

What's Your Source?

Where she got the story, how she got it, neither Dorothy Kilgallen nor The New York Journal-American was saying. But together they had a major, if controversial, news beat, and for three days last week they blared it all over page one. The story clearly was worth the banner headlines-Jack Ruby's verbatim , testimony before the Warren commission.

From the impressive heading-con-FIDENTIAL, PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KEN-NEDY-down to the acrid debate between Ruby and his lawyers, the Journal-American's series had the ring of authenticity. Embarrassed and perturbed, the commission implied that the stories were accurate, then announced that the FBI was investigating the "pre-



Dottie in Dallas: Searching questions

mature publication" of the testimony. While the commission appeared surprised, to the reporters who have covcred the Ruby testimony and his earlier trial, it was just another episode in a long series of leaks. For months, newsmen all over Texas have been aware of a thriving black market in documents connected with the Oswald and Ruby cases. Among the items being bartered in Dallas and elsewhere were Oswald's Russian diary, a sketchy, non-verbatim version of Ruby's commission testimony, many photographs, and the transcript of Ruby's July 18 lie-detector test.

Although the commission has tried to maintain a screen of secrecy, it has been as effective as a sieve. While the leakage has been kept to a minimum in Washington, newsmen in Dallas and other cities have easily breached commission security. Not only have some of

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been "cooperative," but the commission, as a matter of legal etiquette, he has provided them with verbatim trantranscripts of their testimony. In such an atmosphere, it is surprising that the Ruby testimony wasn't published in full ee before now.

> Certainly, the 102-page document, at least the Kilgallen version, contained a great many fascinating insights into Ruby's deteriorating state of mind, his attorneys' inability to restrain their erratic client, and Chief Justice Warren's infinite and understanding patience. Some excerpts:

> RUBY: Now, Mr. Warren, I don't know if you got any confidence in the lie-detector test and the truth serum and so on.

> JUSTICE WARREN: I can't tell you just how much confidence I have in it, because it depends so much on who is taking it and so forth ... I wouldn't suggest a lie-detector test to testify the truth. We will treat you just the same

RUBY: Chief Warren, your life is in danger in this city, do you know that?

WARREN: No, I don't know that ... you can tell me, if you wish, when this is all over, just between you and me.

RUBY: I am in a tough spot ... through certain falsehoods that have been said about me to other people... I am as good as guilty as the accused assassin of President Kennedy ... Unfortunately, Chief Earl Warren, had you been around five or six months ago, and I know your hands are tied ... a certain organization wouldn't have so completely formed now ... to use me because I am of Jewish extraction ...

At one point, Ruby challenged Tonahill's version of an incident in Dallas by shouting at him "That is untrue". 4. You are lying, Joe Tonahill." As Ruby droned on in stream-of-consciousness fashion, he would, from time to time, interrupt in order to ask Chief Justice Warren if he minded "a slip-shop story" Typically, Justice Warren made the re-



Banner day for the Journal-American: Black-market bonanza?

as we do any other witness, but if you want such a test, I will arrange it.

RUBY: I do want it. Will you agree to that, Joe? (Joe Tonahill, a Ruby defense lawyer.)

TONAHILL: I sure do, Jack.

RUBY: Is there any way to get me to Washington?

WARREN: I beg your pardon? ... I don't know of any. I will be glad to talk to your counsel about what the situation is, Mr. Ruby, when we get an opportunity to talk.

RUBY: I don't think I will get a fair representation with my counsel, Joe Tonahill ... I would like to request that I go to Washington and you take all the tests that I have to take. It is very important.

TONAHILL: Jack, will you tell him why you don't think you will get fair representation?

RUBY: Because I have been over this for the longest time to get the liedetector test. Somebody has been holding it back from me.

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ply: "No, you tell us in your own way,"

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The picture of Ruby which emerges from his testimony is of a man desperately trying to prove his sanity and to establish that his only motive in killing Lee Harvey Oswald was to spare Mrs, Jacqueline Kennedy the ordeal of having to testify at the alleged assassing trial. It also shows a portrait of a man driven by paranoid fears and of an attorney hopeful of exploiting those fears to establish a case of insanity.

The testimony revealed so much that the Journal-American hardly needed the muddled Kilgallen sidebar commental ies. Just as she had during the trial itself (where, like other reporters, she was searched before entering court—photo), the gossipy columnist jumped on obvious discrepancies in Ruby's testimony, such as that he was demonstrating an exercise device to a friend at a time when he was supposed to be griefstricken about the assassination. She made much, also, of Ruby's aggressive performance before the commission.

Neither Miss Kilgallen nor her editors

Catholic intellectuals. As a result, classed sylawiteration anaportination of papers across the country) were willing papers across the country) were willing on the second second second second second to talk about her stories or her sources to talk about her stories or her sources to talk about her stories or her sources and TV panelist would say was that it was someone "close to the Warren going mission in Washington." Other reports a implied that the leak was out of Detail New York, and especially Dallas. New York, and especially Dallas.

Whatever the case, Miss Kilgallen Si exclusive suggested the difficulty of hotsy tling up such an explosive report for so long, especially one to which so manyou have had access. Patting itself on the back last week, the Journal-American noted it had "rushed" the story jutoff print because it feared it would not he among the select if the Warren comparsion went ahead with a rumored plant to release the report selectively.

When the commission convened offind January, it anticipated it had only about three months of work ahead. Now its rear



Ruby: 'A slip-shop story' sid

port is set for publication in September in If it waits any longer than that, one off the most important documents of the century may, continue, to, dribble port is leak attender, owe satter week intrud or