

Ruby Dies Denying Conspiracy Role in Oswald's Murder



AP Wirephoto
Jack Ruby, killer of Presidential assassin Lee Harvey Oswald, is dead of cancer in Dallas hospital.

Blood Clot And Cancer Bring Death

By TOM JOHNSON

DALLAS, Tex., Jan. 3 (AP).

—Jack Ruby, the volatile strip-joint boss who yearned for "class" but found instead notoriety as the killer of President John F. Kennedy's assassin, died Tuesday—ravaged by cancer and finally killed by a blood clot.

He insisted until the end that he was part of no plot, had "nothing to hide," that he acted alone, that an accident of timing and a surge of blinding passion caused him to shoot Lee Harvey Oswald.

A sawed-off, pudgy tough from Chicago's South Side, Ruby died after more than three years in jail—and only a month or so short of a second trial.

ACTS TO DROP CHARGE

Because of his death, District Attorney Henry Wade said he would dismiss the murder charge against Ruby.

"Of course Jack died not a convicted man," said his Dallas attorney, Phil Bursleson.

Ruby had been convicted of murdering Oswald and given a death sentence in his first trial in Dallas in March, 1964. The verdict was overturned by an appeals court.

Ruby's body will be sent to Chicago for funeral and burial.

BLOOD CLOT IN LEG

Dr. Eugene Frenkel said an autopsy showed the immediate cause of death was a blood clot that broke loose in Ruby's right leg and coursed into a lung.

The autopsy also showed ex-

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tensive cancer "in both of his lungs, in the lymph nodes and through the liver." Earlier doctors had said Ruby's pancreas also was cancerous.

Doctors said Ruby's steadily weakening condition and loss of a pound a day for the last two weeks prompted them to summon his family to the hospital over the New Year's weekend.

SPECIALISTS FAIL

Tuesday nearly 20 specialists from the University of Texas Southwestern Medical School and Parkland Hospital were at his bedside, giving closed heart massage and oxygen—but the blood clot was more than they could overcome.

One witness of the autopsy estimated the clot stretched from Ruby's ankle to his pelvis, plugging up the entire artery before it broke free and lodged in his lung.

Frenkel said Ruby "was jovial

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this morning," had a bath and ordered eggs for breakfast. Frenkel said the abrupt death was not unusual in cases such as Ruby's.

His body will be sent to Chicago for funeral services.

A sister, Mrs. Eva Grant, said Ruby died peacefully.

A lawyer, Elmer Gertz of Chicago, said Ruby looked 80 years old in his last days.

He was 55.

SLAIN AMID THROG

Ruby stepped from a crowd of newsmen and officers, jabbed a .32-caliber revolver toward Oswald's abdomen and killed him with one shot on Nov. 24, 1963, two days after Oswald assassinated President Kennedy.

Ruby shot Oswald as he was being led through the basement of the Dallas city jail for transfer to the county jail.

Oswald died in Parkland Hospital, the city-county hospital where President Kennedy had been pronounced dead two days earlier.

Ruby was taken to the county jail and had remained there until he was taken to Parkland, where he died at 10:30 A. M. CST (11:30 A. M. EST).

CONSPIRACY DENIED

Ruby insisted there was no conspiracy. He said he killed Oswald to spare Mrs. Jacqu-

ine Kennedy the anguish of having to come to Dallas to testify. At other times, he said he killed Oswald "to show the world that Jews have guts."

It was reported that during his time in jail Ruby had hallucinations that Jews were being persecuted because of what he had done.

Ruby denied knowing Oswald and denied knowing Dallas policeman J. D. Tippif, whom Oswald also was charged with shooting to death soon after the assassination.

One of his last requests in the hospital was for a lie detector test that he hoped would prove once and for all that there was no conspiracy. But polygraph experts and doctors said the advanced state of his cancer and the drugs used for treating it would make such a test meaningless.

SHIFTED TO HOSPITAL

Ruby was taken to the hospital on Dec. 9 after jail doctors had treated him for about three weeks for a severe cold.

The hospital announced an admission diagnosis of pneumonia and listed Ruby in serious condition. Some 24 hours later, doctors said he had cancer. Extensive examination showed that the malignancy had invaded his pancreas, lungs and lymph glands—and was so widespread that its source could not be determined.

Doctors said this meant that surgery and X-ray treatment were impossible and that all they could do was try, without any real hope, to arrest the cancer with chemicals.

2D TRIAL ORDERED

The Texas Court of Criminal Appeals last November ordered a second trial for Ruby in a different city. The court said Criminal District Judge Joe B. Brown of Dallas erred in not ordering the first trial moved from Dallas and in admitting

police testimony about what Ruby did and said after too much time had passed for this to be considered part of the crime itself.

At the time of the shooting, Ruby was 52, a squat, husky man who acted as his own bouncer and might unpredictably throw a patron out of his joint for looking "at the girls wrong" or might, like a Damon Runyon character, turn around and "give you the shirt off his back."

He usually carried a pistol, friends said, probably because he also carried large sums of

money. But nobody had ever known him to use the pistol until he killed Oswald with it.

FATAL LEFT TURN

Ruby said the chance that brought him face to face with Oswald was a decision to make an illegal left turn.

He was on his way to the downtown Western Union office, a block west of the police station, to send a money order loan to one of his strippers who needed \$25 to pay her rent.

As he passed the police station, he decided to make an illegal left turn across Main st. into a parking lot, he said, and as he returned to his car he decided to see what the crowd was doing in the jail basement.

It was then nearly 11:20 A. M. and Oswald's transfer, Ruby recalled, was "supposed to be" at 10 o'clock.

TOUGH KID IN SLUMS

Ruby was born March 25, 1911, in the Maxwell st., slum of Chicago. He was the sixth of nine children of an immigrant Polish carpenter, Joe Rubenstein and his wife, Fannie.

His real name was Jake Rubenstein.

His sister, Eva, nicknamed him "Sparky" because of his quick temper and the way he fought to win at anything—street games or brawls with the tough Italian kids up the street.

Even when he was 10, said his brother Earl, "he was always getting into fights and winning 'em."

His parents split up when Ruby was 12 and he was placed in a foster home.

DROPOUT AT 16

He dropped out of high school at 16 and worked at odd jobs like scalping tickets to sports events.

In 1933, he moved to San Francisco and sold newspaper subscriptions door to door.

Four years later, he returned to Chicago and helped organize a junkyard workers' union. But his partner in the union, Leon R. Cooke, died, and Ruby went back to selling anything until he was drafted in 1941. He was trained as an Army Air Force mechanic and was discharged in 1946 without ever going overseas.

He came to Dallas to join Eva, and in 1947 they opened two night clubs. Ruby devoted most of his time to the downtown strip joint, the Carousel

Club.

POLICEMEN'S CRONY

"He wanted to be liked—and he was," said a friend who knew him at the Carousel. Ruby often visited the police station, and some policemen visited the Carousel often.

The Carousel stayed open a few weeks after Ruby's arrest.

It closed and then reopened and finally closed again for lack of a beer license.

Now the former walkup strip joint on Commerce st. is the Police Athletic League gym—where the cops teach tough kids from the slums to take care of themselves.

Murder Conspiracy Denied by Oswald's Killer**Jack Ruby's Last Days: Lucid**

By BERNARD GAVZER

DALLAS, Tex., Jan. 3 (AP).—Jack Ruby denied it to the edge of death.

But even his family couldn't help asking, because so many other people seemed to be asking, whether he really acted alone, and not as part of a conspiracy, to kill the assassin of President John F. Kennedy.

And so, near the end, Earl Ruby asked his brother again, as he had many times before: "Are you sure, Jack, there was nothing else?"

And Jack Ruby answered, says his brother:

"I'm not hiding anything. I'm not protecting anybody. There is nothing to hide, no one to protect. Believe me."

As he lay in his guarded room

in Parkland Memorial Hospital, stricken with cancer, Jack Ruby often seemed to be begging the world to believe he would take no secrets to the grave.

He also was tormented by hallucinations in which he imagined that millions of American Jews were being slain in a pogrom as punishment because he, a Jew, silenced the killer of a President.

Ruby could be rational on certain levels and wholly irrational on others, according to those closest to him. For example, he might be watching a football game on television and something would touch him off—like a penalty against a player. Worse is being done to the Jews, he would say.

Ruby insisted that he alone, without plan or prompting, shot Lee Harvey Oswald.

He swore also that rumors of secret meetings relating to the President's assassination, the killing of Dallas Policeman J. D. Tippit and the slaying of Oswald, were lies invented by beasts.

These details of Ruby's last days came from his brother, Earl, a Detroit businessman; Elmer Gertz, a Chicago lawyer prominent on the legal team that won reversal of the death sentence given to Ruby in 1964, and, through them, from other members of the family.

The Ruby murder trial and the Warren Commission report supported conclusions that Ruby

acted alone in shooting of Oswald—a shooting that was witnessed by a television audience of millions of Americans on Sunday, Nov. 24, 1963.

But a roiling controversy about the Warren Report has produced various theories of conspiracies—some of which give Ruby a hidden role. However, Gertz said:

"He simply could not conceive that people could not see that he not only acted alone but that they could take this and twist it into a premise for giving him a role in a plot against the President, a man he worshiped."

Jack Ruby sought no forgiveness for shooting Oswald, Gertz explained.

"I don't think Jack mentioned

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Moments, Dark Phobias

his name more than a few times in the many times I saw him, and then it was as if Oswald was a figure beyond his comprehension. Jack saw himself as a kind of instrument. He did not have the delusion that God told him to do it, or that he was an instrument of any people, but that it happened without his conscious will."

But Jack Ruby sought forgiveness from America's Jews. He was convinced that his crime had triggered a pogrom in which Jews were being transported to Dallas and tortured to death in the basement of the Dallas county jail.

"That is not true, Jack. It is not true," Earl told him. And so did many others who he ordinarily trusted.

"Don't tell me! Don't tell me! I hear them screaming from the basement every night."

Jack Ruby also complained that his cancer was induced secretly in jail. When he experienced difficulty in breathing early in December and was taken to the hospital, it was thought that he had pneumonia. He took this as proof that mustard gas was seeped into his cell. When his condition was diagnosed as cancer, he was certain it had been injected into him.

However, his family praised the treatment Ruby received in Parkland, although they complained that his condition had been neglected or brushed off as "hamming it up" in jail.

Ruby spent his last day in a

large private room which had one wall dominated by a wide window. A nurse and two deputy sheriffs were always on duty. Ruby spent hours watching television, especially football games.

On Saturday afternoon, Dec. 17, he felt so good he motioned for his sister, Eileen, to come to his side.

"Eileen, do me a favor," he asked.

He handed her a list for pasta, corned beef, kosher dill pickles, rye bread, lox, cream cheese, green onions, bagels.

"The doctors didn't object," said Gertz. "Of course, Jack couldn't hold that food down, but to deny it to him would be like denying a condemned man his least meal."

Near the end his mood — ac-

ording to the family—changed to one of 'black despair.'

And he whispered that he didn't want to die far from home. Home, for Jack Ruby, was Chicago, the city of his birth.

'GENEROUS MAN'

To his brothers and sisters, Jack Ruby was to the end, a "fine, sympathetic, generous man."

Though they were convinced his shooting of Oswald was an impulsive act and that Jack did it entirely alone, they too were confused by all the rumors and arguments. During such fleeting moments of doubt they would ask if there were any others who might also have been re-

responsible.

Attorney Gertz and Earl Ruby said Jack was fully aware of the controversy about the Warren Report.

"He knew of the incredible constructions by various critics in which it was hinted that there were secret meetings, that Jack might have had connections with Oswald, or with J. D. Tippit (the police officer Oswald also was accused of killing)," Gertz said.

BROAD DISCLAIMER

One day in December, Gertz asked Ruby: "Jack, tell me, did you know Tippit? People keep on saying you knew him."

"First of all," Ruby said, "there were three Tippits on the police department. The one who was shot I never knew, never heard of. One of the other Tippits I know."

"What about Oswald? Was he ever in your night club, did you ever meet him or see him?"

"The first time I ever saw Oswald was in the jail after he was arrested. I never saw him in my club and I never met him before in my life," Ruby said.

A few weeks after Ruby was found to have cancer, he expressed a wish to take a lie detector test to prove that all he said was true. His worsening condition precluded such a test.

DATA INCONCLUSIVE

He had received such a test from representatives of the Warren Commission on July 18, 1964. No interpretation of that test was made, on the ground that the results were questionable because of Ruby's emotional condition.

Ruby, a strip-tease club operator who generally viewed accomplished and cultured people as inhabitants of a remote world, had an uncharacteristic reaction to a meeting with U. S. Chief Justice Earl Warren on June 7, 1964.

During the interview, according to Attorney Gertz, Warren asked Ruby to read something.

"I can't. I don't have my glasses," Ruby replied.

Warren removed his spectacles and handed them over. Ruby then read the passage without difficulty.

WARREN 'SO NAIVE'

Months later, Gertz asked Ruby what he thought of the Chief Justice.

"Oh, he's such a wonderful man," Ruby answered, and then, added confidentially, "but he's so naive."

Gertz said, "I asked him,

'Why do you say that?' And all he did was shrug his shoulders."

Transcripts of the Warren interview show Ruby repeatedly saying he had more to tell, but that he would have to be taken from Dallas. He wanted to go to Washington. One critic of the Warren Report, Mark Lane, has implied something sinister in the fact that Ruby was not taken from Dallas.

'JACK CONFABULATED'

"The things he said to me in utmost secrecy were things that could be said anywhere, Dallas or Washington," Gertz said. "I could not enter his mind, but I am certain to my satisfaction that there was no more to tell. Jack confabulated. He tried to insinuate knowledge.

"For example, when he shot Oswald, he was in a blackout. He knew he shot Oswald, but he had no real memory of the experience. The same thing is true about his explanation of why he shot Oswald. He said he did it because he wanted to spare Jacqueline Kennedy the ordeal of having to come back to Dallas for a trial.

"That was something he confabulated (wandering, under emotional pressure). It offended his pride to be called insane, so what he attempted to do is show that he knew from memory details about something when indeed it was something he learned about later."

VAGUE ON IMPACT

Was Ruby aware of the calmity he caused history by shooting Oswald?

"As for the impact on history, that was much too sophisticated a concept for him," said Gertz. "It really did not register in any meaningful way with him."

Until he fell ill of cancer, Ruby's lawyers planned a defense that they were convinced would have spared him the electric chair and perhaps set him free.

Their opinion was that Ruby would be found guilty of murder without malice and possibly receive as punishment a one-year suspended sentence.

Gertz, who like the other lawyers served without fee, was asked:

"Was he satisfied that Ruby died telling the truth?"

"Yes," he said.