

Cancer Is Fatal To Prisoner in Dallas Hospital

Brother, 2 Sisters At Bedside When Death Comes

DALLAS, Tex. (AP) — Jack Ruby, the slayer of accused presidential assassin Lee Harvey Oswald, died today in Parkland Hospital, where he had been suffering from cancer since Dec. 9.

He was 55.

Ruby was moved to the hospital after complaining of an illness which jail doctors had been treating as a bad cold for three weeks.

At the hospital, his illness was first diagnosed as pneumonia and then as cancer, which had spread into the lymph glands, lungs and pancreas. X-ray and surgery would do no good, doctors said.

Ruby's death came at 11:30 a.m. (EST).

Sheriff's deputies had been issuing twice-daily bulletins on Ruby's condition but this morning said the bulletin would be a "little late."

Product of Chicago Slums

A product of the Chicago slums, Ruby was little known even in Dallas until he stepped in front of television cameras in the basement of the Dallas City Jail and shot Oswald with a revolver.

That was on Nov. 24, 1963, and the one-time Chicago tough kid had gained the world renown. Friends said he always had wanted.

He spent the rest of his life behind bars and in Chicago today. Elmer Gertz, one of his defense lawyers, said Ruby "looked like a man of 80 years" when Gertz saw him just before Christmas.

In Ruby's room when he died were his brother, Earl Ruby of Detroit, Mich.; his sister, Eva Grant of Dallas, and Eileen Kaminsky, another sister from

Chicago.

Visited by Warren

Visitors were rare after Ruby was jailed. He was inaccessible except to his family, lawyers and investigators.

One visitor in the county jail was Chief Justice Earl Warren, who was present when Ruby was given a lie detector test. In the test, Ruby denied that there was any conspiracy connecting him with the assassination of President Kennedy.

Ruby denied knowing Oswald, and he denied knowing Dallas police patrolman J. D. Tippit, who Oswald also was accused of shooting to death on an Oak Cliff Street soon after President Kennedy was killed.

Since being taken to the hospital, Ruby had insisted on another lie detector test to prove there was no conspiracy. Experts and doctors said the advanced state of his cancer prevented the test from having validity.

Operated Carousel Club

In 1963, when he killed Oswald, Ruby was known as the operator of the Carousel Club, a tough guy who acted as his own bouncer and would throw you out if you "looked at the girls wrong" and a "Damon

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Runyon type who would give you the shirt off his back."

He usually carried a pistol, friends said, but had never been known to use it until he darted between Oswald's police escorts at the Dallas jail and shot Oswald once in the abdomen.

Ruby, friends and enemies alike agreed, was a man who wanted to attain "class," a word he used frequently in describing people who impressed him.

George Senator, who shared an Oak Cliff apartment with Ruby when the Oswald killing occurred, said Ruby never took any part in politics. "I doubt if he ever voted much," Senator said.

But when Ruby was asked why he killed Oswald, he said it was to spare Mrs. Jacqueline Kennedy the anguish of having to come back to Dallas for Oswald's murder trial.

He wanted peace for Mrs.

Kennedy, he said.

After Ruby made his statement to the Warren Commission representatives, there was still doubt in many minds.

When books and periodicals began dwelling on the point, and some said flatly that Ruby knew Oswald, that Ruby was a friend of J. D. Tippit and that the assassination was planned by a huge group of conspirators, Ruby asked the second lie detector test.

Then only over the last weekend, it was revealed that one of Ruby's last acts was to record another statement denying any conspiracy that he knew about.

Earl Ruby, said Gertz, took a small recorder into the hospital room for Jack to use and tell his story—the story he died with.

Ruby is reported to have said that a wrong turn into a parking lot was the "fate" that put him in the basement of the Dallas police headquarters at the moment Oswald was being led from the jail.

Ruby has recorded his insistence that he blacked out and remembers nothing of the actual shooting of Oswald.

Conviction Overtaken

A Dallas jury sentenced Ruby to death after a stormy, month-long trial before Dist. Judge Joe B. Brown in March, 1964. But the Texas Court of Criminal Appeals overturned the conviction last October.

A new trial was scheduled for Wichita Falls, Tex., tentatively in February, but from the first day of his hospitalization there had been doubt that Ruby ever again would see a courtroom.

Dallas Dist. Atty. Henry Wade, who prosecuted Ruby in his first trial, had indicated he would again seek the death penalty. But Phil Burleson of Dallas and Gertz both had said that the most Ruby could get if convicted again would be five years in prison.

The original trial and subsequent developments, like the assassination of President Kennedy, were among the most tempestuous in Texas history.

Judge Brown stepped out of the case after there was criticism of the way he handled the trial and charges that a lawyer had misrepresented evidence.

Ruby was born March 25,

1911, in the Maxwell Street ghetto of Chicago. He was the sixth of nine children of an immigrant carpenter from Poland and his wife.

His name was Jake Rubenstein, and he spent much of his childhood fighting the tough Italian boys up the street and learning how to win—at anything, run-sheep-run, kick-the-can, craps, betting . . .

His sister, Eva, nick-named him "Sparky" in those early Chicago days, and the name stuck.

"Sparky was a real scrapper, even when he was 10," recalled brother Earl. "He was always getting into fights and winnin' 'em."

Ruby's parents—Joe and Fannie Rubenstein—separated in 1923 and Jack was placed in a foster home until he reached the age of confirmation, 13. But Ruby never had a Bar Mitzvah, traditional ceremony in Jewish life.

Nevertheless, said Earl, "he was a scrapper, a go-go guy."

Some of his fights, friends always said, "were to prove that Jews can fight."

Quit High School

He dropped out of high school at 16 and fell into a variety of odd jobs. He scalped tickets at sporting events to vending pennants and the like.

In 1963, he and some friends went to San Francisco and he earned a living mainly by selling newspaper subscriptions from door to door. Somewhere, he became a police fan and learned to like newspapermen.

In 1937, he moved back to Chicago and helped an old friend, Leon R. Cooke, organize a junkyard workers union. But

Cooke died two years later and after two more years of selling almost anything he could get his hands on, Ruby was drafted.

He made some friends in the service and trained as an Air Force mechanic. He received a rating of "very satisfactory" and was mustered out in 1946 without going overseas.

Eva asked him to join her in Dallas and in 1947 they opened two night clubs. Ruby devoted most of his time to the strip-joint downtown, the Carousel Club. He managed it until it was closed a few weeks after the assassination.

"He wanted to be liked—and he was," said a friend who knew him when he operated the Carousel. Ruby visited the police station often. The night after the assassination, he brought sandwiches up for hungry policemen and newsmen who had little chance to eat elsewhere.

"Jack didn't like hecklers," said one of his strip-tease queens. He got a reputation at his club as a pretty tough guy, and he rarely needed the help of police to keep order.

He tossed at least one drunk down the stairs after beating him up when the trouble-maker caused too much noise in the Carousel. He had fights, too, in other clubs.

But police, generally, liked him. Many visited his club on off-duty hours. Jack would give them some tips, too, now and then.

He dressed sharply and he thought sharply. He was a man who loved his friends and hated his enemies.

After an afternoon autopsy, Ruby's body will be taken to the Weiland-Merritt Funeral Home here for preparation for shipment to Chicago's Weinstein & Sons on West Peterson Road, possibly late today.