

A231DN (RUBY BJT ONLY)

AMS BUDGET

RBY

3 DEC 1963  
246 PCS

NIGHT LEAD RUBY (560)

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DALLAS, DEC. 3 (AP)-NIGHT CLUB OWNER JACK RUBY'S TRIAL ON CHARGES OF MURDERING JOHN F. KENNEDY'S ACCUSED ASSASSIN NOW IS SET FOR FEB. 3.

JUDGE JOE B. BROWN RESET THE TRIAL BY AGREEMENT WITH STATE AND DEFENSE ATTORNEYS.

RUBY SHOT LEE HARVEY OSWALD IN VIEW OF A NATIONWIDE TELEVISION AUDIENCE NOV. 24.

TRIAL DATE ORIGINALLY WAS NEXT MONDAY IN BROWN'S TINY COURTROOM.

DIST. ATTY. HENRY WADE AND DEFENSE ATTY. TOM HOWARD REQUESTED THE POSTPONEMENT BECAUSE THEY HAD NOT COMPLETED THEIR CASES.

BECAUSE BOTH SIDES AGREED TO THE CONTINUANCE, RUBY WILL NOT MAKE AN APPEARANCE IN THE COURTROOM MONDAY WHEN THE FORMAL POSTPONEMENT TAKES PLACE. INSTEAD, HE WILL REMAIN IN HIS ISOLATION CELL AT THE COUNTY JAIL, WHERE HE HAS BEEN CONFINED WITHOUT BOND.

THE ACCUSED PRESIDENTIAL ASSASSIN WAS KILLED BY A SINGLE BULLET FIRED BY RUBY, AS OSWALD WAS BEING TRANSFERRED FROM ONE JAIL TO ANOTHER.

THE JUSTICE DEPARTMENT IN WASHINGTON SAID AN ANONYMOUS TIP HAD BEEN GIVEN THE FBI DALLAS OFFICE THAT AN ATTEMPT WOULD BE MADE ON OSWALD'S LIFE, AND THIS TIP WAS PASSED DIRECTLY TO POLICE CHIEF JESSE CURRY. CURRY HAS SAID NUMEROUS WARNINGS OF THIS TYPE HAD BEEN SOUNDED, AND THEREFORE HE HAD ORDERED AN ARMORED CAR TO BE USED, BUT OSWALD NEVER REACHED IT.

THE NEW TRIAL DATE WAS SET AS AN FBI INVESTIGATION INTO THE ASSASSINATION AND ITS SUBSEQUENT EVENTS NEARED COMPLETION.

THIS FBI REPORT WILL BE TURNED OVER TO PRESIDENT JOHNSON, AND THEN WILL BE USED BY A SPECIAL PRESIDENTIAL INVESTIGATIVE COMMITTEE AND PROBABLY BY TEXAS ATTY. GEN. WAGGONER CARR.

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WASHINGTON SOURCES SAID THE FBI REPORT WILL PICTURE OSWALD AS A GUNMAN WHO OPERATED ALONE AND WHO HAD NO CONNECTION WITH RUBY.

ATTY. GEN. CARR HAS PUT HIS STAFF TO WORK IN DRAWING THE GROUNDWORK FOR THE STATE INVESTIGATION OF THE DEATHS OF KENNEDY, OSWALD AND PATROLMAN J.D. TIPPIT. OSWALD HAD BEEN CHARGED WITH SLAYING TIPPIT NOT LONG AFTER KENNEDY WAS ASSASSINATED.

CARR SAID HIS INVESTIGATION WILL SUPPLEMENT THAT OF JOHNSON'S COMMITTEE AND THE FBI.

SWORN TESTIMONY WITHOUT TAKING A CASE TO TRIAL.

DALLAS DIST. ATTY. HENRY WADE SAID IT HAS NOT BEEN DECIDED WHETHER CARR'S INVESTIGATION WILL BE HELD IN DALLAS OR AUSTIN, THE TEXAS CAPITAL.

"CARR TOLD ME THAT ALL OF THE WITNESSES WILL TESTIFY IN PERSON," WADE SAID IN ANSWER TO A QUESTION ON WHETHER FBI AND SECRET SERVICE MEN WOULD APPEAR, OR ONLY SUBMIT WRITTEN STATEMENTS.

CARR SAID HE HAS BEEN PROMISED FULL SUPPORT BY THE FBI IN HIS INVESTIGATION.

"THERE IS NOT MUCH LAW TO GOVERN US ON INVESTIGATIONS OF THIS TYPE," WADE SAID. "WE ARE CHECKING OUT EVERYTHING."

ALSO HOLDING UP THE TEXAS INVESTIGATION IS SUBMITTAL TO TEXAS AUTHORITIES OF THE FBI REPORT OF THE SLAYINGS. CARR SAID HE EXPECTS THIS REPORT IN LESS THAN TWO WEEKS.

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CARR YESTERDAY NAMED LEON JAWORSKI, HOUSTON, SPECIAL COUNSEL TO ASSIST THE PROBE.

JAWORSKI HELPED PROSECUTE WAR CRIMINALS AT NUREMBERG AFTER WORLD WAR II.

MONEY CONTINUED TO COME INTO DALLAS FOR BOTH THE TIPPIT AND OSWALD FAMILIES.

COUNTS PUT THE MONEY FOR THE TIPPITS AT SLIGHTLY MORE THAN \$100,000, WITH 14 MAIL BAGS STILL UNOPENED. OFFICICERS SAID ONE CONTRIBUTION OF \$100 CAME IN FOR THE OSWALD FAMILY TODAY, BUT MOST DONATIONS HAVE BEEN LESS THAN \$5. A HOUSTON MINISTER SAID HIS CHURCH MEMBERS DONATED ABOUT \$1,000 FOR THE OSWALD FAMILY SUNDAY. THERE HAVE BEEN REPORTS THAT THE OSWALD FUND HAS REACHED ABOUT \$5,000.

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MEANWHILE, RUBY HAS BEEN ALLOWED TO MAKE BUSINESS PHONE CALLS FROM HIS COUNTY JAIL CELL, BUT EACH ONE MUST BE PERSONALLY APPROVED BY SHERIFF BILL DECKER.

DECKER SAID HE HAS SET NO PARTICULAR LIMIT ON THE CALLS RUBY CAN MAKE.

CONCERNING VISITORS, DECKER WOULD NOT RELEASE THE NAMES OF THOSE ALLOWED TO SEE RUBY. DECKER ALSO PERSONALLY APPROVES EACH VISITOR.

THE SHERIFF ESTIMATED THAT RUBY PROBABLY HAS HAD 20 CALLERS, ALL BUT ONE OR TWO ON BUSINESS MATTERS.

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