

Ruby at Last Getting

*"A man can die but once;
we owe God a death . . ."*
—William Shakespeare

By KENT BIFFLE

Jack Ruby eluded the electric chair only to find there are more agonizing ways to die. Now, as his doctors fight the cancer that has spread through his body, he is at last receiving the worldwide sympathy that he had hoped for three years ago.

A balding man, he is built as compactly as a pocket pistol. And he is badly cast as a tragic figure. His looks and his manner would fit a tough, stand-up comic.

On the surface, Ruby is a 55-year-old showman with an eighth-grade education who desperately wanted to be a hero. If he wanted to be a hero, he failed pathet-

ically. If, as some say, he was part of a secret conspiracy, he succeeded unbelievably well.

As the world's attention focuses on Parkland Hospital where he lies in the shadow of doom, masses of people, without approval for Ruby or his lawless act, are hoping that he can be saved like the last animal of a species moving toward extinction.

Ruby awaits the verdict of his destiny in the same place, Parkland Hospital, where death verdicts were rendered for the other two principals in the Dallas tragedy — President Kennedy and Lee Harvey Oswald.

Ruby is the last vital link to those three days that shook the world in November, 1963. Jack Ruby shouldn't go to his grave without revealing every detail of his role in those events.

Ironically, people everywhere now solemnly await the words or silence of a man

who was thoroughly ignored by the world during his first 52 years of life.

On the morning of Nov. 24, 1963, Ruby — who had closed his strip joint, the Carousel Club, as a gesture of mourning for President Kennedy — combed his thinning, black hair straight back as usual, pocketed his horn-rimmed glasses and the snub-nosed Colt Cobra he often carried.

At 10:18 a.m., a 19-year-old stripper, called Little Lynn, was telling him her troubles on the telephone. She was in Fort Worth. She'd run out of cash.

At 11:17 a.m., he was wiring her \$25 from Western Union at 2034 Main.

At 11:21 a.m., he was in the basement of the Dallas police station, a block away, squeezing the trigger of his .38 and watching the eyes of Lee Harvey Oswald roll back in their sockets.

DALLAS
MORNING
NEWS

Dallas, Texas, Sunday, December 18, 1966

Sympathy He Sought

He wore a dark suit, a snap-brim hat and highly polished shoes as he stepped before the cameras to kill Oswald. The image is fixed in most minds. The photos show the detectives and Oswald looking straight ahead. They seem to be almost purposely ignoring the pudgy man who is stepping forward with his revolver at arm's length in front of him.

Then the red hole appeared in Oswald's black sweater.

Then the world noticed Jack Ruby.

He'd done it, he'd killed Oswald; reporters heard him say—"for Jackie." He meant Mrs. John F. Kennedy. The funeral cortege had not yet started rolling toward Arlington Cemetery as Oswald gasped his last breath at Parkland Hospital.

Perhaps, in Ruby's view, a hero had avenged the death of a President. Later, Ruby made remarks that indicated he was sober to the fact that the "hero" had only

botched up history in a most irremediable way.

Ruby silenced the one man who might have set history straight. And in doing so, he raised understandable suspicions about his own motives.

Had Ruby been in league with Oswald? The suspicions persist even after the Warren Commission's effort to refute all theories of a conspiracy.

Several persons told Dist. Atty. Henry Wade that they'd seen Ruby and Oswald together. But none of those who came forward was, in Wade's view, an adequate witness.

No evidence has been accepted by officialdom, either before or after Ruby's trial, that Oswald had ever met Ruby.

Sadly, the X-rays that reveal the tumors in Ruby cannot disclose the things in his mind. Does he ponder the legal

mumbo-jumbo that can mean life or death? Does he ponder the medical mumbo-jumbo that can mean life or death? Or does he fill his thoughts with the football games he sees on the TV set in his room?

Maybe Ruby thinks about the old days in the Maxwell Street ghetto of Chicago. That's where his tough-guy attitude was shaped. The Jewish boy had to be tough enough to accommodate the Italian kids who came down from Little Sicily looking for a fight.

His name in those days was Rubenstein. Later, like other members of the family, he'd legally shorten it to Ruby (1947).

He was the sixth of nine children born to Joseph Rubenstein, a carpenter from Sokolow, Poland, and his wife, Fannie. One daughter, Jeanette, had died in

Continued on Page 20A.

Continued from Page 1A.

1909 after being scalded in a kitchen accident.

Jack Rubenstein was born March 25, 1911, in a flat on what was then Johnson Street.

"He's going to be a baseball player," said the doctor. They called him "Jake" at Smith Elementary School. His sister (Mrs. Eva Grant of Dallas) called him "Sparkplug" after a horse in a comic strip.

Before he dropped out of Roosevelt High School, Sparkplug had been abbreviated to "Sparky." It said a lot about the volatile personality of the scrappy little guy.

A brother, Earl Ruby of Detroit, recalled: "He was always getting into fights and winning them. I think that's the main reason Pa liked him so much. He was the old man's favorite I remember Pa was always bragging about 'My boy, Jake.'"

SPARKY HUNG OUT at a poolroom called Davey Miller's.

Since his arrest, observers have said Ruby seems to be pre-occupied with his Jewishness. But his background is not typically Jewish. The Rubenstein household was not that paragon of togetherness that is the stereotype of Jewish family life.

The Rubenstein couple separated in 1923. Sparky was 12. He and other Rubenstein children were placed in foster homes.

He reached 13, confirmation age, while in a foster home. Jack Ruby never had a bar mitzvah.

In later life, Ruby was devoted to his religion. Some say he became obsessed.

AFTER SHOOTING OSWALD, Ruby is said to have told policemen that he did it to prove that "Jews have guts." And during his months locked in a cell, Ruby sometimes warned visitors that a mass slaughter of Jews was taking place. He could hear the victims weeping, he claimed. The image of the Jew as a passive victim seemed to haunt him.

Back in Chicago, it wasn't surprising that a scrapper like Sparky Rubenstein would idolize a promising young boxer named Barney Ross.

Ross recalls: "When I was in

the amateurs, Sparky was with me. He'd come around to carry my bags and go in free at the club fights. He was with me the night I won the Golden Gloves in '29. I've been his friend ever since."

In 1964, Ross, as former world welterweight and lightweight champ, would come to Dallas to give Ruby support and to testify as a defense witness.

SPARKY MADE bets, crashed gates and scalped tickets at Wrigley Field, Comiskey Park and Soldier Field. And, at games, he'd sometimes approach motorists, offering to watch their cars for a fee—the implication being clear if they refused they'd return to airless tires.

In 1933, Sparky wandered west with a featherweight fighter named Benny Barrish. In San Francisco they fell into a lucrative field, selling subscriptions to The Examiner. Sparky learned to invent all kinds of stories to induce people to buy subscriptions. He was known to permit customers to believe that the fruits of his labors were going to charity.

The most complimentary word in Jack Ruby's vocabulary may be "class." It is the word he would use in speaking of the people and things he respected most.

IN SAN FRANCISCO, Sparky fell in love with a girl who had "class." She came from a re-

financed family. It didn't work out.

Ruby once told a jail visitor: "Her mother couldn't see me. She broke it up." He never married.

Sparky got to see his old buddy, Barney Ross, in the ring in San Francisco. Years later, Ross recalled that when he took a hard punch in the ring, Sparky fainted.

In 1937, Sparky returned to Chicago to try to organize the junk yard workers with a friend named Leon R. Cooke. It was about that time that Ruby's mother was committed to Elgin State Hospital in Illinois where she was said to suffer from "senile deterioration, paranoid state." She was discharged as improved in 1938.

RUBY HUNG AROUND Cooke like a bodyguard in a bad movie, Chicago associates remember.

But Local 20467 of the Waste Material Handlers Union grew. Then, in December, 1939, Cooke was shot to death. A union official was charged but acquitted.

Ruby was either squeezed out or voluntarily dropped out of the union movement. The union was expelled from the AFL-CIO during a corruption purge in 1957.

Ruby hung around Chicago trying to make money from concessions at sports events until he was drafted. He trained as an Army Air Corps mechanic at Farmingdale, N.Y. He served at Keesler Field, Miss., Seymour Johnson Field, S.C., Blumenthal Field, N.C., Chatham Field, Ga., and Drew Field, Fla. He qualified as a sharpshooter with a carbine.

DISCHARGED IN 1946, Ruby turned up in Dallas the following year. Ruby and his sister, Eva, ran a night club named the Silver Spur on South Ervay Street. It was succeeded by the Club Vegas. The Carousel followed.

Ruby kept himself in shape. He worked out at the YMCA gym almost daily, lifting weights and pounding the big bag.

He cheerfully bounced any drunks who became unruly at the Carousel. Once Ruby hit a troublemaker so hard it broke bones in his right hand.

DESPITE HIS ROUGH and tumble life, Ruby avoided serious trouble with the law. He had no serious police record until the Oswald shooting. The only marks against him in Dallas were for selling beer after hours.

Ruby didn't permit the clowns appearing at his club to tell Jewish jokes. Nor would he tolerate cracks about Franklin D. Roosevelt or John F. Kennedy—on or off stage.

He lived with a roommate, George Senator, in a \$125 a month apartment in Oak Cliff. He had four Dachshunds he called "my children." His favorite was a dog named Sheba. He sometimes referred to her as "my wife."

PEOPLE WHO KNOW Ruby agree that he was deeply disturbed by the assassination of President Kennedy on Nov. 22, 1964. Some say his mind

snapped. But on two occasions when his sanity has been at issue in a courtroom, Ruby was held to be sane in the eyes of the law. In other eyes, however, he has been regarded, at times, as everything from a borderline case to a madman.

In the six weeks of legal combat that ended with a death penalty for Ruby on March 14, 1965, Melvin Belli, Ruby's Dallas-damning chief counsel, tried to demonstrate through medical testimony that Ruby was "blacked out" at the time he shot Oswald due to a rare dis-

order called psychomotor epilepsy.

DIST. ATTY. HENRY WADE and his prosecutors brought out opposing medical testimony that convinced the 12 jurors that the state was correct in asking for the death penalty. The jurors were shown films of the slaying. Eleven of them had already witnessed the killing on their TV sets.

Belli, of San Francisco, was the loudest and most colorful of a crowd of attorneys who figured in the Ruby defense for a time and then dropped out. Phil Burleson of Dallas is credited as the lawyer who played a principal role in winning a reversal of the

death penalty trial. Burleson was with Ruby from the start of the trial. He is the only charter member of the Ruby defense who remains active in the case.

PROBABLY JACK RUBY would be hard put to call off the names of all the awyers who have figured in his defense.

In addition to Burleson and Belli, they include: Tom Howard, Fred Bruner, Sam Daugherty, Percy Foreman, Joe Tona-hill, Dr. Hubert Winston Smith, Charles A. Wright, Clayton Fowler, Stanley Kaufman, Emmett Colvin Jr., Sol Dann, Sam Houston Clinton, William Kunstler, Elmer Gertz and Sam Brody.

As the legal struggle pro-

gressed, the defense camp and the Ruby family became a hornets nest of bickering. Several respected lawyers marched out of the case, citing interference from members of the family or from other defense lawyers.

AT ONE POINT, Sol Dann of Detroit fired Clayton Fowler of Dallas from the case. Fowler immediately responded by firing Dann from the case.

George Senator, Ruby's room-mate, was quoted as saying that Ruby didn't feel that he got the best possible defense during the murder trial. How could he? He emerged from the trial facing the electric chair.

Ruby's appeal worked, how-

ever. The State Court of Criminal Appeals reversed the conviction on Oct. 5, 1966. The court ruled that police testimony important to the state's death penalty case, should not have been permitted by Dist. Judge Joe B. Brown. The court also ruled that the trial should not have been held in Dallas because of the saturation publicity about the case and the public feeling generated by the shooting of Oswald.

MANY OBSERVERS predicted that the new trial, set for February in Wichita Falls before Dist. Judge Louis Holland, would end in a relatively mild prison sentence for Ruby.

For Ruby things looked brighter.

Then came the headlines on Dec. 10: "Ruby Admitted to Hospital."

What at first was believed to be a chest congestion or pneumonia turned out to be a spreading cancer.

Ruby's sister, Mrs. Grant, sensed the full danger before the doctors did. "That guy's dying," she sobbed to reporters after her brother was taken to the hospital from his jail cell.

RUBY'S HOSPITAL ROOM is guarded. During his long stay in jail, stories leaked out that Ruby didn't want to live. Once he is

said to have vainly pounded his head against a cell wall. Another time he reportedly removed a light bulb and thrust his finger in a socket.

Jail observers say that a guard was always required to stand close by whenever Ruby shaved. After shaving, Ruby was immediately asked to hand over the razor.

NOW JACK RUBY lies in a medical-legal limbo.

If he should somehow survive the cancer, he will again face another court fight for his life or freedom.

An old handicapper like Jack Ruby would call the odds lousy.