

STATEMENT OF JULIA ANN MERCER

On the morning of the President's assassination, in the vicinity of 11:00 o'clock, I was driving west on Elm Street toward the Triple Underpass. There was a green pick-up truck parked on the right-hand side of the road, with its two right wheels up on the curb. I was delayed by traffic congestion long enough to observe a man remove from the back of the truck a rifle wrapped in paper.

Because of the delay caused by traffic I happened to see the face of the driver of the truck quite clearly. While I was stopped there he looked at me twice. This man was, as I later recognized from his pictures, Jack Ruby.

The next morning FBI agents showed me photographs. This was on Saturday -- the day after the assassination and the day before Ruby shot Oswald. The FBI then showed me some photographs to choose from. One of the men I picked out was Jack Ruby. When one of the FBI agents turned the pictures over I saw Ruby's name on the back. At the same time, I also picked out as possibilities three other men who were of the same type with regard to facial features. This was on Saturday morning, the day before Ruby went into the police station and shot Oswald.

The next morning I was looking at television with my family and when I saw Ruby shoot Oswald, I said "That was the man I saw in the truck". From the view the television screen gave of Ruby -- especially when they showed it again slowly -- I recognized him as the man who was at the wheel of the truck on Friday and as the man whose picture the FBI showed me on Saturday.

I have just recently seen an FBI report dated 11/28/63 which refers to my being shown a photograph of Ruby. It says that I "could not identify him as the person". This is not an accurate statement because I did pick out Ruby's picture. Also, this report does not mention the fact that they showed me Ruby's picture on November 23rd, the day before he shot Lee Oswald.

I have also been shown a separate FBI report dated 11/23/63 -- which is the day they showed me Ruby's picture. This report states that : "She advised there was a man sitting under the wheel of the car, slouched over the wheel. This man was wearing a green jacket and was described as a white male, who appeared to be about 40 to 45 years of age, and to be of heavy build". This report then goes on to say of the second man (the one who got the gun out of the back of the truck) that I could identify that second man if I saw him. However, I did not indicate to the FBI at this time that I only felt able to identify the man with the gun and not the driver. Contrary to this indication, I had no doubts about what the driver's face looked like. This was on the same day they showed me Ruby's picture, among others, and the day when I picked him and three similar pictures as looking like the driver of the truck. I do not know whether the other three pictures shown me were other men who looked like Ruby or whether they were three other pictures of Jack Ruby. But they definitely showed me Jack Ruby and I definitely picked him out as looking like the driver.

Also, this FBI report dated 11/23/63 has me describing the green pick-up truck as having a sign painted on the door.

It reads: "On the driver's door the words 'Air Conditioning' were printed in black letters and the words formed a half-moon shape". This is not true. Every time I was interviewed -- and at least two of the interviews were by the FBI -- I stated that there was no sign of any kind on the side of the truck. The words "Air Conditioning" were not painted on the truck, nor were any other words. It was a plain green truck without any printing on it and I made this clear from the outset.

The same thing was done to another purported statement which has been printed up as my "affidavit" with the heading "Sheriff's Department, County of Dallas". That "affidavit" is also described on the bottom of the copy I have just seen as "Decker Exhibit No. 5323". Neither of the signatures on the two pages of this affidavit is mine although they are fairly close imitations (except for the way the capital A is written in my second name, Ann. I have always used a pointed capital A and whoever signed my name on these two pages used a round capital A each time).

Also I note that a woman has signed her name as a Notary Public and has indicated that this alleged statement was "sworn to and subscribed" before her. This also is untrue. On no occasion during any of my questioning was a woman ever present.

Like the FBI statement, the "affidavit" of the Dallas Sheriff's Department also has me saying that the truck had "Air Conditioning" painted on the side in "black, oval

letters". That is not the way it was at all. The truck was plain and had no letters whatsoever painted on it.

That "affidavit" also has me stating, with regard to the driver, that "I could not see him too clearly". That is not true. I saw the driver very clearly. I looked right in his face and he looked at me twice. It was Jack Ruby.

I was not asked to testify before the Warren Commission.

Julia Ann Mercer

New Orleans, Louisiana
January 16, 1968