

A2DN

AMS BUDGET

RBY

18 Jan 1964
1110 ACS

JACK RUBY BOND (400)

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ASSOCIATED PRESS WRITER

1964

DALLAS, JAN. 18 (AP)—JACK RUBY'S CHIEF ATTORNEY SAYS HE WANTS TO PRESENT EVIDENCE MONDAY TO SHOW THAT LEE HARVEY OSWALD ASSASSINATED PRESIDENT KENNEDY AND KILLED PATROLMAN J. D. TIPPIT. BUT THERE IS A QUESTION WHETHER HE WILL BE PERMITTED TO DO IT.

OSWALD WAS CHARGED WITH MURDER IN BOTH DEATHS BEFORE HE WAS SLAIN BY RUBY IN THE BASEMENT OF THE DALLAS CITY HALL. RUBY WAS THEN CHARGED WITH MURDER AND IS HELD WITHOUT BOND.

THE LEGAL POINT DIRECTLY AT ISSUE MONDAY IS WHETHER RUBY IS ENTITLED TO BE FREED ON BOND.

BEFORE DECIDING THIS POINT, DIST. JUDGE JOE B. BROWN APPARENTLY WILL HAVE TO RULE ON THE ADMISSIBILITY IN THE BOND HEARING OF EVIDENCE BEARING ON THE ASSASSINATION OF THE PRESIDENT.

IF HE HOLDS THIS EVIDENCE PERTINENT TO THE BAIL ISSUE, DEFENSE ATTY. MELVIN BELLI LIKELY WILL CALL NEARLY TWO DOZEN WITNESSES AND THE HEARING COULD LAST A WEEK.

IF HE RULES IT IS NOT PERTINENT, THE HEARING PROBABLY WILL END IN A MUCH SHORTER TIME.

RUBY, 53, HAS BEEN IN JAIL SINCE HIS ARREST NOV. 24 SECONDS AFTER HE STEPPED OUT OF A CROWD OF NEWSMEN AND GUNNED DOWN OSWALD. THE ACCUSED PRESIDENTIAL ASSASSIN WAS BEING TRANSFERRED FROM CITY JAIL TO COUNTY JAIL TO AWAIT TRIAL.

MONDAY'S COURT SESSION WILL BE A RESUMPTION OF A LATE DECEMBER HEARING. JUDGE BROWN RECESSED IT BECAUSE OF THE HOLIDAYS. THE STATE RESTED ITS CASE BEFORE THE HEARING WAS RECESSED.

RUBY'S MURDER TRIAL IS SCHEDULED FOR EARLY FEBRUARY.

THE DEFENSE HAS SUBPOENAED 23 WITNESSES FOR NEXT WEEK'S HEARING. THESE INCLUDE FOUR DOCTORS, FOUR NEWSPAPERMEN, THREE POLICE OFFICERS, TWO FBI AGENTS, DIST. ATTY. HENRY WADE AND SHERIFF BILL DECKER.

A3DN

THE DEFENSE ALSO HAS FILED A 30-PAGE MOTION.

"THE DEFENSE MUST PROVE OSWALD WAS THE MAN WHO ASSASSINATED THE PRESIDENT AND SHOT OFFICER TIPPIT," THE MOTION STATES.

THE MOTION ALSO CONTENDS RUBY WAS TEMPORARILY INSANE WHEN HE KILLED OSWALD.

THE PRESIDENT'S ASSASSINATION, THE WOUNDING OF GOV. JOHN CONNALLY OF TEXAS, AND THE SLAYING OF TIPPIT "ENRAGED THEIR CLIENT TO SUCH AN EXTENT THAT THEIR CLIENT WAS TEMPORARILY INSANE," THE DEFENSE MOTION SAYS.

OFFICERS TESTIFYING FOR THE STATE IN THE FIRST PART OF THE HEARING SAID RUBY ACTED CALM BOTH AT THE TIME HE SHOT OSWALD AND IN QUESTIONING AFTER HE WAS ARRESTED.

WHEN THE HEARING WAS RECESSED, BELLI TOLD JUDGE BROWN THE DEFENSE WOULD MOVE FOR A CHANGE OF VENUE OF THE MURDER TRIAL. LATER HE NAMED FORT WORTH AS A PREFERRED SITE. FORT WORTH IS 30 MILES WEST OF DALLAS.

BELLI CHARGED THAT BECAUSE OF NEWS STORIES PUBLISHED IN DALLAS HIS CLIENT COULD NOT OBTAIN A FAIR TRIAL HERE.

JJ1110ACS NM

A150DN (LA FW)

DALLAS--FIRST ADD JACK RUBY BOND BUDGET, A2DN X X TRIAL HERE.

BELLI FLEW TO DALLAS TODAY, AGAIN SAYING HE WANTS THE MURDER

TRIAL TRANSFERRED TO ANOTHER CITY.

ATTORNEYS FOR BOTH SIDES HELD A VERY LENGTHY CLOSED DOOR CONFERENCE IN JUDGE BROWN'S COURT.

AT THE END OF THE SESSION, JUDGE BROWN ANNOUNCED THAT BOTH SIDES HAD AGREED ON FURTHER EXTENSIVE PSYCHIATRIC TESTS OF RUBY TO BE GIVEN BY DR. MARTIN TOWLER OF THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON. SITE AND TIME OF THE TESTS HAVE NOT BEEN DETERMINED.

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