

RBY

12 FEB 1964

545 PCS

A81DN

URGENT

THIRD NIGHT LEAD RUBY

BY RAYMOND HOLBROOK

DALLAS, FEB. 12 (AP)-JACK RUBY'S DEFENSE CHIEF REPEATED TONIGHT A CHARGE THAT THERE IS A HIGH-LEVEL CONSPIRACY IN DALLAS TO CHEAT JACK RUBY OF JUSTICE.

ATTORNEY MELVIN BELLI SAID A NEWSPAPER STORY ABOUT A BRAIN TEST PERFORMED ON RUBY WAS PART OF THE PLOT AND CALLED THE STORY A "DELIBERATE LIE."

THE REPORTER WHO WROTE THE STORY, CARL FREUND OF THE DALLAS MORNING NEWS, SAID HE OBTAINED THE INFORMATION--THAT THE TEST SHOWED NO IMPORTANT DAMAGE TO RUBY'S BRAIN--FROM A USUALLY RELIABLE SOURCE. HE ADDED THAT HE WOULD BE GLAD TO PUBLISH A STORY ON BELLI'S KNOWLEDGE OF THE RESULTS OF THE TEST ON RUBY.

EARLIER, BELLI CHARGED THAT A PUBLIC RELATIONS FIRM HELPING THE JUDGE IN THE RUBY MURDER CASE WAS PART OF WHAT HE CALLED A PLOT BY DALLAS' "OLIGARCHY" TO DEPRIVE RUBY OF A FAIR TRIAL.

SAM R. BLOOM, HEAD OF THE FIRM, SAID HE HAD VOLUNTEERED TO HELP THE JUDGE ARRANGE FACILITIES FOR NEWS COVERAGE OF THE CASE. HE SAID NO ONE ASKED HIM TO DO IT AND HE HAD NOT DISCUSSED HIS WORK WITH ANYONE BUT THE JUDGE AND THE PRESS.

RWS40PCS

A82DN

DALLAS--F

A32DN

URGENT

DALLAS--FIRST ADD THIRD NIGHT LEAD RUBY (A31DN) X X AND THE PRESS.

THE TESTIMONY CAME IN THE THIRD DAY OF THE DEFENSE'S EFFORT TO WIN A TRANSFER OF RUBY'S TRIAL ON CHARGES OF MURDERING ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

THE U.S. ATTORNEY FOR THE NORTHERN DISTRICT OF TEXAS TESTIFIED HE THOUGHT IT WOULD BE POSSIBLE TO FIND AN IMPARTIAL JURY HERE.

SO DID BLOOM AND A FORD MOTOR CO. EXECUTIVE. BUT ALL OTHER WITNESSES DURING THE DAY HAD SAID THEY THOUGHT IT WOULD BE DIFFICULT IF NOT IMPOSSIBLE.

BELLI DEMANDED THAT FREUND REVEAL THE SOURCE OF HIS STORY ABOUT THE RESULT OF A COURT-ORDERED BRAIN WAVE TEST--OR ENCEPHALOGRAPH--PERFORMED ON RUBY. FREUND DID NOT REVEAL IT.

WHEN BELLI ACCUSED THE REPORTER OF WRITING THE STORY AS PART OF A PLOT TO DEPRIVE RUBY OF A FAIR TRIAL, FREUND REPLIED THAT HIS SOURCE WAS RELIABLE AND THAT HE DID NOT BELIEVE A SINGLE STORY WOULD MATERIALLY AFFECT THE TRIAL. HE SAID HE BELIEVED THE JURY WOULD CONSIDER MEDICAL EVIDENCE AS PRESENTED IN COURT AND NOT HIS STORY.

THE DEFENSE SOUGHT THE TESTS ON RUBY, CONTENDING THAT HE WAS INNOCENT OF MURDERING OSWALD AS A RESULT OF TEMPORARY INSANITY BROUGHT ON BY THE SHOCK OF PRESIDENT JOHN F. KENNEDY'S ASSASSINATION.

(MORE)

RW843PCS NM

A35DN

URGENT

DALLAS--SECOND ADD THIRD NIGHT LEAD RUBY (A81-82DN) X X X
KENNEDY'S ASSASSINATION.

A PSYCHOLOGIST TESTIFYING FOR THE DEFENSE IN THE HEARING THAT LED TO THE TESTS SAID HE THOUGHT RUBY HAD A FORM OF BRAIN DAMAGE KNOWN AS PSYCHOMOTOR-EPILEPSY WHICH WOULD PERMIT HIM TO ACT UNDER STRESS WITHOUT NOWING WHAT HE WAS DOING.

BELLI ALSO QUESTIONED FREUND ABOUT A STORY WHICH SAID RESULTS OF A SECOND BRAIN-WAVE TEST WERE NEGATIVE.

FREUND SAID HE HAD TRIED TO DISCUSS INFORMATION IN THE FIRST STORY WITH DIST. ATTY. HENRY WADE AND THE SECOND WITH ASST. DIST. ATTY. BILL ALEXANDER.

HE SAID BOTH DECLINED TO DISCUSS EVIDENCE IN THE CASE AND WADE "SAID HE DID NOT WANT TO MAKE ANY COMMENT THAT WOULD INTERFERE WITH RUBY GETTING A FAIR TRIAL."

ATTORNEYS FOR BOTH SIDES JUMPED UP AND SHOUTED ANGRILY OVER BELLI'S ATTEMPTS TO LEARN FREUND'S SOURCE. THE STATE CONTENDED THE SOURCE WAS IMMATERIAL.

THEIR TEMPER BLAZED EARLIER IN DEBATE OVER ADMISSION OF PAPERS BROUGHT TO COURT BY BLOOM ON ORDERS OF THE DEFENSE. FINALLY ADMITTED, THE PAPERS TURNED OUT TO BE LETTERS BETWEEN THE BLOOM AGENCY AND NEWS ORGANIZATIONS ABOUT FACILITIES FOR TRIAL COVERAGE.

U.S. DIST. ATTY., ETC., 5TH GRAF SECOND NIGHT LEAD (A18DN)

JA/RW855PCSMM

UPQRBQ)

(834'9, -)8565

A13DN

URGENT

SECOND NIGHT LEAD RUBY

BY RAYMOND HOLBROOK

DALLAS, FEB. 12 (AP)-JACK RUBY'S DEFENSE CHIEF CHARGED TODAY THERE IS WHAT HE CALLED A HIGH-LEVEL DALLAS PLOT TO DEPRIVE RUBY OF A FAIR MURDER TRIAL--BUT A FEDERAL ATTORNEY TESTIFIED LATER IT WOULD BE POSSIBLE TO FIND AN IMPARTIAL JURY HERE.

BELLI MADE THE CONSPIRACY CHARGE IN EXAMINING SAM R. BLOOM, HEAD OF W PUBLIC RELATIONS FIRM HELPING THE JUDGE IN THE CASE. HE SAID HE THOUGHT BLOOM'S AGENCY WAS PART OF A PLOT BY THE DALLAS "OLIGARCHY," A TERM USED OFTEN BY THE DEFENSE.

BLOOM TESTIFIED HE HAD VOLUNTEERED TO ASSIST THE JUDGE IN ARRANGING PRESS FACILITIES FOR NEWS COVERAGE OF THE RUBY TRIAL AS A PUBLIC SERVICE. HE SAID NO ONE HAD ASKED HIM TO DO IT AND HE HAD NOT DISCUSSED HIS WORK WITH ANYBODY BUT THE JUDGE AND THE PRESS.

ATTORNEYS' TEMPER BLAZED OUT IN A DEBATE OVER ADMISSION OF PAPERS BROUGHT TO COURT BY BLOOM ON ORDERS OF THE DEFENSE. FINALLY ADMITTED, THE PAPERS TURNED OUT TO BE LETTERS BETWEEN THE BLOOM AGENCY AND NEWS ORGANIZATIONS ABOUT FACILITIES FOR TRIAL COVERAGE.

U. S. DIST. ATTY. BAREFOOT SANDERS FOLLOWED BLOOM TO THE STAND IN THE THIRD DAY OF THE DEFENSE'S EFFORT TO WIN A TRANSFER OF RUBY'S TRIAL.

HE TOLD BOTH BELLI AND DIST. ATTY. HENRY WADE HE THOUGHT A FAIR JURY POSSIBLY COULD BE FOUND HERE FOR THE KILLER OF PRESIDENT KENNEDY'S ACCUSED ASSASSIN--BUT HE ADDED IT PROBABLY WOULD BE EASIER AND FASTER SOMEWHERE ELSE IN TEXAS.

(MORE)

JSJA513PCS

A19DN

URGENT

DALLAS--FIRST ADD SECOND NIGHT LEAD RUBY XXX IN TEXAS.

AFTER A SUCCESSION OF OTHER WITNESSES CALLED BY THE DEFENSE TESTIFIED THEY THOUGHT RUBY COULD NOT GET JUSTICE IN DALLAS, COURT WAS RECESSED AT 5 P.M. UNTIL 7 P.M.

BELLI SAID THE HEARING "MAY SLOP OVER TONIGHT BUT DEFINITELY WILL BE FINISHED BY NOON TOMORROW."

THE ADDITIONAL WITNESSES INCLUDED ATTORNEYS, BANK EMPLOYES, NEWSMEN WND AN ENTERTAINER AT THE CAROUSEL CLUB, NOW KNOWN AS THE BIG D COPA, FORMERLY MANAGED BY RUBY.

EARLIER BOTH BLOOM AND A FORD MOTOR CO. EXECUTIVE SAID THEY THOUGHT RUBY COULD GET A FAIR TRIAL HERE.

THE PRESIDENT OF THE DALLAS COUNTY CRIMINAL BAR ASSOCIATION TESTIFIED YESTERDAY THAT NEVER BEFORE HAD PRESS ARRANGEMENTS FOR A TRIAL BEEN HANDLED BY A PUBLIC RELATIONS FIRM BUT HE ADDED HE HAD DECIDED IT IS "A WORKABLE THING."

RUBY'S TRIAL, ETC., SIXTH GRAF NIGHT LEAD (A242DN, COUNTING INSERT A263DN AS FIFTH GRAF).

JA51SPCS

AMS BUDGET (450)

NIGHT LEAD RUBY

BY RAYMOND HOLDROOK

ASSOCIATED PRESS WRITER

DALLAS, FEB. 12 (AP)-JACK RUBY'S DEFENSE CHIEF CHARGED TODAY A PUBLIC RELATIONS FIRM HELPING THE JUDGE IS PART OF WHAT HE CALLED A HIGH-LEVEL DALLAS PLOT TO DEPRIVE RUBY OF A FAIR MURDER TRIAL.

SAM R. BLOOM, HEAD OF THE FIRM, TESTIFIED HE HAD VOLUNTEERED TO ASSIST THE JUDGE IN ARRANGING FACILITIES FOR NEWS COVERAGE OF THE TRIAL AS A PUBLIC SERVICE. HE SAID NO ONE HAD ASKED HIM TO DO IT AND HE HAD NOT DISCUSSED HIS WORK WITH ANYBODY BUT THE JUDGE AND THE PRESS.

ATTORNEYS FOR BOTH SIDES ENGAGED IN A HOT, BITTER DEBATE OVER ADMISSION OF PAPERS BROUGHT TO COURT BY BLOOM ON ORDERS OF THE DEFENSE. THE PAPERS TURNED OUT TO BE LETTERS BETWEEN THE FIRM AND NEWS ORGANIZATIONS ABOUT FACILITIES FOR COVERING THE TRIAL.

BLOOM TESTIFIED IN THE THIRD DAY OF A HEARING ON THE DEFENSE'S EFFORT TO HAVE RUBY'S TRIAL MOVED TO ANOTHER CITY BECAUSE OF WHAT CHIEF DEFENSE ATTORNEY MELVIN BELLI CALLED "A CONSPIRACY OF THE OLIGARCHY THAT EXISTS IN DALLAS."

THE PRESIDENT OF THE DALLAS COUNTY CRIMINAL BAR ASSOCIATION TESTIFIED YESTERDAY THAT NEVER BEFORE HAD PRESS ARRANGEMENTS FOR A TRIAL BEEN HANDLED BY A PUBLIC RELATIONS FIRM BUT SAID HE HAD DECIDED IT IS "A WORKABLE THING."

RUBY'S TRIAL ON A MURDER CHARGE IN THE SHOOTING OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD IS SCHEDULED TO BEGIN MONDAY IN DALLAS--UNLESS DIST. JUDGE JOE B. BROWN GRANTS A TRANSFER TO ANOTHER CITY.

RUBY, 52, KILLED OSWALD BEFORE A NATIONAL TELEVISION AUDIENCE ON NOV. 24--TWO DAYS AFTER OSWALD WAS CHARGED WITH MURDER IN THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY.

THE STATE CONTENDS RUBY CAN BE TRIED AS IMPARTIALLY IN DALLAS AS ANYWHERE IN TEXAS.

BLOOM AND JOHN MCKEE, A FORD MOTOR CO. EXECUTIVE PRESIDENT OF THE DALLAS CRIME COMMISSION, TESTIFIED THEY BELIEVE RUBY CAN GET A FAIR TRIAL IN DALLAS.

A SERIES OF DEFENSE WITNESSES INCLUDING STANLEY MARCUS, PRESIDENT OF NEIMAN-MARCUS, AND CLAYTON FOWLER, PRESIDENT OF THE DALLAS COUNTY CRIMINAL BAR ASSOCIATION, TESTIFIED YESTERDAY THEY DOUBT THAT HE CAN.

BELLI SAID HE WANTED TO DISCUSS BLOOM'S ROLE IN THE CASE BECAUSE HE BELIEVES BLOOM'S ADVERTISING AND PUBLIC RELATIONS AGENCY IS "PART OF THE CONSPIRACY OF THE OLIGARCHY THAT EXISTS IN DALLAS TO DEPRIVE JACK RUBY OF A FAIR TRIAL." THE DEFENSE CONTENTION IS THAT DALLAS LEADERS WANT MORE THAN ANYTHING ELSE TO IMPROVE THE CITY'S IMAGE IN THE EYES OF THE WORLD AND THAT THEY THINK RUBY MUST BE CONVICTED TO DO SO.

BLOOM SAID HE IS A MEMBER OF THE DALLAS CITIZENS COUNCIL, WHICH BELLI INCLUDES IN THE TERM "DALLAS OLIGARCHY," BUT IS NOT HELPING COURT AT THE REQUEST OF THE COUNCIL OR ANY OF ITS MEMBERS. HE SAID HE IS DOING IT STRICTLY ON HIS OWN.

THE CITIZENS COUNCIL IS A GROUP OF ABOUT 250 TOP EXECUTIVES WHO MAKE PLANS FOR DALLAS' ECONOMIC AND CULTURAL GROWTH.

JUDGE BROWN'S COURT WILL SEAT 62 PERSONS. THE JUDGE HAS DESIGNATED 48 NEWS MEDIA SEATS FOR THE TRIAL, WITH THE REST FOR THE PUBLIC. THERE HAVE BEEN MORE THAN 300 REQUESTS FOR PRESS SEATS.

BLOOM SAID HE MET WITH REPRESENTATIVES OF THE PRESS, DISCUSSED WAYS TO SOLVE THE SEATING PROBLEM AND THEN MADE RECOMMENDATIONS TO THE 7&3. HE SAID THE JUDGE MADE THE DECISION.

A244DN (FX FW)

DALLAS, FIRST ADD NIGHT LEAD RUBY BUDGET (A242-243DN) X X X THE DECISION.

THE DEFENSE HAD SUGGESTED THERE WAS A PLAN TO ADMIT SOME NEWSMEN WHO WOULD SLANT TRIAL COVERAGE IN FAVOR OF DALLAS' IMAGE AND EXCLUDE SOME OTHERS.

(have been refused access to the courtroom. He said some media)
BLOOM SAID NO NEWS MEDIA WILL BE REPRESENTED BY "POOLS"--THAT IS, A FEW REPORTERS WILL OBSERVE THE TRIAL FOR A LARGE NUMBER AND THEN BRIEF THOSE OF THEIR GROUP WHO CANNOT BE SEATED.

WHEN BELLI FIRST TRIED TO HAVE BLOOM'S PAPERS ENTERED IN EVIDENCE, THE STATE OBJECTED AND THE JUDGE SUSTAINED THE OBJECTION.

AT ONE POINT IN THE ENSUING DEBATE, BELLI ACCUSED JUDGE BROWN OF ASSUMING UNDUE AUTHORITY: "YOUR HONOR IS ACTING AS TRIAL COURT AND APPELLATE COURT . . ."

HE ALSO THREATENED TO GO TO FEDERAL COURT.

THE STATE CONTENDED BLOOM'S PAPERS WERE PERSONAL AND IRRELEVANT AND THAT, IN FACT, THE ONLY THING RELEVANT ABOUT BLOOM'S APPEARANCE WAS HIS STATEMENT THAT: "I BELIEVE THE PEOPLE OF DALLAS ARE DECENT AND HONORABLE AND WILL STRUGGLE FOR JUSTICE. I BELIEVE A JURY COULD BE FOUND WHERE JUSTICE WOULD BE DONE."

BLOOM SAT IMPASSIVELY WHILE THE ATTORNEYS STORMED.

THE JUDGE FINALLY CALLED A RECESS.

WHEN COURT RESUMED, DIST. ATTY. HENRY WADE WITHDREW HIS OBJECTION AND BROWN ADMITTED THE PAPERS.

IN FURTHER TESTIMONY, BLOOM SAID HE DID NOT FEEL DALLAS WAS ON TRIAL FOR THE KILLING OF OSWALD, "NOR DO I FEEL THE PEOPLE OF DALLAS ARE ON TRIAL."

ASKED IF HE FELT TRIAL AND CONVICTION OF RUBY IN DALLAS, WITH THE DEATH PENALTY, WOULD "WASH AWAY THE SINS OF DALLAS," BLOOM SAID:

"I DON'T FEEL DALLAS HAS ANY SINS."

"IF THAT IS YOUR FEELING," SAID BELLI, "YOU ARE EXCUSED."

JS206PCS NM

A28DN

DALLAS--SECOND ADD NIGHT LEAD RUBY (A242-244DN)

XXX ARE EXCUSED."

OTHER WITNESSES TODAY, ALL OF WHOM TESTIFIED THEY DOUBTED RUBY WOULD GET A FAIR TRIAL IN DALLAS, INCLUDED PHOTOGRAPHER JACK BEERS OF THE DALLAS MORNING NEWS, NEWS DIRECTOR BOB WALKER OF WFAA-TV,

THE DALLAS MORNING NEWS, NEWS DIRECTOR BOB WALKER OF WFAA-TV, BANK EMPLOYEES W. M. BEAVERS AND JACK ETHERIDGE, ATTORNEYS RANDOLPH SCOTT, MRS. LAUREL BATES AND T. K. IRWIN JR., AND NIGHT CLUB MASTER OF CEREMONIES WALLY WESTON.

JA/RW545PCS