

Ruby Says During Lie Test He Planned to Kill Oswald

By **CARL FREUND**

Jack Ruby stated during a lengthy lie detector test that he decided on the morning of Nov. 24 to kill Lee Harvey Oswald "if the opportunity presented itself," the Dallas News learned Tuesday.

Informed sources also told The News that FBI agents indicated they saw nothing which would lead them to believe Ruby lied during the test. The agents emphasized, however, that they could not say definitely that the 53-year-old slayer had told the truth until they analyzed polygraph tracings based on his pulse and breathing.

Two FBI agents gave Ruby the test Saturday in the county jail after going there with a Warren Commission representative.

Ruby had requested the test. He said it would back up his statements that he did not know Oswald and was not involved in any conspiracy to kill President John F. Kennedy.

The News was told that Ruby gave this account of the slaying of Oswald:

Ruby became increasingly "worked up" emotionally as he brooded over the Nov. 22 assassination of President Kennedy here.

Then he read an emotional "letter to Caroline Kennedy" in a newspaper. He also read a news story which reported that lawyers could call President Kennedy's widow as a witness during Oswald's trial on a charge of mur-

dering her husband.

Ruby decided at this time to kill the 24-year-old Marxist "if the opportunity presented itself." He wanted to spare Mrs. Kennedy the anguish of returning to the city where her husband was slain.

Later on the morning of Nov. 24, Ruby drove to the Western Union office in Downtown Dallas to wire money to a stripper in Fort Worth. He did not know at this time when detectives would transfer Oswald to the county jail.

As he left the Western Union office, Ruby continued, he saw a crowd outside City Hall and realized he might have an opportunity to kill Oswald. He took a pistol, which he carried with him, and hurried past two officers when they were momentarily distracted while guarding an entrance to the basement.

Although defense lawyers insisted at the trial that Ruby fired while in an epileptic trance, the slayer indicated during the test that he was fully aware of what he was doing.

Ruby said he recalls saying, "You killed the President, you rat."

As the test drew to an end Saturday night, an agent asked Ruby one final question.

"Did you tell the truth throughout this test?" the agent asked.

Ruby said he had.

Ruby's statements during the test were similar to those he made when questioned by chief Justice Earl Warren during their unprecedented county jail interview.

After Ruby requested the test, the Warren Commission decided to give it for these reasons:

—The chief justice felt Ruby may have concluded from statements during their conference that he had been promised a test.

—The commission wanted to see if a test would support statements made by Ruby.

—Commission members did not want to give its critics, or Ruby and his relatives, a chance to argue that it was afraid to give him a test.