

# Tape Ruby Dies; Denied

## Conspiracy to End

### Oswald's Slayer Succumbs to Cancer in Dallas

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DALLAS — Jack Ruby died of cancer Tuesday, denying to the end any conspiracy in the slaying of Presidential assassin Lee Harvey Oswald.

Death came peacefully at 10:30 a.m. at the same hospital where President John F. Kennedy and Oswald died of violence in November, 1963. The immediate cause of death was a blood clot that broke loose in Ruby's right leg and entered a lung.

Ruby was nothing more than the obscure boss of a strip joint—until the morning of Nov. 24, 1963, two days after the assassination of Mr. Kennedy.

Then, in the basement of the Dallas City Hall, Ruby darted between officers, newsmen and television cameramen and pumped a pistol bullet into Oswald's stomach—the most widely witnessed murder in history.

#### Murder Trial in March

The following March Ruby was tried for murder. His defense attorney, Melvin Belli, introduced volumes of testimony intended to prove that his client suffered from a rare ailment known as psychomotor epilepsy.

Brief attacks, the attorney said, could be brought on by overpowering emotion. In these spells, Belli said, Ruby acted as if he were functioning rationally, but actually was in a state of blackout.

This, Belli argued, was what happened the morning Oswald was shot. However, the Dallas jury took only

two hours and 19 minutes to decide that Ruby should pay for his act in the electric chair.

While awaiting execution Ruby insisted there had been no conspiracy. He said he killed Oswald to spare Mrs. Jacqueline Kennedy the an-

guish of having to come to Dallas to testify.

Last October the Texas Court of Criminal Appeals ordered a new trial for Ruby. The decision said that the judge in the first trial had erred in not ordering it moved from Dallas, and had admitted police testimony about what the defendant did and said after too much time had passed for it to be regarded as part of the crime.

A second trial then was set for February or March in Wichita Falls, 135 miles northwest of Dallas.

But as Ruby awaited his second trial in a sixth-floor cell of the Dallas County Jail, malignancy was invading his pancreas, lungs and lymph glands. On Dec. 9, after having been treated unsuccessfully in jail for what was believed to be a severe cold, Ruby was transferred to Park-

#### land Memorial Hospital.

There it was discovered he not only had pneumonia, but also cancer—so widespread that surgery or radiation treatment would be futile.

Ruby died without undergoing the lie detector test which he told his brother, Earl, he wanted to take in order to tell the world he was not involved in a conspiracy.

Dr. Eugene P. Frenkel of the Parkland staff said that, while Ruby could have undergone a lie detector test, it would have been "totally and grossly inadequate" because of his physical condition.

He also said Ruby did

not voice any of his last thoughts.

Ruby, who would have been 56 in March, started his last day of life in a jovial mood, according to his doctors.

At about 7 a.m. he ordered a breakfast of eggs. But within two hours he experienced trouble breathing. At 9:10 a.m. he suffered what Dr. Frenkel called an acute seizure, became "non-responsive" and died an hour and 20 minutes later.

Dr. Frenkel said Ruby had trouble breathing Monday night, but that the doctors did not know about the blood clot

which had formed behind his right lung. He was given oxygen Monday night "and there was no evidence of major pulmonary occlusion. And there was no evidence of the clot last night," Dr. Frenkel said.

In addition to the blood clot, the autopsy showed extensive cancer "in both lungs, in the lymph nodes and through the liver."

The autopsy determined Ruby's cancer probably originated in the lining of his lungs. Dr. Frenkel said the cancer was technically called a "mucin-forming adeno carcinoma" which attacks cells that line ducts and glands of the body. It is common to nonsmokers, he said.

#### Didn't Smoke

Ruby neither smoked nor drank.

Nearly 20 specialists were at Ruby's bedside, giving closed heart mas-

sage and oxygen—out the blood clot was more than they could overcome.

Dr. Frenkel and Dr. Earl Rose, Dallas County medical examiner, gave the details of Ruby's death to a room filled with newsmen.



**DIES**—Jack Ruby as he appeared in court last April. This is last known picture made of him.  
(AP Wirephoto)

They also declined to speculate on whether Ruby's cancer should have been diagnosed earlier. Ruby was not taken to the hospital until after Dallas County Sheriff Bill Decker looked at him and grew so alarmed that he called the chief county health officer and said he would

send Ruby to the hospital on his own order.

The county health officer, Dr. J. M. Pickard, visited Ruby and agreed he should be moved to the hospital. Pickard had not seen Ruby since 1964.

Drs. Frenkel and Rose said Ruby's condition had "slowly degenerated" from the time he entered Parkland. They said that while it was always impossible to speculate about death, "his death, in a sense, was

anticipated. We had asked his family to come to Dallas last Friday."

Dr. Rose added: "Ruby's last few days were comfortable."

But there had been little

indication from the daily bulletins issued by Parkland that he was growing so weak. There was considerable speculation that Ruby had cancer even before the announcement came from the hospital the day after he was admitted.

#### Lost 25 Pounds

Ruby had been treated for about a week before he was transferred from the jail by the assistant county health officer, Dr. John W. Callahan, who had given him a shot of penicillin and thought he had a cold or, at worst, pneumonia.

The bulletins issued late last week said Ruby was losing weight and mentioned several times

that he had grown "so weak" and "so weak" in the days Ruby was in the hospital, he lost 25 pounds. He weighed 172 pounds when he was admitted.

Newsmen were not permitted to talk to the doctors and there were no meetings for the press by hospital officials.

#### City Official Made

the last relative to see Ruby was a sister, Mrs. Eva L. Grant, who said she was writing "a long article" about Jack's last six months. It'll shock Dallas, she said.

"I was the last relative to see Jack," said Mrs. Grant, who lives in Dallas. "I had held his hand," she

sobbed. Then we (she and her brother, Earl, of Detroit) went out into the hall while they washed Jack and took care of him.

"All of a sudden there was a commotion. People started rushing in and out. They brought up a big machine (a resuscitator). Then, before I knew it, Jack was dead.

"But I tell you, I've got some things to tell about Dallas. The people here

never treated Jack right; they treated him badly. I'll tell you. This is the Bible Belt and these people think they are good Christians, but let me tell you I'd rather be a bad Jew than a good Christian if these are what good Christians are like." (AP Wirephoto)