

# DEATH SENTENCE TO BE DEMANDED

Defense Indicates a Plea of  
Temporary Insanity — No  
Link With Oswald Found

11/26/63  
By **GLADWIN HILL**  
Special to The New York Times.

DALLAS, Nov. 25 — Jack Ruby, the slayer of President Kennedy's alleged assassin, was transported secretly to the county jail today.

The mile trip from the city jail, through the main street, took place about noon and without incident.

Yesterday Ruby shot down Lee Harvey Oswald in the police headquarters basement garage as the latter was being taken on the same trip.

Ruby's transfer came as Henry Wade, Dallas County district attorney, planned to demand the death sentence for the 52-year-old night-club operator.

Meanwhile Ruby's lawyers worked on a probably defense of temporary insanity.

### Motive Questioned

Oswald's death, Mr. Wade said, "was an assassination just like the other one," aggravated in public importance in that the victim "was under arrest and in handcuffs."

Local and Federal law enforcement officers, absorbed scarcely 24 hours ago in proving Oswald's guilt, were now preoccupied with the aspects of his death.

Prominent among these was the possibility of a motivation in Ruby's act beyond the surface indication of fanatical indignation over the killing of the President.

Ruby, with a shadowy past and a local police record, mingled with newsmen and detectives in watching Oswald's departure from the city jail yesterday, and shot him.

A Police Department spokesman said today no evidence had been found that Ruby had had previous contact with the 24-year-old warehouse clerk.

### Calls Him Nervous

Ruby's chief lawyer, Tom Howard, said:

"I am absolutely certain in my own mind that there never had been any contact between the two."

Mr. Howard said that Ruby "has always been an emotional, high strung man."

"When I saw him after the shooting, he was very very nervous, very upset, almost on the verge of collapse," the lawyer added.

He would not commit himself on a line of defense. When asked about a possible insanity plea, he said:

"I think he was probably out of his mind at the time of the shooting."

Nonetheless, speculation persisted about a link between the two men.

Mr. Howard said he would apply for an "examining trial," tantamount to a bail hearing, to be held immediately after Thanksgiving. District Attorney Mr. Wade said he would oppose the defendant's release on bail. He has been formally charged with murder.

The district attorney said he would follow, in Ruby's case, the approximate prosecution schedule he had mapped for Oswald. That calls for presenting the case to the grand jury within a week, with a trial in mid-January.

The impending courtroom clash pitted two men exceptionally experienced in the prosecution and defense of capital cases.

Mr. Wade has asked the death penalty in 24 cases, and won verdicts in 23, although two death sentences were commuted.

Mr. Howard said he had acted as counsel in at least 35 capital cases, "and I've never had a client executed."

Ruby's transfer was carried out with only a few police officers and newsmen aware of it.

Ruby, as Oswald yesterday, was taken from the fourth floor jail down a back elevator to the basement, which was nearly empty of observers today. Most were on the third-floor corridor.

### Unmarked Car Used

The 5-foot 10-inch, heavy-set prisoner, handcuffed and escorted by four detectives, bent his head almost to his knees as he walked, as if to conceal his identity.

At the doorway to the basement garage ramp, where he had shot Oswald, he was thrust into the back seat of an unmarked white police sedan.

He lay down on the seat, with one plainclothes officer sitting by his head, and another on the edge of a seat, almost concealing Ruby's body. A guard sat on the front seat with the driver.

With a motorcycle escort in the lead, and another sedan loaded with heavily armed officers following, the car swung around the block and down Main Street, through the heart of the shopping district.

It was just before noon, but only a few persons were about. Most business places were closed as the city mourned President Kennedy and J. D. Tippitt, the policeman Oswald was accused of killing an hour after his alleged shooting of the President and Gov. Tom Connally.

# Oswald Sought a Visa to Cuba While in Mexico in October

By **PAUL P. KENNEDY**  
Special to The New York Times.

MEXICO CITY, Nov. 25 — A Mexican Government source said today that Lee H. Oswald, the slain suspect in the assassination of President Kennedy, was in Mexico from Sept. 26 until Oct. 3 attempting without success to get visas to Cuba and the Soviet Union.

There were reports here also that his movements were followed in Mexico by an unidentified United States agency.

The United States Embassy here declined to confirm or deny any knowledge of the visit. A Mexican official said it was evident that Oswald wanted to leave the continent immediately.

A spokesman of the Ministry of the Interior confirmed this morning a report that appeared in the morning paper Excelsior. It said Oswald crossed the Mexican border Sept. 26 and traveled by highway to Mexico City the next day.

On that day he appeared at the Cuban Consulate here and applied to the then Consul General, Eusabio Azcue, for a visa to Havana.

According to the Government official, Mr. Azcue was suspicious of the applicant and told him he would have to apply to Havana for the visa. He said an answer might require 10 to 12 days.

Mr. Azcue has since been transferred from the consulate here, but it was reported at the office that the applicant became incensed at the delay and left the consulate, slamming the door behind him.

The following day the applicant appeared at the Soviet Consulate. Both the Cuban and the Soviet Consulates are in the

compounds of their respective embassies.

Oswald applied to an unidentified employe at the Soviet Consulate. He was told there that his application would have to be submitted to Moscow and a reply might require up to three months.

Soviet Embassy officials today would neither confirm nor deny that the application had been made. But it was confirmed by the Ministry of the Interior official who asked that his name not be used.

Oswald entered Mexico through the port of Nuevo Laredo, presenting a tourist visa. It was later learned that in receiving the tourist card at the Mexican Consulate in New Orleans, he presented his birth certificate as proof of citizenship. He returned to the United States the morning of Oct. 3, passing through Nuevo Laredo.

### No record of Travel

Special to The New York Times.

Laredo, Tex., Nov. 25—When Oswald crossed the border here on Sept. 26 he gave his destination as Mexico City.

The record of his travel was maintained by the Mexican Government, not the United States Government. William M. Kline, assistant United States Customs agent in charge here, said that when a United States citizen enters the interior of Mexico the Mexican Government gives him certain documents that he must return when he leaves that country.

The United States does not record the crossing of its own citizens, hundreds of whom go back and forth every day.