driveway, is what it is,  
23 going down.

24          MR. ALEXANDER:   There's nothing in the sense that  
25 you're thinking of---you could come from the building out

1 where you could go down the ramp on either side.

2 MR. TONAHILL: It's all under the building, not  
3 the ramp.

4 MR. FOWLER: Actually, I think what he is thinking  
5 of is that there is an alley too.

6 MR. ALEXANDER: It wouldn't be accessible.

7 MR. FOWLER: It would make it very difficult to  
8 get down into the basement from the alley.

9 MR. ALEXANDER: All right, if Jack knows we're  
10 talking about "alley", as long as you distinguish between  
11 the alley and the ramp, so he can answer your question.

12 MR. TONAHILL: He has always referred to it as a  
13 ramp.

14 MR. RUBY: That's a ramp.

15 MR. SPECTER: By "alley", we do not mean the  
16 ramp. We mean the entrance into the building.

17 MR. TONAHILL: Now, you've got him squared away.

18 MR. SPECTER: Fine. We want you to understand  
19 the question exactly.

20 MR. HERNDON: The question will stand as is.

21 MR. TONAHILL: Why don't you read the question?

22 MR. HERNDON: Just leave the question as it is.

23 MR. SPECTER: Leave it as it is.

24 MR. HERNDON: The next question I'm going to ask,

25 or one of the questions I will ask will be, "Did you walk

1 past the ( ) rd at the time Lt. Pierce ( ) car was parked on  
2 the exit?"

3 MR. RUBY: Yes.

4 MR. HERNDON: You said it was parked?

5 MR. RUBY: Yes.

6 MR. HERNDON: I think I'll put it "on the ramp  
7 exit" so it's perfectly clear, and I will repeat the  
8 question.

9 The question again, "Did you walk past the guard  
10 at the time Lt. Pierce's car was parked on the ramp exit?"

11 MR. RUBY: Yes.

12 MR. HERNDON: Now, the other questions here,  
13 "Did you talk with any Dallas Police Officers on Sunday,  
14 November 24 prior to shooting Oswald?"

15 MR. RUBY: No.

16 MR. HERNDON: Other questions I intend to ask on  
17 this next series, Mr. Ruby are: "Did you previously live  
18 in Chicago?"

19 MR. RUBY: Yes.

20 MR. HERNDON: "Are your parents alive?"

21 MR. RUBY: No.

22 MR. HERNDON: This next question, and you don't  
23 have to answer it now. You can answer it on the test.

24 "Did you ever make a false insurance claim?"

25 MR. RUBY: No.

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MR. HERNDON: You are a man in business and you would probably have insurance on perhaps your car, your personal life and your business?

MR. RUBY: Yes.

MR. HERNDON: I just wondered if you ever made a false insurance claim?

MR. RUBY: No---I see what you mean---No, I have it on an automobile.

MR. HERNDON: I put this question in here---I'm not sure, actually, but "Do you still operate the Carousel Club?"

MR. RUBY: No.

MR. HERNDON: You don't?

MR. RUBY: No.

MR. HERNDON: All right. The questions will be: "Do you still operate the Carousel Club? Were you on the sidewalk at the time Lt. Pierce's car stopped on the ramp exit? Did you previously live in Chicago? Did you enter the jail by walking through an alleyway? Are your parents alive? Did you walk past the guard at the time Lt. Pierce's car was parked on the ramp exit? Did you ever make a false insurance claim? Did you talk with any Dallas Police Officers on Sunday, November 24, prior to the shooting of Oswald?"

Do you understand all those questions and can you



1 answer them clearly and simply "Yes" or "No"?

2 MR. RUBY: Yes.

3 MR. ALEXANDER: Apparently this is Series (5)?

4 MR. SPECTER: We called the last series,  
5 Series (3)(a).

6 MR. HERNDON: We will call this Series (4), accord-  
7 ing to my records. Is that in sequence, Mr. Specter?

8 MR. SPECTER: Yes, I believe it is.

9 MR. HERNDON: I will proceed shortly then, gentle-  
10 men.

11 MR. SPECTER: Mr. Tonahill and Mr. Alexander have  
12 now left the room.

13 MR. HERNDON: Mr. Ruby, do you want to put both  
14 of your feet on the floor for me, Sir, and look straight  
15 ahead at the wall, and relax until I get the instrument  
16 adjusted.

17 THE REPORTER'S NOTE: 4:35 p.m.

18 MR. HERNDON: All right, I will now put some  
19 pressure on the arm cuff, and I will tell you when I am  
20 going to start asking you questions, Mr. Ruby.

21 We will now begin.

22 THE REPORTER'S NOTE: 4:36 p.m.

23 MR. HERNDON: "DO YOU STILL OPERATE THE CAROUSEL  
24 CLUB?"

25 MR. RUBY: "NO".

1           HERNDON:       "WERE YOU ON THE SIDEWALK AT THE  
2 TIME LT. PIERCE'S CAR STOPPED ON THE RAMP EXIT?"

3           MR. RUBY:           "YES".

4           MR. HERNDON:       "DID YOU PREVIOUSLY LIVE IN CHICAGO?"

5           MR. RUBY:           "YES".

6           MR. HERNDON:       Try to sit still, if you can.

7           MR. RUBY:           All right.

8           MR. HERNDON:       "DID YOU ENTER THE JAIL BY WALKING  
9 THROUGH AN ALLEYWAY?"

10          MR. RUBY:           "NO".

11          MR. HERNDON:       "ARE YOUR PARENTS ALIVE?"

12          MR. RUBY:           "NO."

13          MR. HERNDON:       "DID YOU WALK PAST THE GUARD AT THE  
14 TIME LT. PIERCE'S CAR WAS PARKED ON THE RAMP EXIT?"

15          MR. RUBY:           "YES".

16          MR. HERNDON:       "DID YOU EVER MAKE A FALSE INSURANCE  
17 CLAIM?"

18          MR. RUBY:           "NO".

19          MR. HERNDON:       "DID YOU TALK WITH ANY DALLAS POLICE  
20 OFFICERS ON SUNDAY, NOVEMBER 24, PRIOR TO THE SHOOTING OF  
21 OSWALD?"

22          MR. RUBY:           "NO".

23          MR. HERNDON:       That series is over.   If you will  
24 sit still for a moment, Mr. Ruby.   I will now release the  
25 pressure from your arms.

1 MR. RUBY: Am I acting a little nervous?  
2 MR. HERNDON: A little, but I think you're getting  
3 a little bit tired. That's quite all right. I notice a  
4 little motion, but I will certainly take that into con-  
5 sideration when I evaluate and interpret these charts.

6 THE COURT REPORTER'S NOTE: 4:40 p.m.

7 MR. HERNDON: Is there any area of doubt at all  
8 in your mind about that question where you were on the side-  
9 walk at the time Lt. Pierce's car stopped at the ramp exit?

10 MR. RUBY: I said I was on the sidewalk---I  
11 walked past.

12 MR. HERNDON: Yes--did that question trouble you  
13 then?

14 MR. RUBY: No.

15 MR. HERNDON: You were on the sidewalk?

16 MR. RUBY: Yes.

17 MR. HERNDON: I just wanted to clarify that.  
18 When I asked you, "Are your parents alive?", Mr. Ruby, have  
19 they been deceased for some time?

20 MR. RUBY: Yes.

21 MR. HERNDON: Did that question bother you or  
22 trouble you at all?

23 MR. RUBY: No---I don't know---I guess I'm nervous  
24 now---I don't know just why I said that.

25 MR. HERNDON: I have no further questions in that

1 series.

2 MR. RUBY: Aren't you going to ask me whether I  
3 knew anything as to whether or not he was going to come  
4 down, or anything like that?

5 MR. HERNDON: We will have to prepare some more  
6 questions.

7 MR. SPECTER: May the record show that Mr. Alex-  
8 ander and Mr. Tonahill are now back in the room, and we  
9 are going to take a brief recess.

10 MR. HERNDON: You've done very well thus far,  
11 Mr. Ruby, as far as cooperating on the examination.

12 MR. RUBY: Okay. What happens now?

13 MR. HERNDON: We're going to take a break and  
14 give you a little rest.

15 Now, if you will just lean forward and raise your  
16 arms, I will take this equipment off of you.

17 MR. RUBY: I'm not hungry, Jailer.

18 THE JAILER HOLMAN: Do you want to go lie down?

19 MR. RUBY: We only have a 20 minute break.  
20 That's all.

21 MR. HERNDON: Might I suggest to the Jailer that  
22 you might like to sit at another chair and change your  
23 position?

24 MR. RUBY: Yes.

25

THE COURT REPORTER'S NOTE: 4:45 p.m.

1 ( ) proceedings were in recess at this time  
2 from 4:45 p.m. to 6:25 p.m.)

3 MR. SPECTER: May the record now show that it is  
4 6:25 p.m. and that we have adjourned for a period of one  
5 hour and 40 minutes, during which time Mr. Ruby has had an  
6 opportunity to rest.

7 Is that correct, Mr. Ruby?

8 MR. RUBY: Yes.

9 MR. SPECTER: Mr. Ruby has just asked me about the  
10 presence of reporters downstairs, and would you get this in  
11 the record, Miss Oliver.

12 Would you repeat what you just said to me, Mr. Ruby?

13 MR. RUBY: Are you going to make any announcement  
14 to them?

15 MR. SPECTER: Yes, and you asked me to speak  
16 freely about this matter?

17 MR. RUBY: Yes.

18 MR. SPECTER: My view is that we should, in view  
19 of the circumstances, as I have been told---there are a large  
20 number of reporters downstairs, and I've discussed this with  
21 Mr. Fowler and Mr. Tonahill, and it's our joint view that  
22 there should be an announcement made that you have requested  
23 a polygraph examination and that we have conducted one under  
24 the auspices of the President's Commission through the  
25 cooperation of the Federal Bureau of Investigation, that

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there has been extensive examination and the results of course cannot yet be known at this date, but they are to be taken to Washington and studied, and future action by the Commission.

MR. RUBY: Let's make it clear that Mr. Tonahill

don't represent me. Joe, let's have that understanding?

MR. TONAHILL: Clayton is going to make whatever announcement is made for you, Jack.

MR. RUBY: Joe, let's have that understanding, will you please, Joe?

MR. FOWLER: Jack, we'll have no difficulty with that, don't worry about that.

MR. SPECTER: The substance of what I just said was discussed by me with Mr. Fowler and it is our thought that that would be an appropriate statement to make at this particular time. That's about as far as we can go. Do you concur in the advisability of that?

MR. RUBY: Now, with reference to hedging on questions and so on, don't you think some comment should be made that I wasn't reluctant in answering any of the questions that were put to me?

MR. SPECTER: I think that would be a fair comment to make, if you want that statement made?

MR. RUBY: Yes, I think so.

MR. ALEXANDER: That there was cooperation.

1 That he was cooperative.

2 MR. SPECTER: Yes, that he was cooperative.

3 MR. RUBY: On all questions on anything and  
4 everything pertaining to anything.

5 MR. SPECTER: Mr. Ruby, in view of your interest  
6 in that disclosure, I think that would be appropriate to  
7 be made.

8 MR. ALEXANDER: That without reservation, he  
9 cooperated fully.

10 MR. RUBY: I wanted to be more specific, that I  
11 wanted to be asked.

12 MR. SPECTER: Well, I said that initially. In  
13 other words, that it is at your request that we had con-  
14 ducted this, so that it would be clear that you took the  
15 lead and the initiative in initiating this examination,  
16 which is the fact, and we will state the fact or give you  
17 the credit in that direction, just as it is the fact.

18 MR. RUBY: But the point I wanted to bring out  
19 was that I wanted to specify that I also wanted to be asked  
20 any and all questions, regardless of what might be subversive  
21 or whatever thoughts might be in your mind.

22 Bill, I think you can give these people certain  
23 questions and more potent ones than they know, because you  
24 probably know a lot of things that you have in your own  
25 mind that you'd like to have answered too?

1 MR. FOWLER: Well, Jack, Let me say this for your  
2 purpose and for the purpose of the Warren Commission. This  
3 is not a trial and really, Mr. Alexander is here as an  
4 Attorney just like I am. He's representing the State just  
5 as Mr. Tonahill and I are representing you.

6 MR. RUBY: Yes.

7 MR. ALEXANDER: Jack, I can't really think of  
8 anything that I'd like to ask.

9 MR. RUBY: Well, let me get this clear. I notice  
10 that the pictures brought out the fact that there two sets  
11 of private boxes, close together in the Post Office. Did  
12 you gentlemen know this? Which is quite an insinuation.

13 MR. ALEXANDER: Jack, let's ask the question, "Did  
14 you meet Oswald at the Post Office at any time, as far as  
15 you know, until the next day?"

16 MR. RUBY: Yes---and also they had a statement in  
17 there that I used the box for purpose of mail orders and to  
18 do business with Mexico and Cuba. That's incorrect because  
19 I never did business with Mexico and Cuba.

20 Now, these are things that you gentlemen don't want  
21 to ask me, but Mr. Alexander would know what to tell you  
22 about that.

23 MR. ALEXANDER: There is one question that ought  
24 to be asked.

25 MR. SPECTER: I want that, Bill.



1 MR. ALEXANDER: "Did any Cuba or foreign in-  
2 fluence cause you to do any act?"

3 MR. RUBY: Very good---very good.

4 MR. ALEXANDER: Because there has been some  
5 question about maybe Jack was motivated from Cuba and we  
6 ought to eliminate that and ask him a question to give him  
7 a chance to eliminate it.

8 MR. RUBY: Also, I want to get the gun situation  
9 straightened out. You know what I'm talking about---the  
10 Ray Brantley call.

11 MR. ALEXANDER: Yes.

12 MR. RUBY: And the trip down to Cuba---I'm getting  
13 things confused now.

14 MR. ALEXANDER: Let's let him write that.

15 MR. SPECTER: Mr. Ruby, we have conferred with  
16 all parties here on the substance of the questions to be  
17 asked. Naturally, we have limitations in time and we can  
18 only ask them in a short series. We have conferred with  
19 Mr. Fowler, we have conferred with Mr. Wade and with  
20 Mr. Alexander here, and naturally also, the interest of the  
21 Commission is paramount, and we are doing our very best not  
22 to interfere with the State criminal proceedings.

23 We do not wish to take sides at all nor to  
24 influence it in any way. We want to accomplish the purpose  
25 of the Commission. Those interests overlap to some extent

1 because whenever we ask a Commission question, it has  
2 collateral bearings on a great many things, but to the  
3 extent that we can, we have conferred, as I say, with the  
4 Defense Counsel and the representatives of the District  
5 Attorney's Office in arriving at the questions which have  
6 been asked, and I think we will cover before this examina-  
7 tion is concluded the important areas.

8 Now, at the end of it, if you feel that there is  
9 some other area that you would like to have covered, we  
10 would be very willing to hear your request and to accommodate  
11 you to the maximum possible consistent with the policy of  
12 the Commission.

13 MR. RUBY: Mr. Alexander knows certain questions  
14 that he has in his mind that haven't come out and I think  
15 I know what he's thinking about.

16 MR. SPECTER: Well, Mr. Alexander has talked to  
17 me about some questions that I'm sure he would prefer on the  
18 record and we have taken those into account in formulating  
19 our questions. Isn't that so, Mr. Alexander?

20 MR. ALEXANDER: Yes, sir. I think what Jack has  
21 in mind is that he wants an opportunity to answer a question  
22 regarding any possible connection with anything in Cuba.

23 Also, he wants a question asked that will give him  
24 an opportunity to explain that the gun which he asked Ray  
25 Brantley to mail to McWillie in Las Vegas---

1           MR. RUBY: Not to Vegas, to Cuba, and all I did  
 2 was to receive a phone call, and this was---I told this to  
 3 the Warren Commission---and this was during the time when  
 4 we were very friendly together.

5           MR. ALEXANDER: That was in '58.

6           MR. RUBY: All I did was relay the phone message  
 7 to Ray Brantley, and he said, "Oh, I know Mr. McWillie very  
 8 well", and following that I never followed up or seen him.  
 9 Now, this is incriminating for me because all I did---like  
 10 a tool---got myself involved by relating a message that  
 11 somebody else wanted. Now, this was during peace time  
 12 because he wanted protection from the foreign element coming  
 13 in.

14           MR. ALEXANDER: Jack relayed the message that  
 15 McWillie wanted a Smith & Wesson or some kind of a .38.

16           MR. RUBY: Yes. There wasn't no money or any-  
 17 thing in the deal. Ray Brantley said, "Oh, I know McWillie.  
 18 I've done business with him constantly." Following that--I  
 19 never followed up on it a time, and what he did--and this  
 20 is incriminating against me very bad, but he had the irony  
 21 to do this---when I mentioned the fact that I did call Ray  
 22 Brantley, this man denied that I called him. That makes me  
 23 a liar to that extent, so I want that question put to me in  
 24 reference to Ray Brantley and all that and I want about my  
 25 trip to Cuba and my association with the underworld.

1                   SPECTER: Well, the question of the gun with  
2 Ray Brantley was covered in detail when the Chief Justice  
3 was here and we shall cover that in the balance of the  
4 polygraph examination.

5                   MR. RUBY: I also had numerous phone calls, long  
6 distance calls, all over the country and that was with  
7 relationship only to my night club that I had trouble with  
8 the Union. There was no conspiracy, but you'll go into  
9 that.

10                  MR. SPECTER: You covered that also in your  
11 testimony before the Commission.

12                  MR. RUBY: Yes, but that doesn't prove anything.

13                  MR. ALEXANDER: Let me suggest one question there  
14 to ask him?

15                  MR. SPECTER: Yes, sir.

16                  MR. ALEXANDER: "Did any telephone call you made  
17 have any connection, however remote, with your shooting of  
18 Oswald?"

19                  MR. RUBY: No.

20                  MR. ALEXANDER: That will cover it.

21                  MR. TONAHILL: How about asking him if he didn't  
22 tell the Warren Commission the truth several weeks ago in  
23 answering every question they asked him?

24                  MR. RUBY: I didn't elaborate enough with them  
25 and we didn't go into it enough, because I was telling a

1 complete story. Yes, I'll answer that---certainly I will.

2 MR. SPECTER: Fine, that will be asked of you.

3 MR. HERNDON: That will be somewhat all inclusive.

4 MR. SPECTER: We'll have that for the very next  
5 series.

6 MR. ALEXANDER: "Did you have any telephone  
7 conversation which related in any way with the shooting of  
8 Oswald?"

9 MR. RUBY: Also, ask me whether the phone calls  
10 were in refernce to the Union trying to get somebody to  
11 help me with my club.

12 MR. ALEXANDER: Let's make another question about  
13 that. "Did any Union or underworld connection have anything  
14 to do with the shooting of Oswald?"

15 MR. RUBY: Very good.

16 MR. SPECTER: Yes, I will add those in and cover  
17 them to the maximum extent possible, and I add that reserva-  
18 tion because there are a great many additional questions to  
19 be asked which we have already mapped out.

20 MR. HERNDON: Do you want me to proceed with the  
21 usual preliminaries?

22 MR. RUBY: You don't have to proceed with that.  
23 Why don't you just call them to me and I'll answer them.  
24 You want to go through a formality---a previous thing.

25 MR. ALEXANDER: Jack, he's got to have a record.

1 MR. HERNDON: I want to make sure you understand  
2 the question involved.

3 MR. RUBY: I'm sure I do.

4 MR. HERNDON: I feel in fairness to both of us,  
5 we have to do this.

6 MR. RUBY: Believe me---believe me, you don't have  
7 to go through that formality, if you want to save yourself  
8 a lot of time, and I think you'll like that better.

9 MR. ALEXANDER: Jack, he has to have a written  
10 question that's keyed to this tape.

11 MR. RUBY: Yes, I follow that, but he doesn't have  
12 to go through the preliminary explaining to me this because  
13 I'll answer anything you want "off the hook".

14 MR. SPECTER: Mr. Ruby, we appreciate your  
15 willingness to do that and we'll take you up on that to the  
16 fullest extent possible, but Mr. Herndon has to do some  
17 preliminary which is indispensable to his evaluation.

18 MR. RUBY: All right, get him to minimize it if he  
19 can.

20 MR. SPECTER: He will bear that in mind and  
21 minimize it to the fullest extent.

22 MR. HERNDON: Are you ready?

23 MR. SPECTER: Yes.

24 MR. HERNDON: Then, these gentlemen actually will  
25 not be aware of the questions, is that all right with you,

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1 I mean---prior to the time they leave? I believe we dis-  
2 cussed that previously and I did want to mention it, that it  
3 would be so important when the questions would be asked.

4 MR. ALEXANDER: Not to me, Jack.

5 MR. RUBY: I see---about your being aware of the  
6 question.

7 MR. HERNDON: Mr. Specter, you recall, previously--  
8 one of the reasons I was going over all the questions before  
9 actually conducting the examination was in order for these  
10 gentlemen that are in attendance to be aware of what questions  
11 are going to be asked Mr. Ruby during the actual polygraph  
12 examination.

13 Now, if we dispense with that before we go over  
14 these questions, if they leave the room, they do not know  
15 the questions I'm going to ask him.

16 MR. ALEXANDER: I don't think Jack has any objection  
17 to us staying here at this time, do you, Jack?

18 MR. RUBY: No, I certainly don't.

19 MR. FOWLER: Well, of course, I still have the  
20 same objection, and respectfully request again, Jack, that  
21 we're not trying to hide anything---don't misunderstand me.

22 MR. RUBY: Just a minute---let me tell you some-  
23 thing. I want to straighten up some things. Whether he  
24 leaves the room or not, Mr. Alexander is going to know  
25 everything that went on here, so please concede to it.

1           MR. FOWLER: Well, I'll concede to this, that  
2 at some time he will know, but I'm saying this---that per-  
3 haps there might be something, Jack, that might in some way  
4 be to your detriment if Mr. Alexander knew the answer to the  
5 question at this time.

6           Now, he may say "No", but I still as your attorney  
7 and in trying to protect your rights, insist that it be  
8 handled in this way, and I would certainly appreciate  
9 your cooperation with me to that extent.

10           MR. RUBY: The only reason I want Mr. Alexander  
11 here, I want him to know my effectiveness when I answer the  
12 questions.

13           MR. FOWLER: Jack, that's very well, and I don't  
14 think he has any doubt that you're trying to hide it and all  
15 of that.

16           MR. SPECTER: Then, let us proceed as we have  
17 before, with Mr. Herndon announcing the questions in advance  
18 but going through a minimum amount of preliminary so that he  
19 is satisfied that he can evaluate the results.

20           MR. RUBY: Yes.

21           MR. SPECTER: And we will proceed on that basis.

22           MR. RUBY: You can run through them a lot faster  
23 and I'll grasp them.

24           MR. HERNDON: All right, I will proceed in that  
25 manner and also with the questions we have already set forth.



1                   SPECTER: Yes, and they'll supplement them  
2 to cover the additional topics which have not yet been  
3 included.

4                   MR. HERNDON: All right, Mr. Ruby, do you feel  
5 all right to continue with this?

6                   MR. RUBY: Yes, I am ready.

7                   MR. HERNDON: Very fine. I will hook this up  
8 and go over these questions and I'll just read them out to  
9 you and you just speak up if there is one you want to re-  
10 phrase.

11                   MR. RUBY: Go ahead.

12                   MR. HERNDON: "Did you see the armored truck  
13 before you went to the basement?"

14                   MR. RUBY: No.

15                   MR. HERNDON: "Did you enter the Police Department  
16 through a door at the rear on the east side of the jail?"

17                   MR. RUBY: No.

18                   MR. HERNDON: "After talking to Little Lynn, did  
19 you hear any announcement that Oswald was about to be moved?"

20                   MR. RUBY: No.

21                   MR. HERNDON: "Before you left your apartment Sun-  
22 day morning, did anyone tell you the armored car was on the  
23 way to the Police Department?"

24                   MR. RUBY: No.

25                   MR. HERNDON: Those are your main questions, and

1 I will ask you some of these other routine questions.

2 MR. RUBY: All right, go ahead.

3 MR. HERNDON: "Do you have any brothers?"

4 MR. RUBY: Yes.

5 MR. HERNDON: "Do you have any sisters?"

6 MR. RUBY: Yes.

7 MR. HERNDON: "Have you answered all questions  
8 truthfully?"

9 MR. RUBY: Yes.

10 MR. HERNDON: Now, here's a question I want to go  
11 over with you very carefully. "Did you ever hit anyone with  
12 any kind of weapon?"

13 MR. RUBY: Yes.

14 MR. HERNDON: All right, I'll give you an oppor-  
15 tunity now to explain that to me. This is for my purposes  
16 of the examination.

17 MR. RUBY: Well, in running a---in my business,  
18 when you get somebody with a---it's a very exciting business.  
19 One particular night a man pulled a knife on me and I took  
20 a pistol and hit him on the head in that altercation, and  
21 sometimes you get fellows with real bad rough reputations.  
22 They're real toughs. There's no question about it, and  
23 being in my type of business for a livelihood, the only way  
24 you can---of course, I do call the law enforcement officers.  
25 At that particular moment, it's my life or theirs, and some

1 Of these men are pretty powerful physically, and I fought in  
2 every way possible, with my fists and everything else---but  
3 to minimize the various troubles I had, where there would  
4 be an altercation or something come up, I'd tell them to  
5 leave and of course something would happen and they would  
6 go from here---whatever it is. It happened a few times  
7 where I would pummel a few of these men.

8 MR. HERNDON: I understand, Mr. Ruby, but all of  
9 these incidents that you recall are in connection with your  
10 operating this club?

11 MR. RUBY: Yes, they are at the club. These boys  
12 are real bad boys and they all have records, and they're  
13 pretty tough guys.

14 Will you agree with something on that?

15 MR. ALEXANDER: That's right.

16 MR. HERNDON: Then, on the actual test, I'm going  
17 to ask you this question: "Other than what you've told me,  
18 did you ever hit anyone with any kind of weapon?"

19 MR. RUBY: I don't follow--"Other than what you've  
20 told me?"

21 MR. HERNDON: In other words, other than your  
22 being the owner of a night club, which because of the type  
23 of customers you occasionally have, you would have to use  
24 some force, perhaps hit a customer or hit someone in your  
25 club?

1           MR. RUBY: Yes.

2           MR. HERNDON: Have you ever been involved in any  
3 other situation where you actually struck at somebody  
4 with a weapon? "Weapon" here I'm referring to as a gun,  
5 club, or knife or anything that would be other than just  
6 a normal fist fight.

7           MR. RUBY: Yes, that happened, but that was  
8 before I got in this trouble. This man threatened to  
9 kill me and was going to go for his gun, and I was nice  
10 enough to have him stay at my place and he was causing a  
11 nuisance in the vicinity of the club, causing brawls and  
12 all that and I tried to reprimand him, and a little boy of  
13 Italian descent and very gracious, somehow he got very  
14 belligerent with me, and I knew he had a car and he said,  
15 "I'm going to get my pistol", and there's a funny reaction  
16 about that. Once they get you cowered to that extent,  
17 then you're doomed, and there's a funny feeling, when I was  
18 with him, that you have with them. So, I got my pistol  
19 and I cornered him and I called him by his name and I called  
20 him a name, and I said, "You're going to kill me, you so-and-  
21 so?" Finally he said, "I was only kidding, I was only  
22 kidding", and there's a certain reaction you have and I  
23 can't explain it. That's the only time any crime of that  
24 sort has ever happened outside of my business.

25           MR. HERNDON: Outside of your business?

1 MR. RUBY: Yes, sir.

2 MR. HERNDON: Then, if I asked you whether or not  
3 you told me you ever hit anyone with any kind of weapon,  
4 unless something else comes up to your mind, you would  
5 answer that "Yes"?

6 MR. RUBY: Yes, like if I was a goon or something.

7 MR. HERNDON: Yes, a Union goon.

8 MR. RUBY: A Union goon. Right. I haven't  
9 been a slugger or anything like that.

10 MR. HERNDON: All right, we can go along here  
11 Mr. Ruby, and I will hook up the instrument.

12 THE COURT REPORTER'S NOTE: 6:43 p.m.

13 MR. HERNDON: Will you raise your arms, Mr. Ruby,  
14 please? Do you feel comfortable?

15 MR. RUBY: Yes.

16 MR. HERNDON: Now, lean back. (Attached instru-  
17 ments to Mr. Ruby)

18 MR. RUBY: Have I been evading any of your questions?

19 MR. HERNDON: You have been most cooperative—thus  
20 far no problems.

21 MR. RUBY: But you can't tell how I stand, can you?

22 MR. HERNDON: Mr. Ruby, I will want to take a  
23 considerable amount of time to review these charts, very  
24 *thoroughly* ~~thorough~~ before I come to any conclusion.

25 MR. RUBY: How long would it take---how long will

1 it take?

2 MR. HERNDON: Well, I can't answer that question  
3 with a definite answer. It depends on what I may run into  
4 when I study these very carefully back in Washington.

5 MR. RUBY: Bill, will I still be around when the  
6 answers come back?

7 MR. ALEXANDER: Yes.

8 MR. RUBY: Raise your right hand and give him  
9 your word.

10 MR. ALEXANDER: That's right.

11 MR. RUBY: Chief, you heard him, did you not,  
12 Chief? (Addressing the Chief Jailor Holman) You and I  
13 should live so long.

14 MR. HERNDON: Is that comfortable, Mr. Ruby?

15 MR. RUBY: Yes.

16 MR. HERNDON: Now, I'm not going to ask the  
17 questions at this time, I'm just going to re-adjust the  
18 instruments.

19 MR. TONAHILL: Let's go, Bill.

20 MR. SPECTER: Let the record show that Mr. Alex-  
21 ander and Mr. Tonahill have left the room.

22 MR. HERNDON: Do you want to cough, Mr. Ruby?

23 MR. RUBY: You want me to?

24 MR. HERNDON: Yes.

25 MR. RUBY: (Mr. Ruby coughed at this time.)

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MR. HERNDON: All right, are you about ready to begin with this one?

MR. RUBY: Yes.

MR. HERNDON: Once again, just repeating instructions, if you will uncross your legs, Sir, and put your feet flat on the floor and look straight ahead and answer the questions truthfully "Yes" or "No".

This will be Series Number (5). I will let you know when the test will begin. Is there a little pressure on the arm cuff?

MR. RUBY: Yes.

MR. HERNDON: Now, Mr. Ruby, look straight ahead. That's fine. Now, just look straight ahead and try not to move, and the test will begin.

THE COURT REPORTER'S NOTE: 6:45 p.m.

MR. HERNDON: "IS YOUR LAST NAME RUBY?"

MR. RUBY: "YES".

MR. HERNDON: "DID YOU SEE THE ARMORED CAR BEFORE IT ENTERED THE BASEMENT?"

MR. RUBY: "NO".

MR. HERNDON: "DO YOU HAVE ANY BROTHERS?"

MR. RUBY: "YES".

MR. HERNDON: "DID YOU ENTER THE POLICE DEPARTMENT THROUGH A DOOR AT THE REAR ON THE EAST SIDE OF THE JAIL?"

MR. RUBY: "NO".

1 MR. HERNDON: "DO YOU HAVE A SISTERS?"  
2 MR. RUBY: "YES".  
3 MR. HERNDON: "AFTER TALKING TO LITTLE LYNN DID  
4 YOU HEAR ANY ANNOUNCEMENT THAT OSWALD WAS ABOUT TO BE  
5 MOVED?"  
6 MR. RUBY: "NO".  
7 MR. HERNDON: "OTHER THAN WHAT YOU'VE TOLD ME,  
8 DID YOU EVER HIT ANYONE WITH ANY KIND OF WEAPON?"  
9 MR. RUBY: I don't know how to answer that.  
10 MR. HERNDON: All right, just sit still and  
11 relax, Sir.  
12 MR. RUBY: Ask me that again---I got the  
13 answer.  
14 MR. HERNDON: "OTHER THAN WHAT YOU'VE TOLD ME,  
15 DID YOU EVER HIT ANYONE WITH ANY KIND OF WEAPON?"  
16 MR. RUBY: "NO".  
17 MR. HERNDON: "BEFORE YOU LEFT YOUR APARTMENT  
18 SUNDAY MORNING, DID ANYONE TELL YOU THE ARMORED CAR WAS ON  
19 THE WAY TO THE POLICE DEPARTMENT?"  
20 MR. RUBY: "NO".  
21 MR. HERNDON: "HAVE YOU ANSWERED ALL QUESTIONS  
22 TRUTHFULLY?"  
23 MR. RUBY: "YES".  
24 MR. HERNDON: All right, that test is over. Just  
25 sit still for a moment, and I will now release the pressure



1 on your arm. You can move your left and relax.

2 THE COURT REPORTER'S NOTE: 6:50 p.m.

3 MR. HERNDON: I'm sorry if I gave you any  
4 problem on that question.

5 MR. RUBY: Yes, because it threw me off again.

6 MR. HERNDON: All right, we'll just go over it  
7 again as a matter of record. I asked you there, "Other  
8 than what you've told me, did you ever hit anyone with any  
9 kind of weapon", and you explained that at two different  
10 times and that once it was in the club with some people and  
11 customers, and another time it was outside the club, and when  
12 we bring out other than those, was there any other time you  
13 hit anybody with a weapon?

14 MR. RUBY: Yes.

15 MR. HERNDON: You don't recall any other time,  
16 is that correct, Mr. Ruby?

17 MR. RUBY: Yes. I thought I said two of them--  
18 and I thought it meant with my fists.

19 MR. HERNDON: Well, I meant with a weapon, when  
20 you actually hit someone with an implement in your hand.

21 MR. RUBY: You thought I was feminine, didn't you,  
22 Chief? Why did you lock me up in that tank? (Addressing  
23 Chief Jailer Holman)

24 MR. HERNDON: Mr. Ruby, when I asked you, "Do  
25 you have any sisters?" I asked that in the plural---you

1 have more than one sister?

2 MR. RUBY: Yes.

3 MR. HERNDON: You have several sisters?

4 MR. RUBY: Yes.

5 MR. HERNDON: How many sisters do you have?

6 MR. RUBY: Four.

7 MR. HERNDON: Did anything in particular come to  
8 your mind when I asked you that question?

9 MR. RUBY: No---not like that other question.

10 MR. HERNDON: What question?

11 MR. RUBY: The one about "Have you ever been  
12 married?"

13 MR. HERNDON: Yes, I recall.

14 MR. RUBY: Do I sound like a man with an unsound  
15 mind to you?

16 MR. HERNDON: As I said before, Mr. Ruby, I'm not  
17 qualified to answer that question.

18 MR. RUBY: Oh---oh.

19 MR. HERNDON: You have been cooperative as far as  
20 answering my questions and proceeding with the examination.

21 (At this point Mr. Specter left the room and  
22 shortly thereafter Messrs. Alexander and Tonahill  
23 returned to the room.)

24 MR. HERNDON: We can proceed and move pretty fast  
25 as soon as Mr. Specter comes back. Just sit and relax.

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W. Would you like me to take any of these things off?

MR. RUBY: No---no.

MR. HERNDON: Are you comfortable?

MR. RUBY: You're not going to ask me any more questions? Do you want to go through that stuff there?

MR. HERNDON: I think I had better wait for Mr. Specter to be here. I don't want to proceed without him. Can I get you a drink of water?

MR. RUBY: No. Can we talk about certain things?

MR. HERNDON: I suggest you wait until Mr. Specter returns.

MR. RUBY: Is there anything on your mind, Bill, off the record?

MR. ALEXANDER: I think with that Cuban thing cleared up and with an opportunity to answer a question on that---

MR. RUBY: How about the underworld?

MR. ALEXANDER: Well, he's going to ask you that, if he hasn't already.

MR. RUBY: There were a lot of phone calls, as you recall. I'm sure you know that and there should be a specific way to ask me - - "What was the purpose of all those calls?"

MR. ALEXANDER: Well, you see, that wouldn't record on the machine. The question would have to be, "Did

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any telephone calls have any connection with the shooting of Oswald?"

MR. RUBY: Yes, but still, when you have so many calls, you still want to know why you called people.

MR. ALEXANDER: Well, all your telephone calls were either business or personal, weren't they?

MR. RUBY: That's right, and the other question you asked about Oswald---you know?

MR. ALEXANDER: "Did any of these calls have any connection with the shooting of Oswald?"

MR. RUBY: No. How about my trip to Havana?

MR. ALEXANDER: Has that been asked yet?

MR. HERNDON: That hasn't been asked.

MR. ALEXANDER: "Did your trip to Havana have any connection with the shooting of Oswald, however remote?"

MR. RUBY: Have I ever had any business dealings---I want them to know my relationship.

MR. ALEXANDER: "Have you ever had any political or business connection with Castro or Cuba?"

MR. RUBY: That's a good question. Or, why did I make that trip to Havana?

MR. ALEXANDER: "Was your trip to Havana personal or business?"---I think that's overlapping that Cuban deal.

1 MR. RUBY: Yes, but here's a thing. When  
2 people ask me--they say, "Jack, you went to Havana Cuba"  
3 and I say, "I went there for a vacation." They say, "How  
4 long did you stay?" When I say, "Eight days"---you some-  
5 how have got to answer specifically that it was a vacation,  
6 because a person can be very evasive and say he went for a  
7 vacation but yet had other dealings there.

8 MR. ALEXANDER: "Was your trip to Havana purely  
9 for vacation and pleasure?"

10 MR. RUBY: That's right.

11 MR. ALEXANDER: Jack, my memory is just vague---  
12 you've never been to Mexico?

13 MR. RUBY: I never have been to Mexico, but Bill,  
14 you know a lot of questions to ask me, I'm sure you know,  
15 that I'd like to get cleared up.

16 MR. ALEXANDER: Well, you never have been  
17 interested in politics, as far as I know?

18 MR. RUBY: What I was doing down at that News  
19 Building---what was I doing down there Friday---I want that  
20 question asked.

21 (At this point Mr. Specter returned to the room.)

22 MR. TONAHILL: That's kind of a belabored  
23 question, Jack?

24 MR. RUBY: Joe, you don't believe that.

25 THE COURT REPORTER: I want to be sure I heard

1 Mr. Ruby's answer to Mr. Alexander's question a little  
2 while ago?

3 MR. RUBY: You want to hear that again?

4 THE COURT REPORTER: I didn't quite hear your  
5 answer to Mr. Alexander's question, "Did any of these calls  
6 have any connection with the shooting of Oswald?"

7 MR. RUBY: Oh, you're taking down what I'm saying?  
8 I didn't know you were taking that down.

9 MR. SPECTER: Yes, we're taking everything down.

10 MR. RUBY: Oh---well, give me the question again.

11 THE COURT REPORTER: This was when Mr. Alexander  
12 asked you, "Did any of these calls have any connection with  
13 the shooting of Oswald?" and what was your answer to that  
14 question?

15 MR. RUBY: No.

16 THE COURT REPORTER: Thank you.

17 MR. RUBY: Are you putting down the questions  
18 I've been asking myself?

19 THE COURT REPORTER: Yes, everything you've been  
20 saying.

21 MR. RUBY: Voluntarily---correct?

22 THE COURT REPORTER: Oh, yes. Just like you say  
23 them.

24 MR. RUBY: Okay.

25 MR. SPECTER: We are putting it down in the

1 record, Mr Ruby, just like you're saying it.

2 MR. SPECTER: Odell, can you bring me up-to-date,  
3 I've been out of the room.

4 THE COURT REPORTER: Mr. Alexander has been  
5 asking him certain questions that might be asked about---

6 MR. RUBY: About that Havana, Cuba trip.

7 THE COURT REPORTER: --- and had he been to  
8 Mexico, and had he been in politics, and Mr. Alexander  
9 said to his knowledge he had not been interested in politics,  
10 and the purpose of his trip to Cuba, whether it was for  
11 business or pleasure, and I believe that is what was covered.

12 MR. RUBY: The most important question---you  
13 haven't asked me yet---why did I shoot Oswald?

14 MR. ALEXANDER: Jack, they can't ask that kind of  
15 question for this machine. They can only ask you---was it  
16 for a certain purpose. It has to be a "Yes" or "No" answer.

17 MR. RUBY: The point is---if I was carried away  
18 emotionally, and because I felt that, it sounds so unbeliev-  
19 able. Why shouldn't I be asked a question---why---what  
20 motivated me to do it?

21 MR. SPECTER: Mr. Ruby, answer now the question,  
22 "Why did you shoot Oswald?" and then we will turn that  
23 around into a question to ask you for a "Yes" or "No" answer.

24 MR. RUBY: At the particular moment, after watching  
25 television all that----

1           MR. FOWLER: Jack, let me interject right now,  
2 again, as your attorney---I advise you not to answer this  
3 question.

4           MR. RUBY: Clayton, I'm sorry, I've got to answer  
5 it. I've got to, because, believe me, it means an awful  
6 lot to me. I didn't want---I felt so carried away---that  
7 at that particular time of the great tragedy, I felt some-  
8 how in my little bit of a way I could save Mrs. Kennedy  
9 the ordeal of coming back for trial here.

10           MR. SPECTER: All right, fine, Mr. Ruby. That's  
11 the same answer to that general question that you gave when  
12 the Commission heard your testimony, and we shall phrase  
13 that in an appropriate question for the polygraph examina-  
14 tion.

15           Now, will you proceed, Mr. Herndon, with our next  
16 series, please?

17           MR. HERNDON: Do you want me to rehearse the ones  
18 that are prepared?

19           MR. SPECTER: Yes, just our prepared series, and  
20 we will take these in a sequence and we will cover every-  
21 thing else later.

22           MR. HERNDON: All right, I'll go over these for  
23 you again, Mr. Ruby, so that you understand the intent of  
24 the question and what it means.

25           "Did you get a Wall Street Journal at Southwestern



1 Drug Store during the week before the assassination?"

2 MR. RUBY: No.

3 MR. HERNDON: "Was the Wall Street Journal addressed

4 to a Mr. Bradshaw?"

5 MR. RUBY: I don't know.

6 MR. HERNDON: Well, that one, we're going to have

7 to rephrase. "Do you know if the Wall Street Journal was

8 addressed to Mr. Bradshaw?"

9 MR. RUBY: I haven't read a Wall Street Journal in

10 the longest time---in years, probably.

11 MR. HERNDON: Do you wish to keep that question in,

12 Mr. Specter?

13 MR. TONAHILL: Jack, was that a man named Bradshaw,

14 your landlord?

15 MR. RUBY: No, Houston Nichols was my landlord,

16 but I know a Bradshaw. He used to be in the pinball game

17 machine business.

18 MR. TONAHILL: A juke box man?

19 MR. RUBY: Yes---everybody knows him.

20 MR. SPECTER: What is his first name, Mr. Ruby?

21 MR. RUBY: I don't know, but he owned a liquor

22 store and he's a pretty successful businessman.

23 MR. SPECTER: Was a Wall Street Journal addressed

24 to Mr. J. E. Bradshaw, dated November 16, 1963, in your car

25 at any time?

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MR. RUBY: No, sir.

MR. SPECTER: Have you ever heard of any such Wall Street Journal having been found in your car?

MR. RUBY: No.

MR. SPECTER: We will rephrase that question too. Let's try this---"Do you have any knowledge of a Wall Street Journal addressed to Mr. J. E. Bradshaw being found in your car?"

MR. RUBY: No---did they find one somewhere in my car?

MR. SPECTER: Proceed, please, Mr. Herndon.

MR. HERNDON: "Did you or any of your friends telephone the FBI in Dallas between 2:00 or 3:00 a.m. Sunday morning?"

MR. RUBY: How could I---I was incarcerated? Oh---Sunday morning?

MR. HERNDON: Some people might refer to that as Saturday night.

MR. RUBY: I don't know---I know I went to bed about 1:30, so I can't answer that.

MR. SPECTER: Make that "To your knowledge---".

MR. RUBY: No.

MR. SPECTER: "To your knowledge, did any of your friends---" do so and so?

MR. HERNDON: I think in that way you should be

1 able to answer "Yes" or "No".

2 MR. HERNDON: "Did you or any of your friends  
3 telephone the Sheriff's Office between 2:00 or 3:00 a.m.  
4 - Sunday morning?"

5 MR. RUBY: No.

6 MR. HERNDON: Again, I can rephrase that---"To  
7 your knowledge---" if you wish?

8 MR. SPECTER: Make it---"Did you or any of your  
9 friends, to your knowledge, phone the Sheriff's Office?"

10 MR. RUBY: No.

11 MR. HERNDON: And then, some of these questions  
12 I will ask you again here, such as, "Did you previously  
13 live in San Francisco?"

14 MR. RUBY: Yes.

15 MR. HERNDON: I understand you did.  
16 I'm going to ask you this question, which will  
17 help me, and that is, "In your dealings, Mr. Ruby, as a  
18 night club operator, at any time have you ever overcharged  
19 a customer?" I assume there are some times when you  
20 probably are at the cash register, is that correct, and  
21 you are handling the transaction of money with customers  
22 or with the bills.

23 MR. RUBY: No.

24 MR. HERNDON: You understand what I mean by  
25 "overcharge"?

1 able to answer "Yes" or "No".

2 MR. HERNDON: "Did you or any of your friends  
3 telephone the Sheriff's Office between 2:00 or 3:00 a.m.  
4 - Sunday morning?"

5 MR. RUBY: No.

6 MR. HERNDON: Again, I can rephrase that---"To  
7 your knowledge---" if you wish?

8 MR. SPECTER: Make it---"Did you or any of your  
9 friends, to your knowledge, phone the Sheriff's Office?"

10 MR. RUBY: No.

11 MR. HERNDON: And then, some of these questions  
12 I will ask you again here, such as, "Did you previously  
13 live in San Francisco?"

14 MR. RUBY: Yes.

15 MR. HERNDON: I understand you did.

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17 help me, and that is, "In your dealings, Mr. Ruby, as a  
18 night club operator, at any time have you ever overcharged  
19 a customer?" I assume there are some times when you  
20 probably are at the cash register, is that correct, and  
21 you are handling the transaction of money with customers  
22 or with the bills.

23 MR. RUBY: No.

24 MR. HERNDON: You understand what I mean by  
25 "overcharge"?

1           MR. RUBY: We have a very lucrative business in  
2 champagne there, the kind of business that---Bill Alexander  
3 knows about it---they get merchandise received for what they  
4 get. It's quite lucrative and that's one way you can  
5 survive, I guess.

6           MR. HERNDON: I'll just simply ask the question,  
7 "Did you ever overcharge a customer?"

8           MR. RUBY: No.

9           MR. HERNDON: I'll probably ask you questions for  
10 your identity, like "Is your name Jack Ruby?" at the  
11 beginning of these series.

12          MR. RUBY: Yes.

13          MR. HERNDON: Let's see, gentlemen, I believe  
14 we've gone over all these questions, and I'm going to ask  
15 you also as a matter of record on the test---are you tired?

16          MR. RUBY: No. As a matter of fact, I'm feeling  
17 my best right now.

18          MR. HERNDON: You feel all right.

19                   Those are the questions we're going to ask.

20           THE COURT REPORTER'S NOTE: 7:05 p.m.

21          MR. SPECTER: Let the record show that Mr. Alex-  
22 ander and Mr. Tonahill left the room.

23          MR. HERNDON: All right, Mr. Ruby, I'll get this  
24 machine to going again, and we will get started on Series  
25 Number (6). Mr. Ruby, could you sit up a little straighter?

1 When you f~~u~~ch over like that, I'm n~~o~~ getting the tracing  
2 I want on the reading. Now, that's much better.

3 (At this time Mr. Herndon snapped his fingers.)

4 MR. HERNDON: Look straight ahead again, Mr. Ruby.

5 MR. RUBY: All right.

6 MR. HERNDON:.. I will let you know when I'm going  
7 to start the test, and if you will answer the questions  
8 again, simply and truthfully, "Yes" or "No".

9 If I come to any one of these that you feel like  
10 you are not sure how to answer it and you don't want to  
11 answer it "Yes" or "No", once again just refrain from talk-  
12 ing and we will discuss the question at the end of the series.

13 MR. RUBY: All right. I'll remain silent, huh?

14 MR. HERNDON: Yes, remain silent.

15 THE COURT REPORTER'S NOTE: 7:08 p.m.

16 MR. HERNDON: The test will now begin.

17 "IS YOUR NAME JACK RUBY?"

18 MR. RUBY: "YES".

19 MR. HERNDON: "DID YOU GET A WALL STREET JOURNAL  
20 AT THE SOUTHWESTERN DRUG STORE DURING THE WEEK BEFORE THE  
21 ASSASSINATION?"

22 MR. RUBY: "NO".

23 MR. HERNDON: "ARE YOU TIRED?"

24 MR. RUBY: "NO".

25 MR. HERNDON: "DO YOU HAVE ANY KNOWLEDGE OF A WALL

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DALLAS 1, TEXAS

1 STREET JOURNAL ADDRESSED TO MR. J. E. BRADSHAW?"

2 MR. RUBY: "NO".

3 MR. HERNDON: "DID YOU PREVIOUSLY LIVE IN SAN  
4 FRANCISCO?"

5 MR. RUBY: "YES".

6 MR. HERNDON: "TO YOUR KNOWLEDGE, DID ANY OF YOUR  
7 FRIENDS OR DID YOU TELEPHONE THE FBI IN DALLAS BETWEEN  
8 2:00 or 3:00 A.M. SUNDAY MORNING?"

9 MR. RUBY: "NO".

10 MR. HERNDON: "DID YOU EVER OVERCHARGE A CUSTOMER?"

11 MR. RUBY: "NO".

12 MR. HERNDON: "DID YOU OR ANY OF YOUR FRIENDS TO  
13 YOUR KNOWLEDGE TELEPHONE THE SHERIFF'S OFFICE BETWEEN 2:00  
14 or 3:00 A.M. SUNDAY MORNING?"

15 MR. RUBY: "NO".

16 MR. HERNDON: I think that series is over and I  
17 will release the pressure.

18 THE COURT REPORTER'S NOTE: 7:10 p.m.

19 MR. RUBY: Are they that important---those  
20 questions? I know more important ones than that. Of  
21 course---I'm kidding.

22 MR. HERNDON: We have some more coming.

23 Mr. Ruby, has a customer by any chance ever claimed  
24 that they were overcharged at your place? Have you ever had  
25 any problems along that line?

1 RUBY: Oh, yes---we have problems with  
2 waitresses and big bills.

3 MR. HERNDON: Other than what you told us about  
4 the Wall Street Journal, is there anything else that came  
5 to your mind with regard to this Wall Street Journal question?

6 MR. RUBY: As a matter of fact, the question you  
7 asked me is so foreign to me---

8 MR. HERNDON: In other words, you are completely  
9 unaware of the Wall Street Journal situation?

10 MR. RUBY: I don't know how it ever came to be  
11 there.

12 MR. HERNDON: That completes that series.

13 THE COURT REPORTER'S NOTE: 7:12 p.m.

14 MR. SPECTER: Let the record show that Mr. Tona-  
15 hill and Mr. Alexander returned to the room.

16 Would you now proceed, Mr. Herndon, to the next  
17 series, and we'll go through those as rapidly as you can.

18 MR. HERNDON: Mr. Ruby, I'll just read these  
19 right down the line, and if you have any question, then  
20 interrupt me. Otherwise, I'll just keep going.

21 MR. RUBY: All right.

22 MR. HERNDON: "Do you intend to answer the  
23 questions truthfully?"

24 MR. RUBY: (No response)

25 MR. HERNDON: "Did you go to the Dallas Police



1 Station any time on Friday, November 22, 1963 before  
2 you went to the Synagogue?"

3 MR. RUBY: No.

4 MR. HERNDON: "Do you attend the Synagogue  
5 regularly?"

6 MR. RUBY: No---not of late, because of my  
7 businesses and my sister was ill and I had to help at  
8 both places---I had to run both places.

9 MR. HERNDON: All right, if you feel it is proper,  
10 you can answer that question.

11 MR. RUBY: This was a special occasion, this  
12 Friday night---I wanted to go there because of this tragedy  
13 happening.

14 MR. HERNDON: Very fine. The way I mean that  
15 question is---do you attend the Synagogue regularly and at  
16 every usual service?

17 MR. RUBY: Well, yes--on High Holidays and when  
18 my father passed away, I went there consistently for 11  
19 months morning and evening.

20 MR. HERNDON: "Did you go to the Synagogue that  
21 Friday night?" Now, "that Friday night"---you know the  
22 night we're talking about?

23 MR. RUBY: Friday night.

24 MR. HERNDON: The night of the assassination?

25 MR. RUBY: Yes.

1           MR. HERNDON: I'm going to ask you this question--  
2 it's simple and short: "Do you pray?"

3           MR. RUBY: Not now, because it's hopeless. I did.

4           MR. HERNDON: You can answer it "Yes" or "No" when  
5 the question comes.

6           MR. RUBY: Pardon me---I take it back---I do pray.  
7 I say certain prayers.

8           MR. HERNDON: "Did you see Oswald in the Dallas  
9 jail on a Friday night?"

10          MR. RUBY: Yes.

11          MR. HERNDON: "Were you at one time employed by  
12 a Union?"

13          MR. RUBY: Yes.

14          MR. HERNDON: "Did you have a gun with you when  
15 you went to the Friday midnight press conference?"

16          MR. RUBY: Let's have that again?

17          MR. HERNDON: "Did you have a gun with you when  
18 you went to the Friday midnight press conference?"

19          MR. RUBY: You mean at the police station? No.

20          MR. HERNDON: Just so we have it clear---what  
21 we mean here is---

22          MR. RUBY: You mean in my possession?

23          MR. HERNDON: Yes.

24          MR. SPECTER: Could you insert in there---"at the  
25 jail"---"Did you have a gun with you when you went to the

1 Friday night press conference at the jail?"

2 MR. ALEXANDER: If you put it in his car or on  
3 his person, I think he can answer it better.

4 MR. RUBY: No---because I recall when I first  
5 said I did, and then I changed it later.

6 MR. HERNDON: Mr. Ruby, so you understand what I  
7 mean when I say "Did you have a gun with you?" I mean on  
8 the person.

9 I'm going to ask this question which one of the  
10 gentlemen recommended, and it is "Have you told the Warren  
11 Commission the entire truth?"

12 MR. RUBY: Yes, and I may have left out certain  
13 things because I was a little---I wasn't as calm as I am  
14 now, so in reality, certain things I could have said, I'm  
15 sure in my frame of mind now I would be able to do it  
16 better, but I told the truth at the time.

17 MR. SPECTER: Perhaps we could rephrase it and say,  
18 "Is everything you told the Warren Commission the truth?"

19 MR. RUBY: Yes, I can say that.

20 MR. HERNDON: The question will be then, as  
21 Mr. Specter put it, "Is everything you told the Warren  
22 Commission the entire truth?"

23 MR. RUBY: Yes, sir.

24 MR. HERNDON: Any questions, Mr. Ruby?

25 MR. RUBY: No.

1           HERNDON: Fine, I will proceed.  
2  
3           THE COURT REPORTER'S NOTE: 7:15 p.m.  
4  
5           MR. HERNDON: For the record, this will be  
6           Series Number (7).  
7  
8           MR. SPECTER: Mr. Alexander and Mr. Tonahill have  
9           now left the room.  
10  
11           MR. RUBY: I wonder why Mr. Tonahill is here.  
12           He's not my attorney. Clayton, is Joe Tonahill represent-  
13           ing me?  
14  
15           MR. FOWLER: Well, Jack, in some capacity, I  
16           think he is still involved.  
17  
18           MR. RUBY: Well---yes and no.  
19  
20           MR. FOWLER: But please don't worry about it at  
21           this time. He is here.  
22  
23           MR. HERNDON: Mr. Ruby, do you mind if I tighten  
24           the <sup>rubber</sup> ~~other~~ tube on your chest just a slight bit more?  
25           MR. RUBY: Make it as tight as you want it. I  
            want to get it right.  
            MR. HERNDON: No, I don't want to make it too  
            tight, I want to make it comfortable.  
            MR. RUBY: Are you coming to work tomorrow?  
            (Addressing Mr. Alexander) I don't know where you'll find  
            me. How about you, Chief?  
            THE JAILER HOLMAN: Yes.  
            MR. HERNDON: All right, now just breathe

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1 naturally I sit up a little bit straighter. That's good.

2 That's fine, Mr. Ruby.

3 THE COURT REPORTER'S NOTE: 7:15 p.m.

4 MR. HERNDON: Just relax. (At this point  
5 Mr. Herndon snapped his fingers twice.)

6 I will tell you once again when the test will  
7 begin. Answer the questions truthfully "Yes" or "No".

8 Try to sit perfectly relaxed and try not to move. Look  
9 straight ahead, if you will, Mr. Ruby.

10 Did you just have a gas pain or something trouble  
11 you?

12 MR. RUBY: No---nothing.

13 MR. HERNDON: All right, relax.

14 We will now begin.

15 THE COURT REPORTER'S NOTE: 7:18 p.m.

16 MR. HERNDON: "DO YOU INTEND TO ANSWER THESE  
17 QUESTIONS TRUTHFULLY?"

18 MR. RUBY: "YES, I DO."

19 MR. HERNDON: Just answer the questions "Yes" or  
20 "No", please.

21 MR. RUBY: Okay.

22 MR. HERNDON: "DID YOU GO TO THE DALLAS POLICE  
23 STATION AT ANY TIME ON FRIDAY, NOVEMBER 22, 1963 BEFORE  
24 YOU WENT TO THE SYNAGOGUE?"

25 MR. RUBY: "NO".

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1                   HERNDON: "DO YOU ATTEND THE SYNAGOGUE  
2 REGULARLY?"

3                   MR. RUBY:        How can I answer that one?

4                   MR. HERNDON:     Just relax. "DID YOU GO TO THE  
5 SYNAGOGUE THAT FRIDAY NIGHT?"

6                   MR. RUBY:        "YES".

7                   MR. HERNDON:     "DO YOU PRAY?"

8                   MR. RUBY:        "YES".

9                   MR. HERNDON:     "DID YOU SEE OSWALD IN THE DALLAS  
10 JAIL ON FRIDAY NIGHT?"

11                  MR. RUBY:        "YES".

12                  MR. HERNDON:     "WERE YOU AT ONE TIME EMPLOYED BY  
13 A UNION?"

14                  MR. RUBY:        "YES".

15                  MR. HERNDON:     "DID YOU HAVE A GUN WITH YOU WHEN  
16 YOU WENT TO THE FRIDAY MIDNIGHT PRESS CONFERENCE AT THE  
17 JAIL?"

18                  MR. RUBY:        "NO".

19                  MR. HERNDON:     "IS EVERYTHING YOU TOLD THE WARREN  
20 COMMISSION THE ENTIRE TRUTH?"

21                  MR. RUBY:        "YES".

22                  MR. HERNDON:     That series is over. Just sit still  
23 for a moment, Mr. Ruby, and I will release the pressure on  
24 your arm, and you may now move.

25                                   THE COURT REPORTER'S NOTE:       7:21 p.m.

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1           M. HERNDON:   At the beginn. of that series,  
2 Mr. Ruby, you displayed a little nervousness and a little  
3 tension.   Perhaps it was the question I asked with regard  
4 to the Synagogue.   Did that upset you in any way?

5           MR. RUBY:        Because---you're ashamed to admit  
6 you haven't been going regular---yet, you don't want to  
7 come out with a blunt answer "No"---it makes you sort of  
8 an atheist, and I didn't want to answer it that way, but  
9 I do go to the High Holidays, but going regular and going to  
10 the High Holidays are to different ways of going.   People  
11 that go regular go every Friday night and pretty regular  
12 during the week, but my hours were entirely different.  
13 I mean---I'm trying to explain that to you.

14           MR. HERNDON:   Yes, that's what I want you to do.  
15 Go ahead, Sir.

16           MR. RUBY:        I could say "Yes" and I would be  
17 lying to you saying "Yes".   Anyway, the last couple of  
18 years---the last year and a half or two years have been  
19 very tough to me business-wise and I've stayed pretty close,  
20 outside the High Holidays.

21           MR. HERNDON:   Did that question disturb you in  
22 any regard when I asked, "Did you go to the Dallas Police  
23 Station at any time on Friday----"

24           MR. RUBY:        Yes.

25           MR. HERNDON:        "---before you went to the

1 synagogue?" You did show some reaction, will you tell me  
2 that, Sir?

3 MR. RUBY: Because I knew that some man in the  
4 trial said I did come down there, and naturally, that came  
5 flashing into my mind.

6 MR. HERNDON: Was this some man at the trial?

7 MR. RUBY: Yes.

8 MR. HERNDON: Did he testify?

9 MR. RUBY: Yes---Mr. John Rutledge. He said I  
10 was down there earlier, when I wasn't---and the association  
11 of this man came to my mind. Can you ask me that over  
12 again?

13 MR. HERNDON: I don't think I have to, Mr. Ruby.  
14 I wanted to get your explanation of why. Did you feel a  
15 reaction to that question?

16 MR. RUBY: Yes, because it's like the Wall Street  
17 Journal question---when you asked me that, I get nervous  
18 too. When they said they found it in my car, there must  
19 be some reason that it was found in my car, when I know I  
20 never did see this particular paper.

21 MR. HERNDON: Well, at this trial Mr. John Rut-  
22 ledge's testimony conflicted with what you had said, is  
23 that correct?

24 MR. SPECTER: Not what he said, Mr. Herndon. He  
25 didn't testify.



1 MR. RUBY: He testified emphatically--it looked  
2 like I was trying to find out who this Oswald was, and if I  
3 went down there more than once.

4 MR. HERNDON: I see. You did feel the reaction  
5 on that question?

6 MR. RUBY: Yes.

7 MR. HERNDON: I think we can proceed on to the  
8 next series.

9 MR. SPECTER: We're now at Series (8), correct?

10 MR. HERNDON: The next series will be (8), correct.

11 THE REPORTER'S NOTE: 7:23 p.m.

12 MR. SPECTER: Let the record show that Mr. Alex-  
13 ander and Mr. Tonahill have returned now.

14 MR. HERNDON: Are you all right, Mr. Ruby?

15 MR. RUBY: Yes.

16 MR. HERNDON: We shall continue; and these are  
17 questions we want to put to you for this next series.

18 "Have you ever knowingly attended any meetings of  
19 the Communist Party or any other group that advocates  
20 violent overthrow of the Government?"

21 MR. RUBY: No.

22 MR. HERNDON: Now, is that question too long for  
23 you to answer it clearly?

24 MR. RUBY: No---no.

25 MR. HERNDON: Of course, there are two parts

1 there---th( Communist Party or any oth( group that advocates  
2 the violent overthrow of the Government---do you understand  
3 the question?

4 MR. RUBY: Yes---very much so.

5 MR. HERNDON: And then I will ask you, "Did you  
6 legally change your last name?"

7 MR. RUBY: Yes.

8 MR. HERNDON: I'm going to ask you again at the  
9 beginning of the test, "Is your last name Ruby?" I'm going  
10 to ask, "Do you know if any of your immediate family or any  
11 close friend is a member of the Communist Party?"

12 MR. RUBY: No.

13 MR. HERNDON: "Were you in the Army Air Corps?"

14 MR. RUBY: Yes.

15 MR. HERNDON: "Do you know if any of your  
16 immediate family or any close friend is a member of any  
17 group that advocates the violent overthrow of the Government?"

18 MR. RUBY: No.

19 MR. SPECTER: Let's rephrase those, Mr. Herndon.

20 "To your knowledge, is any member of your family---"

21 MR. HERNDON: Rather than "Do you know----".

22 MR. RUBY: Why don't you put it stronger---ask me  
23 the question without---to my knowledge---the answer is "No".  
24 When you say---to my knowledge---you leave an opening there.

25 MR. TONAEILL: Say---"Is any member of your family

1 a member-

2 MR. SPECTER: We will take that and make it  
3 categorical---without the prefix.

4 MR. RUBY: In other words, I don't want any  
5 opening for any doubt that there is.

6 MR. HERNDON: Both those questions I started, "Do  
7 you know---", I'm going to just start the question---"Is  
8 any member of your family---" et cetera.

9 MR. RUBY: Yes.

10 MR. HERNDON: Is that all right with you, Mr. Ruby?

11 MR. RUBY: No---no, emphatically.

12 MR. HERNDON: Here again, "Is any close friend or  
13 any member of your immediate family---", I will have to  
14 change this one. I shall ask the question this way, unless  
15 you have reason to object. "Do you know if any close  
16 friend or any member of your immediate family ever attended  
17 a meeting of the Communist Party?"

18 MR. RUBY: In other words, if I say I know they  
19 did---

20 MR. HERNDON: Do you have knowledge, in other words?

21 MR. RUBY: No, not knowledge---you're putting me  
22 in a spot there. Repeat it.

23 MR. HERNDON: Let me ask this question the way I  
24 composed it originally. "Do you know if any close friend  
25 or any member of your immediate family ever attended a

1 meeting of the Communist Party?"

2 MR. RUBY: Yes. Meaning---I know they didn't.

3 MR. HERNDON: That's a very valid point.

4 MR. SPECTER: Let's rephrase it then---"Did any  
5 member of your immediate family or any close friend ever  
6 attend a meeting of the Communist Party?"

7 MR. RUBY: No.

8 MR. HERNDON: How do you want that, Mr. Specter?

9 MR. SPECTER: "Did any member of your immediate  
10 family or any close friend ever attend a meeting of the  
11 Communist Party?"

12 MR. RUBY: No.

13 MR. HERNDON: I just had it slightly different.  
14 "Did any close friend or any member of your immediate family  
15 ever attend a meeting of the Communist Party?" Is that  
16 all right?

17 MR. SPECTER: That phraseology is satisfactory.

18 MR. HERNDON: Now, there's one other question  
19 here and this one is a little bit long, and we might want  
20 to discuss this question so Mr. Ruby will understand it  
21 perfectly.

22 "Do you know if any close friend or any member of  
23 your immediate family has ever attended a meeting of any  
24 group that advocates the violent overthrow of the Govern-  
25 ment?"

1 MR. RUBY: Yes---I know t...c they didn't.

2 MR. SPECTER: Let's rephrase the question, leav-  
3 ing out the "Do you know---".

4 MR. HERNDON: So that it will now be---"Did any---  
5 et cetera".

6 MR. SPECTER: Yes.

7 MR. HERNDON: All right, the question will read:  
8 "Did any close friend or any member of your immediate  
9 family ever attend a meeting of any group that advocates  
10 the violent overthrow of the Government?"

11 MR. RUBY: No.

12 MR. HERNDON: Those are the questions, unless  
13 Mr. Ruby has some question on them.

14 MR. SPECTER: Let the record show that Mr. Tona-  
15 hill and Mr. Alexander are now out of the room and we may  
16 proceed with this series.

17 THE COURT REPORTER'S NOTE: 7:28 p.m.

18 MR. HERNDON: For the record, this is Series  
19 Number (8).

20 All right, Mr. Ruby, I shall now put some pressure  
21 in the arm cuff and if you will look straight ahead, Sir,  
22 and answer the questions truthfully "Yes" or "No", and I  
23 will tell you when I am going to begin asking questions.

24 The test will now begin.

25 "IS YOUR LAST NAME RUBY?"

1 MR. RUBY: "YES".  
2 MR. HERNDON: "HAVE YOU EVER KNOWINGLY ATTENDED  
3 ANY MEETINGS OF THE COMMUNIST PARTY OR ANY OTHER GROUP THAT  
4 ADVOCATES VIOLENT OVERTHROW OF THE GOVERNMENT?"  
5 MR. RUBY: "NO".  
6 MR. HERNDON: "DID YOU LEGALLY CHANGE YOUR LAST  
7 NAME?"  
8 MR. RUBY: "YES".  
9 MR. HERNDON: "IS ANY MEMBER OF YOUR IMMEDIATE  
10 FAMILY OR ANY CLOSE FRIEND, A MEMBER OF THE COMMUNIST PARTY?"  
11 MR. RUBY: "NO".  
12 MR. HERNDON: "WERE YOU IN THE ARMY AIR CORPS?"  
13 MR. RUBY: "YES".  
14 MR. HERNDON: "IS ANY MEMBER OF YOUR IMMEDIATE  
15 FAMILY OR ANY CLOSE FRIEND A MEMBER OF ANY GROUP THAT AD-  
16 VOCATES THE VIOLENT OVERTHROW OF THE GOVERNMENT?"  
17 MR. RUBY: "NO".  
18 MR. HERNDON: Look straight ahead, please, Sir.  
19 "DID ANY CLOSE FRIEND OR ANY MEMBER OF YOUR  
20 IMMEDIATE FAMILY EVER ATTEND A MEETING OF THE COMMUNIST  
21 PARTY?"  
22 MR. RUBY: "NO".  
23 MR. HERNDON: "DID ANY CLOSE FRIEND OR ANY MEMBER  
24 OF YOUR IMMEDIATE FAMILY EVER ATTEND A MEETING OF ANY GROUP  
25 THAT ADVOCATES THE VIOLENT OVERTHROW OF THE GOVERNMENT?"

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1 MR. RUBY: "NO":  
2 MR. HERNDON: That series is over. If you will  
3 relax, Mr. Ruby, I will release the pressure on your arm.  
4 THE COURT REPORTER'S NOTE: 7:33 p.m.  
5 MR. HERNDON: I know these questions were a little  
6 long, but I feel that you got the intent of them all right.  
7 MR. RUBY: Sure---I did.  
8 MR. HERNDON: That will complete Series Number (8).  
9 MR. SPECTER: Let the record show that we are now  
10 going to take a very short recess, and resume in just a few  
11 moments.  
12 MR. HERNDON: Would you like to take this off  
13 just a minute and stand up a little bit, unless you prefer  
14 me to leave it on?  
15 MR. RUBY: All right.  
16 THE COURT REPORTER'S NOTE: Recess began 7:33 p.m.  
17 (During the recess Mr. Fowler and Mr. Ruby conferred  
18 out of the hearing of all in the room.)  
19 MR. SPECTER: It is now 7:55 p.m. and may the  
20 record show that we have taken a 20-minute recess and have  
21 now reconvened for the last session.  
22 MR. RUBY: You're not going to ask about the  
23 phone calls?  
24 MR. SPECTER: Those are going to be covered,  
25 Mr. Ruby.

1 MR. RUBY: I know you are fine, Joe, I know.

2 MR. SPECTER: Let us proceed at this point,  
3 Mr. Herndon, with the next series of questions.

4 MR. HERNDON: Are you tired, Mr. Ruby?

5 MR. RUBY: No.

6 MR. HERNDON: Do you feel all right?

7 MR. RUBY: Fine.

8 MR. HERNDON: We shall then continue.

9 I'm going to read off a good number of questions  
10 here, and I'm going to ask them in a series called (9) and  
11 a series called (9)(a).

12 MR. RUBY: All right.

13 MR. HERNDON: And I'm not going to interject any  
14 of these other minor questions. These are all direct  
15 questions and I want to make sure that you understand what  
16 they are.

17 MR. RUBY: Yes.

18 MR. HERNDON: "Did you ever meet Oswald at your  
19 Post Office box?"

20 MR. RUBY: No.

21 MR. HERNDON: "Did you use your Post Office mail  
22 box to do any business with Mexico or Cuba?"

23 MR. RUBY: No. Pardon me---why don't you say,  
24 "Did you ever meet him at the Post Office or at the Club?"  
25 Wouldn't that be good too?



1                   MR. SPECTER: We have asked you if you ever  
2 knew him before, and now we're focusing on this.

3                   MR. RUBY: Oh---"How many times did he come up  
4 to the Club?"---that's something else. Also, somebody  
5 said that they saw Tippit, I, this Mr. Lane stated that he  
6 saw Tippit, myself, and Oswald at the Club----so go ahead,  
7 I don't want to throw you off.

8                   MR. SPECTER: Well, we will ask a question there  
9 at that point, such as this: "Did you ever meet with  
10 Officer Tippit and Oswald at your Club?"

11                   MR. HERNDON: Do you want that "Oswald and" or  
12 "or"?

13                   MR. SPECTER: Yes, we do.

14                   MR. RUBY: The first thing about that Post Office  
15 box---how do we know whether it's really authentic or the  
16 man had the box there or not? It could have been placed  
17 there at a later date?

18                   MR. ALEXANDER: It was right, Jack. He had it.  
19 I saw the key myself and it had "X" number on the box.

20                   MR. RUBY: How come it never come out before  
21 then, why didn't it come out still before that?

22                   MR. ALEXANDER: It did.

23                   MR. RUBY: No, it didn't come out until a long  
24 time---until just recently. It just came out about a week  
25 ago.

1           MR. ALEXANDER: They just didn't feature it--  
2 it was just overlooked. I saw the key that night.

3           MR. RUBY: But Bill, I know one thing---I know  
4 that box could have been purchased at a later date, after  
5 Oswald's death and could make it look like it's close to  
6 mine---I know that.

7           MR. SPECTER: Well, the situation there isn't  
8 really directly germane here.

9           MR. RUBY: It looks very bad for me, though, I  
10 know that.

11          MR. ALEXANDER: No---Jack, I saw the key Friday  
12 night.

13          MR. SPECTER: We will cover the subject matter  
14 here, so you will have a chance under the polygraph  
15 examination to cover it.

16          MR. RUBY: You probably saw the key, but I know  
17 the affiliation with the Government, that you can always  
18 get a box at a later date, if you wanted to do that.

19          MR. ALEXANDER: Jack, on Friday night that key was  
20 photographed, inventoried, and---

21          MR. RUBY: What Friday night?

22          MR. ALEXANDER: The Friday night of the  
23 assassination.

24          MR. RUBY: You mean it was known---the number of  
25 the box---that Friday night?

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ALEXANDER: Yes, sir---re was.

MR. RUBY: Did the public know about it and every-body else?

MR. ALEXANDER: I'm sure they did.

MR. RUBY: All right, go ahead.

MR. HERNDON: I will proceed, Mr. Ruby. "Did you do business with Castro-Cuba?"

MR. RUBY: No.

MR. HERNDON: "Was your trip to Cuba solely for pleasure?"

MR. RUBY: Yes.

MR. HERNDON: "Did you keep \$2200 in cash on you because you didn't have a chance to get to the Bank?" Is that question clear?

MR. RUBY: Let me go off the record. This is going to be ad libbing, Miss, so can you hold it off on this? Can you hold it off or do you have to put it down?

THE COURT REPORTER: Mr. Ruby, you have to ask that man over there---MR. Specter.

MR. RUBY: All right.

MR. SPECTER: Do you want to go off the record, Mr. Ruby?

MR. RUBY: Yes.

MR. SPECTER: All right, off the record at this point.

1 (Explanation by Mr. Ruby at this point regarding the  
2 \$2200 cash item previously mentioned---off the record.)

3 MR. SPECTER: Back on the record. Mr. Ruby,  
4 that's a perfectly good explanation, and I think it would be  
5 better if we put that on the record as to this point, if it's  
6 all right with you.

7 MR. RUBY: Yes, but it's too crazy-mixed up the  
8 way I was saying it.

9 MR. SPECTER: Well, essentially what you're saying  
10 makes good sense. What you're saying is that you don't  
11 want to have it in a condition where somebody can levy on  
12 it and get a hold of it before your creditors got it.

13 MR. RUBY: Well, I had the total cash for both  
14 clubs, but then, this was Friday night. Now, knowing my  
15 payroll at the Carousel runs to \$1600 or \$1400 on a Sunday  
16 night, and the Vegas Club on Saturday night because we close  
17 Sunday, consequently that money would be absorbed completely  
18 in another night or two.

19 MR. SPECTER: Mr. Ruby, that makes good sense.  
20 I think that in view of what your answer has been, it is  
21 preferable for us to put it on the record rather than to have  
22 any suggestion that anything that has been off the record is  
23 in any way damaging or that we're keeping anything off the  
24 record that ought to be on the record.

25 MR. RUBY: Do you want me to go through that again,

1 now? Do I want me to go through with I said to you now?

2 MR. SPECTER: That's right. Now, Miss Odell  
3 Oliver, will you go on the record with Mr. Ruby now, and  
4 since Mr. Ruby has made a brief explanation with regard to  
5 the last question, and at my suggestion he is willing to put  
6 it on the record, and he will now repeat the substance of  
7 what he has previously said.

8 MR. RUEY: All right. Due to my sister being ill  
9 and away from running the Vegas Club, I had in my possession  
10 for both clubs for operation, for payrolls and everything  
11 else, et cetera, et cetera.

12 Just a week prior to that I had purchased a safe  
13 which I knew it was necessary to have, and we already had--  
14 my maintenance man had built the forms for the safe, and  
15 we wanted further information as to where to place this  
16 safe, in the club where it would be safest where burglars  
17 couldn't get at it. We called a Mr. Joe Cody of the Police  
18 Department to advise us where to place the thing. Con-  
19 sequently the safe had not been placed in cement as yet,  
20 and I had been carrying the total amount of cash for both  
21 clubs, the total capital, which include my purchases if  
22 there were to be made any, and the payroll for both clubs,  
23 and any accumulated excise tax money from the beginning of  
24 the last quarter for both clubs. So, hence, that money  
25 belonged solely to the operation of the Vegas Club and the

1 Carousel.

2 MR. SPECTER: Mr. Ruby, then we will rephrase  
3 that question to this and simply state---"Have you now told  
4 the truth about why you carried \$2200 in cash?"

5 MR. RUBY: Yes, but you have a reason for asking  
6 me that---whether that was somebody else's money or some-  
7 thing---yes. All that money is specifically in relation-  
8 ship to the operation of both clubs.

9 MR. SPECTER: Well, we could rephrase it, "Have  
10 you now told the truth concerning why you carried around  
11 \$2200 in cash?" and we will cover the substance of the  
12 matter in that question.

13 MR. RUBY: In other words, you don't want to leave  
14 it in your apartment because somebody might break in, but  
15 you feel it's safe, especially if I'm armed anyway, not  
16 that I can handle a gun that well, or whatever it may be,  
17 but somehow you feel---it's true I had the safe installed  
18 because I thought that would be safer to put any of my  
19 possessions in. In other words, it's a cash operation. In  
20 other words \$2200 in one week is a good return anyway.

21 MR. HERNDON: I'll proceed, Mr. Ruby, if you  
22 are ready?

23 MR. RUBY: All right.

24 MR. HERNDON: "Did any foreign influence cause you  
25 to shoot Oswald?"

1 MR. RUBY: No.

2 MR. HERNDON: "Did you shoot Oswald because of  
3 any influence of the underworld?"

4 MR. RUBY: No.

5 MR. SPECTER: Now, the word "foreign" in those  
6 questions, Mr. Ruby, we intend to convey to you---by Russia,  
7 by Cuba, or by any other foreign government, so that you  
8 may understand the full import of that question.

9 MR. RUBY: No---but the whole thing was based on---  
10 when was the first time you thought of it---in other words,  
11 that Sunday morning, so in other words---well, we'll get to  
12 that.

13 MR. HERNDON: "No" is the answer?

14 MR. RUBY: Yes.

15 MR. HERNDON: "Did you shoot Oswald because of a  
16 labor union influence?"

17 MR. RUBY: No.

18 MR. HERNDON: I will now rephrase that, if I may.  
19 "Did you shoot Oswald because of labor union influence?"

20 MR. RUBY: No.

21 MR. HERNDON: "Did any long distance telephone  
22 calls which you made before the assassination of the  
23 President have anything to do with the assassination?"

24 MR. RUBY: No.

25 MR. HERNDON: "Did any of your long distance

1 telephone calls concern the shooting of Oswald?"

2 MR. RUBY: No.

3 MR. HERNDON: "Did you shoot Oswald in order to  
4 -save Mrs. Kennedy the ordeal of a trial?"

5 MR. RUBY: Yes.

6 MR. HERNDON: "Did you know Officer Tippit?"

7 MR. RUBY: This is off the record for a minute,  
8 please?

9 MR. SPECTER: Mr. Ruby, I think it would be unwise  
10 for us to go off the record on this question.

11 MR. RUBY: Well, all right. There were three  
12 Officer Tippits in the Police Department. I only knew  
13 one.

14 MR. SPECTER: Was that Officer J. D. Tippit?

15 MR. RUBY: He's the one who was slain?

16 MR. SPECTER: Yes---Officer J. D. Tippit?

17 MR. RUBY: No, I don't think he was the one.

18 MR. SPECTER: Did you know Officer Tippit who  
19 was slain?

20 MR. RUBY: No, I don't know him. You see, I  
21 know so many Officers and there are three Tippits, but I  
22 know one Tippit, and which one that is---if I would see  
23 him personally and see his physical features and knowing  
24 him---of course, I didn't have time to---I was incarcerated  
25 too soon to find out. Actually, the Tippit I knew, who



1 worked at Social Service in the Police Department---you  
2 know which one I'm talking about, Bill?

3 MR. ALEXANDER: Yes, but that's not the one.

4 MR. RUBY: I don't know this Tippit.

5 MR. ALEXANDER: This boy had always been a Radio  
6 Patrolman.

7 MR. RUBY: Well, I don't know that I had ever  
8 seen this fellow before---I had never seen him before. I  
9 may have seen him before but I didn't know him.

10 MR. HERNDON: Mr. Ruby, if I ask a question, "Did  
11 you know the Officer Tippit slain?" Can you reasonably  
12 answer that truthfully "Yes" or "No"?

13 MR. RUBY: No.

14 MR. HERNDON: I mean---you can answer it  
15 without any problem mentally?

16 MR. RUBY: Yes, that's what I mean.

17 MR. SPECTER: To state it differently, you are  
18 able to answer whether or not you knew Officer J. D. Tippit?

19 MR. RUBY: Well, I can't answer "Yes" or "No"  
20 and say whether or not.

21 MR. SPECTER: Well, I want to be sure that your  
22 last answer is responsive so that we are clear.

23 MR. RUBY: Well, I gave the answer "No".

24 MR. ALEXANDER: Let's put it this way--"Did you  
25 know the Tippit that was killed?"

1 MR. RUBY: Repeat that question?

2 MR. HERNDON: "Did you know the Tippit that was  
3 killed?"

4 MR. RUBY: No.

5 MR. HERNDON: "Did you tell the truth about  
6 relaying the message to Ray Brantley to get McWillie a few  
7 guns?"

8 MR. RUBY: Yes.

9 MR. HERNDON: "Did you come out of the Assembly  
10 Room on Friday night to get the telephone number of KLIF?"

11 MR. RUBY: Not come out of the Assembly Room---  
12 I went to the Assembly Room.

13 MR. SPECTER: Did you go to the Assembly Room?

14 MR. RUBY: Yes.

15 MR. SPECTER: On Friday night--in order to get  
16 the telephone number of KLIF?

17 MR. RUBY: Yes.

18 MR. HERNDON: All right, we want to make that clear.  
19 We want to make that correction.

20 MR. RUBY: Did you know that was part of my  
21 story, did you know that?

22 MR. HERNDON: The question will be worded,  
23 Mr. Ruby, "Did you go to the Assembly Room on Friday night  
24 to get the telephone number of KLIF?"

25 MR. RUBY: Yes.

1                   MR. HERNDON: That's clear and concise for you?

2                   MR. RUBY: Yes.

3                   MR. HERNDON: "Did you ever meet with Oswald  
4 and Officer Tippit at your apartment?"

5                   MR. RUBY: No.

6                   MR. HERNDON: Here again the Officer Tippit is  
7 the one we're talking about that was killed.

8                   MR. RUBY: Right.

9                   MR. HERNDON: All right, Mr. Ruby, those are the  
10 questions and we will proceed on those.

11                   MR. SPECTER: Fine. Let's proceed with this  
12 series.

13                   MR. ALEXANDER: What was that last question?

14                   MR. HERNDON: "Did you ever meet with Oswald  
15 and Officer Tippitt at your apartment?"

16                   MR. SPECTER: Let the record show that Mr. Alex-  
17 ander and Mr. Tonahill have left the room.

18                   MR. HERNDON: Do you feel all right now, Mr. Ruby?

19                   MR. RUBY: Yes.

20                   MR. HERNDON: Are you tired?

21                   MR. RUBY: No.

22                   THE COURT REPORTER'S NOTE: 8:10 p.m.

23                   MR. HERNDON: All right, we can continue. If we  
24 may do so, we can save a little time, I'll go ahead and ask  
25 you about seven or eight questions.

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1 MR. RUBY: All right.

2 MR. HERNDON: And I'll just stop so that I can  
3 let the pressure off your arm.

4 MR. RUBY: Don't worry about me. I'm in good  
5 shape. The point is---I want to get as much in as we can.  
6 I don't want you to miss anything, because there's a lot  
7 of pertinent stuff.

8 MR. HERNDON: All right, Mr. Ruby, if you will  
9 sit back a little bit higher, and if you will uncross your  
10 legs. Take a deep breath.

11 MR. RUBY: All right.

12 MR. HERNDON: And relax and exhale.

13 For the record, this will be Series (9). If you  
14 will look straight ahead and answer these questions truth-  
15 fully "Yes" or "No". We will now begin.

16 THE COURT REPORTER'S NOTE: 8:12 p.m.

17 "DID YOU EVER MEET OSWALD AT YOUR POST OFFICE BOX?"

18 MR. RUBY: "NO".

19 MR. HERNDON: "DID YOU USE YOUR POST OFFICE MAIL  
20 BOX TO DO ANY BUSINESS WITH MEXICO OR CUBA?"

21 MR. RUBY: "NO".

22 MR. HERNDON: "DID YOU DO BUSINESS WITH CASTRO-  
23 CUBA?"

24 MR. RUBY: "NO".

25 MR. HERNDON: "WAS YOUR TRIP TO CUBA SOLELY FOR

1 PLEASURE.

2 MR. RUBY: "YES".

3 MR. HERNDON: "HAVE YOU NOW TOLD US THE TRUTH  
4 CONCERNING WHY YOU CARRIED \$2200 IN CASH ON YOU?"

5 MR. RUBY: "YES".

6 MR. HERNDON: "DID ANY FOREIGN INFLUENCE CAUSE YOU  
7 TO SHOOT OSWALD?"

8 MR. RUBY: "NO".

9 MR. HERNDON: "DID YOU SHOOT OSWALD BECAUSE OF  
10 ANY INFLUENCE OF THE UNDERWORLD?"

11 MR. RUBY: "NO".

12 MR. HERNDON: I'm going to stop here a moment,  
13 Sir, and release the pressure on your arm and you just  
14 relax for a moment. Then I shall begin again in a moment.

15 MR. RUBY: Okay.

16 THE COURT REPORTER'S NOTE: 8:15 p.m.

17 MR. HERNDON: Just relax, Mr. Ruby.

18 Does your arm feel all right?

19 MR. RUBY: Fine---I'm all right.

20 MR. HERNDON: I will continue this next series  
21 of questions and it will be listed as Series (9)(a).

22 THE COURT REPORTER'S NOTE: 8:17 p.m.

23 MR. HERNDON: We will begin again.

24 "DID YOU SHOOT OSWALD BECAUSE OF A LABOR UNION  
25 INFLUENCE?"

1 MR. RUBY: "NO".  
2 MR. HERNDON: "DID ANY LONG DISTANCE TELEPHONE  
3 CALLS WHICH YOU MADE BEFORE THE ASSASSINATION OF THE  
4 PRESIDENT HAVE ANYTHING TO DO WITH THE ASSASSINATION?"  
5 MR. RUBY: "NO".  
6 MR. HERNDON: "DID ANY OF YOUR LONG DISTANCE  
7 TELEPHONE CALLS CONCERN THE SHOOTING OF OSWALD?"  
8 MR. RUBY: "NO".  
9 MR. HERNDON: "DID YOU SHOOT OSWALD IN ORDER TO  
10 SAVE MRS. KENNEDY THE ORDEAL OF A TRIAL?"  
11 MR. RUBY: "YES".  
12 MR. HERNDON: "DID YOU KNOW THE TIPPIT THAT WAS  
13 KILLED?"  
14 MR. RUBY: "NO".  
15 MR. HERNDON: "DID YOU TELL THE TRUTH ABOUT RELAY-  
16 ING THE MESSAGE TO RAY BRANTLEY TO GET McWILLIE A FEW GUNS?"  
17 MR. RUBY: "YES".  
18 MR. HERNDON: "DID YOU GO TO THE ASSEMBLY ROOM ON  
19 FRIDAY NIGHT TO GET THE TELEPHONE NUMBER OF KLIF?"  
20 MR. RUBY: "YES".  
21 MR. HERNDON: "DID YOU EVER MEET WITH OSWALD AND  
22 OFFICER TIPPIT AT YOUR CLUB?"  
23 MR. RUBY: "NO".  
24 MR. HERNDON: That completes that series. I will  
25 release that pressure and you can now relax.

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T. COURT REPORTER'S NOTE: 9:20 p.m.

MR. HERNDON: You seem to be relaxed and feeling fine.

MR. SPECTER: Are you ready, Mr. Herndon?

MR. HERNDON: Yes, that completes that series.

MR. SPECTER: Mr. Tonahill and Mr. Alexander have returned to the room.

MR. HERNDON: Shall I go right into the next series?

MR. SPECTER: Go right into the series. We just did Series (9) and (9)(a), and we are now going to Series (1C).

MR. HERNDON: Yes. We just have a few more questions.

MR. RUBY: That's wonderful, except there are a few things that I think you've left out.

MR. SPECTER: Yes, Mr. Ruby. If you have additional questions you want asked, we will do our best to cover anything additional when we finish.

MR. HERNDON: Here are the next questions which I would like to ask you, Mr. Ruby, on the next series. Again, I want to make sure that you understand each and every one of them.

"Were you at the Parkland Hospital at any time on Friday?"

MR. RUBY: No.

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1 MR. HERNDON: "Did you say anything at the time  
2 you shot Oswald?"

3 MR. RUBY: Yes.

4 MR. HERNDON: "Have any members of your family  
5 been physically harmed because of what you did?"

6 MR. RUBY: Not up to this point---no.

7 MR. HERNDON: Then, the question can be  
8 answered in your mind either "Yes" or "No"?

9 MR. RUBY: No.

10 MR. HERNDON: You can answer it?

11 MR. RUBY: Yes.

12 MR. HERNDON: "Do you think members of your  
13 family are now in danger because of what you did?"

14 MR. RUBY: Yes, sir.

15 MR. HERNDON: "Is Mr. Fowler in danger because  
16 he is defending you?"

17 MR. RUBY: Yes.

18 MR. HERNDON: "Did Blackie Harrison speak to you  
19 just before you shot Oswald?"

20 MR. RUBY: I don't know---so, I'll say "No".  
21 Oh---I see what you mean.

22 MR. HERNDON: "Did Blackie Harrison speak to  
23 you----"

24 MR. RUBY: No.

25 MR. HERNDON: "----just before you shot Oswald?"



1 MR. RUBY: No.

2 MR. HERNDON: I realize this is based on your  
3 recollection, but if you feel you can answer it "Yes" or  
4 "No", fine.

5 MR. RUBY: The trouble is---I didn't hear any  
6 sounds of voices---then, I've got to say "No".

7 MR. HERNDON: It's your recollection you don't  
8 recall Blackie Harrison speaking to you just before you shot  
9 Oswald?

10 MR. RUBY: Yes.

11 MR. SPECTER: Mr. Ruby, you answered the question  
12 "Yes"---"Did you say something immediately before you shot  
13 Oswald?"

14 MR. HERNDON: I was going to ask that on here  
15 and then ask him about that again.

16 MR. SPECTER: Yes, but I would like to cover it  
17 in advance. What did you say to Oswald, if you don't mind?

18 MR. RUBY: I said, "You killed my President, you  
19 rat", something like that. "You killed my" or "our  
20 President, you rat".

21 MR. SPECTER: I would like then to modify that  
22 question, Mr. Herndon. "Did you say anything to Oswald  
23 immediately before shooting him, other than, 'You killed our  
24 President, you rat'?" If that's not too long, I'd like  
25 that.

1                   MR. HERNDON: Well, just let me sit down and  
2 take a good look at that question.

3                   (At this point there was a conference between Messrs.  
4                   Specter, Alexander, and Herndon out of the hearing  
5                   of others in the room.)

6                   MR. SPECTER: Mr. Herndon, would you now read  
7 the question to Mr. Ruby as we have modified it after  
8 consultation.

9                   MR. HERNDON: Mr. Ruby, the question will be  
10 this way: "Did you say anything when you shot Oswald  
11 other than that what you testified about?"

12                   MR. RUBY: No.

13                   MR. HERNDON: The testifying about was pertain-  
14 ing to those statements that you've just told us here a  
15 few moments ago. Do you follow me there?

16                   MR. RUBY: The statement I made?

17                   MR. HERNDON: All right, I will proceed with  
18 the series again.

19                   MR. SPECTER: Let's proceed with the series.  
20 May the record show that Mr. Tonahill and  
21 Mr. Alexander have left the room.

22                   THE COURT REPORTER'S NOTE: 8:25 p.m.

23                   MR. HERNDON: Are you ready to begin now,  
24 Mr. Ruby?

25                   MR. RUBY: Yes.

1 MR. HERNDON: All right, if you will uncross your  
2 legs and put your feet flat on the floor, please, Mr. Ruby,  
3 and are you comfortable?

4 MR. RUBY: Yes.

5 MR. HERNDON: Will you look straight ahead during  
6 the actual asking of the questions.

7 For the record, this is Series Number (10)

8 THE COURT REPORTER'S NOTE: 8:26 p.m.

9 MR. HERNDON: I notice during the time---all the  
10 time I ask you questions, Mr. Ruby, that you close your  
11 eyes. If that's a way that you can concentrate, that's  
12 perfectly all right.

13 MR. RUBY: That's why--if I were guilty of some-  
14 thing or if I were trying to evade something, certainly  
15 closing your eyes would be less advantageous for you to  
16 cover up something. Do you follow me? In other words,  
17 closing your eyes means that I do want to tell the truth.

18 MR. HERNDON: That's what I want you to do---just  
19 concentrate on the question alone and you have to make that  
20 decision whether you will answer it "Yes" or "No".

21 MR. RUBY: In other words, if I was trying to cover  
22 up anything, I wouldn't try to get more of a vision of what  
23 you're trying to refer me to.

24 MR. HERNDON: All right, if you will look straight  
25 ahead now, and sit perfectly still, we will begin, and I will

1 let you know when we're going to ask the first question.

2 MR. RUBY: In other words, I'm trying to be more  
3 emphatic with the truth when I close my eyes---more than  
4 the truth.

5 MR. HERNDON: Would you put your complete left  
6 hand on that arm rest---that's it.

7 THE COURT REPORTER'S NOTE: 8:27 p.m.

8 MR. HERNDON: The test will now begin.

9 "IS YOUR NAME JACK RUBY?"

10 MR. RUBY: "YES".

11 MR. HERNDON: "WERE YOU AT THE PARKLAND HOSPITAL  
12 AT ANY TIME ON FRIDAY?"

13 MR. RUBY: "NO".

14 MR. HERNDON: "DID YOU SAY ANYTHING WHEN YOU SHOT  
15 OSWALD OTHER THAN WHAT YOU'VE TESTIFIED ABOUT?"

16 MR. RUBY: "NO".

17 MR. HERNDON: "HAVE MEMBERS OF YOUR FAMILY BEEN  
18 PHYSICALLY HARMED BECAUSE OF WHAT YOU DID?"

19 MR. RUBY: "NO".

20 May I interrupt?

21 MR. HERNDON: Just sit perfectly still. We will  
22 discuss the questions later, Mr. Ruby.

23 "DO YOU THINK MEMBERS OF YOUR FAMILY ARE NOW IN  
24 DANGER BECAUSE OF WHAT YOU DID?"

25 MR. RUBY: (No response)

1 MR. HERNDON: "IS MR. FOWLER IN DANGER BECAUSE  
2 HE IS DEFENDING YOU?"

3 MR. RUBY: (No response)

4 MR. HERNDON: "DID BLACKIE HANSON SPEAK TO  
5 YOU JUST BEFORE YOU SHOT OSWALD?"

6 MR. RUBY: "NO".

7 MR. HERNDON: That will conclude that series,  
8 and just sit still a moment, Mr. Ruby, and I will let the  
9 pressure out. Now, as soon as I shut this off, we will  
10 discuss these questions.

11 THE COURT REPORTER'S NOTE: 8:30 p.m.

12 MR. HERNDON: On that series of questions,  
13 Mr. Ruby, you failed to respond or answer one or two of  
14 these questions, which I'll give you an opportunity now to  
15 make any comment you wish to make about them.

16 Question Number 5---I asked---"Do you think  
17 members of your family are now in danger because of what  
18 you did?"

19 MR. RUBY: Well, they're always exposed to it,  
20 so I don't know how to answer that.

21 MR. HERNDON: In other words, you felt it would  
22 be difficult for you to say either "Yes" or "No", is that  
23 correct?

24 MR. RUBY: That's right---the same way with  
25 Fowler. I know when he's representing me, he's putting

1 himself on the spot.

2 MR. WOOD: Neither the court reporter nor I got  
3 the last name of Blackie---exactly?

4 MR. HERNDON: I believe I said "Harrison". That's  
5 the way I had it in my notes, but perhaps you might have  
6 gotten the impression I said "Hanson".

7 You knew who I was talking about, Mr. Ruby?

8 MR. RUBY: Yes.

9 MR. HERNDON: That's the main thing that you  
10 knew exactly who I meant.

11 MR. SPECTER: I believe you said "Harrison".

12 MR. SPECTER: Mr. Ruby, are there any other  
13 questions which you would like to be covered with you?

14 MR. HERNDON: Excuse me, Mr. Specter, I have one  
15 more question here. For my records---he did not respond  
16 to Question Number 6. If you want, I can go over that  
17 and we can discuss that question without any response.

18 MR. SPECTER: No, I'd like to discuss that.

19 Mr. Tonahill and Mr. Alexander have already re-  
20 turned to the room, and I would like to discuss that if  
21 it's all right with you here.

22 Let the record show that we would like to cover  
23 that now.

24 MR. HERNDON: Mr. Ruby, on that last series, I  
25 asked a question, "Is Mr. Fowler in danger because he is

1 defending you?" You remained silent, which is one of  
2 the instructions I gave you, if you so pleased to do.

3 Would you at this time indicate to me why you  
4 wanted to remain silent?

5 MR. RUBY: Well, Number One, this is quite a  
6 notorious thing, and don't forget, it's just like I speci-  
7 fied when Earl Warren was in danger, you know, so he is--  
8 in other words, people have a dislike for me, and  
9 Mr. Fowler is trying to defend me, and this won't make him  
10 too popular a person---too well-liked of a person, I should  
11 say.

12 MR. HERNDON: Then, you just simply didn't  
13 want to come out with a "Yes" or "No" answer?

14 MR. RUBY: Yes, because I wouldn't know how to  
15 answer that.

16 MR. HERNDON: All right, Mr. Specter. Thank  
17 you.

18 MR. SPECTER: Mr. Ruby, do you now have any other  
19 questions which you would like us to ask you on this poly-  
20 graph examination?

21 MR. RUBY: Yes----"At what time did I first  
22 think of wanting---when was the first time it ever entered  
23 my mind that I wanted to commit this act?"

24 MR. SPECTER: You mean the shooting of Oswald?

25 MR. RUBY: Yes.

1 MR. SPECTER: We asked you if it.

2 MR. RUBY: You did---because if anything prior  
3 to that---in other words---

4 MR. SPECTER: No, we asked you that very care-  
5 fully a number of ways and one way was when Mr. Herndon  
6 asked you did you think of it on Friday, and you said "No";  
7 did you think of it on Saturday morning--"No"; did you  
8 think of it on Saturday evening---"No"; on Sunday morning---  
9 "Yes", so we've covered that very thoroughly.

10 MR. RUBY: Have I ever received any monies---we  
11 don't need that, do we, for subversive purposes or anything.

12 MR. SPECTER: I think we've covered that whole  
13 area very carefully.

14 MR. RUBY: Now, what about my being present in  
15 the News Building that morning? Here---the assassination  
16 took place across the street from there?

17 MR. SPECTER: Mr. Ruby, I think we have covered  
18 that when we asked you if you told the truth on your testi-  
19 mony before the President's Commission, because you went  
20 into that on June 7, and that isn't nearly the central issue.  
21 as the other specific questions we have asked you.

22 MR. RUBY: Yes, but if I was in a conspiracy,  
23 wouldn't it start off with that point? Oh, yes, they  
24 didn't ask me another question---"If I loved the President  
25 so much, why wasn't I at the parade?" Is that a very



1 important question to ask?

2 MR. SPECTER: We have considered those questions  
3 and that was when we reviewed the transcript of your  
4 testimony, and quite frankly, we have rejected them as  
5 being not important.

6 MR. RUBY: You have? I see. Now, isn't it  
7 strange---now, I want to tell you something that's notice-  
8 able in this part of the country about the poll tax, and  
9 there are a lot of other reasons, maybe. I'm reluctant  
10 to buy my poll tax in time, and I don't recall whether or  
11 not---is this all right to go in the record if I speak?

12 MR. SPECTER: You may go on the record with  
13 any facet you think is important for the Commission to  
14 know about.

15 MR. RUBY: And yet, it's strange that perhaps I  
16 didn't vote for President Kennedy, or didn't vote at all,  
17 that I should build up such a great affection for him,  
18 when everything points against me. For instance, the  
19 parade issue I referred to. How can I answer that and  
20 still show my sincerity or my feelings and why I was carried  
21 away so emotionally to do something like that, that has put  
22 me in such serious trouble?

23 MR. ALEXANDER: Jack, there's no way to put that  
24 on the machine other than to ask you if you told the truth  
25 in your testimony; and that's an opinion without concrete

1 facts.

2 MR. RUBY: But I don't remember if I got all the  
3 testimony in when Warren was here?

4 MR. SPECTER: You testify now as to anything you  
5 want to add and we can ask you one question at the end  
6 that will be "Have you told the truth in everything you've  
7 said here today?" That one question will cover everything  
8 you said, so that if any other phase comes to your mind  
9 now, let us hear about it.

10 MR. RUBY: What I'm trying to bring out is this:  
11 It's---and everyone was very much surprised---why should I  
12 be carried away so emotionally to commit the act, and yet  
13 knowing how I felt and knowing I know I'm telling the truth,  
14 how can we bring that point out that I am not sincere in why  
15 I did it?

16 MR. SPECTER: We can bring that out with the one  
17 general question. Now, is there any other topic you would  
18 like to testify about and have us check you on your truth-  
19 fulness?

20 MR. RUBY: Yes---whether or not I was ever mixed  
21 up with the underworld here or involved in any crime?

22 MR. SPECTER: You've been asked that specifically,  
23 and you've testified about that.

24 MR. RUBY: Yes. You see, I've been in Dallas  
25 17 years and yet suddenly I get involved in a very serious

1 crime and was very popular with the Police Department and  
2 a lot of other people, and the irony is---it took a complete  
3 reverse of that, because of various suspicions, nature, and  
4 so on.

5 I wonder if you follow what I'm trying to bring  
6 out? Maybe there's something we can cover in that area.

7 MR. ALEXANDER: Jack, let's cover it this way.  
8 "Were any of your relations with the Police Department  
9 improper?"

10 MR. RUBY: No---you, like doing business or  
11 something or other?

12 MR. ALEXANDER: Yes?

13 MR. RUBY: No---none whatsoever.

14 MR. ALEXANDER: Well, would that question cover  
15 what you had in mind?

16 MR. RUBY: No.

17 MR. ALEXANDER: Tell us what you had in mind and  
18 then we'll frame the question, because that's an area.

19 MR. RUBY: Whether or not I am of criminal back-  
20 ground or whether I'm an honest and sincere person, because  
21 all those things came out and suspicions came out that Jack  
22 Ruby was involved in this and that and leaves a lot of  
23 suspicion as to my background and my character. - That's  
24 very vague, but that's what I'm trying to bring out.

25 MR. ALEXANDER: How would this question be?

1 "Are you a police character?"  
2 MR. RUBY: No.  
3 MR. TONAHILL: "Are you a one hundred per cent  
4 patriotic American citizen?"  
5 MR. ALEXANDER: "Are you a law abiding citizen?"  
6 MR. RUBY: That's better---that's the question.  
7 MR. ALEXANDER: "Are you a law abiding patriotic  
8 citizen?"  
9 MR. RUBY: Yes.  
10 MR. TONAHILL: "Are you a hundred per cent  
11 American patriotic citizen?"  
12 MR. RUBY: Yes.  
13 MR. HERNDON: That can be asked.  
14 MR. RUBY: That's very good, because---shall I  
15 elaborate on this?  
16 MR. SPECTER: Yes.  
17 MR. RUBY: I became closely attached to our  
18 beloved President when he gave that wonderful speech when  
19 we had our problem in Cuba at that time. That was a very  
20 tremendous speech and then I followed him on television and  
21 in magazines wherever he went---to Ireland and different  
22 places.  
23 Now, Joe asked a very good question. In other  
24 words, either you are American or you're half and half or  
25 you're indifferent to the way you feel about your country

1 and how much you love it.

2 When he stated to me a moment ago, "Are you 100%  
3 American?" ----that's the way you feel about your country.

4 I don't know how to state it but first of all, I want to  
5 make sure---I've got my flags in both colors---that doesn't  
6 show any overt---but inwardly, I'm a very unstable person.

7 I'm very lax in certain details and things, and yet for the  
8 emotional feeling and the feeling for giving my life and  
9 for loving this country is so great, that I think when you  
10 asked me that question, "Are you 100% American?" and if I  
11 answered the truth, it will have greater effect than any other  
12 way you can ask me.

13 MR. SPECTER: Mr. Ruby, we can cover that one in  
14 a specific question, in another general question, on  
15 whether you have told the complete truth here today. Are  
16 there any other topics which you want to cover?

17 MR. RUBY: Oh, yes, sir. Has any of the under-  
18 world ever contributed money to me for my clubs, or was I  
19 put in here as a front for the underworld or things to that  
20 effect. I mean---this has a relationship to criminal  
21 intent.

22 MR. SPECTER: We've asked you the question if  
23 the underworld had any connection with the shooting of  
24 Oswald.  
25

Let me now ask you for the record while you are

1 under oath whether you were put in here by the underworld?

2 MR. RUBY: No.

3 MR. SPECTER: Did the underworld contribute in  
4 any way to the financing of any of your clubs?

5 MR. RUBY: None whatsoever.

6 MR. SPECTER: Have you had any connection or

7 association in any way whatsoever with the underworld

8 during the past 17 years you've been in Dallas?

9 MR. RUBY: Never have.

10 MR. SPECTER: Now, we'll ask you in a few moments  
11 with Mr. Herndon, whether you've told the truth, and that  
12 will be covered---that will cover this underworld question.

13 MR. RUBY: Just the one question is enough to  
14 cover it?

15 MR. SPECTER: Mr. Herndon advises that it is.

16 MR. HERNDON: I can ask that question and have  
17 it a matter of record.

18 MR. RUBY: You see, there are so many things that  
19 I know in the minds of the people in Dallas that you're not  
20 concerned with, that maybe I was put here as a front of the  
21 underworld and sooner or later they will get something out  
22 of me that they want done to their advantage.

23 Everything I have had financed, my brother Earl  
24 has contributed the money for or Ralph Paul, a friend of mine  
25 has loaned me money.

1                    J. HERNDON: Mr. Specter, I can interrupt---  
2 on some of these questions you are recently discussing  
3 here are more or less in the area of emotions and the area  
4 dealing with advance psychology or of a psychiatric nature,  
5 and although I can ask them if you so wish, they are  
6 questions that don't necessarily lend themselves to the  
7 polygraph technique.

8                    Unless you can specifically break them down to  
9 a clearcut question which could be answered truthfully  
10 "Yes" or "No", that involves a specific action or emotion  
11 that he can recall in regard to a particular action, then  
12 it would not be a good question here.

13                   MR. SPECTER: I agree with you.

14                   MR. HERNDON: You see, this 100% American type  
15 question doesn't necessarily lend itself to polygraph  
16 examination.

17                   MR. SPECTER: I agree with your conclusion, but  
18 what we're trying to do now, after covering all of the  
19 important substantive questions which I think we have,  
20 after Mr. Ruby tells me that he is satisfied with what we  
21 have covered, I propose to ask the same question of  
22 Mr. Fowler and Mr. Alexander and also Mr. Tonahill, so that  
23 we will have covered the subject matter, so that we will do  
24 our utmost to be all-inclusive here, so that whatever effect  
25 the polygraph can gauge as to Mr. Ruby's truthfulness, we

1 will do s

2 MR. RUBY: Let me put it this way: Here I run  
3 a night club. I run a night club-and on Friday this tragic  
4 -event happens and I get carried away more so than anyone  
5 else. Why? Why was I so sick mentally or so carried  
6 away?

7 I immediately replaced my newspaper ads so that  
8 I would be closed for those three days. This is the  
9 ironic part of it, that wouldn't it be a tremendous hoax,  
10 or certain people would probably believe it that way, that  
11 here's a fellow that didn't vote for the President, closes  
12 his clubs for three days, made a trip to Cuba, relayed a  
13 message from a person---from Ray Brantley---look at circum-  
14 stantially how guilty I am? If you want to put all these  
15 things together? Then, I happen to be down there, which  
16 is a million and one shot, that I should happen to be down  
17 there at that particular second when this man comes out of  
18 whatever it was---an elevator or whatever it was---all  
19 these things--plus the fact of the Post Office box and other  
20 rumors that they saw us together at the club---how can we  
21 give me the clearance that the ads I put in were authentic,  
22 my sincerity, my feeling of emotionalism were sincere; that  
23 that Sunday morning I got carried away after reading the  
24 article, a letter addressed to Caroline and then this little  
25 article that stated Mrs. Kennedy might be requested to come

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1 back and finish the ordeal of the trial?

2 Also, if there was a conspiracy, then this little  
3 girl that called me on the phone in Fort Worth then is a  
4 part of the conspiracy. Do you follow me?

5 MR. SPECTER: I understand you, Mr. Ruby, but you  
6 have testified about most of this on the prior occasion,  
7 such as seeing the article in the newspaper, about the letter  
8 to little Caroline and about the necessity for Mrs. Kennedy  
9 to return, and we have formulated the questions concerning  
10 the major topics which we have of concern and have supple-  
11 mented those topics in the questions to you, and I think in  
12 all fairness that we have gone as far as we can on any of  
13 the substantive questions, and I want you to be satisfied,  
14 and the Commission wants you to be satisfied, and that's why  
15 I keep repeating the question--whether you have any other  
16 topic. I can see you are trying to recollect something  
17 else---so that you will have covered everything in a con-  
18 clusive way.

19 MR. RUBY: Yes.

20 MR. SPECTER: As soon as you are satisfied on that,  
21 I'm going to ask the other gentlemen a question, as I say,  
22 and as a matter of fact, I can do that now while you are  
23 still thinking.

24 I will ask Mr. Fowler if there is any other question  
25 that he would like to have asked of you at this time?

1 FOWLER: Sir, I know of no other questions  
2 that could be asked at this time.

3 MR. SPECTER: Mr. Tonahill, do you have any other  
4 questions you would like to have asked?

5 MR. TONAHILL: No, I don't. I think it has been  
6 very, very comprehensive. From my knowledge of the back-  
7 ground, I think if you asked Jack if he went to the Dallas  
8 Morning News that morning to attend to business and pro-  
9 tested vigorously the ad insulting President Kennedy, if  
10 he protested because he's a 100% patriotic American citizen,  
11 I think he would tell you "Yes" and he would be telling the  
12 truth.

13 I think if you asked him why he went out about  
14 4 o'clock in the morning with George Senator and Larry  
15 and took that picture of the sign---

16 MR. RUBY: Don't mention anything about that---  
17 we're in a bad spot down here because of that.

18 MR. TONAHILL: ---of Chief Justice Earl Warren,  
19 he would tell you that he did it because he was going to  
20 turn it over to the FBI and some attorneys, because he  
21 thought it was un-American and he did it because he's  
22 a 100% patriotic American citizen, and he's telling the  
23 truth.

24 MR. RUBY: I also went over to the Post Office to  
25 check on the box.

1                   MR. TOMAHILL: The same thing on the box---to  
2 see there if the Post Office numbers on the sign and in  
3 the newspaper ad meant the same person was behind it, which  
4 would be the John Birchers and Communists both, and he  
5 wanted to do something about it because he's a 100%  
6 patriotic American citizen, he would be telling the truth.

7                   MR. RUBY: I didn't know about the ad---you're  
8 talking about the ad against President Kennedy?

9                   MR. TOMAHILL: Yes.

10                  MR. RUBY: I didn't refer to the John Birch---  
11 with reference to that.

12                  MR. TOMAHILL: He wanted to see if they were  
13 connected together---the same people.

14                  MR. RUBY: I didn't mention the term "John  
15 Birch". I just said, "I wonder who could have placed that  
16 ad in there?"

17                  MR. TOMAHILL: That's all I have.

18                  MR. SPECTER: Mr. Alexander, do you have any  
19 questions to ask?

20                  MR. ALEXANDER: I have no questions to ask.

21 I think it has been most comprehensive.

22                  MR. SPECTER: Mr. Ruby, did you go to the Dallas  
23 Morning News to protest the advertisement that made  
24 derogatory statements about President Kennedy?

25                  MR. RUBY: No, I went there to place my ad,

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PRESIDENT'S COMMISSION  
ON THE  
ASSASSINATION OF PRESIDENT KENNEDY

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Report of the Proceedings

Held at  
Dallas, Texas

Saturday, July 18, 1964

(Pages 1 -- 244)

(Stenotype Tape, Master Sheets, Carbon and Waste  
turned over to Commission for destruction.)

1 because my business is very---it's very important that I'm  
2 there on the weekend, in the first place. My business is  
3 conducted on a cash basis, and you can't place your ads  
4 unless you are there to pay for them.

5 MR. SPECTER: You testified to that before?

6 MR. RUBY: Yes, I did.

7 MR. SPECTER: Did you make any comment about  
8 the newspaper advertisement which contained derogatory  
9 references to President Kennedy?

10 MR. RUBY: We spoke about it up at the Morning  
11 News there, and I didn't want to make anything there about  
12 it because I knew they accepted it. They accepted the ad.  
13 It would be rather embarrassing to say something to them  
14 because they were responsible. The phones were ringing  
15 off the desks with people cancelling various ads and so on,  
16 but I did make---I went to the Turf Club---that's where I  
17 got all hepped up about it---over at the Turf Lounge, and  
18 I went to the Post Office to find out who was it that placed  
19 that ad, you know, and how it came about.

20 MR. SPECTER: Are you satisfied then, Mr. Ruby,  
21 that if we asked you one more question on the polygraph,  
22 specifically, "Has all the information which you have testi-  
23 fied to today been the truth, the whole truth, and nothing  
24 but the truth?"

25 MR. RUBY: Plus the fact that I do want to get in

1 my feeling for Americanism and how I felt, because---  
2 remember---there may be unseen persons that may not believe  
3 in my sincerity, so I want that specifically asked---how  
4 I feel about my country I live in and so on, unless it's  
5 repeating something. Is it?

6 MR. SPECTER: Well, we will ask it of you again  
7 so that there's no question about. We will formulate  
8 the question, "Do you consider yourself to be a 100%  
9 American patriot?"

10 MR. RUBY: Yes.

11 MR. SPECTER: And then we'll ask the general  
12 question about whether every bit of information you've  
13 given us today has been the whole truth?

14 MR. RUBY: Yes.

15 MR. SPECTER: All right, will you proceed,  
16 Mr. Herndon and ask those two questions.

17 MR. RUBY: One more thing---shouldn't you ask me,  
18 or isn't it necessary, why I suddenly was so carried away  
19 to get involved in this serious crime?

20 MR. ALEXANDER: Jack, that won't work on the  
21 machine.

22 MR. SPECTER: We have to ask you a "Yes" or "No"  
23 question, and we've already covered that by asking you the  
24 question about Mrs. Kennedy---whether you didn't shoot  
25 Oswald to avoid having her come to trial.

1 MR. RUBY: Yes, that covers that.  
2 MR. SPECTER: That covers that subject.  
3 MR. RUBY: In other words, I can't answer that  
4 truthfully and have another reason for doing it, is that  
5 correct?

6 MR. SPECTER: Correct.

7 MR. RUBY: That would answer that?

8 MR. SPECTER: Yes. We've asked you all the  
9 reasons---

10 MR. RUBY: But you don't ask me why I did it,  
11 though? Why I was carried away so much---you don't ask  
12 me that.

13 MR. SPECTER: We did ask you---we asked you  
14 "Why did you shoot Oswald?"

15 MR. RUBY: But you don't ask me why I got carried  
16 away so?

17 MR. SPECTER: Well, it's the same question.

18 MR. RUBY: Oh, it's the same question.

19 MR. SPECTER: This is the same question---in  
20 the form of---"Did you do it in order to save Mrs. Kennedy  
21 the travail of a trip to Dallas?" That subject matter  
22 has been covered as comprehensively as we can through the  
23 polygraph.

24 Now, will you proceed, Mr. Herndon, and ask those  
25 final questions?

1 MR. HERNDON: I would like to proceed with  
2 "Are you Jack Ruby?"

3 MR. SPECTER: That's fine--that's your line.

4 MR. HERNDON: Then, I'll ask you, "Do you consider  
5 yourself to be a 100% American patriot?"

6 Then, what was the last question you wanted asked,  
7 Mr. Specter?

8 MR. SPECTER: "Is all of the testimony given by  
9 you today the complete truth?"

10 MR. HERNDON: I think I can ask those questions  
11 now.

12 Mr. Ruby, does this noise disturb you right now,  
13 are you conscious of it or aware of it (referring to audible  
14 conversations between other jail occupants)?

15 MR. RUBY: I hear it.

16 MR. HERNDON: Are you all right?

17 MR. RUBY: Yes.

18 MR. HERNDON: Are you tired?

19 MR. RUBY: No, I'm all right.

20 MR. HERNDON: Are you getting a little tired?

21 MR. RUBY: I'm all right.

22 MR. HERNDON: I'll ask you just these last few  
23 questions. Would you once again kindly put your feet flat  
24 on the floor, and let's put these back so you will be  
25 comfortable.



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THE COURT REPORTER'S NOTE: 8:55 p.m.

MR. HERNDON: I will have to wait for the instrument to warm up just a second.

This will be Series Number (11).

(Mr. Herndon snapped his fingers one time.)

Are you ready to proceed?

MR. RUBY: Yes.

MR. HERNDON: I'll just ask these three questions, and once again, these are more or less summation questions here, and I want you just to relax and answer them simply, "yes" or "no".

The series will now begin.

"ARE YOU JACK RUBY?"

MR. RUBY: "YES".

MR. HERNDON: "DO YOU CONSIDER YOURSELF TO BE A 100% AMERICAN PATRIOT?"

MR. RUBY: "YES".

MR. HERNDON: "HAS ALL THE TESTIMONY GIVEN BY YOU TODAY BEEN THE COMPLETE TRUTH?"

MR. RUBY: "YES".

MR. HERNDON: The series is over.

THE COURT REPORTER'S NOTE: 8:59 p.m.

MR. HERNDON: I have no questions, Mr. Specter.

MR. SPECTER: Thank you. That concludes the polygraph examination.

1 MR. HERNDON: Now, I will take all this para-  
2 phernalia off of you, Mr. Ruby.

3 MR. SPECTER: I would like to have you sign  
4 your name about ten times, for us, Mr. Ruby, and would you  
5 put the date on this for us too? The date is July 18, 1964.

6 MR. RUBY: Let me have my glasses, Joe.

7 MR. TONAHILL: (Handed glasses to Mr. Ruby)

8 MR. SPECTER: And now would you write the sentence  
9 at the bottom, "Now is the time for all good men to come to  
10 the aid of their country".

11 MR. RUBY: (Complied with request of Mr. Specter)

12 MR. SPECTER: Now, would you skip down and write  
13 that again. I would like for you to write that three  
14 times in all, and you might sit down and take a chair and  
15 do so.

16 MR. RUBY: (Complied with request of Mr. Specter)

17 MR. SPECTER: Very good.

18 MR. RUBY: What time is it?

19 MR. HERNDON: It's 9 o'clock.

20 MR. SPECTER: I have five after nine---Dallas,  
21 Texas time.

22 MR. RUBY: Joe, are you going to do what I asked  
23 you to?

24 MR. TONAHILL: I'm going to do my best. You know  
25 me well enough to know that I'm going to do my best.

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MR. RUBY: I know you well enough.

MR. HERNDON: You were very cooperative, Mr. Ruby.

MR. TONAHILL: Goodbye, Jack. Good to see you.

MR. RUBY: You're going to do what I ask you to do?

MR. TONAHILL: I'm going to do my best. I told you I would. Everything I do is for your best interest and I have worked awful hard.

MR. RUBY: I know. You are a big man and I know how big you can be.

MR. TONAHILL: I'm going to do my best, like I said, and not let anything under the sun happen.

MR. RUBY: You know what I'm talking about?

MR. TONAHILL: I know exactly what you're talking about.

(Before leaving the room Mr. Ruby conferred briefly with Messrs. Tonahill and Alexander out of the hearing of others in the room, and departed with Chief Jailer Holman at 9:07 p.m.)

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SIGNATURE OF JACK RUBY.

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PRESIDENT'S COMMISSION  
ON THE  
ASSASSINATION OF PRESIDENT KENNEDY

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Dallas, Texas  
Room 7-M, Dallas County  
Jail  
Saturday, July 18, 1964  
9:10 p.m.

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The President's Commission met, pursuant to  
recess, at 9:10 p.m. in Room 7-M, Dallas County Jail at  
Dallas, Texas, Staff Counsel Arlen Specter presiding.

PRESENT:

- Arlen Specter, Staff Counsel
- Bell P. Herndon, Special Agent, FBI, Washington
- W. James Wood, Special Agent, FBI, Dallas
- Bill Alexander, Assistant District Attorney,  
Dallas
- Clayton Fowler, Attorney for Jack Ruby,  
Chief Counsel -- Dallas
- Joe Tonahill, Attorney for Jack Ruby, Jasper

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Dr. William Robert Beavers  
E. L. Holman, Chief Jailer  
Odell Oliver, Reporter

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PROCEEDINGS

MR. SPECTER: May the record show that it is  
ten minutes after 9 p.m. and that Mr. Ruby has departed in  
the custody of Chief Jailer E. L. Holman and that we are  
reconvening for the purpose of taking testimony from  
Dr. Norman Beavers---

DR. BEAVERS: William Robert.

MR. SPECTER: ---Dr. William Robert Beavers at the  
request of Mr. Fowler and Mr. Tonahill.

Dr. Beavers, would you stand and raise your right  
hand, please?

Do you solemnly swear that the testimony you shall  
give in this proceeding before the President's Commission on  
the Assassination of President Kennedy shall be the truth,  
the whole truth and nothing but the truth, SO HELP YOU GOD?

DR. BEAVERS: I do.

MR. SPECTER: Will you be seated please, and state  
your full name for the record.

DR. BEAVERS: William Robert Beavers.

MR. SPECTER: What is your occupation or profession,  
please?

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DR. BEAVERS: I am a psychiatrist and physician.

MR. SPECTER: Would you set forth your home and office addresses, please?

DR. BEAVERS: Yes. My home address is 4071 Northlawn Drive, Dallas. My office is at 3911 Maple, Dallas, which is Woodlawn Psychiatric Hospital.

MR. SPECTER: Would you describe briefly your educational background, please?

DR. BEAVERS: Yes, I finished medical school here at Southwestern in Dallas in 1953, interned in Wayne County General Hospital in Eloise, Michigan. I had a Fellowship in Pharmacology in '54-'55, spent two years in the Air Force in the Arctic in research and returned; I was an Assistant Professor of Pharmacology for three years and during that time I took a year of Internal Medicine at St. Paul's Hospital here in Dallas. Following this in 1960 I entered a residency in Psychiatry at Southwestern here in Dallas and completed the residency in 1963. Following this, I went back on the faculty of the Medical School as Assistant Professor of Psychiatry.

MR. SPECTER: And, do you hold the latter position at the present time?

DR. BEAVERS: That's correct.

MR. SPECTER: Are you a member of any accredited psychiatric societies?

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DR. BEAVERS: Yes, I'm a member of the Dallas Neuro-psychiatric Group, the Texas Neuro-psychiatric Society and the American Psychiatric Association.

MR. SPECTER: Have you now set forth the major items of your background with respect to qualifications in the field of Psychiatry?

DR. BEAVERS: Perhaps it should be mentioned that I am on the attending staff at Parkland as a Psychiatrist and that I consult at the Terrell State Hospital as a Psychiatrist.

MR. SPECTER: Have you had occasion to examine Mr. Jack Ruby Prior to today?

DR. BEAVERS: Yes, on numerous occasions prior to about four weeks ago, did I see him.

MR. SPECTER: On approximately how many occasions have you examined Mr. Ruby?

DR. BEAVERS: Without my records here, it would not be completely accurate, but it would be in the area of about nine or ten times, I believe.

MR. SPECTER: And what did you observe with respect to Mr. Ruby's mental condition during the course of those examinations?

DR. BEAVERS: I saw him first---can I get somebody to help me with a date?

MR. TONAHILL: April the 27th, the 28th, or 29th

1 of this year.

2 DR. BEAVERS: The day that Dr. West first came  
3 down was on a Sunday.

4 MR. TOMAHILL: Yes, that was the 26th of April.

5 DR. BEAVERS: He testified Monday morning and  
6 then I saw Mr. Ruby first on that Tuesday.

7 MR. TOMAHILL: The 26th.

8 DR. BEAVERS: Right, and at that time he had  
9 briefly what I call a psychotic depression, that is, he had  
10 evidences of auditory hallucinations and a poorly defined  
11 but definite delusional system which waxed and waned during  
12 the time of the interview, and he had evidence of a severe  
13 degree of depression.

14 Because of the combined symptoms of the hallucina-  
15 tory activity, the delusions in which, and I should spell  
16 them out, that he felt that both members of his family,  
17 his close family, were being harmed, mutilated and/or  
18 destroyed because of his crime, and further, that there was  
19 a program concerning Jews generally because of his crime.

20 These symptoms plus the depression which was evi-  
21 dent, caused me to diagnose a psychotic depressive reaction.

22 MR. SPECTER: Have you now stated your conclusion  
23 regarding his mental state?

24 DR. BEAVERS: At that time.

25 MR. SPECTER: And have you set forth the essences



1 of the underlying factors relating to that conclusion?

2 DR. BEAVERS: In very brief nature---yes.

3 MR. SPECTER: Do you have any different conclusion  
4 as to his mental state today?

5 DR. BEAVERS: Yes, I do. I think that as I have  
6 seen him, the depressive element has diminished, and that  
7 the delusional system has become much less open and obvious,  
8 and that it has become more fixed, and it seems to---and  
9 this I'm not sure of---whether it waxes and wanes depending  
10 on the time in the weeks or whether it waxes and wanes  
11 depending on the closeness of the people that he sees.

12 MR. SPECTER: Doctor, when you say that the state  
13 is much less open, do you mean by that, that it is now more  
14 obvious?

15 DR. BEAVERS: Less obvious.

16 MR. SPECTER: Less obvious?

17 DR. BEAVERS: Less obvious.

18 MR. SPECTER: But is it present, notwithstanding  
19 the degree of how much it is apparent?

20 DR. BEAVERS: In my opinion it is. Yes. The  
21 thing that I'm trying to make clear here is that you take  
22 a person that has a mental illness which shows itself in  
23 delusions, that is, ideas that things that we say aren't  
24 real---they can be very uncertain and changing and very  
25 obvious, and which the person will share them with just about

1 anybody, (hey can be much more co (---hidden---and  
2 shared only seldom, and much more fixed, not shifting  
3 around, but fixed.

4 MR. SPECTER: How would you characterize his  
5 condition in your opinion as he sat here today during the  
6 polygraph examination?

7 DR. BEAVERS: Based on--let's see if I can give  
8 the specific things that make me come up with this opinion--  
9 the relationship that he has with the prosecuting attorney,  
10 the relationship he has with his attorneys, there are cer-  
11 tain kinds of actions and behaviour in these two relation-  
12 ships which fit better in my opinion with the continuation  
13 of a covert delusional system concerning threat to his  
14 race, his family, based on his presumed activity in a con-  
15 spiracy. Then, it would fit with rational realistic  
16 appreciation of the factors in his environment.

17 MR. SPECTER: Were you present today, Dr. Beavers,  
18 during the entire course of the polygraph examination?

19 DR. BEAVERS: Yes, I was.

20 MR. SPECTER: In your opinion, was Mr. Ruby in  
21 contact with reality during the course of the polygraph  
22 examination?

23 DR. BEAVERS: In the greater proportion of the  
24 time that he answered the questions, I felt that he was  
25 aware of the questions and that he understood them, and that

1 he was given answers based on an approximation of reality.

2 MR. SPECTER: Was there any element of a delusional  
3 state present in the answers which he gave during the course  
4 of this polygraphic examination?

5 DR. BEAVERS: I felt the only time that there  
6 were questions which tapped any of the underlying delusional  
7 systems were the questions relating to his opinion about the  
8 safety of his defense counsel and the safety of his family,  
9 either past or present.

10 It seemed to me, because he was fairly certain in  
11 his answers during the trial run, and then following this  
12 during the actual run of the polygraph, there was so much  
13 hesitation and uncertainty which resulted in no answers,  
14 that we were seeing a good deal of internal struggle as to  
15 just what was reality.

16 His explanation following this, following the run  
17 of the polygraph, I don't think enlightened us very much  
18 in terms of what it was he was actually feeling or thinking.

19 MR. SPECTER: But would you have concluded that  
20 he was delusional had he stated that his family and his  
21 attorneys were in danger?

22 DR. BEAVERS: I've got to think about that. You  
23 can't answer it "Yes"---if it had been as strong a question  
24 as it might have been possible to frame, but I feel that to  
25 get a perfectly accurate idea of what he meant by it would

1 require more than a "Yes" or "No" answer, but this would  
2 have been one of things that had he answered it directly,  
3 that would have led me to think that he had an area here  
4 - where reality in the testimony was poor.

5 MR. SPECTER: Well, does his refusal to answer  
6 that question during the course of the polygraph examina-  
7 tion, subject to the analysis that the polygraphic examina-  
8 tions can bring to bear, indicate that he is not in a  
9 delusional state?

10 DR. BEAVERS: I'm not sure I follow you here.

11 MR. SPECTER: Well, perhaps I can rephrase that.

12 During the course of the polygraphic examinations,  
13 he is subject to certain checks on truthfulness, at least  
14 to some extent.

15 DR. BEAVERS: I see what you're getting at now.

16 That would be an assumption, I think, on both our  
17 parts that I wouldn't make as to why he didn't answer. It  
18 possibly could have been his trying to protect in some way  
19 an answer from the polygraph.

20 I felt it equally likely that it was the fact that  
21 it was the second time through on the same question which  
22 he had answered first and then there had been a lot of  
23 thinking going on, was a great deal more opportunity for  
24 uncertainty.

25 MR. SPECTER: So, you think his first answer that

1 his family and counsel were in danger indicated to some  
2 extent at least, a delusional state, and then after he had  
3 had an opportunity to consider it, that he became uncertain  
4 because of the greater opportunity to focus on what in  
5 your opinion was a delusion to start with?

6 DR. BEAVERS: Yes. This thing to me is compli-  
7 cated, maybe because---for example, if I can digress for  
8 a moment.

9 MR. SPECTER: Yes, feel free to do that.

10 DR. BEAVERS: Chief Holman has told me a number  
11 of times and I have seen it in a sense, he feels that this  
12 man has tried to seem delusional. On the other hand, at  
13 times it is quite obvious that he is trying to seem sane  
14 and becomes quite truculent and angry at people who imply  
15 that he was in fact of unsound mind.

16 One of the things I think that is extremely  
17 obvious in any of this man's discourse over a period of  
18 time is the marked ambivalence, that is, the mixed feelings  
19 which are strong but on both sides of almost any position  
20 that he has taken. This may be true at the time or it may  
21 be true sequentially, so that on the one hand we see him  
22 trying to appear quite sane and according to some testimony,  
23 at times he has not done this but in fact, not according to  
24 my own testimony, but the statements that I have heard from  
25 others, he has tried to appear a little bit more delusional

1 than the pe<sup>C</sup> i thought that he was. C

2 Now, I felt that this answer that we saw the second  
3 time around was consistent with the same attitude that he  
4 had when he came, when he was stating very definitely that  
5 he was not of unsound mind. In other words, it may have  
6 given him a little more time to cover.

7 MR. SPECTER: Aside from the questions to which  
8 you have referred on the danger to counsel and family, did  
9 the delusional state which you have characterized as his  
10 condition of today, have any effect in your opinion on the  
11 polygraphic examination?

12 DR. BEAVERS: I can't answer the question like  
13 it's put, but I can answer it this way, if I may, because  
14 I'm just not an expert on that box over there. I don't  
15 know that much about polygraph.

16 MR. SPECTER: You are referring to the polygraph  
17 machine. Well, consider the question rephrased in a manner  
18 that you find it convenient to respond to?

19 DR. BEAVERS: All right. I felt that so far as  
20 my ability to evaluate this man in responding to questions,  
21 that any delusional state did not interfere with awareness  
22 of the past, with the presence of seemingly adequate memory,  
23 with the presence of an apparently reasonable appreciation  
24 of reality in reference to his whereabouts and his behaviour  
25 in the critical time that was under discussion.

1           In short, he seemed to behave like a man with a  
2 well-fixed delusional system in which whole areas of his  
3 thinking and his behaviour is not strongly interfered by  
4 the delusion.

5           MR. SPECTER:   So that the major portion of the  
6 polygraphic examination then, except for those parts which  
7 you have already referred to, would not be affected in your  
8 opinion by what you have characterized as his delusional  
9 state?

10          DR. BEAVERS:   In my opinion, the major portion of  
11 his appreciation of questions and of his answers would be  
12 unaffected by the delusional state.

13           I just can't, you see, in all honesty, answer  
14 something about what the machine taps, because I think I  
15 would sort of be making a fool of myself because I don't  
16 know that much about polygraph.

17          MR. SPECTER:   Dr. Beavers, do you have an opinion  
18 as to whether the polygraphic examination which was con-  
19 ducted here today hurt Mr. Ruby mentally or physically in  
20 any way?

21          DR. BEAVERS:   Well, after the period of time, I  
22 think we were all fatigued.   I think he was and I think  
23 everybody in the room was.   I felt that he was fatigued  
24 as the rest of us were, during the course of a pretty long  
25 number of hours of interrogation.

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Who or this would come under the heading of any physical harm, I don't know. I would not consider it so ordinarily.

MR. SPECKER: Would that fatigue diminish or evaporate with some rest tonight?

DR. BEAVERS: I think so. I think so.

I know what you're trying to get at and I'll try to answer it the best I can.

The question of whether his mental state, and secondarily, a physical problem would be seriously affected by having this interrogation, by having this man take a polygraph examination.

The one thing that this man has not been ambivalent on since my acquaintanceship with him, and I mean that so far as I can think of literally, the one area, the one subject that he has not been having these mixed feelings about is the fact that he did want to make this testimony, either with truth serum or with a polygraph or some way of getting the truth out.

Now, as a physician, and this was my role in these evaluations, not at the time and so far until right now, not as somebody testifying, I was concerned with his mental state, and rather early I felt there would possibly be something useful so far as the man's mental state, if he could have a chance to tell his story.



1           C mixture of what I consiC his delusional  
2 state surrounding the possible conspiracy that people  
3 thought that he had, and therefore this tremendous number of  
4 destructive actions, that were presumably going on, fitted  
5 to an extent with some published reports of people's opinions  
6 here and abroad.

7           In short, there has been a mixture of the delusion-  
8 al and of the factual, a mixture of his confusion and a  
9 mixture of all other people's confusion, and he is aware of  
10 it and has been, because apparently he gets newspapers.  
11 Apparently he has access to what both reasoned and unreasoned  
12 statements that are made. Consequently, I felt that it  
13 would be useful, if anything, that he be allowed a chance  
14 for this. I haven't stated this to anybody, I don't think,  
15 because there were a lot of other things that I could not  
16 evaluate. I'm not in a position to evaluate the legal or  
17 other reasons that might not be useful.

18           MR. SPECHER: But with respect to his mental  
19 status, would it have been your expectation prior to the  
20 time that the polygraph examination started that it would  
21 have been beneficial rather than harmful to have conducted?

22           DR. BRAVERS: If anything, the odds are good that  
23 it actually wouldn't do much one way or the other in my  
24 opinion, but the feeling of getting out the catharsis or the  
25 getting his story before the people that he has felt, for

1 example, including the State, that were involved in some  
2 kind of action against people he cared for, because they  
3 assumed erroneously there was some conspiracy, then this  
4 might have some beneficial effect.

5 MR. SPECTER: And what is your conclusion after  
6 being present during the course of the polygraphic examina-  
7 tion as to whether it had beneficial effect or not?

8 DR. BEAVERS: It's hard to say. I think he held  
9 up rather remarkably well. At least, this is my opinion.  
10 I haven't been present with polygraph interrogations, but  
11 he certainly did not show undue stress, either physical  
12 or emotional, and handled the questions better than I  
13 thought he would.

14 It did seem like he was getting in a sense his  
15 day in court, which was by reasons of his, as I understand  
16 it, trial procedure and presumed defense tactics not  
17 allowed him in the first trial. This to me is what he  
18 kept coming back to during the course of the examination,  
19 that he wanted to get his story out, and during the times  
20 I have seen him.

21 MR. SPECTER: Is it your interpretation that the  
22 consequence during the course of this polygraph examination  
23 may have the ultimate consequence of benefiting him?

24 DR. BEAVERS: I think it could. I would suspect,  
25 if I tried to look and see what would happen tomorrow, that

1 he might be somewhat depressed. This really is what  
2 happens with somebody who has been looking forward to some-  
3 thing for a long, long time that's going to be solving all  
4 of his problems and it actually happens and nothing much is  
5 different, but I think he will be depressed.

6 MR. SPECTER: If he is depressed tomorrow, is that  
7 what you would think would be a temporary state?

8 DR. BEAVERS: Yes, I think it.

9 MR. SPECTER: So that that would not necessarily  
10 characterize the long run effects of this examination?

11 DR. BEAVERS: That's correct.

12 MR. SPECTER: When you characterized a few moments  
13 ago his situation as being fatigued, as we all were, do you  
14 think that he understood all the questions which were being  
15 put to him and then answered them responsively, or do you  
16 think that at some point his fatigue reached such a point  
17 that he was not responding understandably to the questions?

18 DR. BEAVERS: I was impressed with the skill of  
19 the man giving the test.

20 I felt the breaks were fairly well spaced. He  
21 didn't show an excessive amount of fatigue, in my view,  
22 except before the first break. He seemed to show more  
23 fatigue then than he did later on.

24 MR. SPECTER: Of course, you observed his interest  
25 in pursuing a great many topics and the difficulty really

1 in bringing the examination to a close.

2 DR. BEAVERS: Yes, which sort of fits with my  
3 feeling about the depression a little bit in that he was  
4 aware that, well, "the show is about over", that his day  
5 in court was coming to a close, and I suspect that the long  
6 expected kinds of feelings probably were not as great as he  
7 hoped for.

8 MR. SPECKER: Do you have anything else to add  
9 which you think would be helpful to the President's Com-  
10 mission in any way?

11 DR. BEAVERS: I would only say that I think I'll  
12 make it my business to read up a little bit on some of  
13 the inter-relationships between mental illness and poly-  
14 graph. When I state that I'm not an expert in this area,  
15 it's true. If by a combination of my readings, which I  
16 plan to do, and my presence here and my previous and  
17 present views of Mr. Ruby, I might be of help in forming  
18 an opinion, I will be available.

19 MR. SPECKER: If you find through that course of  
20 study that you have anything to add, I'm certain the  
21 Commission would be interested in having any supplemental  
22 observations or conclusions on your part.

23 Mr. Fowler, do you have anything you would care  
24 to ask Dr. Beavers?

25 MR. FOWLER: I am requesting Mr. Tonahill to

1 ask a few questions, if you have no objection, which is not  
2 in the way of cross examination but just by way of a further  
3 development.

4 MR. SPECTER: All right, Mr. Tonahill.

5 MR. TONAHILL: Dr. Beavers, during the trial of  
6 Jack Ruby for the murder of Lee Harvey Oswald, Mr. Bill

7 Alexander, the Assistant District Attorney, sought and ob-  
8 tained a death sentence for Jack Ruby for the murder of  
9 Oswald, and I along with other counsel sought far less---  
10 an acquittal or at least a number of years. You have  
11 noted, have you not, here that Mr. Ruby resents my presence.  
12 He says I'm not his attorney and then asked me to do him  
13 favors and this, that, and the other, and you have noticed  
14 he has tremendous faith and confidence in Mr. Alexander,  
15 who obviously is here to, in the event of another trial---  
16 and in the event of Mr. Fowler's efforts and mine to obtain  
17 another trial for him is successful---he is here to obtain  
18 information for the benefit and use of whatever information  
19 he can get to get another death penalty.

20 Have you an opinion as to what goes on with refer-  
21 ence to Ruby's mental illness that causes him to put faith  
22 in Mr. Alexander and no faith in me, with reference to the  
23 question---is his mental state such that he can't aid and  
24 assist his lawyers in their efforts to appeal his sentence  
25 and try to get him a new trial, and in his defense, and in

1 the management of his personal affairs is he of such mental  
2 incompetency that those things indicate to you that there  
3 is something in his mind, something mentally ill about him  
4 that prevents him from realizing what is best for him in his  
5 dealings with the Prosecutor and his defense attorneys, and  
6 in connection with managing his affairs and in helping his  
7 defense attorneys in his ability, his capacity, his capa-  
8 bilities of handling his personal affairs---what is your  
9 feeling about that from what you've seen here today and  
10 what you've known from other observations of Mr. Ruby?

11 DR. BEAVERS: Maybe I can get it in pieces and  
12 parts of that---I don't know. I think the question of  
13 mental competency in the hearing that's going to be coming  
14 up in the future, at least from what I read in the newspapers,  
15 and I think possibly rather than an off-the-cuff answer, you  
16 may have to sort of settle for a statement that I made con-  
17 cerning his mental illness, because I don't do a whole lot  
18 of legal work, and I would be quite cautious in making a  
19 statement concerning the specific legal questions about  
20 competency for affairs until I got more acquainted with  
21 this particular statute.

22 In other words, if you're asking me a question about  
23 his mental status and the mental illness, Maybe I can make  
24 some comments.

25 MR. TOMAHILL: Well, I was trying to do it, but I

1 wanted to give you a little range and you could pinpoint  
2 yourself down to such as the episodes here today between  
3 the relationship of his own lawyers and his apparent  
4 partiality to Mr. Alexander here.

5 DR. BEAVERS: This is what I referred to earlier,  
6 and I will be glad to amplify it a bit.

7 MR. TONAHILL: And go to jail.

8 DR. BEAVERS: On the face of it, it seems to me  
9 that as far as an awareness and appreciation of reality,  
10 there was this jeopardy--that some of the behaviour that  
11 he had toward Mr. Alexander as far as wanting him very  
12 definitely to be in the room when he made certain damaging  
13 statements concerning the amount of premeditation---this  
14 would not be the actions of a wise and prudent man in my  
15 opinion.

16 I think it does fit more clearly with his pre-  
17 viously stated delusional material to me, that in fact there  
18 is a considerable body of people, the District Attorney's  
19 office and District Attorneys included, who do feel that  
20 he is a part of a conspiracy, and that in fact either past,  
21 present and/or future actions toward loved ones and toward  
22 members of his race are going to be taken against these  
23 people because of this presumed conspiracy.

24 If this were the case, then it would make ex-  
25 tremely good sense that he would want Mr. Alexander here,

1 and he would want him here very definitely because he,  
2 instead of being wise and prudent in the defense of his  
3 presumed safety and welfare at a future trial, he is much  
4 more concerned with getting the truth out so that a whole  
5 host of terrible things won't happen.

6 Now, in reference to his activities toward you  
7 (referring to Mr. Donahill), the ambivalence we talked  
8 about was beautifully illustrated. He begins by reading  
9 you out, by firing you in a sense, and then later on in  
10 the middle of the activities he begins to have a markedly  
11 warm attitude toward you and begins to refer to you as,  
12 I think, "Joe", once again. A reverse I may have noticed  
13 of this, of two or three changes back and forth, but they  
14 were both distinctly and clearly expressed, which has been  
15 my experience and also my opinion based on working with  
16 people who have this kind of a delusional system, that they  
17 show consistently, that is, with somebody who is related  
18 to them very closely---you're going to catch hell and  
19 then you're going to be responded to in an effort of  
20 bringing you back.

21 In other words, I think there is a probability  
22 that the reasons for relating warmly to the District  
23 Attorney's representative and ambivalently toward you are  
24 as I have stated, and very slightly different from one  
25 another.



1 MR. DONAHILL: In his present mental state, do  
2 you feel he is capable of conferring with Mr. Fowler and  
3 me and Mr. Burleson and aiding and assisting us in an  
4 appellate effort in his behalf in reference to his mental  
5 capacity?

6 DR. BEAVERS: This entails two questions--one  
7 his mental state, and two, how much in fact is involved in  
8 aiding you in this appeals.

9 Now, to the first one, I hope and am reasonably  
10 confident of the opinion I have given of this present mental  
11 illness at this time.

12 As to the latter, I have sort of opinions off the  
13 cuff from everything that he needs to be pretty savvy and  
14 help you out, to the fact that it doesn't make any difference  
15 at all as to whether he can talk or not in terms of an  
16 appeal, so I don't know, because I don't know number two.

17 MR. DONAHILL: You and Dr. Holbrook, Dr. John  
18 Holbrook, who has examined him, and Dr. Stubblefield who has  
19 examined him, and Dr. West who has examined him, all four  
20 psychiatrists and outstanding men---

21 DR. BEAVERS: And Dr. Tanay.

22 MR. DONAHILL: And Dr. Tanay---five. Is it  
23 uniform agreement among you five gentlemen that Jack Ruby is  
24 mentally ill and suffers with psychotic delusions?  
25

DR. BEAVERS: The last time I talked to the other

1 four gentlemen you have just mentioned, the opinion was the  
2 same as my own. I couldn't state if anybody changed their  
3 mind.

4 Dr. Tanay, following his visit here, and I had  
5 lunch together and discussed the case. At the time that  
6 we talked to the Judge, Dr. Stubblefield and I, and then  
7 some two weeks later, shared our views, and they were in  
8 reasonably consistent agreement. There was no disparity  
9 to speak of. Dr. West, I talked to by telephone about  
10 two weeks ago, I believe.

11 Do you remember when that was, Mr. Fowler?

12 MR. FOWLER: I think perhaps that would be a  
13 month ago, Dr. Beavers, or somewhere thereabouts.

14 DR. BEAVERS: Well, it was after I came back  
15 from vacation. At any rate, between two weeks and a month  
16 ago, I believe, and his view was that this man was mentally  
17 ill, and further than that, that he was pretty much as I  
18 have described him here.

19 MR. FOXHILL: And there have been instances  
20 where he rammed his head into the wall and then tried to  
21 get his finger up in the light socket, and then tried to  
22 rip the seam out of his trousers to kill himself, you felt  
23 he was suicidal and should be protected from that effort,  
24 and all of you agreed on that, I believe?

25 DR. BEAVERS: Yes. It really wasn't based on

1 those actions as much as, I think, the depression that I  
2 saw initially, which has cleared up somewhat as he has  
3 gotten more delusionary.

4 MR. TONAHILL: You all felt that he should be  
5 out of jail and in a mental hospital where he could get  
6 adequate mental care and mental treatment, from psychiatric  
7 care and therapy medications?

8 DR. BEAVERS: Yes. I thought this and this was  
9 the recommendation of the other doctors that saw him.

10 MR. TONAHILL: That would be Dr. Stubblefield,  
11 Dr. Holbrook, Dr. West and Dr. Tanay?

12 DR. BEAVERS: I'm not sure about Dr. Tanay. I  
13 don't know that I heard him state that specific thing.  
14 I do know that the recommendation of Dr. Holbrook and  
15 Dr. Stubblefield and myself, and further that Dr. West,  
16 made the same recommendation.

17 I do feel that we had two problems. One was  
18 security as well as medical care. I feel like maybe I  
19 was perhaps a little bit more concerned about this than  
20 maybe some of the other specialists, I don't know. This  
21 just happened to be my own view, that I was not only con-  
22 cerned about this man, hopefully finding a place for  
23 hospitalization. It would have to be a place where  
24 he had adequate security from without as well as any idea  
25 of suicide.

1 MR. TOMAHILL: Is there anything unusual about  
2 a person who is mentally ill and of unbound mind, still  
3 possessing keen memory faculties and being able to recall  
4 things accurately and clearly as well as being able to give  
5 responsive answers and to be in touch with reality?

6 DR. BEAVERS: Oh, I would say that many people of  
7 unbound mind are deteriorated enough that they do not have  
8 adequate memory. Early in the course of many mental  
9 illnesses a lot of the faculties, including memory, are  
10 preserved, so that this in itself I don't think would-----  
11 because he has an apparently good memory would not mean  
12 that he is of sound mind.

13 MR. TOMAHILL: That's what I mean--that there's  
14 nothing unusual about the fact that he could still be of  
15 unbound mind and still have good recall and good response  
16 to the questions asked by the polygraph operator?

17 DR. BEAVERS: I'm a little hung up on the term  
18 "unusual", because to me, this is a statistical matter when  
19 you put it in that phrase, and then you would be talking  
20 about what percentage of people do and what percentage of  
21 people don't.

22 MR. TOMAHILL: I don't mean to do that.

23 I meant to ask you specifically, can Jack Ruby be  
24 of unbound mind, not know right from wrong, appreciate the  
25 nature and quality of his actions, and still have a keen

1 memory, a C memory, and give clear C ponse to questions  
2 that appear to place him in touch with reality?

3 DR. BEAVERS: In my opinion this is possible for  
4 a person.

5 MR. TOMAHILL: Is it reasonably probable from the  
6 standpoint of medical certainty in your profession?

7 DR. BEAVERS: I think so. You have included a  
8 question that I find it very difficult to answer---this  
9 business of right and wrong.

10 MR. TOMAHILL: Yes.

11 DR. BEAVERS: I stated my opinion to the Dallas  
12 Criminal Bar Association concerning this particular phrase-  
13 ology, and you asked it inclusive, in terms of several  
14 things?

15 MR. TOMAHILL: Well, with Mr. Alexander's help,  
16 we're going to eliminate that from the criminal test for  
17 insanity in criminal law in Texas.

18 I believe that's all, unless Mr. Fowler has  
19 something.

20 DR. FOWLER: Let me ask one thing, Dr. Beavers.

21 I believe that you do have a written report that  
22 you have submitted to the Court, is that correct?

23 DR. BEAVERS: Yes, sir. Now, I submitted a  
24 written report about the first evaluation, not to the Court  
25 but to Mr. Burleson, who requested my services on behalf of

1 family.

2 I then sent a shorter report, which included the  
3 major points and the recommendations, to the attorneys, to  
4 the Judge, to Sheriff Decker, and I believe that's all.

5 Now, I assume, and I think it's the case that  
6 probably the defense attorneys passed the report on to the  
7 Judge, but I did not send it myself.

8 MR. FOWLER: In any of these reports, you have  
9 no objection to making them available to this Commission?

10 DR. BEAVERS: Oh, no.

11 MR. FOWLER: If they are requested.

12 DR. BEAVERS: If the rights of the patient and  
13 the defense attorneys are in agreement---if the rights of  
14 the patient are maintained---no, I have no objection.

15 MR. TOMAHILL: I think it would be nice, if you  
16 would, let him have copies of all the reports you have  
17 written with respect to his illness, and they would not  
18 involve any jeopardy of Mr. Ruby's rights at all, if you  
19 would mail them to Mr. Spector.

20 DR. BEAVERS: Would you like to have them?

21 MR. SPECTER: The Commission would be glad to  
22 receive any reports you have or any other supplemental  
23 information that you may wish to provide.

24 DR. BEAVERS: I'll be happy to.

25 MR. SPECTER: Mr. Alexander, do you have a question?

1                   ALEXANDER: Just one or two questions.  
 2                   Do you recognize that late counsel for the defense,  
 3 Mr. Fowler, did not participate in the Jack Ruby trial and  
 4 is not as aware of the facts brought out in the investiga-  
 5 tion as perhaps I, who was in on it at the first, or  
 6 Mr. Tonahill, who was in on the trial. You appreciate  
 7 that, do you not?

8                   DR. BEAVERS: You are saying that---

9                   MR. ALEXANDER: That Mr. Fowler got in so late  
 10 on this thing that he probably doesn't know---that he is  
 11 not as aware of the facts of the case as I am?

12                  DR. BEAVERS: I don't know how I would know that.  
 13 I know when he came in, but how aware of the facts he is,  
 14 I don't know that. How would I know that?

15                  MR. ALEXANDER: Did it appear to you that Ruby  
 16 was looking to me for aid in framing some of these questions  
 17 because of my peculiar knowledge of the case, in that I was  
 18 in on it from the moment of the assassination of the  
 19 President?

20                  DR. BEAVERS: I noticed that he did look to you  
 21 in terms of getting some sort of support or information or  
 22 possibly framing questions.

23                  MR. ALEXANDER: And you see nothing unusual in  
 24 that, considering the fact that I am probably the one person  
 25 that has possession of the most facts?

1 DR. BEAVERS: I think I have already covered what  
2 I felt was probable, as far as what was going on with Mr. Ruby  
3 as to how he behaved here.

4 MR. ALEXANDER: Did you feel that he wanted me  
5 particularly to know the truth about certain areas or at  
6 least the truth as he represented it?

7 DR. BEAVERS: Yes, sir.

8 MR. ALEXANDER: You did not feel that I took  
9 advantage of him in any way here today, do you?

10 DR. BEAVERS: No, I thought you were extremely  
11 gentlemanly and pleasantly helpful.

12 MR. TONAHILL: I am not making that comment.

13 MR. FOWLER: You have been the most cordial  
14 since we have been in this, Bill.

15 Let me make one other statement---this is relevant?  
16 Are you through, Bill?

17 MR. ALEXANDER: Yes, sir.

18 MR. FOWLER: I wish to make this statement for the  
19 record that at some time during the course of this interro-  
20 gation and hearing, that I was called by Mr. Bill Decker,  
21 stating that a telephone call, long distance, had been made  
22 to him. I answered the phone and Mr. Earl Ruby and Mr. Sol  
23 Dann were on the phone speaking from Detroit. They wanted  
24 to know what was going on and who had authorized this hear-  
25 ing, and why I came down and why Mr. Tonahill was here, and



1 why we did stop the hearing.

2 I tried to the best of my ability to explain to  
3 him that I had talked with Jack and had also explained to  
4 the Committee that we were of the opinion that Mr. Ruby  
5 had certain rights that might be violated here, but that  
6 this was entirely the wishes and demands of Jack Ruby him-  
7 self, and these matters had been set up prior to my entrance  
8 into the case and prior to the entrance of Mr. Dann, and  
9 that I could not control them.

10 I was informed by Mr. Dann at that time that it  
11 was his intention to immediately contact the Warren Com-  
12 mission in Washington and file a criminal case, a case of  
13 assault and battery, against all parties conducting this  
14 hearing, including myself and Mr. Tomahill. At this point  
15 I was summarily fired, together with Mr. Tomahill, and I  
16 feel that this matter of course is something that Mr. Dann  
17 is not aware of, that all of this that has taken place  
18 here today---I think that we have tried to protect the  
19 rights of Jack Ruby, and I put this in to merely show that  
20 the call was made, and if any of you gentlemen have fear  
21 of reprisal or for whatever purpose it might be, and that  
22 I am sure that something further will be made of it.

23 Again, I wish to state this that in my opinion,  
24 whether we are still employed in the case, and I have not  
25 been fired by Jack Ruby, that we feel absolutely that his

1 rights haC been protected. C

2 MR. ALEXANDER: His brother Earl has not fired  
3 you either.

4 MR. SPOONER: That concludes the proceedings.  
5 Thank you all very much.

6 MR. ALEXANDER: Just one more thing.

7 I myself will make no statement to anybody outside  
8 this room about anything, and let me make the suggestion  
9 that whatever statement is made, is made by Mr. Specter,  
10 if you want to agree on that.

11 MR. TOMAHILL: In fact, I think that if  
12 Mr. Specter is going to give this statement, that if he  
13 tells them that a polygraph has been taken, I don't think  
14 any of the questions and answers should be given out.

15 MR. POWERS: No, I very definitely and specifically  
16 request that these matters that have been gone into here  
17 today be for the Commission and the Commission only. It is  
18 our wish.

19 MR. SPOONER: That will be done. The Commission  
20 heretofore has made no public statement of content to any  
21 extent. It has been the practice of the Commission to  
22 announce only what witnesses have been heard, and a very  
23 general statement of the witness' positions. In fact,  
24 in the motorcade at the time of the assassination, Mr. Ruby  
25 was insistent that there be a statement made in terms of his

1 request and his cooperation, and that has been discussed  
2 before as being the appropriate limit of such a statement,  
3 and it's my view that that should be followed up on, but  
4 no details of any sort stated as to his responses or any-  
5 thing else that transpired in this proceeding today.

6 MR. TOMHILL: Yes, that he cooperated to the  
7 best of his ability.

8 DR. BEAVERS: Any questions that are asked me,  
9 I will refer to Mr. Arlen Specter.

10 MR. SPECTER: Very fine, Dr. Beavers.

11 Thank you very much. This will conclude these  
12 proceedings.  
13  
14

15 \_\_\_\_\_  
16 SIGNATURE OF DR. W. R. BEAVERS  
17  
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25

CERTIFICATION

1  
2 THE STATE OF TEXAS )  
3 COUNTY OF DALLAS )

4 I, ODELL OLIVER, U. S. District Court Reporter and  
5 a Notary Public in and for Dallas County, Texas, do hereby  
6 certify that the facts as stated by me in the caption hereto  
7 are true, that the foregoing answers in response to the  
8 questions propounded by Staff Counsel Arlen Specter and  
9 Mr. Ball P. Herndon, as indicated, were made before me by  
10 Mr. Jack Ruby and Dr. William Robert Beavers, the witnesses  
11 hereinbefore named, after said witnesses had been first  
12 duly cautioned and sworn to testify the truth, the whole  
13 truth and nothing but the truth, and were thereafter reduced  
14 to writing by me; and that the above and foregoing questions  
15 and answers as set forth in typewriting is a full, true,  
16 correct and complete transcript of the same, had at the time  
17 of taking same; i.e., on Saturday, July 18, 1964, in Room 7-M,  
18 Dallas County Jail, Dallas County, Texas.

19 Given under my hand and seal of office on this the  
20 24th day of July, 1964.

21 *Odell Oliver*

22  
23  
24 ODELL OLIVER, U. S. DISTRICT COURT  
25 REPORTER AND NOTARY PUBLIC IN AND  
FOR DALLAS COUNTY, TEXAS.

ODELL OLIVER  
COURT REPORTER - FEDERAL COURT  
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PHONE RI 8-2231  
DALLAS 1, TEXAS