

Rby

17 MAR 1964

611 ACS

A100DN

WADE (200)

DALLAS, MARCH 17 (AP)-DIST. ATTY. HENRY WADE TOLD YESTERDAY HOW PROSECUTORS MADE THE "BIG DECISION" OF THE JACK RUBY MURDER TRIAL.

THE DECISION: THEY WOULD NOT CALL WITNESSES WHO SWORE THEY SAW RUBY AND LEE HARVEY OSWALD TOGETHER BEFORE A SNIPER ASSASSINATED PRESIDENT KENNEDY HERE.

TESTIMONY FROM THESE WITNESSES WOULD HAVE MADE WORLD-WIDE HEADLINES. AND, IF JURORS HAD BELIEVED THE TESTIMONY, IT WOULD HAVE PROVIDED A MOTIVE FOR THE SLAYING OF OSWALD.

RUBY SLIPPED INTO THE HEAVILY GUARDED CITY HALL BASEMENT NOV. 24 AND FIRED A SINGLE BULLET INTO OSWALD, WHO HAD BEEN ARRESTED TWO DAYS EARLIER AS THE NO. 1 SUSPECT IN THE PRESIDENTIAL ASSASSINATION.

WADE SAID FBI AGENTS AND OTHER INVESTIGATORS PROVIDED HIM WITH A LIST OF WITNESSES WHO INSISTED THEY HAD SEEN RUBY AND OSWALD TOGETHER AT VARIOUS TIMES.

THE DISTRICT ATTORNEY SAID HE DECIDED NOT TO CALL THESE WITNESSES BECAUSE HE HAD DOUBTS ABOUT THE ACCURACY OF THEIR STATEMENTS.

"I KNEW THAT THREE OF THEM HAD FAILED LIE DETECTOR TESTS," WADE SAID.

"WE KNEW TESTIMONY FROM THESE WITNESSES COULD HAVE HAD A BIG IMPACT ON THE JURY, ONE WAY OR ANOTHER. BUT I FELT THEN--AND STILL DO-- THAT THERE HAS BEEN NO PROOF RUBY AND OSWALD KNEW EACH OTHER. AS THINGS TURNED OUT, I'M REALLY GLAD WE DIDN'T PUT THE WITNESSES ON THE STAND."

JURORS DELIBERATED ONLY TWO HOURS AND 19 MINUTES BEFORE AGREEING RUBY SHOULD DIE IN THE ELECTRIC CHAIR.

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