

prosecution, would comment only that the test results "in all probability will not be used by the state."

Mr. Tonahill, who has been a member of the defense team since shortly after Ruby shot Lee Harvey Oswald, said he was in favor of the test because "Jack Ruby wanted it more than he wants to go to Heaven."

Mr. Tonahill explained that he thought testing was important to Ruby and may have some therapeutic value. "Therefore, I was in favor of it even though the psychiatrists were not," he said.

NOT IN FAVOR

But Mr. Fowler quickly explained he was opposed to the polygraph test.

"I was not in favor of polygraph tests," Mr. Fowler said. "I made this very plain but as you know he (Ruby) made this arrangement before I entered the case."

The newly named chief defense counsel admitted there was friction among defense lawyers concerning the polygraph and said, "I do not feel that anything that went on here today will hurt Ruby, but at this time such a test places him in the position of conducting his own affairs."

MENTALLY ILL

The Dallas lawyer said he felt Ruby was mentally ill and in no position to decide whether he should undergo such tests.

Mr. Tonahill agreed with Mr. Fowler that the defendant should not have taken the test from a legal point of view.

The two defense lawyers present explained that there had been disagreement with Detroit Attorney Sol A. Dann, who was retained by Ruby's brother, Earl Ruby of Detroit, as an advisor.

"Mr. Dann, as a matter of fact, called here during the test to fire me and Mr. Tonahill and, as chief counsel, I fired him back," Mr. Fowler said. "We, Mr. Tonahill and I, will represent Mr. Ruby as long as the members of his immediate family want us to."

The unannounced testing of Ruby was kept a well-guarded secret until newsmen Saturday noticed the unusual activity around the county courthouse involving persons connected with the Jack Ruby case.

Sheriff Bill Decker, apparently under instructions to make no comment about the surprise visit, would say only that Ruby had visitors.

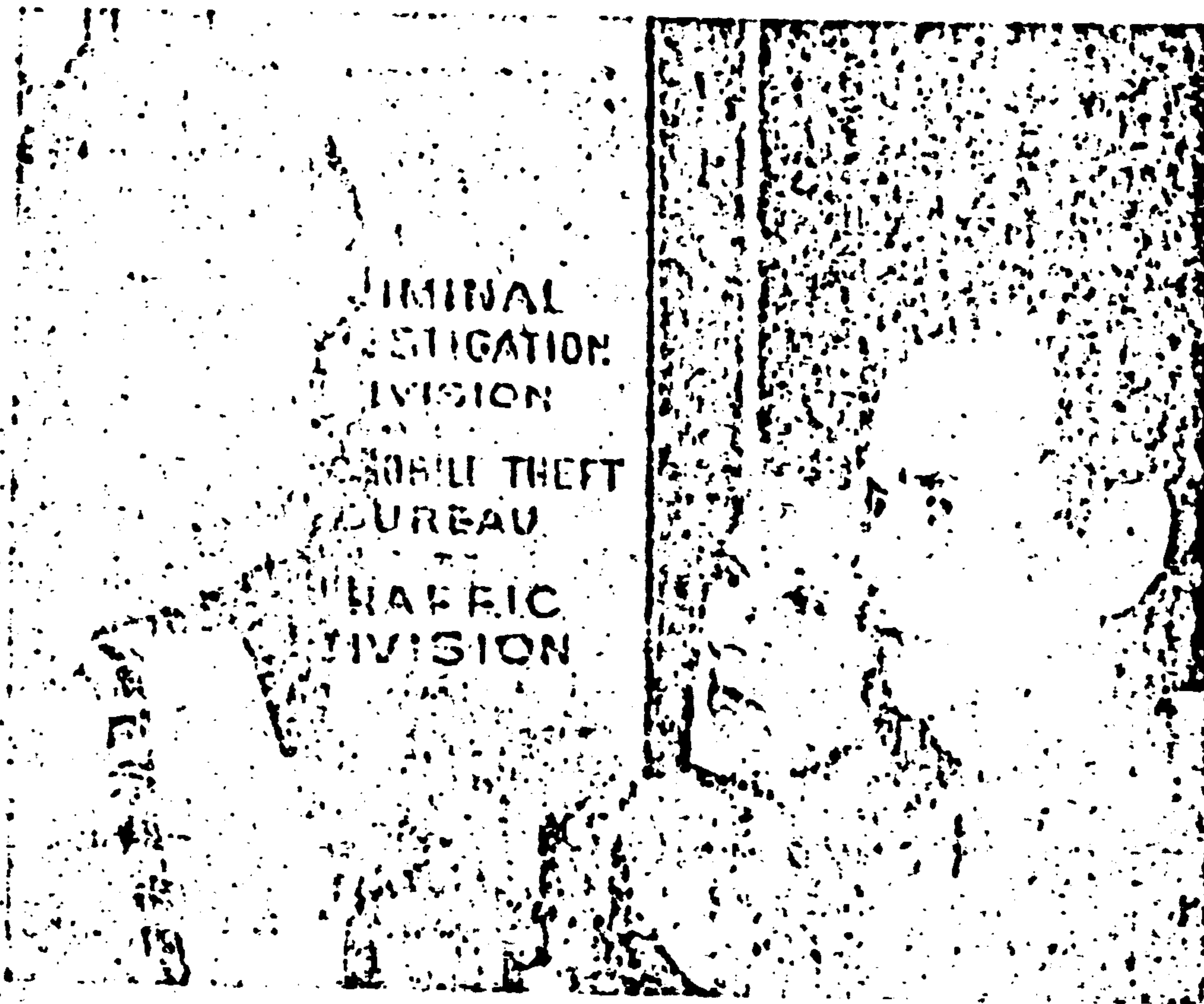
FAMILY WAITS

Ruby's family, including a sister, Mrs. Eva Grant, and a brother, Sam Ruby, both of Dallas, remained in the waiting room in the jail for nearly 30 hours, apparently in the dark about what was going on upstairs. However, a source close to the family said they had been contacted two weeks ago by the Warren Commission to make arrangements for conducting the polygraph test.

Ruby reportedly told Chief Justice Earl Warren that he wanted to take lie detector tests when the head of the President's commission to investigate the assassination of President Kennedy visited him in the county jail on June 7 for an interview which lasted several hours.

Mr. Speer reportedly declined to discuss the nature of the questions posed to Ruby while on the polygraph. He also declined to comment on Ruby's response to questioning.

When asked the material value of such testing in light of Ruby's condition, he replied "the quality of his answers goes into the conflict of the questions."



DEBATING LIE DETECTOR?

Clayton Fowler, chief counsel for convicted slayer Jack Ruby, left, discusses developments in the case Saturday with Ruby's sister, Mrs. Eva Grant, and brother, Sam Ruby. The conversation took place outside Sheriff Bill Decker's office between visits by Mr. Fowler, Ruby's psychiatrist and investigators of the Warren Commission. Ruby was given extensive tests Saturday afternoon and night.

—Staff photo by Darryl Heikes.

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REQUESTED BY SLAYER

Ruby Takes Lie Test

By CARL HARRIS

Convicted slayer Jack Ruby was given a lie detector examination Saturday at the direction of a Warren Commission representative over the objections of his attorneys.

The test, which took place in Ruby's county jail cell, resulted after repeated requests for it by Ruby.

Present during the sessions were Arles Specter of Philadelphia, Pa., an assistant counsel of the commission; two Ruby attorneys, Clayton Fowler and Joe Tonahill; Dr. William Feavers of Southwestern Medical School, court-appointed psychiatrist; Assistant Dist. Atty. Bill Alexander and a court reporter, a polygraph examiner and a representative of Sheriff Bill Decker.

Specter, flanked by Fowler, Tonahill and Alexander, emerged from the jail at 10:10 p.m. They had been there since noon.

Specter would not discuss the nature of questions asked in the examination nor would he describe Ruby's frame of mind during the questioning.

THE RESULTS, HE said, will be "compiled at the earliest possible date and forwarded to the Warren Commission. It is impossible at this time to predict what use will be made of the information."

Tonahill, at one stage of the

press conference, said he was "very much in favor of the test."

However, Ruby's psychiatrists were not, he added.

Fowler, chief defense counsel, said he did not approve of the examination, "and I so advised Mr. Ruby and the commission."

He added that "nothing went on here today that will be detrimental to Jack Ruby."

When the questioning again turned to the attorneys' approval, Tonahill said both men (he and Fowler) were "against it."

"We've contended," he elaborated, "he (Ruby) is of unsound mind and incapable of properly conducting his own affairs. But Jack wanted that test worse than he wants to go to heaven."

IT WAS BECAUSE of this feeling that the lawyers finally consented to the test, which was administered by FBI agents, Tonahill concluded.

Alexander told reporters that Saturday's activity will not affect the state's case against Ruby, under a death sentence for the murder of accused presidential assassin Lee Harvey Oswald.

Other points discussed by the attorneys were:

Ruby was given a "number of breaks" or rest periods during the long examination, including one which lasted an hour and 40 minutes.

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Specter said he and the lawyers remained in the jail an hour after leaving Ruby's cell, but he would not disclose what occurred during that time.

RUBY'S BROTHER and sister, Sam Ruby and Mrs. Eva Grant, both of Dallas, arrived at the courthouse about 1:30 p.m. Mrs. Grant left about 2:30 p.m. while the brother stayed until the lawyers emerged from

the jail for the news conference.

Specter reiterated that the Commission "did not solicit the examination," but that it was performed at Ruby's request.

Fowler also hinted at friction between himself and another Ruby lawyer, Sol Dann of Detroit, Mich. He said that Dann had attempted to release Fowler from the case but added, "I intend to be here as long as Jack Ruby wants me to be."

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Fowler Sees Need For Ruby Guardian

By CARL FREUND

A court-appointed guardian for Jack Ruby could review contracts which involve the slayer and file civil suits to cancel any he regarded as unfair, Ruby's chief defense lawyer said Friday.

The lawyer, Clayton Fowler, asked Probate Judge F. W. Bartlett Jr. Thursday to appoint a guardian to manage Ruby's business affairs. Fowler said Ruby is "of unsound mind and wholly incompetent" to make decisions involving property.

Judge Bartlett scheduled a hearing Aug. 8.

Fowler said he does not know details of contracts signed by Ruby and members of his family while the slayer was represented by Melvin Belli, a San Francisco lawyer.

Nor, Fowler said, does he know how much money Belli received—or how much he may receive in the future under agreements which involve Ruby.

"The guardian would have the power to review contracts involving Ruby," Fowler said. "I think he would do so."

Various reports have circulated about contracts involving publication rights on Ruby's story and pictures of the slayer.

There also have been conflicting reports about the agreement under which Belli represented Ruby.

The Ruby family dismissed Belli after a jury sentenced Ruby to the electric chair and the West Coast lawyer castigated Dallas in a courtroom outburst.

Fowler, who later joined the defense staff, said he has warned the Saturday Evening Post that it will risk a civil suit if it violates Ruby's right of privacy without compensation.

"This is one reason we need a guardian," he said.

Fowler noted the magazine has announced plans to publish an article entitled "The Untold Story of Jack Ruby."

"If the story goes beyond the courtroom record, we think Jack has a claim for compensation and we need a guardian to pursue it," the lawyer continued.

Meanwhile, Dist. Atty. Henry Wade discussed the guardianship request with assistants, but declined to discuss strategy of his office.

Assistant Dist. Atty. C. M. Turlington said prosecutors feared the outcome of the guardianship hearing could affect Ruby's appeal from his death penalty.

Sheriff Bill Decker said he has no objection to bringing Ruby into Judge Bartlett's court for the hearing. The jurist said Ruby's presence is not required under Texas law, but it is customary to have defendants present. [

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Sheppard Ruling May Affect Ruby

The ordered release of Dr. Sheppard from an Ohio prison may have a direct bearing on defense efforts to overturn the death penalty conviction of Jack Ruby for the murder of Lee Harvey Oswald.

Ruby's chief defense attorney, Clayton Fowler, said there was a direct parallel between the famed Sheppard case and Ruby's trial.

A federal judge in Dayton, Ohio, Wednesday ordered Dr. Sheppard freed from prison on a writ of habeas corpus. Judge Carl A. Weinman ruled the osteopath's 1961 conviction for the murder of his wife was "a mockery of justice," citing sensational press coverage of the case as a "trial by newspaper."

RIGHTS VIOLATED

Judge Weinman, among his reasons for granting his order releasing Dr. Sheppard, said the trial court violated the osteopath's constitutional rights to a fair trial by failing to grant him a change of venue or continuance in view of newspaper publicity before the trial.

There still was a technical dispute going on Friday as to whether Dr. Sheppard could be rearrested and rejailed following another federal court order staying the release.

Mr. Fowler pointed out that im-

publicity was presented by the defense to Dist. Judge Joe R. Brown in a change of venue hearing in January, prior to Ruby's trial. During the change of venue hearing Asst. Dist. Atty. A. D. (Jim) Bowie, cited the Sheppard case as part of the state's argument against moving Ruby's trial from Dallas because of the publicity.

"ROMAN HOLIDAY"

Mr. Bowie, in his argument, stressed that the Ohio Supreme Court had affirmed Dr. Sheppard's conviction despite the widespread publicity, which the court termed "an atmosphere of a Roman holiday for the news media . . ."

"I think there is a direct parallel in the manner of handling the two cases," Mr. Fowler said. "The defense will not consider this possible federal avenue, however, until all regular appeals routes have been explored to the fullest."

Ruby's attorneys have repeatedly contended that the former nightspot owner's constitutional rights were violated by the failure of the trial court to transfer Ruby's case to another county.

The issue is expected to be a major arguing point when the case reaches the Texas Court of Criminal Appeals in Austin in the first round of appellate procedure.

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Ruby Guardian Hearing Asked

Probate Court Judge W. Bartlett Jr. has set Aug. 6 as a tentative hearing date on an application asking appointment of a guardian for criminal killer Jack Ruby.

Ruby's brother, Sam, describing the convicted slayer of Lee Harvey Oswald as "of unsound mind and wholly incompetent," requested that Dallas attorney C. A. Drobby be appointed legal guardian.

The application was filed Thursday for Sam Ruby by his brother's chief defense attorney, Clayton Fowler. The application said there is reason to believe that outside persons will try to exploit the condemned man for their own personal gains.

Judge Bartlett, on setting the hearing date, said he expected the district attorney's office to notify him if it intends to contest the application for guardianship.

The probate court judge said he would appoint an attorney to represent Ruby's interests at the hearing if the prosecution did not contest the application. Judge Bartlett also said he was seriously considering placing the matter before a jury whether any party requests a jury decision.

In order for a guardian to be appointed, Judge Bartlett said, the court would have to declare Jack Ruby mentally incompetent. The judge said a guardian could not be appointed for physical incapacitation alone. "There must be mental incompetency," he explained.

The probate court judge said the question of the condemned man's incompetency would not involve

the same test of legal sanity used in criminal proceedings.

"I am going to hear and decide on his condition now, not at the time of trial," Judge Bartlett said. "I suggest to the defense that psychiatric testimony to be offered the court be obtained from those who see Ruby between now and the hearing."

Asst. Dist. Atty. C. M. Turlington said the district attorney's office is vitally concerned with the effect any civil court decision might have on criminal proceedings involving Jack Ruby.

"But we do not wish to interfere in a matter purely of a civil nature," he said.

The application for appointment of a guardian outlined the 33-year-old former nightclub operator's estate as a diamond ring, a wrist watch, clothing, books, letters and a sum of money now in the possession of the Dallas Police Department. All items were valued at upwards of \$100 each. In addition, the application stated Ruby's estate consisted of a valuable interest in and rights to property that belong to the condemned man.

The application also said the request for a guardian would be supported by two psychiatrists, Dr. Emanuel Taras of Detroit and Dr. Louis Johnson West of the Ohio State University school of medicine.

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Ruby's Lawyers Find Hope in Sheppard Case

The release of Dr. Sam Sheppard's trial from the Cleveland, Ohio, area, bolstered hopes of Jack Ruby's lawyers Thursday.

Clayton Fowler of Dallas and Sol Dann of Detroit, two of the attorneys trying to save Ruby from the electric chair, saw a parallel between his trial and the 1954 trial of Dr. Sheppard.

"The same points were involved," Fowler said. "We feel the federal court ruling in the Sheppard case definitely bolsters our position."

Dist. Atty. Henry Wade said, however, that he believes the ruling in the Sheppard case will have no effect on Ruby's fight for a new trial.

"The ruling in the Sheppard case was the decision of a single federal district judge," Wade noted. "It was not a ruling of the U.S. Supreme Court."

U.S. District Judge Carl A. Weinman ordered Dr. Sheppard freed after terming the osteopath's conviction on a charge of murdering his wife, "a mockery of justice."

Judge Weinman said the trial judge should have transferred Dr.

Sheppard's trial from the Cleveland, Ohio, area.

Newspaper accounts of Mrs. Sheppard's slaying and the investigation of her death made it impossible for her husband to receive a fair trial there, Judge Weinman said.

Fowler and Dann noted that defense lawyers tried unsuccessfully to get Ruby's trial moved from Dallas because of newspaper accounts of the Kennedy assassination and the slaying of Lee Harvey Oswald.

The lawyers also filed a report Thursday from Dr. Emanuel Tanny, a Detroit psychiatrist who examined Ruby in his county jail cell.

Dr. Tanny quoted Ruby as saying he would rather kill himself than die "in a murdering machine." The psychiatrist said Ruby stated also that other prisoners became angry because he "talked too much" during his jail interview with Chief Justice Earl Warren.

Ruby seemed undernourished and had "a rather sickly appearance," the defense psychiatrist said. He termed Ruby "an immature, depressive, suspicious man who, in terms of psychological development, is still at the level of a child."

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Hearing Scheduled on Ruby Condition

A hearing on Jack Ruby's mental condition will begin Aug. 6, Probate Judge F. W. Bartlett Jr. announced Thursday.

Judge Bartlett scheduled the Probate Court hearing after attorneys for the 33-year-old condemned slayer presented an affidavit that he is "of unsound mind and mentally incompetent" to conduct his business affairs.

The hearing will determine whether Judge Bartlett appoints a permanent guardian to take charge of Ruby's property and sign contracts in his behalf.

The outcome will not directly affect Ruby's appeal from the death penalty assessed by a jury which convicted him of the Nov. 24 murder of Lee Harvey Oswald.

Assistant Dist. Atty. C. M. Turlington and John Orvis said, however, that it could influence the thinking of appellate judges or jurors called for a future sanity hearing.

As a result, they said, the district attorney's office is likely to contest the claim that Ruby lacks the mental capacity to handle his financial affairs.

Turlington and Orvis told Judge Bartlett they would confer with Dist. Atty. Henry Wade about strategy in the case.

Judge Bartlett said he anticipates that he will call for a jury to rule on Ruby's mental condi-

tion. Attorneys would choose six jurors from a 12 member panel. The jurist would submit the question to the jury.

"Does Jack Ruby have a mental defect which renders him incapable at this time of managing his business and financial affairs?"

The question submitted to jurors in Ruby's murder trial involved whether he knew right from wrong when he shot Oswald.

If the jury in Judge Bartlett's court should find Ruby mentally incompetent, he would stay in the county jail.

Prosecutors expressed concern, however, that defense lawyers would then request a sanity hearing and refer to the verdict in Judge Bartlett's court while urging another jury to send Ruby to the Rusk State Hospital.

Clayton Fowler, Ruby's chief defense attorney, denied this was his strategy.

"We think there is a very real need at this time for the appointment of a guardian," Fowler said.

Fowler said he believes Ruby has a claim against publishers of the Saturday Evening Post because the magazine plans to publish an article entitled "The Untold Story of Jack Ruby."

"We think this represents an invasion of Ruby's privacy and we've been carrying on correspondence with an attorney for the magazine," Fowler said.

"This is one of the reasons why a guardian is needed.

"There is also a serious question about the validity of any contract which Ruby might sign in view of his mental condition." Fowler and Sol Dann, a Detroit lawyer who represents the Ruby family, asked Judge Bartlett to appoint a temporary guardian without a hearing. They suggested C. A. Drobny, a Dallas lawyer.

Judge Bartlett told them he has a policy against appointing temporary guardians unless there is "a pressing need."

Fowler and Dann submitted an affidavit from Sam Ruby, a brother of the slayer, that he is mentally ill. They attached reports from two psychiatrists, Dr. Emanuel Tanay of Detroit and Dr. Louis Johnson West of Oklahoma City, who said Ruby told them that millions of Jews "are being slaughtered" because he shot Oswald.

The lawyers said Ruby's property includes a diamond ring, wrist watch, clothing, books and letters, and more than \$100 in cash held by Dallas police. Assistant Dist. Atty. Frank Watts said this contradicted the pauper's oath which Ruby filed before his trial.

Judge Bartlett said state laws do not require Ruby's presence in court during the hearing. But, he said, "it is customary for the persons involved to attend."

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Ruby Lawyers Seek Guardian For Slayer

Describing Jack Ruby as "of unsound mind and wholly incompetent," the convicted killer's brother Thursday asked that Dallas attorney C. A. Draby be appointed legal guardian for the jailed slayer of Lee Harvey Oswald.

Sam Ruby of Dallas requested the action in an application filed with Dallas County Probate Court.

The application said the chief reason to believe that outside persons will try to exploit Ruby for their own personal gain.

Chief defense lawyer Clayton Fowler filed the petition.

It outlined the 35-year-old former Dallas nightclub operator's estate as "one diamond ring of the value of upwards \$100, one wrist watch of the value of upwards \$100.

"Items of personalty including clothing, books and letters of the value of upwards of \$100, a sum of money of the value of upwards of \$100 now in the possession of the Dallas City Police Department. A valuable interest in and rights to property belonging to the said Jack Ruby."

The application said the request for a guardian would be supported by "two responsible doctors of psychiatry," Dr. Emanuel Tarnay of Detroit and Dr. Louis Julien West of Oklahoma, University's school of medicine.

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Magazine Cover Has Wade Photo

Dist. Atty. Henry Wade's picture appears on the cover of the *Improvement*, a magazine published by the Society of Former Special Agents of the FBI.

Mr. Wade is a former FBI agent.

In addition to the color photograph of the district attorney, an article describes his prosecution of Jack Ruby.

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Another Lawyer Joins Defense Team of Ruby

Jack Ruby got another lawyer Tuesday.

Clayton Fowler, Ruby's chief defense lawyer, announced that Emmett Colvin Jr. has joined the legal team which is attempting to save the slayer from the electric chair.

Colvin resigned from Dist. Henry Wade's staff last Oct. 1 and joined Charles Tessmer in private practice. Fowler said Colvin joined the Ruby defense team "as an individual" and present plans do not call for Tessmer or other members of his firm to participate.

Fowler said Colvin will concentrate on preparing an appeal from the death penalty assessed March 11 by a jury which convicted Ruby of the murder of Lee Harvey Oswald.

"I anticipate Emmett will make the argument for the defense when the Texas Court of Criminal Appeals hears the case," Fowler said.

Fowler denied courthouse rumors that two other defense lawyers, Phil Burleson and Joe Tomahill, were leaving the case.

"They are still representing Jack and, as far as I know, will continue to do so," Fowler said.

"We recognize the capability and resources of Henry Wade and are trying to assemble a staff which can operate

"We intend to use every legal tactic."

Fowler said Burleson will work with Colvin in preparing the plea in the Court of Criminal Appeals. Like Colvin, Burleson is a former assistant district attorney who spent much of his time presenting arguments before the appeals court.

Meanwhile, shorthand reporters began delivering thick volumes of Ruby trial testimony to lawyers in the case. The appeals court will also get copies of the testimony.

The reporters recorded more testimony than in any previous Dallas County criminal trial.

In other developments: —Leon Hubert, a Warren Commission lawyer, took a sworn statement from homicide Capt. Will Fritz.

—The American Bar Association was reported preparing for a West Coast hearing this summer on a request that it suspend Melvin Belli, Ruby's chief defense lawyer during his murder trial. Hubert took statements previously from Police Chief Jesse Curry, Assistant Police Chief Charles Batchelor, Deputy Chief M. W. Stevenson, former Mayor Earl Cabell and other witnesses.

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Ruby Family Retains New Specialist

A specialist in appeals has been retained by the family of condemned slayer Jack Ruby to assist attorneys already in the case in the chain of appeals from a March 11 death penalty verdict.

Emmett Colvin, former appeals court lawyer for the Dallas district attorney's office, was retained Tuesday after the defense received initial copies of trial records necessary to begin the appeals process.

Attorney Clayton Fowler, who heads the defense team, confirmed that Mr. Colvin would participate in preparing and presenting the appeal to the Texas Court of Criminal Appeals.

Mr. Colvin will work with attorneys already in the case, including Phil Burleson, who has been the Ruby defense appeals expert. Mr. Burleson was also an appeals representative from the Dallas district attorney's office for a number of years.

Ruby was convicted for the Nov. 21 slaying of Lee Harvey Oswald.

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No Change Due in Ruby Strategy

The chief defense attorney for Jack Ruby said Monday that strategy will not change as a result of Ruby's attempt to injure another member of his legal staff.

The statement came from Clayton Fowler after he conferred briefly with Sol Dann, a Detroit lawyer, and Earl Ruby, a brother of the condemned slayer.

They visited Ruby in the county jail.

Ruby swung at Phil Burleson, a defense lawyer, during a jail conference Thursday. Joe Tonahill, another defense lawyer who restrained Ruby, said at the time that the incident could prompt the defense to revive plans to seek a sanity hearing before a jury.

Fowler said Monday, however, that a sanity hearing "is not under consideration."

Fowler said he will ask Judge J. B. Brown to appoint temporary hospitalization for Ruby when the judge returns to the bench. Meanwhile, Fowler said, defense lawyers will concentrate on their plea to the Texas Court of Criminal Appeals that it grant Ruby a new trial.

Prosecutors contend Judge Brown lacks power to send Ruby to a hospital for temporary treatment.

Fowler conceded he has not found a similar case in which a judge ordered hospitalization for treatment of a mental condition. But, Fowler said, this does not mean a judge could not do so.

Before Fowler was hired as chief defense attorney, Burkson and Tonahill planned to ask a jury to rule that Ruby had become insane after his conviction on a charge of murdering Lee Loney Oswald. Fowler said a sanity hearing at this time would be "premature."

Dann was identified as a legal

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Step Stated In Ruby Case

Another step in an attempt to appeal the death sentence of Jack Ruby is expected to be prepared by early next week, defense attorney Phil Burleson said Friday.

A statement of facts—the testimony of the jury trial—probably will be ready for review, he said. After defense and state attorneys agree to an accurate copy of the trial, it will be filed and later sent to the Court of Criminal Appeals.

Ruby was sentenced in March for the slaying of Lee Harvey Oswald, accused assassin of President Kennedy.

This move by defense attorneys does not involve any hearings before or after the trial, Burleson said.

The statement and other appeal matters were discussed Friday morning in a meeting of attorneys and Ruby's sister, Mrs. Lva Grant, Burleson said.

He called the meeting between Mrs. Grant, Clayton Fowler, chief counsel, and Joe Conahill, another defense attorney, "just a juridical meeting."

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Ruby Lawyers Still Pressing Appeal Plans

Jack Ruby's defense attorneys indicated Friday they were moving ahead with plans to perfect the condemned man's appeal despite his continued erratic behavior in the Dallas County jail.

Clayton Fowler, chief defense counsel, said no conclusion had been reached on renewing requests for a sanity hearing for Ruby, following a meeting with attorney Joe Tonahill, Phil Burleson and Ruby's sister, Mrs. Eva Gant.

"We will confer further with psychiatrists," Mr. Fowler said in light of an incident Thursday in which Ruby attempted to attack one of his lawyers.

"We have not filed out a request for a sanity hearing," Mr. Fowler said. The attorney has indicated, however, he still does not favor asking the courts for such a hearing while perfecting the appeal of Ruby's death penalty conviction for the slaying of Lee Harvey Oswald.

Attorneys Tonahill and Burleson reported the latest incident when they told how Ruby became angered during a jail interview with them Thursday and tried to strike Mr. Burleson.

"Phil (Burleson) and I were talking to Jack in the interview room and Jack got mad several times during the conversation," Mr. Fowler said. He got mad

one time while we were discussing lie detector tests . . . and another time when Phil tried to assure him Jews weren't being killed because of him."

Mr. Tonahill said Ruby insisted that Chief Justice Earl Warren had promised him a lie detector test when the jurist visited Oswald's slayer in his cell last month.

"He demanded we get a test for him," Mr. Tonahill said, "and to calm him down, we said he would try."

A short while later, the attorney said, Ruby began telling them that Jews were being killed all over the world because he had killed Oswald. When Mr. Burleson assured him they were not, pointing out that Ruby's brothers and sisters were still alive, the condemned man leaped up and tried to swing his fist at the Dallas lawyer.

"I jumped up and grabbed Jack before he could hit Phil," Mr. Tonahill said. "I jumped up so quick I slipped my trouser leg on the table. I yelled that Sheriff Decker was coming and that calmed Jack down. Jack's scum of Sheriff Decker."

Sheriff Decker was nowhere in sight.

The reported incident was the third in which Ruby has acted erratically. The first time officials reported, Ruby struck his head against his cell wall. Another time he smashed a light bulb during an apparent tantrum.

Mr. Tonahill said Ruby was extremely "agitated" during most of the two hour interview Thursday.

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Ruby Swings! At Attorney

By CARL FRIEND

Attorneys for Jack Ruby told Sheriff Bill Decker that the slayer attacked one of them during a county jail conference Thursday.

The incident took place shortly after another defense lawyer said Ruby had expressed a desire to talk with Dist. Atty. Henry Wade.

Attorneys Phil Burleson and Joe Tonalill said Ruby tried to swing at Burleson, but the lawyer escaped injury.

Decker quoted Burleson as saying that Ruby "made a swinging motion" when he became angry during the afternoon conference.

"Ruby denies that he did so, but I'm sure he did," Decker said.

Tonalill, a 6-foot-4-inch, 250-pound Jasper lawyer, gave this account of the incident:

"Jack took offense at something that Phil said. He took a swing at Phil and lunged toward him. I jumped up and stopped him before anybody got hurt. I yelled, 'Here comes Sheriff Decker.' Actually, Sheriff Decker wasn't anywhere around, but that seemed to calm Ruby down."

The outburst was Ruby's third since a jury ruled he should die in the electric chair for the Nov. 24 murder of Lee Harvey Oswald who was accused of killing President Kennedy here.

Decker said Ruby butted his head against a wall during one tantrum and smashed a light bulb during the other. Defense lawyers turned his behavior "into proof of his insanity," but prosecutors suggested he was "putting on an act."

Clayton Fowler, Ruby's chief defense lawyer, said Ruby's desire for a conference with Wade apparently prompted at least one of the letters which he sent to the district attorney.

The Dallas News disclosed that

ask that Ruby had sent letters to Wade.

Fowler said he does not know why Ruby wants to talk with Wade.

"I went to the jail and asked Jack why he sent the letter," Fowler said. "He wouldn't tell me. He's very suspicious and distrustful of everyone. But he did imply that he wanted to talk to Henry and this is one reason he wrote him."

Wade apparently impressed Ruby while leading the prosecution during his murder trial.

Tonalill quoted Ruby as saying, "I wish Henry Wade was handling my appeal."

Asked if he intended to grant Ruby's request for a conference, Wade replied:

"I'll give you the same answer to that question that I'm giving to all others about Jack Ruby—no comment."

Fowler said Ruby appeared nervous and extremely pale.

"It appears his mental condition is still deteriorating," Fowler said.

The lawyer said a brother, Earl Ruby of Detroit, and Sol Dann, a Detroit lawyer who represents him, will confer with the slayer during the weekend. Then, Fowler said, they will discuss the next step in their attempt to save Ruby from the electric chair.

Among other things, Fowler said, they will discuss his proposal that they ask a judge to send Ruby to a hospital for temporary psychiatric treatment. Wade says judges lack the power under Texas law to order the hospitalization.

Tonalill and Burleson went to the jail to visit Ruby Thursday after discussing work which each will do in urging the Texas Court of Criminal Appeals to throw out his conviction.

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

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Warren Prober Due Here Again

A Warren Commission attorney is due in Dallas next week to take more depositions in the Dallas phase of the panel's investigation into the assassination of President Kennedy and related events.

The official, Leon Hubert of New Orleans, is slated to take depositions from an undisclosed number of Dallas area residents on what they may know of the November tragedies.

This is the third or fourth time it has been reported that an investigator was coming to complete the local end of the investigation. Each time, however, there have been subsequent reports.

DEPOSITIONS

More than 20 depositions have been taken in Dallas by commis-

sion staff members since their investigation first began more than six months ago.

The identity of those persons to be questioned next week is not known. Times Herald reporter Bob Fenley, however, received a registered letter Thursday morning notifying him to report to Mr. Hubert Tuesday morning at the federal building.

It is not known what the commission wants to question Mr. Fenley about.

NAMES RELEASED

The commission normally releases the names of those who have been deposed at the end of each day. It is expected the same procedure will be followed this time.

Mr. Hubert, a private practicing attorney on special assignment with the Warren Commission, is expected to arrive in Dallas Monday and to remain three days.

The commission's final report on the assassination is scheduled now to be released somewhere in the early part of August.

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

21 "The Dallas
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Wade Reveals He's Received Several Letters From Ruby

By CARL FREUND

Dist. Atty. Henry Wade revealed Tuesday that he has received "several" letters from Jack Ruby.

The disclosure came when The Dallas News asked Wade about reports that the condemned slayer had written him.

Wade declined to discuss contents of the letters or Ruby's motives in writing them in his county jail cell. Wade did say, however, that the letters were "rational" and not gibberish.

Wade replied "no comment" when asked if he had received the latest letter within the past week.

Informed sources said that in at least one letter, Ruby wrote statements similar to those he made when questioned by Chief Justice Earl Warren in the jail.

Ruby said at the time that he decided to kill Lee Harvey Oswald to make certain Mrs. Jacqueline Kennedy was spared the anguish of returning to Dal-

las to testify against the Marxist accused of murdering her husband.

Ruby said he thought about shooting Oswald when he read an emotional letter to Caroline Kennedy in a newspaper, and then read that attorneys might call Mrs. Kennedy as a witness.

Ruby also complained about the defense presented by Melvin Belli, a highly publicized California lawyer, who contended that Ruby shot Oswald in the City Hall basement Nov. 24 while in an epileptic blackout.

Wade would neither confirm nor deny a report that Ruby indicated

in one letter that he considered another time for shooting Oswald.

There have been indications that Ruby feels more hostility toward Belli than towards prosecutors who got him the death penalty.

First Assistant Dist. Atty. A. D. Jim Bowie, one of the prosecutors, went with Warren to the jail for his unprecedented interview with Ruby who grasped Bowie's hand and shook it warmly. Then Ruby protested because Belli had objected to his taking the witness stand and telling "what really happened."

Defense lawyers and psychiatrists say Ruby's mental condition has deteriorated rapidly since his trial. They say the former strip-tease club manager needs hospitalization.

Wade concedes that Ruby has been in "a state of depression" at times, but says this is to be expected when a man has heard a jury sentence him to the electric chair.

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Wade Reveals Ruby Letters

Dist. Atty. Henry Wade Wednesday said he has received "two or three letters" from convicted killer Jack Ruby—but the district attorney refused to discuss the contents.

"I consider the letters as personal communications to the district attorney from Jack Ruby and I don't think I should discuss them," Mr. Wade said.

The district attorney, however, emphatically denied that Ruby in one letter said he had considered shooting Lee Harvey Oswald at another time and place than the City Hall basement.

Mr. Wade also said that in none of the letters did Ruby complain about Melvin Belli, the San Francisco attorney who led Ruby's unsuccessful defense.

The district attorney refused to comment further.

"There has already been too jammed much said about Jack Ruby," Mr. Wade said.

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

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Ruby Talk Of Killing Claimed

By JDI FEATHERSTON
Staff Writer

Jack Ruby discussed killing Lee Harvey Oswald with his sister many hours before he shot the accused assassin of President Kennedy, an informed source told The Times Herald Wednesday.

The source said Ruby mentioned shooting Oswald during a conversation with his sister, Eva Grant, either Friday night or Saturday before the Sunday morning slaying in the basement of City Hall.

"Jack mentioned shooting Oswald to Mrs. Grant and she tried to talk him out of it. They had a big argument about it," said the source.

Mrs. Grant, however, told The Times Herald that such a conversation never took place.

"He (Ruby) never said a thing about it," she declared.

Information about the conversation was reportedly related by Ruby to Chief Justice Earl Warren during his visit to Ruby's cell last month, the source said.

Mrs. Grant, in recalling conversations with her brother, revealed that Ruby discussed attending the funeral of Officer J. D. Tippit, shot to death in Oak Cliff while attempting to arrest Oswald following President Kennedy's assassination.

"He asked me if I thought it would be all right for him to go to Officer Tippit's funeral," Mrs. Grant said.

Ruby also reportedly asked Chief Justice Warren for a lie detector test during the jail interview. The Times Herald learned his attorneys object to him taking such a test.

Attorney Phil Burkson, one of Ruby's defense lawyers, said he would object to the test because Ruby is mentally deranged.

Mr. Burkson said a lie detector test would not be effective when given to a man who is mentally ill.

"The psychiatrists who have examined Ruby have said he is mentally ill and suffers delusions," the attorney said.

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

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Ruby P.O. Rental Linked to Gadget

Jack Ruby rented Post Office Box 573 on Nov. 7 for the purpose of selling weight-reducing gadgets known as "Twist Boards," one of the condemned slayer's attorneys said Wednesday.

Phil Burleson, the attorney, made the explanation following a Monday Times Herald story which revealed that Ruby's postal box was only 12 feet away from Lee Harvey Oswald's box at the Terminal Annex Post Office.

Ruby is under a sentence of death for the murder of Oswald, accused assassin of President Kennedy.

Mr. Burleson acknowledged that the story suggested nothing sinister in reporting the coincidence of the two boxes, but said he did wish to make the matter perfectly clear.

He said the name Earl Products, which Ruby used in renting the box, was an old family company name which Jack and his two brothers, Earl and Sam, used years ago in the sale of novelty items.

"Jack just decided to use the same name again," Mr. Burleson said.

The attorney said Ruby hoped to distribute the boards in Dallas through retail and wholesale outlets.

A black and white advertising brochure printed by Ruby and bearing the name "Earl Products Co., P.O. Box 573, Dallas" describes the gadget as a Twist Board Exerciser.

It was to sell for \$19.95. Why pay hundreds for home equipment or to clubs and salons when Twist gives the results plus fun to the entire family for only

penney's" the broadside tumbled further.

On the back of the paper, 10 different exercises that could be accomplished on the board are demonstrated with diagrams.

The board itself is described as being of a "chip board base on 70 ball bearings in a steel housing." To use it, the would-be-reducer performs exercises similar to those done when dancing the Twist.

Mr. Burleson said the sale of these items was the sole reason Ruby rented the box and that he was "just getting started" on the project when the tragedies of Nov. 22 and Nov. 23 occurred.

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Hospital Treatment Of Ruby Questioned

Judge Joe B. Brown said Wednesday that Jack Ruby may stay in the county jail despite the claim of defense lawyers that the 33-year-old slayer needs hospital treatment.

Judge Brown said he doubts he can send Ruby to a hospital under Texas law unless a jury finds him insane.

The judge expressed doubt also that he could find a hospital willing to accept the slayer for temporary treatment.

Officials of Parkland Hospital have informed Judge Brown they lack facilities to care for Ruby. And Dr. George Custer, superintendent of Rusk State Hospital, told The Dallas News he did not believe the state hospital for the criminally insane could legally accept the slayer unless a jury ruled him mentally ill.

Clayton Fowler, Ruby's chief defense lawyer, says he will ask Judge Brown to order Ruby moved to a hospital within the next two weeks. Fowler says, however, that he does not want a sanity hearing at this time.

Dist. Atty. Henry Wade, who returned from his vacation Tuesday, commented, "There's no way under Texas law for them to put him in an institution unless a jury holds that he is insane."

Dr. Louis Joykin West, a defensive psychiatrist, told reporters in Oklahoma City that Ruby's

condition has worsened steadily since a jury ruled he should die in the electric chair for the murder of Lee Harvey Oswald.

Dr. West, who heads the department of psychiatry at the University of Oklahoma medical school, said Ruby's mental condition has become "ominous" and is developing into incurable insanity.

The psychiatrist, who visited Ruby in the county jail June 19, said the slayer is obsessed with the thought that millions of Jews are being persecuted because he shot the Marxist accused of assassinating President John F. Kennedy.

Told of Dr. West's statements, Wade commented, "It's not hard to find a psychiatrist who will say a man is crazy after he's been sentenced to the electric chair."

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Law Held Blocking Ruby Aid

District Judge Joe E. Brown said Wednesday Texas law would prevent the court from ordering condemned slayer Jack Ruby transferred to a mental hospital from the Dallas County Jail without a sanity hearing.

"There has always been a question that the law prohibits for the transfer of a convicted person from a jail to a mental hospital without certain legal procedures, including a sanity hearing," Judge Brown said.

Psychiatrists who have examined the 34-year-old slayer of accused assassin Lee Harvey Oswald have repeatedly said he is mentally ill and in need of hospital care.

PILS NO HELP

An attempt to treat Ruby in the county jail with tranquillizing pills has proved unsuccessful. One source said Ruby has taken only one pill since the treatment was prescribed a month ago.

Judge Brown said that even if a local hospital were willing to take Ruby for temporary treatment, all parties, including the state and the defense, would have to be in complete agreement. But even then, the judge said, in order to hospitalize Ruby a sanity hearing or a writ of habeas corpus would have to be conducted.

"If every doctor in the country recommended hospitalization for Ruby, this court would still not have the power to order him

removed from those who are charged with his lawful custody," Judge Brown said.

ILLNESS ADVANCES

Meanwhile, a defense psychiatrist said in Oklahoma City Wednesday that Ruby will never be electrocuted because he is rapidly advancing into incurable insanity.

"Ruby has developed a full-blown mental illness which cannot be treated in his cell," Dr. Louis Jolyon West, chairman of the department of psychology and neurology at the University of Oklahoma Medical School, said.

"He thinks the doctors are trying to poison him," he added.

Another doctor recently examined Ruby and reported he was suffering paranoid schizophrenia.

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Ruby Delay Stems From Case Record

The Texas Court of Criminal Appeals will not hear arguments in the Jack Ruby murder case until next year, First Assistant Dist. Atty. A. D. Jim Bowie said Sunday.

Bowie said the delay results from the thick record in the case.

"Clerks and court reporters will need time to prepare it," the prosecutor said.

The record of the trial itself may involve 5,000 pages.

A defense lawyer, Phil Burleson, asked Judge Joe B. Brown Friday to instruct court reporters to also prepare a record of hearings before the trial so that higher courts may study these proceedings.

Ruby has filed a pauper's oath, stating he lacks money to pay for preparing of the documents.

Bowie said prosecutors would not oppose Burleson's request but would leave it "to the discretion of the judge."

A jury sentenced Ruby to the electric chair for the Nov. 24 murder of Lee Harvey Oswald, who was accused of assassinating President Kennedy here.

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Ruby Appeal Likely Delayed

Jack Ruby's case probably will not be heard by the Texas Court of Criminal Appeals until next spring, the district attorney's office said Monday.

A backlog of pending cases plus a further delay in compiling the voluminous record of the Ruby trial should delay the appeal several months, a spokesman said.

The record of the Ruby trial and other hearings will exceed 5,000 pages and will take some time for clerks and court reporters to prepare it.

Phil Burleson, one of Ruby's attorneys, has asked Judge Joe B. Brown to instruct court reporters to prepare a record of nontrial hearing for the higher court to study.

Ruby, under the death penalty for the slaying of accused presidential assassin Lee Harvey Oswald, has filed a pauper's oath which alleges he has no money to pay for preparing the lengthy transcripts.

Judge Brown granted Ruby's request for a pauper's oath in preparing a transcript of the trial proceedings.

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Lie Test For Ruby Promised

Jack Ruby, asked for a lie detector test and was promised one by Chief Justice Earl Warren during the visit of Warren Commission officials to interview the condemned slayer, The Times Herald has learned.

But the test was never given Ruby, an informed source said.

The source said the interview with Ruby was briefly interrupted at the Dallas County Jail June 7 when the condemned man asked to do a lie detector test so the chief justice would know whether he "was telling the truth."

Chief Justice Warren screened the test for Ruby, but it never became necessary because Ruby decided to go on with his testimony after it was pointed out that the chief justice and the other officials had come 3,000 miles to see the slayer of Lee Harvey Oswald, the source said.

Ruby also was apprehensive about Chief Justice Warren's safety while in Dallas, according to the source.

"Ruby told Mr. Warren that some people in Dallas think no more of him than they do Ruby and that the chief justice might not live more than 30 minutes after he left the county jail," the source said.

Joe Tomhill of Jasper, one of Ruby's attorneys, said Ruby told the chief justice he killed Oswald "in a sudden impulse."

Meanwhile, The Times Herald

learned Saturday that psychiatrists and other doctors have nearly abandoned efforts to treat Ruby in the Dallas County Jail for mental illness. One source said Ruby has taken only one pill the past month and has refused to take prescribed medication.

Three psychiatrists earlier agreed Ruby is mentally ill and recommended that he take Thorazine, a tranquilizer. But Ruby reportedly has refused to take the drug, claiming someone is attempting to poison him.

Attorney Clayton Fowler plans to ask the court to hospitalize Ruby until his case comes before the Texas Court of Criminal Appeals.

Supporting the defense move to have Ruby transferred to a hospital is a new report from Dr. Emanuel Tanay, professor of psychiatry at the Wayne Medical School in Detroit, who examined the convicted slayer June 7 at the request of the Ruby family.

Dr. Tanay diagnosed Ruby as suffering from "chronic schizophrenic psychosis of the paranoid type." He described Ruby as "an immature, depressive, suspicious man."

His report said Ruby's condition could have been brought on by his imprisonment and that suicide attempts by Ruby are not only "possible but probable" unless he is treated medically.

The doctor also hinted a criticism of psychiatric testimony during the Ruby trial. Defense doctors testified that Ruby killed Oswald while in an "epileptic trance."

"It is my opinion that such a formulation represents a diagnostic error and furthermore interferes with presentation of the real circumstances that led to the killing of Oswald by Ruby," the report stated.

Three psychiatrists, Dr. Robert L. Stubbels, Dr. William B. Beavers, and Dr. John T. Helbrook, agreed that Ruby was "mentally ill" and in need of treatment in a recent report to District Judge Joe B. Brown.

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SPARING JACKIE

Ruby Pictures Self to Warren As 'Sacrifice'

The Dallas Morning News 1964
By CARL FREUND

Jack Ruby pictured himself to Chief Justice Earl Warren as a "human sacrifice" who was willing to give up his life to spare Mrs. Jacqueline Kennedy further anguish. The Dallas News learned Friday.

Ruby insisted he killed Lee Harvey Oswald because he wanted to make certain that Mrs. Kennedy was not forced to return to Dallas to testify at Oswald's trial on a charge of murdering her husband.

"I decided to sacrifice myself," the 27-year-old condemned slayer said.

The News was given a detailed account of statements which Ruby made during a 1½-hour interview with the chief justice in the county jail here June 7.

RUBY SAID.

— He decided to kill Oswald when he read an emotional letter to Caroline Kennedy in a newspaper after President John F. Kennedy was assassinated here Nov. 22.

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—He was planning to shoot Oswald when he drove from his apartment to Downtown Dallas and walked into the City Hall basement Nov. 24.

—He recalls saying "You rat, you shot the President!" when he saw Oswald in the basement, but does not remember calling the 24-year-old Marxist a "son of a bitch."

—He did not feel hatred toward Oswald as an individual and was not trying to become a public hero, but was motivated by a desire to protect Mrs. Kennedy the anguish of returning to the city where her husband died.

—He objected to the innuendoes entered by Melvin Belli, chief defense attorney at his trial.

—He wanted to take the stand during his trial, but Belli told him that prosecutors would "cut you to pieces" and show precipitation.

AS THE HAD DONE previously, Ruby insisted he was not part of any conspiracy. And he said he had never seen Oswald before he lunged forward and shot the assassin. The subject while millions watched on television.

"I do not belong to any subversive organization . . . and no Communist told me to shoot

him," Ruby said. "And I didn't get any orders from anybody in the underworld."

Ruby said he no longer cares what happens to him.

Ruby said at one point that he was "a victim in a plot."

The meaning of this statement was not clear. But the slayer may have meant that he believes he was sentenced to die because of criticism which Dallas received after the assassination.

Belli charged during a courtroom session that jurors sentenced Ruby to the electric chair because of this criticism. The jurors said this was not true.

Ruby talked freely during the interview and rambled at times. Emotional by nature, he appeared on the verge of breaking down as he discussed his motive for killing Oswald.

RUBY SAID HIS first thought about killing Oswald upon reading the letter to the president's daughter. On the same page of the newspaper, Ruby related, was a report that prosecutors might request Mrs. Kennedy to testify at Oswald's trial.

Ruby said he was "carried away" emotionally as he read the letter to Caroline.

He said his religion also motivated him. He pointed out he

was a Jew and Mrs. Kennedy a Catholic.

"I thought this was a case where a member of one religion could do something for a member of another," he said.

(These are the quotes as recalled by the informed source who told The News about Ruby's statements during the interview. He says Ruby may have used slightly different words, but the quotes are substantially correct.)

Belli concluded at the trial that Ruby, who manages a strip-tease club, drove to the downtown area Nov. 24 to give money to a Fort Worth stripper after receiving a call from her. The defense lawyer said Ruby went to the City Hall, walked out as a result of an epileptic seizure and shot Oswald while in a trance.

Ruby told Warren, however, that he drove downtown for a double purpose—"the wire and the other."

THE SLAYER SAID he had heard radio reports that officers would transfer Oswald to the county jail and, while driving, saw a crowd gathering outside the county jail.

Ruby said he held his hand on his Colt Cobra pistol as he walked into the City Hall base-

ment after giving money to the

Ruby emphasized that he "did not walk" into the basement. "I walked in," he said, adding that he stole past officers who were conferring.

Ruby, who had mingled with reporters during an earlier visit to police headquarters after the assassination, also told Warren at one point:

"I must be the world's greatest actor."

RUBY EXPRESSED the wish that he had been able to talk to the chief justice sponsor, The News was told.

Warren heads a commission investigating the Kennedy assassination and the death of Oswald. Another member of the commission, Rep. Gerald Ford of Michigan, and its chief counsel, J. Lee Rankin, also came here for the interview with Ruby.

Representatives of the prosecution and defense also were present.

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Oswald Killed 'On Impulse,' Ruby Claims

Jack Ruby told Chief Justice Earl Warren he shot Lee Harvey Oswald in the basement of City Hall on "a sudden impulse." The Times Herald learned Saturday.

Ruby's attorney, Joe Tonahill, denied Saturday a report that Ruby admitted to the chief justice that he earlier had planned the slaying.

Mr. Tonahill said that during the 3 1/2-hour interview with Chief Justice Warren on June 7 Ruby "was disjointed and incoherent."

"He repeatedly broke down and cried and couldn't continue several times for as long as five minutes," Mr. Tonahill said.

SUDDEN IMPULSE

"He told the chief justice that when he saw Oswald he had a sudden impulse to shoot him to keep Mrs. Kennedy from having to come back to Dallas," Mr. Tonahill said from his Jasper home. "But at no time did he tell the chief justice he intended to shoot Oswald when he came to town that morning."

Mr. Tonahill, who was present for the entire interview, said Ruby told Chief Justice Warren that "he didn't even expect to see him (Oswald) when he walked into the City Hall basement because he thought Oswald had already been transported to county jail."

It had been announced by Police Chief Jesse Curry and

added by news media that the alleged slayer of President Kennedy would be transferred to the county jail at 10 a.m. that day, Nov. 21.

Ruby told of his steps that morning in a moment by moment, Mr. Tonahill said.

He recalled that Ruby said he went into the City Hall basement to give tickets to the night club he operated to newspapermen.

REPORTS DENIED

Mr. Tonahill denied emphatically that Ruby told Chief Justice Warren that he objected to the insanity plea used in his murder trial. He also denied the report that Ruby claimed he had wanted to take the witness stand.

Commenting on the convicted slayer's mental state, Mr. Tonahill said Ruby changed "from subject to subject like lightning." He also said much of his conversation was incoherent.

The 53-year-old slayer was quoted by his attorney as telling Chief Justice Warren:

"The president fought for us and he's been stabbed in the back."

He also told him he had never seen nor heard of Oswald before the assassination.

CELL INTERVIEW

Ruby was interviewed in the county jail cell by Chief Justice Warren and other members of the Warren Commission with defense and prosecution members present, as well as Sheriff Bill Decker.

Although Ruby claimed his "sudden impulse" to kill Oswald came from thinking of Mrs. Kennedy coming to Dallas for a trial, Mr. Tonahill said he believes Ruby made this statement as an afterthought.

"In my opinion, I think Jack had to find some reason for what he did in the City Hall basement in front of all those people," he said.

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Ruby Lawyers Seek Copies Of Transcripts

Jack Ruby's lawyers sought Friday a court order that transcripts from the jury examination, change of venue, and motion for new trial hearings be made available to them.

Defense attorney Phil Furlson asked that typewritten copies of the testimony and examination of prospective jurors and witnesses in the pre and post-trial hearings be made available to the defense along with the transcript of the actual trial. He said the records are needed to complete the defense's formal bill of exceptions. "Court reporters normally are required to provide only transcripts of the testimony in the trial when a paper's oath has been filed to secure the transcript. Ruby lawyers filed such an oath, claiming that the family did not have funds to pay for the bulky documents needed to support the appeal.

Court reporters have estimated that the trial transcript alone will run as high as 5,000 pages.

In the defense motion asking for the additional transcripts, Mr. Furlson claimed that because of the length of the trial, jury selection and the change of venue hearings, it was impossible for the defense to take meticulous notes.

The motion also claims that copies of these proceedings are necessary for the defense to make a formal bill of exception necessary for Ruby to get a full review of his case in the appellate court.

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

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Rusk Hospital Doubts It Could Accept Ruby

The superintendent of Rusk Hospital questioned Monday officials have told him at least whether it could accept Jack Ruby twice that they don't want Ruby as a patient "under the present as a patient, circumstances."

Judge Brown said the officials told him:

- Parkland lacks facilities for keeping Ruby under guard.
- He might prove a disrupting influence.
- He doesn't qualify for admission.

The Rusk hospital has facilities. It houses the criminally insane. Ruby would go there if a jury should rule he has become insane since he was sentenced to the electric chair for the murder of Lee Harvey Oswald.

Dr. Casner noted, however, that Ruby might be ineligible for admission under Texas law since he is under sentence of death and has not been ruled in need of treatment by any jury.

Prosecutors say they do not object to temporary hospitalization of the slayer if psychiatrists agree he needs it. But, they say, they believe he is suffering only from "the death cell blues"—a state of depression common among condemned men—and remains legally sane.

Another defense lawyer, Phil Harrison, said he believed hospital would accept Ruby if Judge Brown requested it. They do so

"The Dallas Morning News" Dallas, Texas

Jack B. Krueger

JUL 19 1964

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Attorneys Ask Care For Ruby

Attorneys for condemned slayer
John Ruby Monday took the first
official step toward securing ex-
patriation for the convicted man-
slayer of Lee Harvey Oswald.

Chief counsel Clayton Fowler
said he had asked Dr. Louis Jo-
seph West, Dr. Robert L. Stybble-
field and Dr. William E. Leavers
for a written report to him with a
defense request that Ruby be hos-
pitalized for mental treatment.

"Our biggest problem now is
finding a hospital that will take
him," Mr. Fowler said. "Most
hospitals are not equipped to take
the responsibility for a patient like
Ruby who would have to have 24
hour security guard."

Dr. West, an Oklahoma Univer-
sity medical school professor, ex-
amined Ruby last Friday and
urged immediate hospitalization.

Mr. Fowler said any transfer of
Ruby to a hospital and his securi-
ty while being treated would
have to be accomplished under di-
rection of Sheriff Bill Decker, who
is charged with the prisoner's
custody.

The attorney said once he has
the doctors' reports in hand he
will ask Judge Joe B. Brown to
order Ruby temporarily trans-
ferred to a hospital. He said, how-
ever, the defense would not re-
quest a formal sanity hearing in
the appeal to the Texas
Court of Criminal Appeals—prob-
ably next fall.

Dr. West's report to the de-
fense attorneys, a course of rec-
ommended treatment was pre-
sented. The doctor said that "al-
though he is getting very good
medical care, it is my opinion that
all facilities are not adequate to
treat a chronic patient."

(Mount Clipping in Space Below)

"The Dallas
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Dallas, Texas

Felix R. McKnight

Dallas

JUNE 3 1964
DALLAS

(Mount Clipping in Space Below)

Ruby Has Delusions, Prof Says

Jack Ruby's mental facilities will deteriorate beyond repair unless he receives immediate mental treatment, an Oklahoma psychiatrist said Saturday.

Dr. Louis John West, professor of psychiatry at the University of Oklahoma Medical School, informed Ruby's chief defense counsel, Clayton Fowler, that the condemned slayer of Lee Harvey Oswald is sinking into chronic states of delusions.

Dr. West examined Ruby for three hours Friday, then made an oral report to Fowler. Fowler also visited with Ruby in his Dallas County jail cell.

Fowler said Saturday he will seek early this week to have Ruby committed to the Terrell State hospital.

"I have been unable to communicate with him," said Fowler.

"He is not in touch with reality at all times. He has delusions that people are persecuting his family. He gets low at times. That's what Dr. West is concerned about. The man evidently has suicidal tendencies."

Dr. West said that Ruby had less chance of recovery from his paranoid state without proper treatment.

"His illness will become chronic unless treatment is administered. A person suffering this type of illness undergoes terrible delusional experiences," Dr. West said.

Dr. West recommended, in addition to hospital treatment, constant attention by trained nurses, orderlies and attendants, prescribed medication, regular testing by clinical psychologists and occupational and recreational therapy.

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Dallas, Texas

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Jack B. Krueger

Dallas

JUN 22 1964
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Attorney Will Seek Ruby Move

An attorney for Jack Ruby said Friday he will ask Judge Joe Brown to order the slayer moved from the county jail to a hospital.

The lawyer, Clayton Fowler, said Ruby needs hospital treatment "for his mental condition."

Fowler's comment came after Louis Jelyon West, a University of Oklahoma psychiatrist, examined Ruby in his cell.

Mr. West, who described Ruby as insane after an April interview,

told reporters upon leaving the jail Friday that he could detect "no improvement" in his condition.

Fowler heads a group of lawyers who are appealing the death sentence assessed by a jury which convicted Ruby of murdering Lee Harvey Oswald. What millions watched on television: Ruby shot Oswald in the City Hall basement Nov. 24—two days after Oswald was accused of assassinating President Kennedy.

Fowler described Ruby as "incoherent." Sheriff Bill Dwyer declined to comment on Ruby's condition, but told reporters at 5 p.m. that he had not received any instructions from Judge Brown to move Ruby to a hospital.

Dist. Atty. Henry Wade said a month ago that he would not order hospital treatment for Ruby if psychiatrists believed it was needed. Wade emphasized, however, that he believed Ruby was suffering only from the "death row blues" and remained legally sane.

Judge Brown had scheduled a hearing Friday to determine whether a jury should rule on Ruby's sanity. The hearing was canceled at Fowler's request.

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

"The Dallas Morning News" Dallas, Texas

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Ruby Psychiatric Checks Believed To Be Emergency

By JERRY RICHMOND
Staff Writer

An Oklahoma psychiatrist flew to Dallas Friday to examine condemned slayer Jack Ruby in what sources hint may be an emergency visit.

The source indicated to The Times Herald that Ruby's condition has deteriorated since the June 7 visit of U.S. Supreme Court Justice Earl Warren and other members of his commission investigating the assassination of President John F. Kennedy.

Dr. Louis Johnson West, professor of psychiatry at the University of Oklahoma Medical School, accompanied Ruby's new chief of charge court L. Clayton Fowler, 4, Ruby's Dallas County Jail, Friday before noon.

The psychiatrist's only comment after confirming he was in Dallas to examine Ruby, was, "A jail cell is not the ideal place to treat a psychiatric patient."

DELAY ASKED

Mr. Fowler, who entered the Ruby case last week and immediately asked for a delay in a previously requested sanity hearing for the convicted slayer of Lee Harvey Oswald, declined to comment on the purpose of Dr. West's sudden visit.

"I can't say what the purpose of Dr. West's visit is until after completion of the examination," the attorney said. "I will tell you that Dr. West's visit was prompted by a telephone call from the defense."

Mr. Fowler confirmed reports that Ruby had become incontinent and unable to communicate with our client at all. Our last visit with him produced no help in preparing his appeal because his conversation was completely unrealistic."

One source indicated the defense is planning to seek Ruby's transfer to a local hospital for treatment pending his appeal to the Texas Court of Criminal Appeals at Austin. Mr. Fowler declined to comment on that possibility now.

NO OBJECTIONS

Dip. Atty. Henry Wade has said the state would not object to treatment of the former night-club operator in a local hospital if all doctors agreed such a step was necessary. A course of treatment for Ruby, including tranquilizers, was started several weeks ago under the supervision of Dr. William R. Beavers.

Dr. West said he has remained in close touch with Dr. Beavers and concurred in the prescribed treatment. The Oklahoma psychiatrist hinted, however, that effective care could not be realized without hospitalization.

Dr. West examined Ruby in April following an apparent attempt at suicide by the condemned prisoner. In his report to the court, the Oklahoma psychiatrist recommended immediate hospitalization and said he felt Ruby was treatable.

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

"The Dallas Times-Herald" Dallas, Texas

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Felix R. McKnight

Dallas

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Ruby Hearing Postponed by Court

A sanity hearing for convicted slayer Jack Ruby, scheduled for today morning, was postponed indefinitely by Judge Joe B. Brown Tuesday at the request of defense attorneys.

Clifton Fowler, the film chief for a counsel for Ruby, convicted of killing accused presidential assassin Lee Harvey Oswald, said he had sought the postponement "on medical advice."

"They (doctors) tell me he is not all right—at least, as well as can be expected, so I want to wait on the sanity hearing for (Ruby's) rights for a sanity hearing while we continue to preparing." Fowler said.

"Defense attorneys have claimed an appeal of the conviction," Fowler told The News. "They claim that Ruby became insane following his conviction in Judge Brown's court March 14."

Fowler said he visited Ruby in his jail cell Tuesday and that Ruby "was just not in communication with me."

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

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SECTION I

1964 JUN 1 13

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Action Delayed On Ruby Sanity

A sanity hearing for deformed slayer Jack Ruby has been indefinitely postponed by Judge Joe B. Brown on the request of defense lawyers.

Judge Brown said Wise County chief defense lawyer Clayton Fowler has requested that the scheduled show-up hearing of for Ruby be postponed until the defense completes work on an appeal.

Ruby faces death in the electric chair for slaying accused assassin Lee Harvey Oswald. A jury on Judge Brown's court found him guilty and imposed the death penalty March 11.

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

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Ruby Hearing Appears Out

A sanity hearing for Jack Ruby will be postponed indefinitely, attorneys for the convicted killer said Monday.

Chief defense counsel Clayton Fowler said the request for a hearing will be withdrawn.

"Although we strongly believe Ruby is insane, it would serve no purpose to proceed with the sanity hearing at this stage of appeals," he said.

Fowler had said when he entered the case that he would take another "route" in an attempt to save Ruby, sentenced to the electric chair for the fatal shooting of Lee Harvey Oswald.

Judge Brown is expected to approve the request to cancel the hearing.

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Ruby Plea On Sanity Put Off

Defense attorneys for Jack Ruby said Monday a show cause hearing scheduled Friday to determine if the condemned slayer should have a sanity hearing would be postponed indefinitely.

Newly appointed chief defense counsel Clayton Fowler indicated he would ask Dist. Judge Joe B. Brown to indefinitely delay the setting of a date for a sanity hearing for the condemned killer of Lee Harvey Oswald.

"After conferring with other defense lawyers, we have definitely decided a sanity hearing should not be held at this stage in the case," Mr. Fowler said. "Although we strongly believe Ruby is insane, it would serve no purpose to proceed with the sanity hearing at this stage of appeals."

Mr. Fowler said the defense would, at some future date, request the sanity hearing. At the present time, however, attorneys will concentrate on Ruby's appeal now pending before the Texas Court of Criminal Appeals in Austin.

Ruby is presently receiving treatment for his mental condition in his county jail cell. Defense attorneys said they would closely watch the progress of the treatment.

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Psychiatrist To Leave Ruby Case

A Dallas psychiatrist hired to treat condemned killer Jack Ruby in his county jail cell resigned Thursday but offered to continue treatments as a nonpaid court consultant.

Dr. William R. Beavers, a faculty member of the University of Texas Southwestern Medical School here, said he would continue to consult with County Health Officer J. M. Pickard concerning further mental treatment for Ruby.

Dr. Beavers delivered his resignation to Judge Joe B. Brown of Criminal District Court No. 3 and to Ruby's attorneys in letters dated last week.

In the letters he said that "because of the official recognition of Mr. Ruby's illness" in a June 1 meeting in the judge's chambers, he felt he was no longer needed as a private consultant.

The doctor reported he had spent more than 11 hours with Ruby's found him mentally ill and then made recommendations to Dr. Pickard.

The jail treatments for Ruby, under a death sentence for the murder of accused presidential assassin Lee Harvey Oswald, were authorized by Judge Brown pending a decision for a sanity hearing.

Dr. Beavers also indicated he and two other psychiatrists, Dr. John T. Holbrook and Dr. Robert L. Stubblefield, would report June 10 if they thought the sanity hearing should be held.

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Ruby Doctor Offers Services to Court

A psychiatrist hired by Jack Ruby's family to treat the condemned slayer in Dallas County Jail resigned Thursday as a private physician but agreed to continue treating Ruby as a court consultant without fee.

Dr. William R. Feavers, faculty member at Southwestern Medical School, wrote Ruby's attorneys and Dist. Judge Joe B. Brown that he would remain as Ruby's personal physician, consulting with County Health Officer J. M. Dickard on a prescribed course of treatment for the prisoner's mental condition.

The letter said that "because of the official recognition of Mr. Ruby's illness that took place in the June 1 meeting (in Judge Brown's chambers) I... believe I no longer need to function as his private consultant."

Dr. Feavers said he spent more than 11 hours with Ruby.

"I found Mr. Ruby mentally ill and in need of treatment but I was not in a position to treat him since the responsibility for his care lay with the county jail and the county health officer," the letter said.

"I therefore made recommendations to Dr. Dickard for the best possible standards of care available and followed the patient at intervals as a family-retained consultant."

The letter said that the hearing in Judge Brown's chambers on June 1 resulted in an agreement that the three doctors would recommend the treatment needed by Ruby.

The letter also indicated that the three doctors, including himself, Dr. John T. Holbrook and Dr. Robert L. Stubblefield, would report on June 19 to decide whether Ruby was so ill as to require a formal hearing on his sanity. However, newly named chief defense counsel, Clayton Fowler, has indicated he will quash a motion for a sanity hearing filed by the family. Mr. Fowler has described such a hearing as "premature at this time" and has said he feels the defense should make an all-out effort to get a reversal in the March 14 death penalty verdict through appeal.

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Fowler to Withdraw Bill For Ruby Sanity Hearing

Jack Ruby's new chief defense attorney said Wednesday he plans to withdraw a request for a sanity hearing for the condemned slayer.

Wayton Fowler said, however, that he wants assurances from

doctors before taking this step. "I want assurances from doctors that Jack's condition will not deteriorate if he receives treatment in the county jail instead of going to a hospital. If I get these assurances, I anticipate we will withdraw the request for a sanity hearing and ask Judge (Joe B.) Brown to cancel the June 19 hearing," said Fowler.

Judge Brown scheduled the June 19 hearing to listen to testimony and arguments about Ruby's mental condition. The judge said he would decide at the time whether to empanel a jury to pass on Ruby's sanity.

Defense attorneys Phil Burleson and Joe Tenahill requested the sanity hearing. Tenahill said Wednesday he still believes Ruby should have a sanity hearing, but added that he and Fowler can reconcile their disagreement at this point.

Fowler, who was hired Tuesday as Ruby's fifth chief defense attorney, said he thinks a sanity hearing now would be "premature."

Fowler said the defense should concentrate on asking the Court of Criminal Appeals to order a new trial for the former strip-tease club manager.

A jury sentenced Ruby to the electric chair for the Nov. 24 murder of Lee Harvey Oswald, who had been accused two days earlier of killing President John F. Kennedy and Patrolman J. D. Tippitt here.

Fowler said he expects to confer with Ruby in the county jail Thursday. They have not met since relatives of the slayer hired Fowler to spearhead the legal fight to save him from the electric chair.

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Ruby Lawyers Deny Dissension

Defense attorneys for Jack Ruby denied Wednesday any dissension in their ranks on the question of pushing for a speedy hearing for the condemned slayer of Lee Harvey Oswald.

Jasper attorney Joe H. Tomhill, one of Ruby's attorneys since the first pre-trial hearing, said Wednesday the appointment of Dallas attorney Clayton Fowler to head Ruby's defense effort "greatly strengthened" the case.

Mr. Tomhill said he and Dallas attorney Phil Burlean both were impressed with Mr. Fowler's ability of a defense lawyer and had, in fact, recommended him to Ruby's family.

Hubert Winston Smith entered the case. Mr. Fowler, president of the Dallas Criminal Bar Association, was hired Tuesday by Ruby's family to head the convicted man's appeal from the death penalty verdict returned against him for Oswald's murder.

Mr. Fowler's first official statement after announcements he had entered the case was to question the advisability of holding a speedy hearing for Ruby at this time. He described the move as "premature" as long as Ruby is getting medical treatment in the county jail.

The new defense counsel said

he considered the first problem to deal with was Ruby's appeal to the Texas Court of Criminal Appeals.

Mr. Tomhill, who has been pushing for a speedy hearing at the request of the Ruby family, said Wednesday "there will be no disagreement among the defense lawyers because we are all working for Jack Ruby's welfare."

"It will be Mr. Fowler's responsibility as chief counsel to decide what our next step should be," the Jasper attorney said. "We will be guided by the interpretation of Ruby's mental condition from the three psychiatrists."

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Ruby Lawyers Deny Dissension

Defense attorneys for Jack Ruby, Herbert Winston Smith entered the federal Wednesday any discussion in their ranks on the question of pushing for a sanity hearing for the condemned slayer of Lee Harvey Oswald.

Justice attorney Joe H. Tomahill, one of Ruby's attorneys since the fatal pre-trial hearing, said Wednesday the appointment of Dallas attorney Clayton Fowler to head Ruby's defense effort "greatly strengthened" the case.

Mr. Tomahill said he and Dallas attorney Phil Burleson both were impressed with Mr. Fowler's ability as a defense lawyer and had in fact, recommended him to Ruby's family in March when Dr.

Mr. Fowler, president of the Dallas Criminal Bar Association, was hired Tuesday by Ruby's family to lead the convicted man's appeal from the death penalty verdict returned against him for Oswald's murder.

Mr. Fowler's first official statement after announcements he had entered the case was to question the advisability of holding a sanity hearing for Ruby at this time. He described the move as "judicially immature" as long as Ruby is getting medical treatment in the state jail.

The new defense counsel said

he considered the first problem to deal with was Ruby's appeal to the Texas Court of Criminal Appeals.

Mr. Tomahill, who has been pushing for a sanity hearing at the request of the Ruby family, said Wednesday "there will be no disagreement among the defense lawyers because we are all working for Jack Ruby's welfare."

"It will be Mr. Fowler's responsibility as chief counsel to decide what our next step should be," the Jasper attorney said. "We will be guided by the interpretation of Ruby's mental condition from the three psychiatrists."

Local Police Don't Want Club To Open

The Dallas Police Department is protesting the reopening of Jack Ruby's old nightclub just under a new management.

County Judge Lee Stewart's office said a 33-year-old man describing himself as an entertainer has picked up papers for a beer license for the old Carousel Club at 1212 Commerce.

The entertainer said he wanted to reopen the nightclub under the name of "Henry's Round."

The nightclub has been closed since Ruby was jailed after shooting Lee Harvey Oswald last Jan. 21.

Judge Stewart later refused to issue a liquor license to a corporation of which Ruby was a member.

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Ruby Family Hires Fowler

Jack Ruby got a new chief defense attorney — his fifth — Tuesday and a disagreement arose immediately over strategy.

Clayton Fowler, 41-year-old president of the Dallas Criminal Bar Association, announced that Ruby's family had hired him to lead the fight to save the slayer from the electric chair.

Fowler asked attorneys Earl Burleson of Dallas and Joe Tonahill of Jasper, who have represented Ruby, to remain on the case. They said they would do so.

Fowler said he believes a defense request for a sanity hearing is "premature" at this time. Instead of trying to get a jury to rule that Ruby has become insane since his murder trial, Fowler said, defense lawyers should concentrate on getting the Texas Court of Criminal Appeals to grant him a new trial.

Tonahill disagreed.

"I don't think Clayton realizes how bad Jack's mental condition is," Tonahill said. "When he gets information in our papers, I think he will agree that we should have a sanity hearing so that Jack can go to a hospital and get the treatment he needs so badly."

Fowler said he was hired by Earl Ruby of Detroit, Mich., a brother of the condemned slayer, and Sol Dinn, a Detroit lawyer who represents Earl Ruby.

Fowler said he was guaranteed "complete freedom" in making decisions. He said he was told that Mrs. Eva Grant, a sister of the slayer, approved the decision to put him in charge of the defense.

Judge Joe B. Brown said Fowler informed him of his appointment as chief defense attorney and they discussed a hearing scheduled for June 19 in Criminal District Court No. 3.

Judge Brown scheduled the hearing at the request of Tonahill and Burleson. The jurist said he would listen to testimony and arguments, then decide whether a jury should rule on Ruby's mental status.

Prosecutors challenged the defense contention that Ruby became insane after a jury agreed he should die in the electric chair for the murder of Lee Harvey Oswald, the Marxist accused of killing President John F. Kennedy here.

Tom Howard, a Dallas lawyer, defended Ruby after he shot Oswald while millions watched on television. Howard withdrew from the case after a disagreement over strategy with Melvin Belli, who was hired by the family as chief defense attorney.

The family fired Belli after jurors returned the death penalty and the flamboyant San Francisco lawyer staged Dallas in a courtroom outburst.

Percy Foreman of Houston served briefly as chief defense attorney. He said he quit because Mrs. Grant "wanted to tell me how to handle the case."

Then Dr. Hubert Winston Smith of Austin, who holds both medical and legal degrees, took over. He quit a week ago, saying that he needed to return to teaching duties in the University of Texas Law School to support his family.

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SCATTERING HAYSEED

'Country' Image Delights Fowler

By KENT BIELLE

"Clayton comes into a court room, scatters hayseed in the jury box and walks out with the verdict," a lawyer said Tuesday.

He was talking about Clayton Fowler, new chief defense counsel for Jack Ruby.

Fowler has a low flashpoint. As president of the Dallas County Criminal Bar Association, he recently took to task the powerful Dallas Crime Commission.

During the Ruby trial, he openly criticized one of a public relations firm by Judge Joe B. Brown, who still presides over the case.

The only way to compare Fowler with San Francisco's Melvin Belli, who directed defense during the trial, is to say they are poles apart.

"Why Mr. Belli is a polished lawyer," said Fowler humbly. Then he began remarking on how the case should have been handled in the first place.

Fowler said, "That psycho, a psychomotor... what did he call it? Psychomotor epilepsy. That was a new approach to insanity."

"In Texas we have a test for insanity in criminal cases. It may be antiquated. But it's still the law. It centers on the question of whether the defendant knew right from wrong."

More important, Fowler feels, is that Belli's defense did not emphasize an appeal for mercy from the jury. "They put all their eggs in one basket," he said, quoting Dist. Atty. Henry Wade.

"They didn't give jurors a chance to wonder what they themselves would have done in Jack Ruby's shoes. They didn't make a strong plea for sympathy," he said.

The immediate fiancé of Fowler, who in more than 20 death penalty cases hasn't lost a client to the electric chair, is not the

trial record for legal errors.

At a change of venue hearing last year, Fowler testified he felt that Ruby couldn't get a fair trial in Dallas County. He said Tuesday that still holds true.

He pointed out, however, that he is not abandoning the sanity issue and will likely pursue that later on.

"Red" Fowler, 43, comes from the piney woods around Colmesneil (Tyler County). "They let you out of high school when you can spell the name of the place," he grinned.

A big man with thinning red hair, Fowler puts saccharin pellets in his iced tea in an attempt to hold his weight to 220.

During Yule season he abets his partner Costine A. Droby in mixing up for lawyers and news media men something called World War Five Punch.

It includes fermented straw-berreries, champagne, sweet potatoes, cucumbers, onions, and sausage.

A time loser in legislative races, Fowler is a Boy Scout commissioner and an elder at

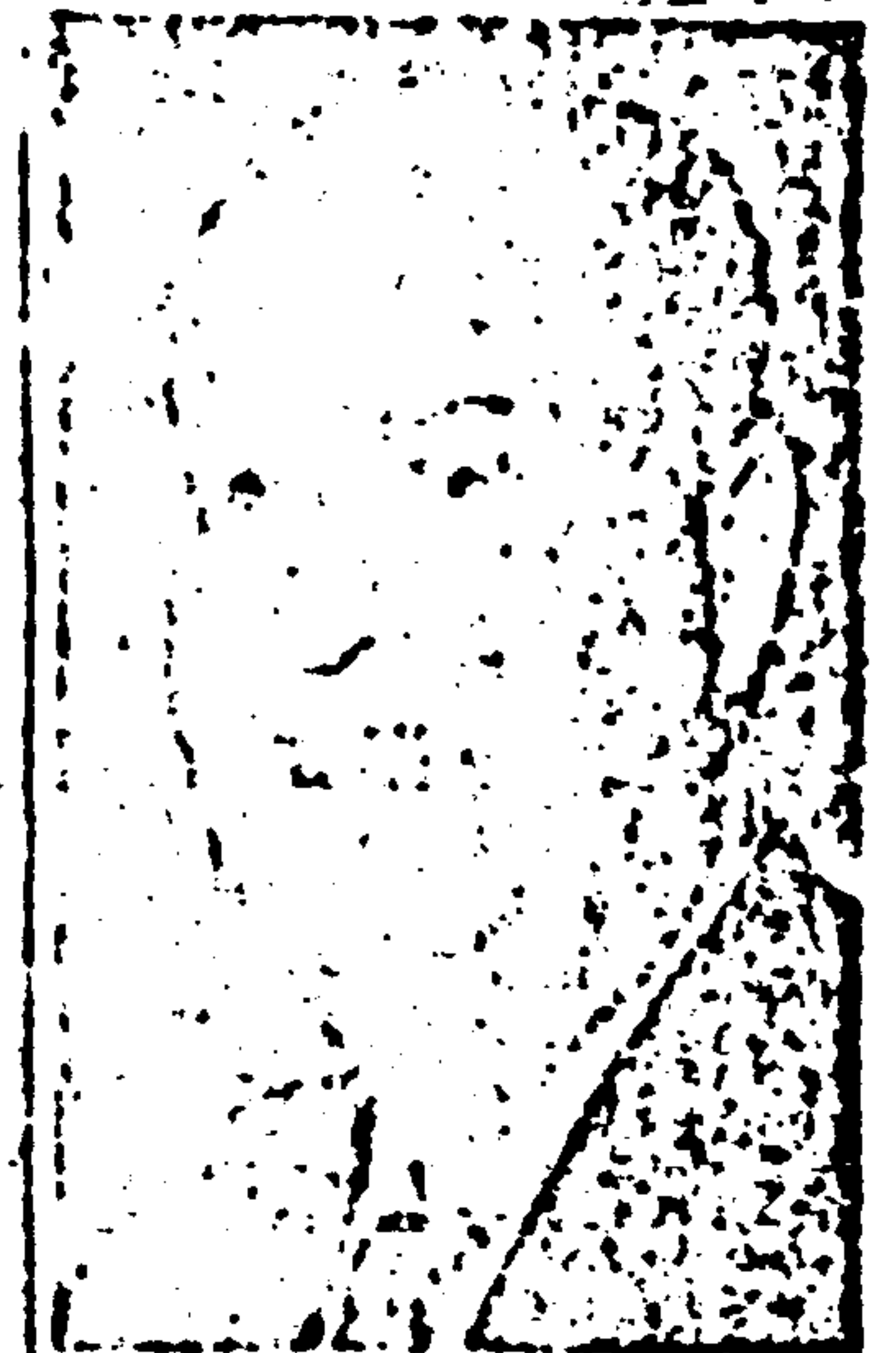
Churchill Way Presbyterian Church. He has four children.

Many of Fowler's acquaintances don't know that he is missing a right leg. It was lost in the crash of a Navy training plane in 1942.

Fowler went to Southern Methodist University Law School on the GI bill. But he's never completely left the piney woods. He has a 1,500-acre farm in Tyler

County where he raises quail. In a dispute over ownership of a leg, Fowler once subpoenaed the pig into court. He delights in being thought of as a "common man."

And if Life Magazine really thinks Henry Wade has "a completely left the piney woods ball manner," they haven't yet met Clayton Fowler.



Clayton Fowler
Haven't lost a client to the chair yet.

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★
**RUBY CLUB
MAY REOPEN**

The Carousel may become
the Merry-Go-Round

Clerks in County Judge Lew
Sterrett's office said Tuesday
that Norman Earl Wright,
a 38-year-old comedian, in-
formed them he will apply for
a beer and wine permit for a
club at 1121 1/2 Commerce.

When Jack Ruby ran a
sportsman club at the Com-
merce Street address, it was
known as the Carousel.

Wright said he plans to call
his club the Merry-Go-Round.

The Texas Liquor Control
Board canceled the Carousel's
beer license after Ruby shot
Lee Harvey Oswald, the Com-
munist sympathizer accused
of assassinating President
John F. Kennedy.

A reorganized corporation,
which dropped Ruby as an
officer, asked Judge Sterrett
to approve a new permit. He
refused.

Wright listed his address as
6011 Reiger, and described
himself as "a comedy master
of ceremonies" who has per-
formed in various night clubs.

Judge Sterrett will schedule
a hearing when Wright files
his request

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Bar Head Selected As Ruby's Counsel

Clayton Fowler Becomes Fifth Chief Attorney

By JERRY RICHMOND, Staff Writer

The often outspoken president of the Dallas Criminal Bar Association was retained Tuesday as chief counsel for condemned slayer Jack Ruby.

Clayton Fowler, 43-year-old Dallas criminal attorney, was hired to head the defense appeals from the March 14 death penalty verdict against Ruby for the slaying of accused assassin Lee Harvey Oswald.

Mr. Fowler becomes the fifth chief counsel for Ruby, replacing Dr. Hubert Winston Smith, who resigned last week to return to academic life as a professor of law at the University of Texas.

"I have accepted employment as lead counsel for Jack Ruby upon the request of his family," Mr. Fowler said. "At the present time, I am consulting with the



CLAYTON FOWLER
New Lawyer for Ruby

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