

RBY

17 FEB 1964

509 PCS

A21DN

WITH RUBY (150)

DALLAS FEB. 11 (AP)—AN ATTORNEY CALLED AS A DEFENSE WITNESS SUGGESTED TODAY A PLACE IN TEXAS WHERE HE THOUGHT JACK RUBY MIGHT GET A AIR TRIAL:

MENTONE, SEAT OF LOVING COUNTY.

LOVING COUNTY IS IN FAR WEST TEXAS, WHERE THE SAND DUNES ARE HIGH AND THE MESQUITE IS THICK. IT HAS A POPULATION OF 160 IN 647 SQUARE MILES. ONLY 92 AUTOMOBILES ARE REGISTERED. MENTONE HAS A POPULATION OF 110.

ASST. DIST. ATTY. BILL ALEXANDER ASKED THE WITNESS, DALLAS ATTORNEY BEN HENDERSON, WHY HE WOULD SELECT LOVING COUNTY.

"BECAUSE," SAID HENDERSON, "THERE IS NOT A SINGLE LAWYER IN THE COUNTY."

HENDERSON ALSO SAID THAT IF OSWALD WAS GUILTY OF KILLING PRESIDENT ENNEDY, THEN RUBY WAS INNOCENT OF MURDER. BUT IF OSWALD WAS INNOCENT, THEN RUBY WAS GUILTY.

"I KNOW OF NO OFFENSE INVOLVED WHEN YOU KILL A TYRANT," HENDERSON SAID.

ASKED WHOM HE WAS CALLING A TYRANT, HENDERSON SAID HE MEANT OSWALD-- IF OSWALD WAS THE ASSASSIN.

HE EXPLAINED HE DID NOT MEAN TO IMPLY THAT PRESIDENT KENNEDY WAS A TYRANT.

JA509PCS