

THE TRIAL OF
Jack Ruby

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AND
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however, that Ruby's and were intended to declined. Dr. Bromberg, ty contributed signifi- ng the President's as- subject at Ruby's trial. mberg along this line acher. For this reason, ained from such testi- ence, Belli sidestepped

defense attempted to mplaints charging Lee and of officer J. D. hat was put in by one Oswald gave." All of hat the bare fact of the he defendant's knowl- e third because it was anying testimony from l attest that it fairly

witness, Ruby's rabbi, similarly at the bail November 22, for the

k Ruby very well, he not a tear in his eye. e extended his hand to was sure he was going ather than mention the he suddenly thanked previous week, which d and atypical.

ant event. About two hone call from Ruby, o whom he was very Day religious services

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with him. Rabbi Silverman had called the sister and learned that she would not attend the services with her brother because "he had shoved her, pushed her, and actually struck her." According to Rabbi Silverman, the strange thing about the entire episode was that when he questioned Ruby about his behavior, the defendant had no memory of any such fight with his sister.

Though evidence of this sort of conduct was helpful to the defense contention that Ruby had murdered Oswald in a blacked-out state, the only testimony concerning this incident came from the rabbi; Mrs. Grant, who might have corroborated the rabbi's account and added details, was never called to the stand.

Rabbi Silverman also told the inevitable dog story about Ruby.

We were standing on my lawn and the dogs were running around, and he was telling me about his Chicago background, and I turned to the dogs and made a remark about them, and suddenly he began to cry for no reason at all. And he began to tell me, "I'm unmarried, I have no children, this is my wife"—and he pointed to one of the dogs—and "these are my children" and he began to sob and to cry and to moan, and then in five or ten minutes he forgot about it completely and went on to another subject.

Joe Tonahill attempted to go into the material that Jack Ruby had told the rabbi on the rabbi's many visits to him in jail. The prosecution staff—specifically Henry Wade and Jim Bowie—both objected simultaneously on the dual grounds that the statements by Ruby which were about to be repeated by the rabbi were all self-serving and that Ruby, if he declined to take the stand, could not be cross-examined on them. The objections clearly were proper. The statements of Ruby made before and at the time of the shooting were relevant to his state of mind at the time of the crime, and hence admissible as evidence, but after his arrest his statements were made under circumstances in which the likelihood of fabrication was far greater. After the prosecution's objections, Melvin Belli puckishly switched his ground and stated, "It's part of the *res gestae*," and the shocked district attorney, who himself had attempted to stretch *res gestae* to cover as much as two hours, gasped, "*Res gestae* two months later?" Then Joe Tonahill contributed to the general foolishness by announcing, "This is a privileged communication between a minister and one of the communicants." After some moments of argument, Tonahill explored with the rabbi the crucial issue in the Ruby case.

Q: Have you an opinion, based on your experience, your training, your ability, and based upon your own personal knowledge of Jack Ruby,