

RBY

18 AUG. 1964  
407 PED

A40 (670) (NYC OUT)

ADVANCE FOR USE AT 4 P.M. EST TODAY, TUESDAY, AUG. 18 (EMBARGO SET BY SOURCE).

(ADVANCE) NEW YORK, AUG. 18 (AP)-JACK RUBY HAS BEEN QUOTED FROM PURPORTED ACTUAL WORD-BY-WORD TESTIMONY BEFORE THE WARREN COMMISSION AS INSISTING HE KILLED LEE HARVEY OSWALD ON THE SPUR OF THE MOMENT LAST NOV. 24.

IN A COPYRIGHTED STORY TODAY BY NEW YORK JOURNAL-AMERICAN COLUMNIST DOROTHY KILGALLEN, RUBY IS QUOTED AS HAVING TOLD CHIEF JUSTICE EARL WARREN DURING INTERROGATION LAST JUNE 7:

"I WAS NEVER MALICIOUS TOWARD THIS PERSON. NO ONE ELSE REQUESTED ME TO DO ANYTHING. I NEVER SPOKE TO ANYONE ABOUT ATTEMPTING TO DO ANYTHING. NO SUBVERSIVE ORGANIZATION GAVE ME ANY IDEA. NO UNDERWORLD PERSONS MADE ANY EFFORT TO CONTACT ME.

"IT ALL HAPPENED THAT SUNDAY MORNING."

RUBY, NOW 53, STEPPED OUT OF A CROWD OF NEWSMEN AND ONLOOKERS IN THE BASEMENT OF DALLAS POLICE HEADQUARTERS ON SUNDAY, NOV. 24, AND FIRED A SINGLE FATAL BULLET INTO OSWALD, WHO HAD BEEN FORMALLY CHARGED AS THE ASSASSIN OF PRESIDENT JOHN F. KENNEDY TWO DAYS EARLIER.

CONDEMNED TO DEATH BY A DALLAS TRIAL JURY LAST MARCH 14, RUBY NOW IS HELD IN THE DALLAS COUNTY JAIL PENDING AN APPEAL OF HIS CONVICTION. WARREN INTERVIEWED HIM THERE JUNE 7 IN CONNECTION WITH HIS INVESTIGATION INTO ALL PHASES OF THE PRESIDENTIAL ASSASSINATION.

THE NEXT DAY, THE ASSOCIATED PRESS QUOTED A RELIABLE SOURCE AS SAYING THAT RUBY TESTIFIED AT THE TIME HE HAD NO CONNECTION WITH OSWALD BEFORE HE SHOT HIM, AND THAT NO CONSPIRACY WAS INVOLVED.

AS EARLY AS LAST DECEMBER, ALSO, IT BECAME KNOWN THAT THE FBI AND COOPERATING STATE, FEDERAL AND LOCAL AUTHORITIES HAD CONCLUDED THAT OSWALD WAS THE SOLITARY AND UNAIDED ASSASSIN, AND THAT RUBY HAD NO CONNECTION WITH THE PLAN TO KILL KENNEDY.

A41 (NYC OUT)

MISS KILGALLEN SAID IN HER JOURNAL-AMERICAN STORY THAT SHE OBTAINED THE ACTUAL TRANSCRIPT OF WARREN'S INTERVIEW WITH RUBY "FROM SOURCES CLOSE TO THE WARREN COMMISSION IN WASHINGTON."

MOST OF THE FIRST INSTALLMENT OF THE TRANSCRIPT COVERED THE PERIOD FROM KENNEDY'S ASSASSINATION IN MIDDAY OF NOV. 22 TO EARLY THE NEXT MORNING. RUBY'S ACCOUNT OF HIS ACTIVITIES DURING THAT PERIOD TALLIED CLOSELY WITH TESTIMONY INTRODUCED AT HIS TRIAL.

DURING THE TRIAL, THE STATE CONTENDED RUBY FIRST DETERMINED TO KILL OSWALD ON THE FRIDAY NIGHT OF NOV. 22, A FEW HOURS AFTER THE ASSASSINATION. RUBY MINGLED WITH A CROWD OF NEWSPAPERMEN THAT NIGHT DURING A CONFRONTATION WITH OSWALD.

IN THE TRANSCRIPT WHICH THE JOURNAL-AMERICAN, PUBLISHED WITH MISS KILGALLEN'S STORY, RUBY IS QUOTED AS TELLING CHIEF JUSTICE WARREN OF THAT FRIDAY NIGHT CONFRONTATION IN DALLAS POLICE HEADQUARTERS:

"THERE WAS A LOT OF QUESTIONS THROWN BACK AND FORTH, AND THIS DIST. ATTY. HENRY WADE WAS ANSWERING THEM AS BEST HE COULD.

"FROM THE TIME HE STARTED HE LET THE REPORTERS KNOW THAT THIS WAS THE GUILTY ONE THAT COMMITTED THE CRIME. HE SPECIFICALLY STATED THAT IN THAT ROOM, THAT HE WAS THE ONE. IT DIDN'T HAVE ANY EFFECT ON MY MIND, BECAUSE WHETHER THE PERSON HAD COME OUT, WHETHER HE HAD COME OUT OPENLY AND PUBLICLY STATED DIDN'T HAVE ANY BEARING IN MY MIND, BECAUSE I WASN'T INTERESTED IN ANYTHING. ALL I KNEW, THEY HAD THE PRISONER."

RUBY FAILED TO TAKE THE WITNESS STAND DURING HIS FIRST DEGREE MURDER TRIAL IN DALLAS LAST WINTER. DURING THE TRIAL, CHIEF DEFENSE ATTORNEY MELVIN BELLI SOUGHT TO PROVE HIM INSANE AND NOT LEGALLY RESPONSIBLE AT THE TIME OF OSWALD'S SLAYING. IN THE TRANSCRIPT, RUBY IS QUOTED AS TELLING WARREN:

A42 (NYC OUT)

"MR. BELLI EVIDENTLY DID NOT GO INTO MY CASE THOROUGHLY CIRCUMSTANTIALLY. IF HE HAD GONE INTO IT, HE WOULDN'T HAVE TRIED TO VINDICATE ME ON AN INSANITY PLEA TO RELIEVE ME OF ALL RESPONSIBILITY, BECAUSE CIRCUMSTANTIALLY EVERYTHING LOOKS SO BAD FOR ME. IT CAN HAPPEN--IT HAPPENS TO MANY PEOPLE WHO HAPPEN TO BE IN THE WRONG PLACE AT THE RIGHT TIME.

"HAD MR. BELLI SPENT MORE TIME WITH ME, HE WOULD HAVE REALIZED NOT TO TRY TO GET ME OUT COMPLETELY FREE: AT THE TIME WE ARE TALKING, TECHNICALLY, HOW ATTORNEYS OPERATE."

CHIEF JUSTICE WARREN--"I UNDERSTAND."

RUBY--"DIFFERENT THINGS CAME UP, FLASHED BACK INTO MY MIND, THAT IT DIRTIED MY BACKGROUND, THAT MR. BELLI AND I DECIDED--OH YES, WHEN I SENT TO SAY THAT I WANTED TO GET ON THE STAND AND TELL THE TRUTH WHAT HAPPENED THAT MORNING, HE SAID, 'JACK, WHEN THEY GET YOU ON THE STAND, YOU ARE ACTUALLY SPEAKING OF A PREMEDIATED CRIME THAT YOU INVOLVED YOURSELF IN.' BUT I DIDN'T CARE BECAUSE I WANTED TO TELL THE TRUTH.

"HE SAID, 'WHEN THE PROSECUTION GETS YOU ON THE STAND, THEY WILL CUT YOU TO RIBBONS.' SO NATURALLY I HAD TO RETRACT, AND HE FOUGHT HIS WAY TO TRY TO VINDICATE ME OUT OF THIS PARTICULAR CRIME."

RUBY IS QUOTED AT THE OUTSET OF THE TRANSCRIPT AS ASKING JUSTICE WARREN TO ARRANGE FOR HIM TO TAKE A LIE DETECTOR TEST IN RELATION TO HIS TESTIMONY BEFORE THE COMMISSION.

SUCH A TEST WAS MADE IN THE DALLAS COUNTY JAIL JULY 18. THE DALLAS TIMES HERALD ON JULY 22 QUOTED RUBY AS SAYING DURING THE TEST THAT HE HAD NO CONNECTION WITH OSWALD IN THE KENNEDY ASSASSINATION.

THE TIMES HERALD ALSO QUOTED THE FOLLOWING QUESTIONS AND ANSWERS IT SAID WERE MADE DURING THE TEST:

"DID YOU SHOOT OSWALD TO SAVE MRS. KENNEDY A TRIP TO DALLAS TO TESTIFY IN A TRIAL?"

"YES," RUBY WAS SAID TO HAVE REPLIED. (HIS PURPORTED DEEP CONCERN OVER PRESIDENT KENNEDY'S FAMILY WAS STRESSED THROUGHOUT THE DEFENSE TESTIMONY AT HIS TRIAL).

Q. IS EVERYTHING THAT YOU HAVE TOLD THE WARREN COMMISSION THE ENTIRE TRUTH?

A. YES.

J407PED