

3A2555 GOGOTA, T. 219 PCS

URGENT

THIRD NIGHT LEAD RUBY

BY ARTHUR EVERETT

ASSOCIATED PRESS WRITER

Rby

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5:25 - p.m. EST

Mar. 3 1964

3:28

5:31 PCS

12:49

PCS

DALLAS, MARCH 4 (AP)-JACK RUBY WAS PICTURED BY A POLICEMAN TODAY AS SHOOTING LEE HARVEY OSWALD, TRYING VAINLY TO SEND A SECOND BULLET INTO HIS BODY, AND FINALLY CRYING, "I HOPE THE SON OF A BITCH DIES."

THE TESTIMONY FROM DALLAS POLICE OFFICER J. R. LEAVELLE CLIMAXED A COURTROOM DAY THAT BEGAN WHEN THE 52-YEAR-OLD RUBY PLEADED INNOCENT BY REASON OF INSANITY TO THE NOV. 24 SLAYING OF OSWALD, PRESIDENT KENNEDY'S ACCUSED ASSASSIN. THE TRIAL RESUMES TOMORROW.

THE DEFENSE CONTENDS RUBY, OPERATOR OF A DALLAS STRIP TEASE JOINT, WAS IN A MENTAL BLACKOUT WHEN HE KILLED OSWALD AND DIDN'T KNOW WHAT HE WAS DOING.

EARLIER, IT WAS SUGGESTED THROUGH STATE TESTIMONY THAT RUBY MAY HAVE TRAILED OSWALD FOR AT LEAST 20 HOURS BEFORE HE SHOT HIM. WITNESSES INDICATED RUBY KEPT CLOSE TRACK OF POLICE PLANS TO MOVE OSWALD FROM ONE JAIL TO ANOTHER. IT WAS DURING SUCH A TRANSFER THAT RUBY KILLED HIM.

EA26DS

LEAVELLE WAS THE MAN IN THE TAN SUIT AND LIGHT, TEXAS-STYLE HAT WHOM COUNTLESS AMERICANS SAW BESIDE OSWALD AS THE ACCUSED ASSASSIN FELL MORTALLY WOUNDED WHILE NEWSPAPER PHOTOGRAPHERS AND TELEVISION CAMERAS RECORDED THE DRAMATIC SCENE.

LEAVELLE'S LEFT WRIST WAS HANDCUFFED TO OSWALD'S RIGHT WRIST AS HE WAS BEING TAKEN FROM THE BASEMENT OF DALLAS POLICE HEADQUARTERS TWO DAYS AFTER THE PRESIDENTIAL ASSASSINATION. OSWALD'S WRISTS WERE MANACLED TO EACH OTHER WITH A SECOND PAIR OF HANDCUFFS.

THE HUSKY, DARK-HAIRED POLICEMAN TESTIFIED RUBY TOOK TWO QUICK STEPS FROM A CROWD OF ONLOOKERS. HE MUMBLED SOME WORDS THE OFFICER DID NOT CATCH AND PUT A SINGLE FATAL BULLET INTO OSWALD'S ABDOMEN.

IMMEDIATELY, OTHER POLICE OFFICERS OVERWHELMED RUBY AND BORE HIM TO THE GROUND. LEAVELLE SAID ONE OF THEM CLAPPED A HAND OVER RUBY'S REVOLVER, PREVENTING IT FROM BEING FIRED AGAIN.

A27DS

"WHAT ARE THE FACTS AS TO WHETHER HE STILL WAS TRYING TO PULL THE TRIGGER?" THE STATE ASKED.

"THE RIGHT HAND WAS STILL CONTRACTING ON THE GUN AS THOUGH HE WAS TRYING TO FIRE ANOTHER SHOT," THE POLICE OFFICER REPLIED.

LEAVELLE SAID HE HEARD RUBY'S REMARK ABOUT HOPING OSWALD WOULD DIE ABOUT A MINUTE LATER WHILE THE POLICEMAN WAS ADMINISTERING TO THE DYING SHOOTING VICTIM.

ON CROSS-EXAMINATION, THE DEFENSE WENT AT ONCE TO THE SUBJECT OF THE REMARK.

JJ525PCS

EA28DS

URGENT

DALLAS--FIRST ADD THIRD NIGHT LEAD RUBY (A25DS) X X X SUBJECT OF THE REMARK.

Q. THAT WAS SAID, WASN'T IT, AFTER SOMEONE ELSE SAID, "JACK, YOU SON OF A BITCH, YOU SHOT OSWALD?"

A. I DIDN'T HEAR THAT.

Q. IT MIGHT HAVE BEEN IN RESPONSE TO SOMEONE SAYING, "JACK YOU SON OF A BITCH, YOU SHOT OSWALD?"

A. YOU MAY ASSUME THAT.

Q. HE NEVER SAID, "I SHOT OSWALD," DID HE?

A. I NEVER HEARD HIM SAY THAT.

Q. HE COULD HAVE BEEN SAYING, "I HOPE HE DIES," IN RESPONSE TO A LOT OF PEOPLE SAYING OSWALD HAD BEEN SHOT?

A. THAT'S POSSIBLE.

THE DEFENSE ATTEMPTED TO ESTABLISH THAT WHEN RUBY TRIED TO PULL THE TRIGGER A SECOND TIME, HE WAS BEING OVERWHELMED AND THE GUN WAS NO LONGER POINTED AT OSWALD BUT AT THE GROUND.

A29DS

Q. THE GUN WAS POINTING AT THE DECK, WASN'T IT, AND HE WAS STILL PULLING ON THAT GUN?

A. THAT WAS THE WAY IT APPEARED TO ME. HE WAS BEING FORCED DOWN.

Q. AND THAT GUN WAS POINTED DOWNWARD, AWAY FROM OSWALD.

A. YES, SIR.

THE DEFENSE HAS IMPLIED THAT RUBY WAS IN SOME SORT OF MUSCULAR SPASM WHEN HE PULLED THE TRIGGER.

THE TRIAL BEGAN FEB 17. TODAY'S TESTIMONY WAS THE FIRST.

TWO STATE X X X THIRD GRAF NIGHT LEAD A211 AS BEFORE.

JJ529PCS

EA1LA

AMS BUDGET (350)

SIGHT LEAD SINATCFWJAMES BACONT BUN CMG SD

EA1*DS

BULLETIN

SECOND NIGHT LEAD RUBY

DALLAS, MARCH 4 (AP)-JACK RUBY WAS QUOTED BY A POLICE OFFICER
TODAY AS SAYING WITHIN A MINUTE AFTER HE SHOT LEE HARVEY OSWALD:

"I HOPE THE SON-OF-A-BITCH DIES."

JJ401PCS

A2LA

AMS BUDGET (3509", 8&E5 LEAD SI

EA2*DS

BULLETIN MATTER

DALLAS--FIRST ADD SECOND NIGHT LEAD RUBY (AIDS) (WHICH MAY BE BY-LINED BY ARTHUR EVERETT) X X X DIES.

THE TESTIMONY CAME FROM DALLAS POLICE OFFICER J. R. LEAVELLE, A STATE WITNESS AT THE TRIAL OF RUBY FOR HIS LIFE IN LAST NOVEMBER'S SLAYING OF OSWALD, ACCUSED PRESIDENTIAL ASSASSIN.

LEAVELLE WAS THE MAN IN THE LIGHT SUIT AND TEXAS-STYLE HAT WHOM COUNTLESS AMERICAN VIEWERS SAW ON TELEVISION AT THE INSTANT OSWALD WAS SLAIN. THE OFFICER'S LEFT WRIST WAS HANDCUFFED TO OSWALD'S RIGHT WRIST.

JJ405PCS NM

EA3DS

URGENT

DALLAS--SECOND ADD SECOND NIGHT LEAD RUBY (A1-2DS) X X X
OSWALD'S RIGHT WRIST.

IN ADDITION, A SECOND PAIR OF HANDCUFFS WERE ON OSWALD'S WRISTS.

LEAVELLE, A HUSKY, DARK-HAIRED POLICEMAN, SAID THE 52-YEAR-OLD
RUBY TOOK ABOUT TWO QUICK STEPS FROM A CROWD OF SPECTATORS NOV. 24
AND PUT A SINGLE BULLET INTO OSWALD'S ABDOMEN.

IMMEDIATELY AFTER THE SHOOTING, RUBY WAS OVERWHELMED AND DRIVEN
TO THE GROUND BY POLICEMEN.

"WHAT ARE THE FACTS AS TO WHETHER HE WAS STILL TRYING TO PULL
THE TRIGGER?" LEAVELLE WAS ASKED.

"THE RIGHT HAND WAS STILL CONTRACTING ON THE GUN AS THOUGH HE
WAS TRYING TO FIRE ANOTHER SHOT," THE WITNESS REPLIED.

EA4DS

ASKED TO IDENTIFY RUBY, LEAVELLE POINTED TO THE DEFENDANT, A DALLAS
STRIP TEASE JOINT OPERATOR, AND SAID, "HE'S THE GENTLEMAN SITTING
AT THE MIDDLE TABLE."

THE TRIAL BEGAN FEB. 17. THE FIRST TESTIMONY WAS HEARD TODAY
AFTER RUBY ENTERED A PLEA OF INNOCENT BY REASON OF INSANITY.

EARLY STATE TESTIMONY SUGGESTED THAT RUBY MAY HAVE BEEN ON
OSWALD'S TRAIL SOME 20 HOURS BEFORE HE ACTUALLY SHOT HIM TO DEATH.

TWO STATE WITNESSES X X X THIRD GRAF NIGHT LEAD (A211DS)

JJ410PCS NM

EA10DS

URGENT

DALLAS--THIRD ADD SECOND NIGHT LEAD RUBY (A1-2-34DS) X X X REASON
OF INSANITY (CORRECT; DELETING LAST GRAF A3DS, "EARLY STATE
X X X SHOT HIM TO DEATH.

THE BULLET THAT KILLED OSWALD WAS INTRODUCED IN EVIDENCE AS A
STATE'S EXHIBIT. LEVELLE TESTIFIED THAT A NURSE EMERGED FROM THE
OPERATING ROOM WHERE DOCTORS HAD BEEN WORKING ON OSWALD AND BROUGHT
HIM THE BULLET.

HE SAID OSWALD DIED AT APPROXIMATELY 1:07 P.M. AND THAT THE NURSE
HANDED HIM THE BULLET A FEW MOMENTS LATER. HE SAID SHE MARKED IT FOR
IDENTIFICATION WITH THE LETTER "A," ONE OF HER INITIALS.

EARLY STATE TESTIMONY SUGGESTED THAT RUBY MAY HAVE BEEN ON
OSWALD'S TRAIL SOME 20 HOURS BEFORE HE ACTUALLY SHOT HIM TO DEATH.

TWO STATE X X X THIRD GRAF NIGHT LEAD (A211DS).

JJ440PCS NM

AEA11