

Federal Agents Probe Ruby Testimony Leak

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Exclusive to The Times from a Staff Writer

WASHINGTON — The special commission investigating the assassination of President John F. Kennedy said Thursday that federal agents are investigating a leak to the press of verbatim testimony by Jack Ruby.

The commission said it "has released no testimony whatever."

Ruby, convicted slayer of Lee Harvey Oswald, the accused Kennedy assassin, was questioned in a Dallas jail last June 7 by Chief Justice Earl Warren.

Last Tuesday, New York Journal-American columnist Dorothy Kilgallen said in a story in that newspaper that she had obtained "through sources close to the Warren Commission . . . a copy of the original transcript" of Ruby's testimony. A verbatim account of this testimony appeared in the Journal-American and other newspapers.

Disclosure of the federal investigation was made by J.

Lee Rankin, counsel of the Warren Commission. He made public a telegram he sent to Malcolm Epley, executive editor of the Independent Press-Telegram of Long Beach. Epley had complained to the Warren Commission.

In his telegram, Rankin said:

"The commission has directed me to advise you that no member of the commission or its staff has divulged or made available to any news media any portion of testimony before the commission.

"The commission has released no testimony whatever and all statements released to the press by the commission have been made available to all news media.

"It intends to abide by this policy until delivery of its final report to the President. Federal investigation has been undertaken to determine the source of the release to which you have objected." E.P.