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Associated Press wirephoto

MRS. EVA GRANT VISITS BROTHER, JACK RUBY

In a Cage

DALLAS, Oct. 6—The guard was slow opening the doors to the cage where they keep Jack Ruby, and Phil Burleson was too excited to wait for the guard. Burleson pushed against the guard and called through the bars to Jack Ruby.

"Jack, you won, the court gave you a reversal," Burleson said. Burleson is Ruby's lawyer now.

Jack Ruby sat on his cot and read a magazine. He did not look up.

The guard got the door open and Burleson walked in and sat on a wooden chair. Ruby put the magazine down.

"Jack," Burleson said, "the trial is thrown out."

"Yeah," Ruby said.

"Now let me tell you what this means."

"Yeah."

"It means, first, we can ask for a release on bond. But that means all this back time you have in wouldn't count and I don't know if we want to. . ."

Burleson explained the details of yesterday's decision by the Texas Court of Criminal Appeals to throw out the murder conviction and death sentence given Ruby for the shooting of Lee Harvey Oswald. Burleson explained these things to Ruby in this cage

With Jack Ruby

Jimmy Breslin



that once was a walkway from the upper tier of the sixth floor of the Dallas County jail.

Jack Ruby has been in this cage, sitting on the edge of a cot, and staring at the walls, for nearly three years now. He is taken out of the cage only for a shower. He is not allowed out for exercise. Yesterday, Jack Ruby sat on the edge of the cot and interrupted the lawyer in the midst of the explanation.

"What's doin' with Slaton's appeal? What are you tryin' to do, let the guy down?"

Burleson took a breath, "Let's talk about your case first."

"Are you doin' the right thing with Slaton?"

Slaton is a prisoner in the jail who tried to commit suicide. Slaton was all Jack wanted to talk about yesterday.

On Sunday, Nov. 24, 1963, Jack Ruby, in front of a nation, rushed through people and put a gun at Lee Oswald's stomach and killed him. On Saturday,

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Associated Press wirephoto

ATTORNEY PHILIP BURLESON

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March 14, 1964, Ruby was sentenced to death in a Dallas courtroom. He was the end of it in Dallas, the last thing to be swept away.

Ruby sat in his cage and his skin became loose and colorless and in Dallas he became a memory. Over the months, the walls and bars crept into Ruby's mind. Yesterday the court decision brought him back to Dallas and the country again. It brought back a distracted fool who carries with him, and gives to us again, all the things that happened in Dallas in November, 1963.

"Damn thing just keep hanging on, hanging on," a lieutenant was saying in the basement of police headquarters last night. Bugs swirled in a ceiling light that was over a slope that leads to the area where the police park their cars. Right under the lamp was the spot where Ruby killed Oswald.

An imemnse woman sat on the stoop of the Texas Schoolbook Depository building in the early evening. She got up when a cab pulled in front of the

place.

"You my cab?" she asked. "No, got me somebody in the back," the driver called out. "He wants to know what kind of trees they are right here."

The woman shrugged. "Ones over there are oaks. These here are elms. Had to find that out. People want to know everything from you."

Burleson, the lawyer, sat with his wife Lynn in the bar of the Oak Cliff Country Club several miles out from the center of the city. Burleson sprawled in a chair with a burbon in his hand. He was tired.

"Another trial," he said. "Can it be straightened out somehow without a trial?" his wife said.

"No. Henry Wade didn't think right today. He said he wanted the death penalty. It got picked up in all the papers so much that I'm afraid he's going to have to stand by his words and try for it again."

"What good will it do?" she said.

"No good for anybody."

"It brings up everything all over again. How many times can people go through a

wringer with this again?"

"I don't know," he said.

BELONGS IN HOSPITAL

"We were in church that Sunday at the Kessler Park Methodist Church, and we were walking out and the usher said, 'Phil, Oswald just got shot,

The two of us, we thought it was a sick joke. We drove over to my mother's house. We just walked in to see them replaying it on television."

"Three years," Burleson said. "I've lived with this from when I started out as an assistant to Melvin Belli. I wound up as co-counsel. Now, it's my case. In almost three years there hasn't been one day that hasn't had some work to do on the Ruby case."

"But what can he mean to any of us now?" she said.

"He belongs in a hospital," he said. "One morning, I went up to see him. I just came from playing golf, it was on a Saturday, and Jack sat in the cell and he said: 'where've you been?'"

"I told him: 'playing golf.' He shoots this look at me. He says 'No, you haven't. You been out looking at houses. The houses they are taking off the Jews and giving to the Christians.' I said: 'What?' and he said: 'Don't tell me. I know what's going on out there. They're taking all the houses away from Jews. That's what's left of Jack Ruby.'"

Lynn Burleson ordered another drink. "Our son's birthday is November 22," she said.

"I was in court defending a gambler," Burleson said. "The judge said we were going to recess so we could go out and see the President. He came right past us, young looking, hand waving. We went back into the building. A minute and a half later, he was shot. Now what do we have, six weeks of a trial to bring up every bit of the thing all over again?"

Downtown Dallas was dark, and the big yellow neon Hertz sign burned into the sky over the Texas Schoolbook Depository building. A light came through the corner window on the sixth floor. Cars swung past the building and started down the sloping, curving asphalt expressway. The cars came fast, going down, and curving, curving until they were past the sign which says "Fort Worth Turnpike Keep Right" and then they were under the underpass and away from this window with the light in it that looks down on all cars that pass in front of this building.

A thin, sandy-haired man in a pastel-striped short-sleeved shirt came to the front door when the bell rang. He said his name was Gene Schlichtman, and that he was in charge at night.

"Upstairs is locked up, you got to come here in the daytime and get permission to go

on the sixth floor," he said.

He went back into a first-floor storeroom. Several large book companies use this building for storing and shipping books. In the first floor storeroom there were grammar school textbooks from Allyn and Bacon. The books were to be shipped out from the Texas Schoolbook Depository Building to school children in the southwest.

One carton of books was "Man In Time," a social studies textbook. It had two simply-written pages about the assassination of President Kennedy.

Outside, a man walked in the darkness on the dry grass on the side of the sloping road. He walked down to where the road began to curve. He stopped and looked up at the window with the light in it that looked down on him. The window seems alive when you stand at the spot where the man was.

Later, a lady whose eyes were shut in pain and whose head kept rolling around, was being helped by a nurse and an intern who had a surgical cap on in a hallway at Parkland General Hospital. They took the woman through these double brown wood doors that swing when you push them. And inside was the emergency room, and room No. 1 was already in use by somebody who had been hurt in Dallas last night.