

Ruby Denied to End That He Was Part of a Conspiracy; Feared That His Action Caused U. S. Jews to Be Slain

By BERNARD GAVZER

Dallas, Jan. 4—(AP)—Jack Ruby denied to the edge of death that he was part of any conspiracy when he killed Lee Harvey Oswald.

But even his family couldn't

help asking, because so many other people asked, whether he really acted alone.

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.

Had Hallucinations

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 President John F. Kennedy.

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. Worse is being done to the Jews, he would say.

Ruby insisted that he alone, without plan or prompting, shot 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 "Momserem," a Yiddish epithet.

Brother Reports

These details of Ruby's last days came from his brother, Earl, a Detroit businessman; Elmer Gertz, a Chicago attorney prominent on the legal team which 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 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 conspiracy — 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 worshipped."

Sought No Forgiveness

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

"I don't think Jack mentioned 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 trans-

ported 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 whom he ordinarily trusted.

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

Delusions on Sickness

Jack Ruby also complained that his cancer was induced secretly in jail. When he experienced difficulty 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.

Jack 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

Jack Ruby's Body Taken to Chicago for Funeral

Chicago, Jan. 4—Jack Ruby, who grew up on Chicago's tough West Side, returned home in death today after gaining international notoriety as the slayer of President Kennedy's assassin. He will be buried beside his parents.

An airliner carrying Ruby's body landed at O'Hare International Airport after a flight from Dallas, where he died yesterday at Parkland Memorial Hospital—the same hospital in which Mr. Kennedy and the assassin, Lee Harvey Oswald, died.

The 55-year-old Ruby had extensive cancer, but Dr. Earl Rose, the Dallas County medical examiner, said the immediate cause of death was a massive blood clot that would probably have killed him even if he had not been weakened by cancer. Rose said, however, that cancer would be listed on the death certificate as a contributing cause.

Rose, who performed an autopsy, said the blood clot apparently formed in Ruby's leg yesterday morning and traveled through the heart to the lungs.

Relatives With Body

Ruby's brother, Earl Ruby of Detroit, and two sisters, Eileen Kaminsky of Chicago and Eva Grant of Dallas, accompanied the body from Dallas.

Ruby's coffin was taken from the plane as soon as the doors were opened. The coffin was placed in a hearse and taken to a North Side funeral home.

Hershey Weinstein, president of the Original Weinstein & Sons Chapel, said services and burial would be held tomorrow afternoon or Friday morning. The burial will be in Westlawn Cemetery.

The Dallas autopsy on Ruby's body showed extensive cancer "in both of his lungs, in the lymph nodes and through the liver." Earlier doctors had said Ruby's pancreas also was can-

cerous.

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

Specialists Present

Yesterday 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 at the autopsy estimated that the clot stretched from Ruby's ankle to his pelvis, plugging up the artery before it broke free and lodged in his lungs.

Dr. Rose said Ruby's cancer was a type called "adeno Carcinoma," which originated in the lungs. He said that variety of the illness does not afflict cigaret smokers. Ruby did not smoke.

Ruby first entered the hospital Dec. 9, complaining of an illness that jail doctors had diagnosed as a bad cold.

The hospital treated him for pneumonia before discovering cancer. Doctors decided that it was so far advanced that neither surgery nor X-ray treatment would help.

Conviction Overturned

A Dallas jury convicted Ruby of murder with malice on March 14, 1964, and set the punishment at death. But the Texas Court of Criminal Appeals overturned the conviction three months ago on the grounds that the trial should have been held outside of Dallas, and that the judge erred in allowing certain police testimony that implied malice.

A new trial was tentatively set for February or March in Wichita Falls, 135 miles northwest of Dallas, but legal proceedings were suspended by Ruby's hos-

pitalization.

Assistant District Attorney Bill Alexander said in Dallas that the indictment against Ruby would be dismissed.

Ruby, a tough, balding man who came out of the slums of Chicago and ran nightclubs in Dallas, shot Oswald in full view of millions on nationwide television as the assassin was being moved to the Dallas County Jail.

Ruby was wrestled to the ground by police and was imprisoned until he entered Parkland.

Born in Chicago

Ruby was born Jake Leon Rubenstein in Chicago in 1911. There apparently is no birth certificate for him and he gave dates from as early as March 3, 1911, to April 26, 1911, as his birthday.

His father was Joseph Rubenstein, an immigrant former soldier from the Russian Czar's army. His mother, like his father, was born in Poland. It was 1947 before he changed his surname from Rubenstein to Ruby.

Ruby was the sixth of nine children.

His father was a drinker and left his mother several times. His mother had a violent temper and was eventually committed to an asylum as a paranoid.

When he was 11, he was referred to the Institute for Juvenile Research in Chicago for "truancy and (being) incorrigible at home."

Had Foster Homes

A psychiatric report from the institute said he was "quick tempered" and "disobedient" and recommended that he be put in a home where he could receive supervision and discipline.

Ruby lived in several foster homes and when he was 16 he dropped out of the eighth grade.

He sold sports tickets at inflated and novelties for pocket money. He learned to defend himself with his fists in the tough Chicago neighborhoods in which he lived.

The years between 1933 and 1943 Ruby spent in Los Angeles, San Francisco, Chicago and New York earning his money the same way.

Comes to Dallas

He was drafted May 21, 1943, and after service in the Air Force at various bases in the South, except for five weeks in Farmingdale, N. Y., was discharged in February, 1946.

Ruby went to Dallas in 1947 to help his sister Eva run a nightclub. He and his brothers Earl and Sam went to court that year and changed their names from "Rubenstein" to "Ruby."

Jack Ruby went into business for himself in Dallas with the Vegas and Carousel Clubs, both of which featured strip tease dancers.

Arrested Eight Times

He was arrested eight times by Dallas police between 1949 and Nov. 24, 1963, on charges that ranged from disturbing the peace and carrying a concealed weapon to selling liquor after hours.

Despite the arrests, Ruby apparently liked policemen. He gave them occasional tips and once, when he came upon a policeman being attacked by hoodlums, he waded into the fight to help the policeman.

Ruby never married, although he went out for almost 11 years with Mrs. Alice Reaves-Nichols, a blonde divorcée two years younger than he.

Mrs. Grant, his sister, said just after Oswald was killed that Ruby had been very upset by the President's death. She said:

"Our father died at the age of 88 five years ago. He was more upset over Mr. Kennedy's death than that of our father."

duty. Ruby spent hours watching television, especially football games.

Big Food Order

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 pastrami, corned-beef, kosher dill pickles, rye bread, lox, cream cheese, green onions, bagels.

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

Near the end, his mood—according 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.

'Sympathetic, Generous'

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 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.

Knew One Tippit

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 Tip-

pits I knew."

"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.

Lie Detector Test

A few weeks after the 55-year-old 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.

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.

Did Ruby have appreciation of the calamity 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."