

Ruby, Who Wanted Esteem, Won a Place in History

NYT 1/4/67

A man who always wanted to be esteemed, who wanted to be known for his "class," Jack Ruby was, until Nov. 24, 1963, an undistinguished and obscure operator of a Dallas striptease night club. On that hot, muggy Sunday, however, he achieved a place in history: He fatally shot Lee Harvey Oswald, the assassin of President Kennedy, in the sight of the Dallas police and millions of television witnesses.

The shooting took place in the Dallas City Jail as the 24-year-old Oswald was being escorted, two days after the assassination, through the basement to a police wagon for transfer to another prison. The police had permitted television crews and newsmen to observe the transfer, and Ruby, who was well known to the police as a brawler and tipster, joined the throng, apparently casual-

As Oswald walked through the basement, Ruby lunged forward and shot him in the left side with a snub-nosed .38-caliber revolver. As the single shot rang out, a detective recognized Ruby and shouted:

"Jack, you son of a bitch?"

Wrestled to Floor

Ruby was easily wrestled to the floor, disarmed and locked up. Except for brief terminal hospitalization, he passed the remainder of his life behind bars.

Ruby maintained then, and consistently for the rest of his life, that he had been impelled to slay Oswald out of sympathy for President Kennedy's widow. He did not, he said, want her to go through the ordeal of returning to Dallas for a trial of Oswald. He also contended that he had not known Oswald and that he had acted alone. He insisted, also, that he was sane at the time.

The Warren Commission, appointed by President Johnson to investigate the assassination, and its evidence showed that Ruby had acted alone.

In many minds, however, there was doubt on that point. Ruby was also seemingly aware that his version of his motivation of his deed was not universally accredited. He demanded several times that he be given a polygraph, or lie-detector test, but his deteriorating physical condition, it was said by experts, would have clouded the results of such a test. He had asked the Warren Commission for a lie-detector test, but none was administered to him.

Sentenced to Death

Ruby was indicted Nov. 26, 1963, for the slaying of Oswald. He was convicted March 14, 1964, and sentenced to death fol-



Jack Ruby shooting Lee Harvey Oswald while assassin of President Kennedy was in custody Nov. 24, 1963, at Dallas jail. Robert H. Jackson of Dallas Times Herald took photo.

lowing a trial in which many of the normal rules of judicial decorum were broken.

Ruby was defended by Melvin Belli, San Francisco lawyer, who contended bitterly that the state of justice in Texas was such that his client should not receive a fair trial.

The prosecution contended that Ruby planned to kill Oswald in the belief that he would become a national hero. Witnesses agreed that he fell into a state of deep shock upon hearing of President Kennedy's death. During the trial, mention of Mr. Kennedy's widow and children would bring tears to Ruby's eyes.

The trial brought out that hours after Mr. Kennedy's death, one of the Ruby's striptease dancers found him weeping at his club, the Carousel. He announced that it would be

closed until further notice. He visited his sister, Mrs. Eva Grant, at her apartment several times and she described him as being very upset over the assassination.

The following day, according to the trial testimony, he was seen near his apartment walking his dachshund, Sheba, and picking up his laundry. He was also seen near the Municipal Building, which housed the jail where Oswald was being held.

Ruby did not take the stand. However, in explaining his need to the Warren Commission, he said:

"The emotional feeling came within me that someone loved me. He also told the Dallas police, according to trial testimony, that he had acted 'to show the world Jews had guts.'"

Ruby's lawyers offered a defense of insanity, and a psychiatrist termed the man a "psychotic depressive," divorced from reality. Ruby, however, asserted his sanity, a contention that was upheld in a Texas state court on June 13, 1966.

Last Oct. 5, the Texas Court of Criminal Appeals upset Ruby's original conviction and ordered a new trial, which had been tentatively set for next month. On Dec. 9, however, he was admitted to Parkland Memorial Hospital in Dallas, suffering from what was diagnosed as cancer of the lymphatic system.

Ruby was named Jacob Rubenstein when he was born in the Maxwell Street ghetto district of Chicago. The year was 1911, but the precise date was never documented. He was the sixth of nine children of a Polish immigrant and his wife. His father was frequently without a job and just as often drunk. His mother had delusions, including one that she had a fishbone stuck in her throat.

The boy, who was nicknamed Sparky, passed much of his childhood in street games and in brawling with the neighborhood

children. In 1923 he was placed in a foster home for a time. He dropped out of school at 16 with a reputation for being quick-tempered and disobedient.

He held a variety of jobs — scalping tickets for sports events, vending peanuts, selling horse-race tip sheets. He was on the fringe of the underworld, yet not in it. In 1933, he and some friends went to San Francisco, where he made a marginal living by selling newspaper subscriptions door to door.

Organized a Union

Back in Chicago in 1937, Ruby became involved in organizing a junkyard workers' union for a couple of years, then again turned to selling novelty items. He was in New York briefly, according to the Warren Commission Report, which said:

"Ruby with several friends frequently attempted to disrupt rallies of the German-American Bund. One acquaintance reported that Ruby was responsible for 'cracking a few heads' of Bund members."

Rubenstein (he changed his name to Ruby in Dallas in 1947) was drafted May 21, 1943. After service as a mechanic in the Army Air Forces at bases in the South, except for five weeks in Farmingdale, L. I., he was discharged in February, 1946, with a rating of "very satisfactory."

Shortly thereafter, Ruby went to Dallas at the invitation of his sister, Mrs. Grant, to operate two clubs, the Vegas and the Carousel. He devoted most of his energy to the latter, but it was not a money-maker. He was delinquent in his Federal taxes at his death.

A Natty Dresser

In Dallas, Ruby began to acquire some of the "class" he yearned for. He dressed nattily, if not exactly soberly. He made friends. He formed a liaison with a blond divorcée that lasted for 11 years.

"He wanted to be liked—and he was," a friend who knew him in those years said.

At the same time he built a

reputation for toughness, and he seldom required police assistance in keeping order in the Carousel. He threw at least one drunken customer downstairs and was embroiled in fist fights from time to time.

He was arrested eight times between 1949 and 1963 on charges that ranged from disturbing the peace and carrying a concealed weapon to selling liquor after hours. These were considered minor offenses in Dallas and he was never convicted of any of the charges.

In fact, the Dallas police generally liked Ruby, and he them. Many policemen visited Ruby's club, where he dispensed food, drink, conversation and occasional pieces of information. He was considered a police buff.

I.Q. Put at 109

The contrasts in Ruby's character — he was compassionate in some circumstances and brutal or truculent in others — were remarked by a number of persons associated with him and by Dr. Roy Schafer, a psychologist, who tested him after his arrest in 1963.

Dr. Schafer put Ruby's I.Q. score at 109, or in the 73d percentile of the general population.

"The total set of test results," the psychologist's report said, "indicates that Mr. Ruby's thought processes and speech fluctuate between two positions: One position is clear, alert, perceptive, socially appropriate and well organized; the other position is confused, disoriented, arbitrary, inappropriate and loosely organized."

In jail, the prisoner was guarded 24 hours a day. He spent much of his time playing gin rummy with his guards. He cheated, the guards said, in keeping score.

He also read — newspapers, the Warren Report, a Hebrew Bible, novels with erotic themes and dictionaries. He prided himself, according to his jailers, on being a faultless speller.

Studied and examined though he was, Ruby left many persons puzzled by his contrasts.

... from the jail at 10
... on the morning of the
... ing, two days after Pres-
... Kennedy's assassination.
... Ruby's portion is one of the
... best on the record. Among
... other voices heard are those
... Malcolm Kilduff, an assist-
... White House press secre-
... at the time; Representa-
... Eagle Cabell, a Texas
... vicinity of the as-
... ber of persons who were in
... ocrat, and his wife, and a
... nation.
... spokesman for the record
... company said yesterday that
... had been technical diffi-
... es in preparing the Ruby
... for the record.
... said Earl Ruby had placed
... the dispatch case containing
... the tape recorder on top of an
... air-conditioner, the noise of
... which had blotted out some of
... the conversation.
... The spokesman said the com-
... pany had re-recorded the orig-
... inal tape, using a number of
... processes that reduced the in-
... terference. However, some of the
... conversation remains unintel-
... ligible.

... Supreme Court
... Justice Samuel H. Hofstadt
... granted last
... day by Justice Samuel
... blocking the sale of an O
... interview recorded thir
... months before the assassinatio
... the suit was brought by
... Information Council of
... Americas, a nonprofit organ
... based in New Orleans
... Against Audio Fidelity Recor
... Truth Records and four
... equals.
... The council said it had bou
... tape for \$6,500 from V
... K. Stuckey of Evanston
... who interviewed Oswald
... 17, 1963. The court ma
... determine who owns the
... which the recording