

Report Finds Ruby's Killing Of Oswald No Conspiracy

Washington Bureau of The News
WASHINGTON—Jack Ruby did not kill Lee Harvey Oswald as part of any conspiracy to silence the 24-year-old assassin, the Warren Commission said Sunday.

The commission said it wanted to avoid discussing possible motives for Ruby's decision to kill Oswald since Ruby is appealing his death penalty and conceivably could face a jury again on a murder charge.

But, the commission said, it felt it should rule out the conspiracy since there was widespread speculation on this point.

"The conclusion that there was no evidence of a conspiracy was also reached independently by Dean Rusk, secretary of state; Robert S. McNamara, secretary of defense; C. Douglas Dillon, secretary of the treasury; Robert F. Kennedy, attorney general (at the time of the assassination); J. Edgar Hoover, FBI director; John A. McCone, CIA director, and James J. Rowley, chief of the Secret Service, on the basis of the information available to each of them," the commission noted.

The commission said it found no basis for rumors that Ruby was a member of a crime syndicate, a Cuban agent, a friend of Oswald, a right-winger or a left-winger. It said it also found no basis for a report that Ruby once participated in Communist party activities in Muncie, Ind.

The commission pointed out that Ruby was regarded by most people who knew him as moody and unstable.

As a result, the commission said in its report, he was "hardly one to have encouraged the confidence of persons involved in a sensitive conspiracy."

The commission pointed out also that Ruby fired his lethal shot in the Dallas City Hall basement, where he was certain to be arrested.

"An attempt to silence Oswald by having Ruby kill him would have presented exceptionally grave dangers to any other persons (who might have been) involved in the scheme," the report noted.

"If the attempt had failed, Oswald might have been moved to disclose his confederates to the authorities. If it succeeded, as it did, the additional killing might itself have produced a trail to them."

The commission said it also carefully investigated activities of George Senator, who shared an apartment with Ruby at the time of the assassination.

"It is difficult to know with complete certainty whether Senator had any foreknowledge of the shooting of Oswald . . . (but) the commission has concluded, on the basis of its investigation into Senator's background, activities, and reaction to the shooting that Senator did not aid or conspire with

Jack Ruby in the killing of Oswald.

"Whatever the legal culpability of Jack Ruby for his act of Nov. 24, the evidence is persuasive that he acted independently in shooting Oswald."

The commission said it reached this conclusion without considering the lie detector test which it gave Ruby in the Dallas County jail at his request.

The transcript of the July 18 test shows that Ruby stated:

—He did not know Oswald.

—He killed Oswald to spare President Kennedy's widow the anguish of returning to Dallas as a possible witness during the assassin's trial.

—He was not part of any conspiracy.

The commission said FBI agent Bell P. Herndon, a polygraph expert who gave the test, told it that Ruby's reaction indicated he did not answer truthfully when asked certain questions which had nothing to do with the Oswald slaying. For example, Herndon said, there were indications that Ruby lied when he said he had never overcharged a customer.

But, the FBI agent said, there was no evidence of deception when Ruby replied to questions about the Oswald case.

Herndon emphasized, however, that no significance could be placed upon the test if Ruby was a "psychotic depressive" who had lost touch with reality.