

12/2/64

Dallas's Leaders Doubt Ruby Can Get Fair Trial

By JACK LANGGUTH

Special to The New York Times

DALLAS, Feb. 11—Several influential Dallas residents, including Stanley Marcus, testified today that Jack L. Ruby's chance for a fair trial was greater outside of Dallas County.

However, the Rev. William A. Holmes, a Methodist minister who indicted the political climate here after the assassination of President Kennedy, said he believed that Ruby could receive as fair a trial in Dallas as anywhere else.

For the second day, defense attorneys for Ruby, who assertedly shot Lee H. Oswald last Nov. 24, called witnesses to try to show that Judge Joe B. Brown should move the trial outside of Dallas.

Melvin M. Belli, Ruby's chief attorney, said that if Judge Brown denied the change of venue now, another attempt would be made when jury selection began. The trial is now set for Monday. Mr. Belli said he would not ask for a postponement.

Mr. Marcus, the president of Neiman-Marcus Department Stores, said that he had "great reservations whether either the defense or prosecution can get a fair trial in Dallas."

Jurors' Bias Feared

Mr. Marcus also agreed with Mr. Belli that most Dallas residents, as jurors, would seek unconsciously to protect the reputation of their city.

A past president of the Dallas Citizens Council, Mr. Marcus is considered one of the more liberal members of that organization of civic-minded businessmen.

In testimony yesterday, the defense had suggested that the

Citizens Council was eager to convict Ruby to redeem the reputation of Dallas as a law-abiding city.

Henry Wade, the Dallas County district attorney, asked Mr. Marcus, somber man, if any group of citizens had banded together to prevent a fair trial. "Not to my knowledge," Mr. Marcus replied.

Clayton Fowler, the president of the Dallas Criminal Bar Association, and C. A. Droby, past president of the Dallas County Bar, both supported moving the trial from Dallas.

Clergyman Testifies

The Rev. William A. Holmes, who received police protection last Nov. 26 after portions of a sermon critical of Dallas were televised, said he had received 550 letters after the episode.

All but 50 were favorable, he said.

A total of 15 witnesses were called today, several of them friends of Ruby or his family. With the exception of Mr. Holmes and Presiding County Judge Lew Sterrett, none of their thought Ruby's chance for an impartial jury was as good in Dallas as elsewhere. Yesterday, six witnesses said that Ruby could be tried fairly here.

In his prehearing remarks today, Ruby again dwelt on the increasing importance of religion in his life in jail. He sat slouching in his seat through most of the testimony. When friends appeared on the witness stand, he often looked at the floor in apparent embarrassment.

Several of the witnesses who had known Ruby testified that they had heard residents of Dallas County say that the 52-year-old night-club operator should be congratulated, not prosecuted, for shooting Oswald.

This opinion was most forcefully expressed by Ben Henderson, a Dallas lawyer, who said that if Oswald were judged guilty of shooting the President, then Ruby was innocent of any crime. "I know of no offense when you kill the tyrant," Mr. Henderson said.

William F. Alexander, a deputy district attorney, asked: "You mean it was all right to kill President Kennedy?"

Mr. Henderson answered that he was referring to Oswald as the tyrant.

13/2/64

Ruby Judge's Aide Is Cross-Examined

By JACK LANGGUTH

Special to The New York Times

DALLAS, Feb. 12 — The activities of a public relations aide to the judge in the Jack L. Ruby murder trial were sharply criticized today by Ruby's attorneys.

Melvin M. Belli, who heads the team of defense lawyers, clashed frequently with Sam R. Bloom, the owner of a Dallas advertising and public relations agency.

The defense was attempting to show that Mr. Bloom, a member of the Dallas Citizens Council, had conferred with council members before drawing up regulations governing the trial.

Mr. Bloom denied these implications. He said he had volunteered last December to assist the judge without a fee in arranging for press coverage.

It has been generally understood, however, that business leaders in Dallas approved Mr. Bloom's offer of services to Judge Joe B. Brown. In some quarters, the judge is considered to lack the temperament and experience for a trial of this scope.

Correspondence Examined

Mr. Bloom's agency has assisted the Citizens Council in recent years in a campaign for peaceful integration of Dallas schools. His 55-employee agency also handled arrangements for the luncheon that President Kennedy was to have addressed on the day he was assassinated. Ruby is charged with killing the accused assassin, Lee H. Oswald. Before the morning recess today, Judge Brown had upheld prosecution objections to permitting Mr. Bloom's office correspondence to be entered as evidence.

Mr. Belli had protested that he needed to have the files at



Associated Press

Melvin M. Belli

large and thickest former newspaper man, was explaining with a slight smile and a sigh that his methods were informal, and that he depended more on telephone calls than on memorandums. When the defense attorney challenged him, Mr. Bloom said:

"Don't bark at me, Mr. Belli."

"Then don't smile at me," the lawyer retorted.

Early in the testimony, Mr. Bloom said that he thought Ruby could obtain a fair trial in Dallas. That opinion was also offered by John McKee, the president of the Dallas Crime Commission.

Mr. Bloom's testimony ended when Mr. Belli asked him if he didn't think "the execution of Ruby would wash away the sins of Dallas?"

Mr. Bloom answered:

"I don't think Dallas has any sins."

"If that's your belief," Mr. Belli said with elaborate contempt, "I don't have any more questions for you."

least catalogued for use in a possible appeal. The defense is seeking to move Ruby's trial, now set to begin Monday, out of Dallas. Evidently expecting an adverse ruling from the judge, defense lawyers have often mentioned an appeal.

After the recess, the prosecution withdrew its objections, and Mr. Bloom's files were examined. They were found to contain requests from reporters around the world for places in the 48-seat press section of the courtroom.

Often considered a flamboyant courtroom performer, Mr. Belli has been low-keyed in his examination of witnesses at this hearing. His handling of Mr. Bloom was less gentle, however.

At one point, Mr. Bloom, a