

## Garrison Declares Ruby Was Sighted Near Assassination

Jim Garrison, District Attorney of New Orleans, said Wednesday night that the late Jack Ruby, the slayer of Lee Harvey Oswald, was near the scene of the assassination of President Kennedy an hour before it occurred in Dallas on Nov. 22, 1963.

Appearing on the "Tonight" television show of the National Broadcasting Company, Mr. Garrison told the host, Johnny Carson, that Ruby was reported at the grassy knoll at Dealey Plaza by Julia Ann Mercer, a Dallas resident. testimony, driving a truck from which a man emerged with a rifle, Mr. Garrison said.

The District Attorney said that although an affidavit, bearing Miss Mercer's signature and given to the Dallas County sheriff's office, stated that she could not see the face of the driver of a truck she was parked next to, Miss Mercer now has told Mr. Garrison that her signature on the affidavit was forged.

He quoted her as telling him, "I looked right in his face and he looked at me twice. This is why I was able to recognize him when I later saw him shoot Oswald on television."

Mr. Garrison said she chose Ruby's picture for the Dallas sheriff's office within 24 hours after the assassination and a day before Ruby shot Oswald. It had Ruby's name on the back of it, he said.

Mr. Garrison said in an interview following the taping of the program that Miss Mercer's statement had been "changed completely" by the Dallas sheriff's office and the Federal Bureau of Investigation.

The statement was printed among the exhibits of the Warren Commission, which investigated the assassination, although Miss Mercer is not mentioned in the Warren Report itself.

The commission, headed by Chief Justice Earl Warren, concluded that Oswald killed President Kennedy. It found no evidence of a conspiracy. Mr. Garrison, who is conducting his own investigation, contends there was one.