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TRIAL MAY BE DELAYED

Ruby Tests Reveal 'Serious' Condition

Suspect's Lung Filled With Fluid

By BILL McADA and WAYNE KING, Staff Writers

Jack Ruby may be suffering from a disease far more serious than pneumonia, The Times Herald learned Saturday.

The once-convicted killer of accused presidential assassin Lee Harvey Oswald underwent extensive testing overnight following his admission to Parkland Hospital Friday afternoon.

Pathological tests were conducted overnight after an accumulation of fluid was found in Ruby's right lung. Hospital spokesmen said a portion of the fluid was removed to ease congestion.

The results of the tests will not be available until mid-afternoon Monday. Meanwhile, Ruby is being given oxygen and antibacterial drugs, the hospital said.

"ADDITIONAL FLUID remains in the lung and further study will be conducted to establish the cause of this accumulation," a spokesman said.

The spokesman said Ruby "spent a comfortable night" and Saturday was "slightly improved." However, his condition continues to be considered serious.

The balding strip joint owner was admitted to the hospital about 5 p.m. suffering from what was believed to be pneumonia. He had complained of not feeling well in his Dallas County jail cell.

Hospitalization of the 35-year-old Ruby threw a shadow over plans for his retrial on a charge of shooting down Oswald in the city jail basement more than three years ago.

THE STATE COURT of Criminal Appeals recently reversed his March, 1964, death sentence and said Ruby should have a new trial in some location other than Dallas County.

A new trial has been scheduled in Wichita Falls, tentatively docketed for February.

Ruby was admitted to the hospital about 5 p.m. Friday after he complained during a visit with Sheriff Bill Decker that he had a cold and was not feeling well.

SHERIFF DECKER said in a news conference that he called Dr. J. M. Pickard, county health officer, who examined Ruby and suggested he be taken to the hospital where X-rays could be made.

After being x-rayed, Ruby was admitted to a private room under close guard. Decker said

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two guards will be on duty at all times, one inside the room and one in the hall.

Dr. John W. Callahan, assistant county health officer, said he had been giving Ruby penicillin shots since Monday. Callahan is responsible for treating jail prisoners.

"**HIS TEMPERATURE** has never risen above normal," said the doctor, "and normally in something as serious as pneumonia the body responds with a temperature rise.

"I think it was a good idea to send him to the hospital, however, because chest X-rays might reveal hazy areas that would not be apparent in the stethoscope examinations I have given him."

Callahan said Ruby first began coughing when his murder conviction was reversed about two months ago. "His guards also told me he was throwing up often, and he said he couldn't keep anything on his stomach."

THE DOCTOR SAID Ruby had a coughing spell about a month ago and complained of chest pains. "I examined him and thought perhaps he had strained a chest muscle, so I gave him antibiotics and kept him in bed for two days. His condition seemed to return to normal."

Ruby's sister, Mrs. Eva Grant, came to the hospital and told newsmen, "For three weeks, Jack has been deathly sick. That guy is dying."

Mrs. Grant said Ruby "looked like a corpse" when she visited him Friday.

DECKER ANSWERED charges by Mrs. Grant that Ruby has not received proper care by saying, "She told me the same thing. I have doctors and nurses in the jail to care for prisoners. Anything about that would have to come from them."

Asked by a New York reporter if the county jail is drafty, Decker heatedly replied, "The jail is a jail, not a pasture. It was built in 1914, made of concrete and stone, and intended to keep prisoners the same as they do in New York State.

"Jack Ruby is under my care and custody. I want him to have every right guaranteed him by the law, and I want him to have medical attention if he needs it" the sheriff said.

DR. CALLAHAN said he examined Ruby as usual Friday and planned to give him another penicillin shot. "He said he didn't want a shot and asked for baking soda. We planned to give him a shot anyway but he was taken to the hospital first."

The doctor said Ruby's weight is 178 pounds, six pounds more than he weighed when he first came to the jail over three years ago. "His weight has been as high as 185, but he was overweight then."

Phil Burleson, one of Ruby's attorneys, said at the hospital, "We are concerned. I think he's very sick."

Sheriff Decker and Burleson agreed that it is too early to tell what effect Ruby's illness will have on his new trial. Dist. Judge Louis T. Holland announced this week that the trial will be held in Wichita Falls, "possibly in February."



JACK RUBY
In Serious Condition



SHERIFF FIELDS QUESTIONS

Dallas County Sheriff Bill Decker talks to newsmen at a press conference after Jack Ruby was sent to Parkland Hospital after Ruby reported he had chest pains. A preliminary diagnosis indicated Ruby might be suffering from a much more severe lung ailment than originally believed.—AP Wirephoto.