

URGENT

THIRD NIGHT LEAD RUBY

BY ARTHUR EVERETT

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DALLAS, MARCH 9 (AP)-A YALE PSYCHOLOGIST TESTIFIED FOR THE DEFENSE TODAY THAT JACK RUBY PROBABLY WAS IN A BLACKED OUT RAGE STATE WHEN HE SHOT LEE HARVEY OSWALD AND DIDN'T KNOW WHAT HE WAS DOING.

"I BELIEVE THAT WAS THE CASE," SAID DR. ROY SCHAFFER, A TALL MAN WITH A HIGH FOREHEAD AND A BALD SPOT ON THE TOP OF HIS HEAD. HE WAS THE FIRST MENTAL EXPERT CALLED BY THE DEFENSE AS THE FOURTH WEEK OF RUBY'S TRIAL BEGAN. WITH THE END OF HIS TESTIMONY, AN OVERNIGHT RECESS WAS CALLED.

RUBY IS ON TRIAL FOR HIS LIFE FOR THE NOV. 24 SHOOTING OF OSWALD, WHO WAS CHARGED AT THE TIME WITH THE ASSASSINATION TWO DAYS EARLIER OF PRESIDENT KENNEDY.

ASKED WHAT COULD PRODUCE SUCH A RAGE STATE, DR. SCHAFFER REPLIED:

"SUCH THINGS AS A VERY STRONG EMOTIONAL STIMULATION, A READINESS TO TAKE OFFENSE, STATES OF FATIGUE WOULD APPEAR TO PRECIPITATE SUCH STATES. SOMETIMES LIGHT STIMULATION CAN PROVOKE A SEIZURE TOO."

EA57DS

UNDER A DRIVING CROSS-EXAMINATION BY DIST. ATTY. HENRY WADE, HITHERTO A CALM AND FAIRLY EVEN-VOICED PROSECUTOR, DR. SCHAFFER WAS ASKED:

Q. DID YOU FORM AN OPINION THAT JACK RUBY KNEW RIGHT FROM WRONG AT THE TIME OF THE SHOOTING OF OSWALD?

A. NO, I DID NOT.

Q. DID YOU FORM AN OPINION THAT HE KNEW THE NATURE AND CONSEQUENCES OF HIS ACT AT THE TIME HE KILLED LEE HARVEY OSWALD?

A. I DIDN'T FORM ANY CONCLUSION.

Q. SOMEONE IN A SO-CALLED FUGURE (BLACKOUT) STATE--ARE THEY CAPABLE OF CARRYING ON PURPOSEFUL ACTIVITIES?

A. SOME ARE AND SOME AREN'T.

Q. IF THEY CARRY OUT A PURPOSEFUL ACT, THEY KNOW WHAT THEY ARE DOING, DON'T THEY?

A. THAT DEPENDS ON HOW YOU DEFINE PURPOSEFUL.

EA58DS

WADE THEN DEFINED PURPOSEFUL AS HAVING A PURPOSE, IN THIS CASE A MAN WITH A GUN DELIBERATELY SHOOTING ANOTHER MAN.

Q. IF HIS CONDUCT WAS PURPOSEFUL, AND HE REMEMBERED WHAT HAPPENED AND WAS NOT CONFUSED, WOULD YOU STILL SAY HE WOULD BE IN A FUGUE STATE?

A. HE MIGHT HAVE BEEN.

"OH, HE MIGHT HAVE BEEN," WADE REPEATED WITH EMPHASIS.

EARLIER, UNDER QUESTIONING BY THE DEFENSE, DR. SCHAFFER TESTIFIED THAT RUBY SUFFERED FROM ORGANIC BRAIN DAMAGE. HE SAID:

"I HAVE COME TO THE CONCLUSION THAT HE DID HAVE ORGANIC BRAIN DAMAGE AND MOST LIKELY THE SPECIFIC NATURE OF IT WAS PSYCHOMOTOR EPILEPSY."

~~PSYCHOMOTOR EPILEPSY X X X 4TH GRAY 2ND NIGHT LEAD (A13DS).~~

JJ728PCS NM

EA13DS

DS

URGENT

SECOND NIGHT LEAD RUBY
BY ARTHUR EVERETT
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DALLAS, MARCH 9 (AP)-DR. ROY SCHAFFER, THE FIRST OF THE DEFENSE'S EXPERTS ON THE MIND, TESTIFIED TODAY THAT JACK RUBY HAS ORGANIC BRAIN DAMAGE.

"I'LL ASK IF YOU HAVE COME TO AN OPINION WHETHER JACK RUBY HAS OR HAS NOT ORGANIC BRAIN DAMAGE?" THE NOTED YALE PSYCHOLOGIST WAS ASKED AT RUBY'S TRIAL FOR THE SLAYING NOV. 24 OF LEE HARVEY OSWALD.

"I HAVE," DR. SCHAFFER REPLIED. "I HAVE COME TO THE CONCLUSION THAT HE DID HAVE ORGANIC BRAIN DAMAGE AND MOST LIKELY THE SPECIFIC NATURE OF IT WAS PSYCHOMOTOR EPILEPSY."

PSYCHOMOTOR EPILEPSY IS ROUGHLY DEFINED AS BEING CHARACTERIZED BY AN EXPLOSIVE MENTAL STATE WHICH CAN BE TRIGGERED BY STRONG EMOTIONAL FEELINGS.

EA14DS

DR. SCHAFFER'S TESTIMONY WAS IN LINE WITH DEFENSE CONTENTIONS THAT RUBY DID NOT KNOW WHAT HE WAS DOING WHEN, UNDER THE SHOCK OF PRESIDENT KENNEDY'S DEATH, HE KILLED THE ACCUSED ASSASSIN.

RUBY IS PLEADING TEMPORARY INSANITY AS HIS DEFENSE AGAINST THE MURDER CHARGE THAT CARRIES A MAXIMUM PENALTY OF DEATH IN THE ELECTRIC CHAIR.

EARLIER, A SERIES OF WITNESSES TESTIFIED THAT RUBY WAS ALWAYS A HIGHLY UNSTABLE PERSON GIVEN TO SCREAMING RAGES. THEY INCLUDED FORMER WELTERWEIGHT BOXING CHAMPION BARNEY ROSS, STRIPTEADER PENNY DOLLAR, AND GEORGE SENATOR, RUBY'S FORMER ROOMMATE. THE LATTER SAID RUBY ACTED "NUTTY" JUST BEFORE HE SHOT OSWALD.

NORMALLY, WITNESSES X X X FOURTH GRAF NIGHT LEAD (A217DS).

JJ441PCS NM

EA217DS

AMS BUDGET

NIGHT LEAD RUBY (450)

BY ARTHUR EVERETT

ASSOCIATED PRESS WRITER

DALLAS, MARCH 9 (AP)-A SERIES OF ^{defendant} ~~REVERSE CHARACTER~~ WITNESSES, INCLUDING FORMER WELTERWEIGHT BOXING CHAMP BARNEY ROSS, TESTIFIED TODAY THAT JACK RUBY ALWAYS WAS A HIGHLY UNSTABLE PERSON, GIVEN TO SCREAMING PURPLE RAGES.

OTHER WITNESSES AT THE OPENING OF THE FOURTH WEEK OF THE 52-YEAR-OLD RUBY'S MURDER TRIAL INCLUDED A SHAPELY STRIP TEASER AND GEORGE SENATOR, RUBY'S FORMER ROOMMATE. THE LATTER SAID RUBY ACTED "NUTTY" JUST BEFORE HE SHOT LEE HARVEY OSWALD NOV. 24.

RUBY, OPERATOR OF A DALLAS STRIP TEASE JOINT, IS ON TRIAL FOR HIS LIFE BEFORE JUDGE JOE B. BROWN AND A JURY OF EIGHT MEN AND FOUR WOMEN FOR THE SLAYING OF THE ACCUSED PRESIDENTIAL ASSASSIN. HIS DEFENSE IS TEMPORARY INSANITY--A BLACKOUT TRIGGERED BY RAGE AND SHOCK OVER THE PRESIDENT'S DEATH.

NORMALLY, WITNESSES ARE CALLED TO ATTEST TO THE GOOD CHARACTER OF A MURDER DEFANDANT. INSTEAD, CHIEF DEFENSE ATTORNEY MELVIN BELLI CALLED THOSE WHO WERE ABLE TO DESCRIBE RUBY AS HIGHLY EMOTIONAL AND UNSTABLE.

SENATOR, 50, STOCKY AND CURLY-HAIRED, WAS A FORMER ROOMMATE OF RUBY IN A TWO-BEDROOM DALLAS APARTMENT. HE TESTIFIED:

"JACK WAS ALWAYS VERY HIGHLY EMOTIONAL, HIGHLY EXCITABLE. HE WOULD FLARE UP AND GO INTO A RAGE."

A218DS

SENATOR, WHO DESCRIBED HIMSELF AS IN THE POSTCARD BUSINESS, TALKED SO FAST THAT THE COURT AND LAWYERS SEVERAL TIMES HAD TO SLOW HIM DOWN. HE DESCRIBED RUBY AS PROGRESSIVELY MORE MOODY AFTER KENNEDY'S ASSASSINATION AND ADDED:

"THE FIRST TIME I SAW HIM AFTER IT HAPPENED HE HAD A LOOK ON HIM I'D NEVER SEEN BEFORE. HE WAS DEEPLY UPSET. HE SAID TO ME, 'WHAT A THING TO HAVE HAPPEN TO THE PRESIDENT'S WIFE AND CHILDREN. WHY DID IT HAVE TO HAPPEN TO A LOVELY FAMILY LIKE THAT?' HE FELT VERY SORRY MRS. KENNEDY AND HER FAMILY."

BY 4 A.M. THE MORNING AFTER THE ASSASSINATION, SENATOR SAID RUBY "HAD A SORT OF STAREY LOOK--HE WAS LOOKING OUT INTO SPACE."

Q. DID YOU FEEL THAT JACK WAS ACTING NUTTY AT THIS TIME?

A. YES SIR.

Q. DID HE CRY?

A. HE HAD TEARS IN HIS EYES.

SENATOR SAID HE LAST SAW RUBY ABOUT TWO HOURS BEFORE THE OSWALD SHOOTING ON SUNDAY, NOV. 24, AND DESCRIBED HIM THEN:

"HE GOT DRESSED AND WAS PACING THE FLOOR FROM THE LIVING ROOM TO THE BEDROOM BACK AND FORTH. HE SURE HAD A MOODY LOOK AND A FARAWAY LOOK. IT WAS A LOOK I'D NEVER SEEN ON HIM BEFORE.

"HIS CONDITION HAD CHANGED. IT LOOKED LIKE IT COULD BE BUILDING UP." HE WAS MUMBLING. I ASKED HIM WHAT HE WAS MUMBLING ABOUT, BUT HE DIDN'T ANSWER ME."

JJ1255PCS NM

EA223DS

(390)

~~DALLAS FIRST ABB NIGHT LEAD RUBY (A217DS) XXX ANSWER ME.~~"

THE SECOND OF RUBY'S STRIP TEASERS TO TAKE THE STAND IN HIS DEFENSE WAS MRS. PATRICIA ANN KOHS, 21, A BRUNETTE WHO DANCED UNDER THE NAME OF PENNY DOLLAR. SHE SAID HER MOTHER ONCE WORKED FOR RUBY TOO.

LAST WEEK, MRS. KAREN LYNN (LITTLE LYNN) BENNETT, 19, AND OVERDUE IN PREGNANCY, TESTIFIED TO RUBY'S UNSTABLE CHARACTER AS AN EMPLOYER.

MRS. KOHS, WITH LONG DARK HAIR AND A MOLE AT THE RIGHT CORNER OF HER MOUTH, TESTIFIED:

"ONE CLOSING TIME, I CALLED A CAB. ANOTHER DRIVER CAME UP TO THE CLUB TO GET SOMEONE. SOMETHING HAPPENED AND JACK KNOCKED HIM DOWN THE STAIRS AND OUT THE DOOR. JACK BEGAN BEATING HIS (THE DRIVER'S) HEAD ON THE SIDEWALK. HE STOPPED ALL OF A SUDDEN AND SAID, 'DID I DO THIS? DID I DO THIS?' HE ACTED LIKE HE DIDN'T KNOW HE'D DONE IT."

AS TO HER OVER-ALL OPINION OF RUBY'S PERSONALITY, MRS. KOHS SAID:

"I' NOT A DOCTOR, BUT IN MY OWN OPINION, I THINK THERE WAS SOMETHING WRONG WITH HIM."

MRS. KOHS WAS BROUGHT HERE FROM ORANGE, TEX., WHERE SHE WAS ARRESTED LAST WEEK ON A NARCOTICS CHARGE.

ROSS, THE OLD FIGHTER, NOW 53 YEARS OLD, CAME INTO COURT STILL TRIM, WITH A BOXER'S LIGHT, GRACEFUL TREAD, WEARING DARK GLASSES BECAUSE OF AN OLD RING INJURY TO HIS EYES.

EA224DS

HE TESTIFIED HE AND RUBY WERE PART OF A GROUP OF ABOUT 10 OR 12 TEEN-AGERS WHO PALLED TOGETHER NEARLY 40 YEARS AGO ON CHICAGO'S TOUGH WEST SIDE. RUBY BOWED HIS HEAD AS ROSS RECALLED THE OLD DAYS, TESTIFYING:

"IT WASN'T THE EASIEST NEIGHBORHOOD TO BE RAISED IN, BUT IT TURNED OUT TO BE NICER AS WE GOT OLDER. WE GOT SMARTER.

"WE USED TO HAVE CERTAIN PROBLEMS WITH HIM (RUBY). HE WAS WHAT IS KNOWN AS A GOOD SPORT AND A GOOD HANDICAPPER. HE WAS REALLY AN AUTHORITY ON HANDICAPPING. WHEN WE'D LOOK TO MAKE A NICKEL OR A DIME WAGER, HE'D SCREAM AND GO INTO A TANTRUM AND SAY, 'DON'T BET ON THIS TEAM, BET ON THE OTHER.'

"HE'D ALMOST TURN PURPLE AND WALK AWAY. IF FANS BOOED A TEAM HE LIKED, HE'D GET UP AND HOLLER AND SCREAM AND WALK AWAY.

"HE'D LET STEAM OFF. HE'D BE A DAY OR TWO AWAY FROM OUR GROUP AND WE'D MISS HIM. HE JUST WALKED AWAY WITHOUT SAYING GOODBYE. HE WAS, I'D SAY, A PRETTY MOODY PERSON.

"IN ARGUMENTS ABOUT SPORTS, IF WE DIDN'T SEE EYE TO EYE WITH HIM, HE'D GET INTO A FRENZY. HE'D SCREAM AT US--VIOLENTLY. THEN HE'D WALK AWAY FROM US. WE'D SAY, 'WHAT'S WRONG JACK? TAKE IT EASY. COOL DOWN.'"

ROSS SAID RUBY EARNED THE NICKNAME "SPARKY" IN HIS CHICAGO DAYS BECAUSE HE WAS "A GOOD HUSTLER."

EA225DS

AS FOR THE VARIOUS CATCH-AS-CATCH-CAN WAYS RUBY USED TO EARN MONEY IN THOSE DAYS, ROSS LOOKED DOWN ON THE DEFENDANT, HUDDLED AT THE DEFENSE TABLE SO THAT HE LOOKED EVEN SMALLER THAN USUAL, AND SAID WITH OBVIOUS FEELING AND SYMPATHY:

"I PERSONALLY DO NOT THINK HE COULD HAVE HELD A JOB DOWN. I THINK THAT IF AN EMPLOYER QUESTIONED HIM THE WRONG WAY, HE WOULD HAVE JUMPED ON HIM AND SCREAMED AT HIM.....

"AFTER HE GOT THOSE TANTRUMS AND RAGES, HE WOULD BECOME CALM, AND THEN HE WOULDN'T STEP ON A FLY OR A CATERPILLAR."

JJ123PCS NM