

# How Ruby met Oswald at

The services at Shearith Israel began at 8 p.m., but Ruby didn't get there until close to 10, almost at the end. Afterward, he stopped at Phil's delicatessen and ordered a dozen corned beef sandwiches and some celery tonic.

At about 11:30 p.m., he stepped off the elevator on the third floor of the police station again. A uniformed patrolman was stationed at the elevator and asked the intruder to state his business. Ruby said he was looking for radio station KLIF newsman Joe Long. He said he had sandwiches down in the car to be delivered to the KLIF staff.

But then Police Chief Jesse E. Curry and District Attorney Henry M. Wade appeared in the corridor with an announcement that Oswald would be put on display in the basement police assembly room. Ruby easily got caught up with the movement of people going to the basement.

Ruby stood on a table in the rear of the room. The Warren Commission portrayed Ruby simply as a casual bystander at Oswald's midnight press conference. Nowhere in its 888-page report to the public did the commission include Ruby's admission to the FBI, a month after the crime, that he was carrying a loaded, snub-nosed revolver in his right-hand pocket during the Oswald press session in the assembly room.

If Ruby had considered using his gun to execute Oswald then and there, he could not have gotten off a clean shot. Reporters stood on tables in front of him and a barrier of photographers stood before Oswald.

After Oswald was removed, District Attorney Wade remained to outline to reporters what was known about the accused assassin. When he got to Oswald's activities in the pro-Castro Fair Play for Cuba Committee, Wade misstated the organization's name. He called it the Free Cuba Committee. Ruby shouted out the correct name.

Despite the hour, Ruby had no intention of going home yet. He got in his car and, after stopping off at KLIF headquarters to deliver the sandwiches and celery tonic, headed for The Dallas Times Herald to check his black-bordered ad in the composing room.

But he saw police officer Harry Olsen and Kay Helen Coleman, one of Ruby's strippers, together at a downtown parking garage, and stopped. The three of them talked for more than an hour in Olsen's car before Ruby continued on to the newspaper office.

## SATURDAY

Chief Curry went ahead with quietly laid plans to move Oswald to the sheriff's custody at the county jail, about a mile away at Dealey Plaza, at 4 p.m. without public notice. A few trusted people around the police station knew about it. So

did Jack Ruby.

At close to 3 p.m., Sgt. D.V. Harkness of the police traffic division asked a small group of people to move from the vehicular entrance to the county jail, the transfer point. Among the loiterers he saw Jack Ruby.

Later Ruby drove to the Nichols Garage, next to the Carousel, told garage manager Garnett Claud Hallmark that he was "acting like a reporter" and asked to use the phone. One of the calls he made was to KLIF, where he talked to disc jockey Ken Dowe.

"I understand they are moving Oswald over to the county jail," Dowe heard Ruby say. "Would you like me to cover it, because I am a pretty good friend of Henry Wade's and I believe I can get some news stories."

Dowe told Ruby that if he happened to be



## WHO WAS JACK RUBY?

Part 3 in a series

there at the time of the transfer, a phone tip would be appreciated.

"You know I'll be there," Hallmark heard Ruby reply meaningfully.

Ruby was reported to have brought sandwiches to reporters in the police press room on Saturday afternoon.

Yet the Warren Commission said it could reach "no firm conclusion as to whether or not Ruby visited the Dallas police department on Saturday" because "no police officer has

reported Ruby's presence on such a visit."

Word got out among police in the building that there would be no transfer of Oswald that night. Word also circulated among police that proof existed to show that Oswald had been the hired gun of a foreign power, a communist agent sent in as part of an international conspiracy to destroy the leadership of the United States.

At 8:15 p.m., Chief Curry made the transfer plan official. The chief said Oswald would not be transferred during the night but, if the reporters were to return by 10 a.m. the next day, there would be ample time "to observe anything you care to observe"

**SUNDAY** At 9 a.m., Deputy Chief M.W. Stevenson walked into the Juvenile Bureau on the third floor of the police station and said he wanted all those on duty to remain in the office. They would be needed to form security for Oswald in the basement at the time of the transfer.

By 9:15 a.m., Ruby was eating scrambled eggs, looking at a Sunday newspaper and watching some television with his roommate, George Senator. Mournful activities at the Capitol Building in Washington, where the president's body was borne by caisson to rest on the same catafalque that had held the remains of Abraham Lincoln, were on the TV screen. It was then that Ruby blurted out to Senator what he was about to do.

"... State in as precise words as you can remember just what you said to him and he said to you at that time," Warren Commission attorney Arlen Specter asked Ruby.

"Well, he didn't say anything—the funny part—he was reading the paper, and I doubt if he even recalled me saying it," Ruby replied. "I

have to elaborate on it, but I was so carried away emotionally that I said—I don't know how I said it—I didn't say it in any vulgar manner—I said, 'If something happened to this person, that then Mrs. Kennedy won't have to come back for the trial.'"

Perhaps that was the way Ruby remembered phrasing it, on the day of his polygraph test in July 1964. But much earlier in 1964, Ruby wrote a note to one of his trial lawyers, Joe Tonahill, that said his first lawyer, Tom Howard, had supplied him with the line, as a patriotic alibi for the shooting.

**ONCE THE CLOCK** passed 10, the reporters and most of the police expected the transfer might occur at any moment. At 10:19, Ruby got a call he had been expecting, from stripper Little Lynn in Fort Worth, asking for money. He was abrupt with her, but said he would send her \$25 by Western Union money order since he was going downtown anyway. He told her he was taking Sheba, his dachshund, from the apartment to the Carousel.

Over at the county jail, there were several hundred soberly quiet bystanders in the streets. Many had portable radios, to follow the movements of Oswald. It was a grim crowd, number-

ing as many as 600 near the county mail entrance, according to police estimates. Others congregated outside the city jail—most of them on the Commerce Street side, where the exit ramp was, leading out of the basement.

At this point, Ruby investigators had reason to believe, a call was placed to the unlisted phone in Ruby's apartment; Ruby was told where to enter the station and that the transfer van was en route. Ruby made sure the snub-

nosed gun with its two-inch barrel was loaded. He put it in his trouser pocket. Never in his jacket. It got the jacket out of shape.

Ruby's chief concern now would be in making the shooting look like a spur-of-the-moment matter so he could be back out on the street as soon as possible to reap the rewards of being a popular hero.

He already had the perfect reason for being in the same block as the police station by going on a legitimate errand to the Western Union office there. Next, he would need a reason for the gun. He stuffed nine \$100 bills, 30 \$10 bills, 40 \$20 bills and a number of smaller bills into a pocket. It was supposed to be the federal excise tax money Ruby owed.

But the excise-tax-payment story was a phony. Only five days earlier, he had signed a power-of-attorney in the office of his tax lawyer, Graham Koch, granting Koch the right to negotiate with the IRS for an extended time period to make those payments.

"George, I am taking the dog down to the club," Ruby said and that's all he said. He had on his snap-brim gray fedora, a white shirt, an all-silk black tie, charcoal brown suit and black shoes. It was hardly the kind of attire one would normally wear in Dallas on a Sunday, to take a dog down to a place of business that was closed. Instead, Ruby was dressed to blend in with the scenery of where he was actually going. He was dressed precisely like a detective and he never did take Sheba to the club.

At 10:45, the basement garage area was jammed with more than 70 police, many of them detectives in plain clothes, about 50 reporters and some cameramen with still photo and televi-

sion equipment.

Between 11:10 and 11:15, Chief Curry advised homicide chief Capt. Will Fritz that the armored van was in place on the basement's Commerce-side ramp, so that Oswald could be escorted up the ramp to its rear door.

**IT WAS THE FIRST** that Fritz had heard of any plan to use such a vehicle to transfer the prisoner. Fritz was as angry as he was surprised and he put the problem quickly into focus for the chief. First, the background of the driver of the van was not even known to the police; secondly, the van would be clumsy and awkward to handle in an attack by a mob.

Fritz quickly got Curry to agree to using the van as a decoy. Next, he outlined a substitute plan. The detectives in the basement would form a human corridor for Oswald to walk through to a waiting unmarked police car that



At his murder trial, Jack Ruby with his lawyers, Joe H. Tonahill (left) and Melvin Belli (right).

would be backed into place, close to the jail elevator.

All the news people were to be moved behind a railing so that the unmarked car could maneuver into position. With Oswald inside, the car would then follow the decoy van out onto Commerce and would soon cut away from the police convoy to take a separate route to the county jail, accompanied only by an unmarked escort car of its own.

As Curry and Fritz talked, Ruby walked into the Western Union office close to the Main Street side of the police station.

Ruby's arrival could have triggered the go-

ahead signal for Oswald to be brought down. The most logical person to have forwarded the word that everything was ready was Lt. Woodrow Wiggins, in charge of the basement jail office.

Wiggins, who had been acquainted with Ruby for some years, acknowledged to the Warren commission that he had received a phone call from the third floor when Oswald was being brought down the jail elevator. But the commission's Ruby probes, Leon Hubert and Burt Griffin, failed to ask Wiggins if he had telephoned a come-ahead signal upstairs, either

on his own or at the request of a superior.

Jack Ruby kept his head down until he got just to the left rear of where his friend Blackie Harrison was standing. Shielded by Harrison's larger frame, Ruby was facing the direction Oswald would come from. It was 11:19 a.m.

At 11:20, Lt. Rio Sam Pierce, accompanied by two sergeants, drove a black car up the Main Street ramp as a part of the decoy plan. He would swing around onto Commerce to lead the way for the armored truck.

Detective Charles W. Brown drove a plain green car from the garage area onto the Commerce ramp, behind the armored truck. Detective Charles N. Dhority (cq) drove an unmarked white car to a point just behind Brown. Dhority then attempted to move his car to draw even with the jail office hall, so Oswald could be put into his car. But there were too many people in the way.

When the dour Capt. Fritz emerged from 317 with Oswald, a mob of reporters began to shout questions charged with taunts and emotion at the prisoner. A cordon of police separated the reporters in the third-floor corridor from Oswald as he was hurried to the waiting jail elevator.

**AS THE JAIL** elevator door opened, Fritz was one of the first to step out. He asked Lt. Wiggins: "Are you ready?" Wiggins stepped out of the prisoner booking office into the hallway and indicated everything was all set.

Lt. Richard E. Swain of the Burglary and Theft Bureau, who had known Ruby for several years, then went ahead first into the garage area. Someone in the crowd shouted, "Here he comes!"

Nothing was in good shape, Dhority was frantically trying to move the car, gunning the motor, honking the horn, but he was blocked by detectives and reporters who weren't where they were supposed to be. There was no protective corridor of detectives through which Oswald was to walk to the car that wasn't there. Reporters mixed among the police instead of being held behind the railing.

Homicide detective James R. Leavelle, handcuffed to Oswald's right wrist, asked Cutchshaw inside the jail hallway if everything was all right. Cutchshaw, like almost all of the cops down there at 11:21 a.m., had no idea what the plan was supposed to be. But Leavelle was assured by Cutchshaw there were no problems.

Fritz followed Swain and was promptly blinded by the bright television lights that came from behind Ruby to illuminate the target. Oswald came out next, flanked by Leavelle and detective L.C. Graves.

Billy H. Combest, a detective from the vice section, saw Ruby lunge past Blackie Harrison. Combest shouted, "Jack, you son of a bitch!" as the shot went off point-blank at Oswald's stomach.

In the melee that followed, Ruby seemed surprised that he was dragged to the hard basement pavement and pounced on by six detectives. "You all know me," he said. "I'm Jack Ruby."