

Night Club Man Takes Role of An Executioner

By JAMES EWELL
and HUGH AYNESWORTH

A Dallas night club owner, who featured strip teasers in its shows, appointed himself an executioner Sunday and fired a fatal shot into the 24-year-old Communist sympathizer accused of murdering President Kennedy here.

Millions of TV viewers saw Lee Harvey Oswald slump to the floor as officers led him through the City Hall basement toward an armored car. It was to have carried him to the county jail.

Oswald died in Parkland Hospital at 1:37 p.m. although a 12-man surgical team massaged his heart in a desperate—but futile—attempt to save his life.

HIS SLAYING was believed the first in history witnessed by a nation-wide TV audience.

Dist. Atty. Henry Wade filed murder charges against Jack Leon Rubenstein, who used the name Jack Ruby. He owned the Carousel Club at 1124 1/2 Commerce, which featured strippeas.

The shooting of Oswald brought these developments:

—Police officers increased their guard at the home of Oswald's family here and arrested a group of teenagers with a rifle, but released them when they said they planned to use the weapon on a hunting trip.

—Mayor Earle Cabell's life was threatened and an airplane, which was to have taken him to Washington for President Kennedy's funeral, left without him. A spokesman said the plane was diverted to the Washington area.

—MAYOR CABELL expressed

admiration for Chief Curry and his department and urged Dallas residents to "be systematic." He said they should not seek a scapegoat.

—Twenty highway patrolmen from the Teller district were ordered to Dallas on temporary assignment to guard Gov. Connally at Parkland Hospital. There were reports that patrolmen from other districts would also come here.

Wade called the death of Oswald a cold-blooded assassination, and said he would ask a jury in mid-January to send Rubenstein to the electric chair.

OFFICERS recalled that Rubenstein kept a .38-caliber pistol in his club. They described him as a balding, 52-year-old bachelor who liked to wear flashy clothes and date strippers.

Shouting "You son of a bitch," Rubenstein sprang forward and fired a single shot into Oswald's side at 11:21 a.m.

Hugh Aynesworth, a Dallas News reporter who witnessed the shooting, said, "He stuck his gun into Oswald's ribs and fired."

DETECTIVE B. H. Combest, who was standing about two feet behind Oswald, gave this account:

"I saw Ruby take about five or six steps toward Oswald, I knew Ruby and knew he wasn't supposed to be there.

"I shouted, 'Jack, you son of a bitch, what are you doing?' About that time I heard the shot. Oswald fell and pulled Leavelle (Homicide Detective J. R. Leavelle who was handcuffed to him) down with him.

I looked at Oswald and there was a large hole in his black sweater.

"When I saw Ruby run out toward Oswald, there was nothing I could do but shout at him. I just couldn't have gotten to him."

DETECTIVES SAID there was no chance for a death-bed confession from Oswald, who had denied repeatedly that he shot President Kennedy and a Dallas police officer to death and wounded Gov. John Connally.

Homicide Captain Will Fritz, who was standing behind Oswald, uttered these words:

I Ruben-

stein as soon as he pulled the trigger. But, for "10 seconds which seemed like an eternity," he waved his pistol in an arc while officers tried to wrest it from him.

RUBENSTEIN'S roommate, George Senator, described the night club owner as a highly emotional man who "took the death of President Kennedy real hard."

"He's been going around the apartment saying 'Those poor kids... Those poor kids.'" Senator related. "It bothered him tremendously."

As a result of Oswald's almost unbelievable death, there will never be a trial to prove he murdered President Kennedy. But detectives said their evidence left no doubt in their minds and Captain Fritz said

reporters. "We now consider the case closed."

Justice of the Peace Pierre McBride ordered Rubenstein held without bond after Assistant Dist. Atty. William P. Alexander filed a murder charge against him.

Judge Lee R. Brown of Criminal District Court No. 2 scheduled a bond hearing for 11:30 a.m. Monday at the request of attorney Tom Howard.

Wade said he would ask Judge Brown to refuse bond. The judge could do so under Texas law if he believes a firm would assess the \$25,000 penalty.

Pierre, Dist. Justice, apparently stopped in the slaying of Oswald, and was in his usual office.

FEARING THAT Rubenstein might be able to escape, the judge ordered that the slayer be held in the basement of the City Hall.

He had arranged for a hearing to be held in a courtroom on the 11th floor of the basement to an adjacent court. Police had stopped 11 Houston officers near the slaying and arrested them.

against Oswald there.

Chief Curran stated he could have moved Oswald secretly in the dark of night, but had promised reporters and photographers from throughout the free world that he would make the transfer during the day.

Officers said Rubenstein apparently mingled with reporters and photographers and, in this way, got a chance to shoot Oswald. Wade recalled he saw Rubenstein with reporters Friday night when they interviewed Oswald briefly.

The City Hall basement became a scene of wild confusion after the shooting. Newspaper and television cameramen, their lenses trained on Oswald, flinched instinctively when they heard the shot. Curious spectators rushed toward the scene.

One man carried a baby's bottle filled with milk. Another tried to focus a small box camera while running.

Oswald may have seen the gun. He appeared to jerk back a split second before the shot, which sounded like a small firecracker exploding.

His face became ashen as he fell. His eyes were rolling and he was moaning.

AN AMBULANCE arrived within four minutes and, after the armored car was moved from its path, Oswald was rushed to Parkland Hospital. A doctor, who had given him emergency treatment at City Hall, rode with him.

Writhing in pain, Oswald was wheeled into "Trauma Room No. 2" across the hall from the room where surgeons had pronounced President Kennedy dead Friday.

Oswald, a Castro admirer who had lived in Russia, would soon die in disgrace in the same hospital. As Oswald lay mortally wounded while doctors worked over him, a funeral cortege was bearing President Kennedy's body from the White House to the Capitol.

Oswald's body was moved late Sunday night from Parkland Hospital to a Fort Worth funeral home.

Police took precautions against

any incident. Six armed policemen surrounded the cart and attendants as it was moved to the green ambulance.

Funeral plans were incomplete.

One reporter said he heard the slayer add, "I did it for Jackie so she wouldn't have to go through all that . . . coming back here for the trial and everything."

But in Evansville, Ind., entertainer Bill Demar told the Associated Press he is positive Oswald was a patron in Rubenstein's night club nine days ago. Demar, who has a memory act, said Oswald was among those who called out an object for him to remember.

Detectives said Rubenstein may have carried photographic equipment and posed as a cameraman to gain admittance to the basement Sunday.

Officers checked Rubenstein's background.

They said he had come here from Chicago about 10 years ago and had confided in friends that he "had some trouble with racketeers" in the Illinois city.

His decision to become an executioner left the world with a mystery that may never be completely solved: If Lee Harvey Oswald did kill President Kennedy with a mail-order rifle—and officers say they are convinced he did—what was his motive for the crime that shocked the world and set in sequence an almost unbelievable chain of events?