

A211DS (BJT)

AMS BUDGET

NIGHT LEAD RUBY (450)

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DALLAS, MARCH 3 (AP)—THE STATE SUGGESTED TODAY THAT JACK RUBY MAY HAVE BEEN ON LEE HARVEY OSWALD'S TRAIL SOME 20 HOURS BEFORE HE SHOT TO DEATH THE ACCUSED ASSASSIN OF PRESIDENT KENNEDY.

RUBY, 52-YEAR-OLD DALLAS STRIP TEASE JOINT OPERATOR, IS ON TRIAL FOR HIS LIFE FOR THE NOV. 24 SLAYING OF OSWALD. THE TRIAL BEGAN FEB. 17 AND THE FIRST TESTIMONY WAS HEARD TODAY, AFTER RUBY ENTERED A PLEA OF INNOCENT BY REASON OF INSANITY.

TWO STATE WITNESSES PLACED RUBY OUTSIDE THE DALLAS COUNTY JAIL WHEN A CROWD GATHERED IN MID-AFTERNOON OF NOV. 23 IN ANTICIPATION OF OSWALD'S TRANSFER THERE FROM POLICE HEADQUARTERS. THE ACTUAL TRANSFER, HOWEVER, DID NOT TAKE PLACE UNTIL THE NEXT DAY AND AT ITS OUTSET RUBY PUT A SINGLE FATAL BULLET INTO OSWALD'S ABDOMEN.

"WAS THAT AN URLY CROWD, A MURMURING CROWD, A SINISTER CROWD?" CHIEF DEFENSE ATTORNEY MELVIN BELLI ASKED ONE OF THE WITNESSES, SGT. D. V. HARKNESS, ON CROSS-EXAMINATION.

"NO, SIR, IT WAS AN ORDERLY CROWD," REPLIED THE POLICE OFFICER, WHO TOOK THE STAND IN UNIFORM AS THE TRIAL'S EIGHTH WITNESS.

"DID RUBY APPEAR ANY DIFFERENT THAN THE OTHERS?" BELLI ASKED.

"NO, SIR," HARKNESS SAID.

ASST. DIST. ATTY. WILLIAM ALEXANDER THEN ASKED:

"DO YOU KNOW WHETHER RUBY WAS ARMED AT THAT TIME OR NOT?"

"NO," SIR."

"DID YOU HAVE ANY REASON TO BELIEVE HE WAS?"

"NO, SIR," HARKNESS REPEATED.

A212DS

EARLIER, ANOTHER WITNESS, WES WISE, A NEWSMAN FOR KRLD RADIO AND TELEVISION IN DALLAS, TOLD OF SEEING RUBY IN THE VICINITY OF THE COUNTY JAIL THE AFTERNOON AFTER KENNEDY'S ASSASSINATION. WISE SAID HE DISCUSSED WITH RUBY THE FACT THAT TWO SMALL WESTERN SADDLES, INTENDED AS GIFTS FOR THE KENNEDY CHILDREN, WERE LEFT BEHIND IN DALLAS AFTER THE ASSASSINATION.

"I MENTIONED TAKING PICTURES OF THEM AND I SAW TEARS IN HIS EYES," WISE ADDED.

"DID HE APPEAR EXCITED?" ALEXANDER ASKED.

"I WOULDN'T SAY HE WAS EXCITED," WISE REPLIED. "I WOULD SAY HE WAS TOUCHED."

"DID JACK BREAK DOWN AND CRY?" DEFENSE ATTORNEY JOE TONAHILL ASKED DURING CROSS-EXAMINATION ON THE INCIDENT.

"I WOULDN'T DESCRIBE HIM AS BREAKING DOWN," WISE SAID. "TEARS CAME TO HIS EYES AND HE WAS TOUCHED."

"DEEPLY TOUCHED?"

"YES."

THE DEFENSE CONTENDS THAT RUBY SUFFERED A CHRONIC MENTAL CONDITION AND THAT THE SHOCK OF THE PRESIDENTIAL ASSASSINATION SENT HIM INTO A STATE OF BLACKOUT DURING WHICH HE KILLED OSWALD WITHOUT KNOWING WHAT HE WAS DOING.

JJ1249PCS NM

A223DS

(560)

DALLAS--FIRST ADD NIGHT LEAD RUBY (A211-212DS) XXX WAS DOING.

A PANEL OF FOUR WOMEN AND EIGHT ME
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MOVED INTO THE JURY BOX IN A GROUP FOR THE FIRST TIME AS TESTIMONY IN THE TRIAL GOT UNDER WAY. IT TOOK 14 DAYS TO SELECT THE JURY. THE LAST TWO WERE CHOSEN YESTERDAY.

ON THE BENCH WAS JUDGE JOE B. BROWN, WHO WAS REPLACED YESTERDAY BECAUSE OF ILLNESS BY JUDGE J. FRANK WILSON.

THE FIRST BUSINESS OF THE DAY WAS RUBY'S ARRAIGNMENT. STANDING TWO FEET IN FRONT OF THE DEFENDANT, DIST. ATTY. HENRY M. WADE READ THE CHARGE THAT RUBVEV

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EA258DS

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DALLAS--SECOND ADD NIGHT LEAD RUBY (A211-212-224DS ET SEQ)
X X X THE WITNESS REPLIED.

IN LINE WITH THE POSSIBILITY THAT RUBY WAS KEEPING TRACK OF OSWALD'S MOVEMENTS BEFORE THE SHOOTING, THE STATE CALLED TO THE WITNESS STAND GARNETT CLAUDE HALLMARK, A SMALL MAN WITH A DARK CREW-CUT WHO IS THE MANAGER OF AN AUTO PARKING CONCESSION NEAR RUBY'S DOWNTOWN STRIP JOINT.

HE TESTIFIED THAT ABOUT 2:50 P.M. ON SATURDAY, NOV. 23, RUBY MADE A PHONE CALL TO WISE, THE RADIO-TELEVISION NEWSMAN.

Q. DID HE SAY ANYTHING WITH REFERENCE TO THE MOVEMENT OF OSWALD FROM THE CITY TO THE COUNTY JAIL?

A. THERE WAS A CONVERSATION ABOUT THE ALMOST IMMEDIATE TRANSFER. RUBY TOLD WHOEVER HE WAS TALKING TO THAT PEOPLE WERE STREWING FLOWERS AT THE ASSASSINATION SCENE AND THAT POSSIBLY THE TRANSFER MIGHT BE DELAYED.

Q. DID HE SAY HE WOULD BE THERE?

A. YES, HE SAID HE WOULD BE THERE.

A259DS

UNDER CROSS-EXAMINATION ABOUT THE TELEPHONE CALL, HALLMARK TESTIFIED:

"IT APPEARED TO ME HE HAD SOME INFORMATION ON THIS TRANSFER AND SIMPLY WANTED TO CORROBORATE IT."

ANOTHER WITNESS, DOYLE LANE, A WESTERN UNION SUPERVISOR, TOLD OF RUBY SENDING A \$25 MONEY ORDER TO KAREN LYNN BENNETT, A 19-YEAR-OLD STRIPPER WHO HAD WORKED FOR RUBY UNDER THE STAGE NAME OF "LITTLE LYNN." THE RECEIPT FOR THE MONEY ORDER TO FORT WORTH WAS STAMPED 11:17 A.M. SUNDAY NOV. 24--ABOUT THREE MINUTES BEFORE THE SHOOTING OF OSWALD.

LANE SAID RUBY TOOK HIS RECEIPT, WENT OUT OF THE OFFICE AND TURNED LEFT IN THE DIRECTION OF POLICE HEADQUARTERS.

"DID HE WALK OUT OF THERE LEISURELY?" BELLI ASKED.

A. YES.

Q. THERE WAS NOTHING UNUSUAL ABOUT HIS WALK?

A. NO, SIR.

A260DS

A .38-CALIBER COLT COBRA WAS PLACED IN EVIDENCE BY THE STATE AS THE GUN USED TO KILL OSWALD.

RAY BRANTLEY, OPERATOR OF A HARDWARE AND SPORTING GOODS STORE, TESTIFIED HE SOLD THE GUN TO RUBY JAN. 19, 1960.

BRANTLEY DEMONSTRATED FROM THE WITNESS STAND HOW THE GUN FIRED BY PULLING THE TRIGGER. THE CLICK OF THE HAMMER ECHOED THROUGH THE DEAD SILENCE OF THE COURTROOM MORE THAN HALF A DOZEN TIMES AS RUBY SAT UTTERLY MOTIONLESS, HIS HANDS IN HIS LAP, HIS EYES RIVETED ON THE WEAPON.

IN RESPONSE TO A DEFENSE QUESTION, BRANTLEY SAID HE COULD NOT REMEMBER WHETHER THERE WAS A POLICE OFFICER WITH RUBY AT THE TIME RUBY PURCHASED THE GUN.

ALEXANDER TRIED TO ELICIT INFORMATION THAT LAST SUMMER RUBY ORDERED A .38 CALIBER SMITH AND WESSON PISTOL SHIPPED TO LAS VEGAS, NEV. HOWEVER, UPON A DEFENSE OBJECTION, JUDGE BROWN ORDERED THE QUESTION STRICKEN, AND ITS PURPORT NEVER BECAME CLEAR.

JJ328PCS NM

EA30DS

URGENT

DALLAS--THIRD ADD ORIGINAL NIGHT LEAD RUBY (A211 ET SEQ) XXX BECAME CLEAR.

THE DEFENSE HAS CONTENDED IN QUESTIONING PROSPECTIVE JURORS THAT RUBY HABITUALLY CARRIED A GUN BECAUSE HE WENT ABOUT WITH LARGE AMOUNTS OF MONEY ON HIS PERSON.

"DID HE SAY THE REASON HE BOUGHT THE GUN WAS BECAUSE HE OPERATED A NIGHT CLUB AND KEPT LARGE SUMS OF MONEY ON HIS PERSON?" BRANTLEY WAS ASKED.

"YES, SIR," THE WITNESS REPLIED.

LATER, LEAVELLE TESTIFIED THAT AFTER RUBY'S ARREST HE WAS FOUND TO BE CARRYING \$2,015.33.

JJ531PCS NM