

# Ruby, in Dying Days, Insists He Acted Alone

DALLAS (AP)—Jack Ruby in his dying days still insists there was no conspiracy involved in his killing of Lee Harvey Oswald.

Ruby, fully aware that he is apparently dying of cancer, wants to take any scientific test to prove for history there was no conspiracy.

"Jack has told me a dozen times or more he prays to be given a final lie detector test so people will be convinced that there was no plan on his part, or conspiracy of any kind, to kill Oswald.

"It is his last wish," said his brother, Earl Ruby, a Detroit businessman.

On Nov. 24, 1963—with the nation watching on live television—Jack Ruby shot and killed Oswald in Dallas. The Warren Commission later held that Oswald, acting alone, had killed President John F. Kennedy on Nov. 22 and that there was no evidence to prove a conspiracy involving Ruby.

Earl Ruby and Elmer Gertz, Chicago lawyer and member of the legal team which on Oct. 5



JACK RUBY

won a reversal from the death sentence for Ruby, described Ruby's plea to do anything to erase any doubt that he acted alone in shooting Oswald.

They had seen Ruby an hour earlier yesterday in Parkland Memorial Hospital where Ruby,

See RUBY, Page A-16

Continued From Page A-1

under guard, is undergoing treatment. This is the same hospital where the mortally wounded President and Oswald were taken.

Gertz and Earl Ruby were asked whether Jack Ruby has any regrets about killing Oswald and thus making impossible a trial, perpetuating for all time the feeling that the full story of the assassination will never be known.

"He has regrets, but they are not so much about Oswald," said Gertz. "These are regrets about the havoc caused to his people."

Ruby, a Jew, is known to feel that his action reflected poorly upon the Jewish people.

"Jack reads the newspapers and magazines and watches television and is aware of the controversy about the Warren Report and all the books and articles which are constructing incredible stories of a conspiracy in which he is claimed to have

had a part," said Gertz.

"He says, 'How can they think I am hiding anything or protecting anyone else? There is nothing to hide; there was no one else.'"

As he lies gravely ill, he still maintains — according to Gertz and Earl Ruby — that "I never met or knew or saw Oswald until I saw him in jail, and I never knew Officer Tippit."

The Warren Report said Dallas policeman J. D. Tippit was slain by Oswald when Oswald fled to the Oak Cliffs section of Dallas after assassinating Kennedy.

Gertz and Ruby said that Jack Ruby today acts like a man who wants to remain alive long enough to be convinced that others believe beyond question that he "acted out of overwhelming emotion and without malice and without premeditation."

They said Jack Ruby keeps referring to his movements the Sunday morning when he entered the basement of the police and courts building, and, "on impulse and the purest of chance, shot Lee Harvey Oswald."

"And he is bewildered that it is not plain to every one that it was a million-to-one chance that he would stumble into a situation in which it was even possible that Oswald could be shot," said Gertz.

Gertz and Earl Ruby said Jack Ruby has no recollection of the moment he shot Oswald.

"That is a complete blank in his mind," said Gertz. "When he goes over every detail of his movements, he comes to that point and it is a blank for him. He does not deny he killed Oswald, but he has no memory of it. He does remember going into the basement. Then the next

thing he remembers is being grabbed by the police."

Gertz said one of the ironies of the case was that police were absent from the street, allowing Ruby to commit a minor traffic offense to get to the Western Union office.

"If Jack hadn't made an illegal turn on Main Street to go into a parking lot in order to be closer to the Western Union office," Gertz said, he couldn't have been in the basement at the precise moment police were transferring Oswald.

"He was going east on Main

and made the illegal turn rather than go around the block. He was going to the only Western Union office open that morning to send some money to an employe in need, and when he passed the ramp leading into the basement of the police and courts building, he saw a large number of newsmen there, and thought that Oswald had just been moved.

"He keeps going through these steps, telling how he went into the Western Union office and waited his turn to send the

money order. The receipt for it was timed off at 11:17 a.m. Then he walked at normal pace about 350 feet back to the ramp where he had seen all the people.

"He says he just started walking down the ramp."

Could Ruby have known Oswald was being transferred at that moment?

"No. He swears to this day he did not. And the fact is that no one knew," said Gertz.

"When you reconstruct this, taking the time Jack left the Western Union office, and the time Oswald was shot, which the Warren Commission said was 11:21 a.m., you can see that there was perhaps only a period of 30 seconds, perhaps even less, during which Oswald could be shot by Ruby.

"Only the most disturbed mentality could think or believe there was a plan engineered so that an assassin would have an unset, unknown period of a few seconds in which to do his job. It would have to be a plan, also, in which there was no hope of escape."

What about the pistol?

"Jack always carried a gun, for he sometimes had large sums of money. That morning, he had \$2,200 in cash," said Gertz.

While the medical bulletins from Parkland Hospital — issued by Dallas County Sheriff Bill Decker — report Ruby's condition as "unchanged, resting comfortably," but in serious condition, Earl Ruby said his brother "seems to get worse in front of your eyes.

"I saw him in the morning, and then came back a few hours later, and you wouldn't believe the change in him," said Ruby. "He looked like he was shrinking away."

Jack Ruby's condition has been diagnosed as cancer spreading in the lymph node system. Doctors say surgery and radiation are out of the question and they have resorted to chemical treatment for the condition.

The brother said Jack Ruby is cheered by sympathy expressed

by the public through Christmas cards. "He gets about 75 cards a day. They are first checked by Sheriff Decker before being delivered to him," Earl Ruby said.

Despite the expressions of

sympathy, Gertz said, "Jack still thinks millions of people believe there was a sinister plot to kill Oswald and he is preoccupied with wanting to prove there was not."