

Ruby Trial Slated For Wichita Falls

Jack Ruby, once convicted and under death sentence for the murder of accused presidential assassin Lee Harvey Oswald, will be tried again—some time in 1967—in Wichita Falls.

Dist. Judge Louis T. Holland of Montague announced the new trial site Tuesday after a conference with attorneys for the defense and prosecution. The conference, which began at 10:15 a.m., was concluded about an hour and a half later.

Although no trial date was set Tuesday, Judge Holland said the case will be heard in early 1967—possibly February. He explained that the setting of the case will depend upon availability of prosecution and defense attorneys.

JUDGE HOLLAND, who was appointed presiding judge when trial Judge Joe B. Brown

stepped down during the Ruby appeal, will hear the new trial. He said the judge of the 30th District Court in Wichita County will exchange benches with him for the duration of the second Ruby trial.

Holland also said the change of venue, ordered last Oct. 5 by the Court of Criminal Appeals, will become effective immediately, although the official order has not yet been signed.

The judge said representatives of several cities had approached him as possible sites for the new trial but explained that he chose Wichita Falls because "it is accessible to all witnesses, has ample facilities, and is made up of a multitude of good, fair, honest people."

Dist. Atty. Henry Wade and defense attorney Phil Burleson indicated they are satisfied with

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the new site. Neither would comment as to whether he had preferred other cities.

WADE, ASKED about possible strategy for the new trial, said, "The prosecution is ready for trial now, and we'll have five or six new witnesses."

He did not specify who these witnesses might be.

Burleson, in replying to a similar question, said the defense faces several problems. "For instance," he said, "one of our witnesses is now in Saigon and we'll have to get him back. We'll be working toward getting ready by February."

Judge Holland said he will strive to comply with U.S. Supreme Court decisions in the Billie Sol Estes and Dr. Sam Sheppard cases concerning trial publicity.

"It will take the cooperation of attorneys, news media, and the court to see justice," the judge stated.

THE PUBLICITY of the Shepard case was cited by the Texas Court of Criminal Appeals last Oct. 5 as it handed down its reversal of the previous Ruby conviction and death sentence.

Judge Holland said cities which had approached him about the new trial included Seymour, Andrews, and Archer City.

"I did not consider any city other than Wichita Falls," he said.

Wade, asked what role the Wichita County district attorney will play in the new trial, said, "We'll assist him any way we can."

Ruby was convicted in March 1964 for the murder of Oswald. The case had been under appeal until the Texas Court of Criminal Appeals returned its ruling last October.

The publicity concerning the Sheppard case was one of 16 points raised by Ruby's attorneys in the historic four-hour hearing before the Texas court.

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