

PMS BUDGET

RUBY--NO CONSPIRACY (1,000)

EDITOR'S NOTE: GRAVELY ILL OF CANCER, JACK RUBY LIES IN A GUARDED ROOM IN PARKLAND HOSPITAL, WHERE BOTH PRESIDENT JOHN F. KENNEDY AND LEE HARVEY OSWALD DIED BEFORE HIM. HERewith IS AN EXCLUSIVE PICTURE OF RUBY'S THOUGHTS IN HIS LAST DAYS, IN WHAT MAY BE HIS LAST STATEMENT FOR HISTORY.

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DALLAS, TEX., DEC. 19 (AP)--JACK RUBY IN HIS DYING DAYS STILL INSISTS THERE WAS NO CONSPIRACY INVOLVED IN HIS KILLING OF LEE HARVEY OSWALD, NAMED BY THE WARREN COMMISSION AS THE ASSASSIN OF PRESIDENT JOHN F. KENNEDY.

RUBY, FULLY AWARE HE IS 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," SAID RUBY'S BROTHER, EARL, A DETROIT BUSINESSMAN.

"IT IS HIS LAST WISH."

EARL RUBY AND ELMER GERTZ, CHICAGO LAWYER AND MEMBER OF THE LEGAL TEAM WHICH ON OCT. 5 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 IN PARKLAND MEMORIAL HOSPITAL WHERE RUBY, 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.

EA3

"HE SAYS, 'HOW CAN THEY THINK I AM HIDING ANYTHING OR PROTECTING ANYONE ELSE? THERE IS NOTHING TO HIDE; THERE WAS NO ONE SLES.'"

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 CLIFF SECTIONS 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 MORNING OF SUNDAY, NOV. 24, 1963, WHEN DRAWN BY CURIOSITY, 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."

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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 EMPLOYEE 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. "THE TRANSFER HAD BEEN ANNOUNCED FOR 10 A.M. BUT NO ONE KNEW--NOT ANYONE IN THE POLICE OR THE PRESS--BECAUSE CAPT. J. W. FRITZ WAS STILL QUESTIONING OSWALD. TO SAY THAT SOMEONE INFORMED RUBY OF THE TIME OF TRANSFER SUGGESTS THAT THERE WAS COMPLICITY ON THE PART OF THE POLICE OR OTHER LAW ENFORCEMENT PEOPLE. BUT THAT FACT IS THAT NO ONE KNEW NOR DID ANYONE HAVE ANY SET TIME TO MAKE THE ACTUAL TRANSFER EXCEPT FOR THE ANNOUNCED TIME OF 10 A.M. AS THE RECORD BEARS OUT, THE CHANGE IN TRANSFER TIME OCCURRED WHEN CAPT. FRITZ DECIDED TO INTERROGATE OSWALD AGAIN. ONLY CAPT. FRITZ KNEW WHEN HE WOULD BE THROUGH WITH THE EXAMINATION.

A5

"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."

JACK RUBY, HIMSELF, SAYS--ACCORDING TO GERTZ AND EARL RUBY--"WOULD I LEAVE SHEBA IN THE CAR IF I PLANNED TO DO SUCH A THING?"

SHEBA WAS HIS FAVORITE DOG. MANY PERSONS TESTIFYING ABOUT JACK RUBY'S LIFE SAID HE TREATED HIS DOGS AS THOUGH THEY WERE HIS CHILDREN. AFTER HE SHOT OSWALD, HIS FIRST CONCERN WAS FOR SHEBA. HE ASKED POLICE TO ATTEND TO HER. BUT HE MADE NO MENTION OF MONEY ALSO IN THE CAR.

WHAT ABOUT THE PISTOL?

"JACK ALWAYS CARRIED A GUN, FOR HE SOMTIMES HAD LARGE SUMS OF MONEY. THAT MORNING, HE HAD \$2,200 IN CASH," SAID GERTZ. "IT WAS A WEAPON REGISTERED IN 1960 WITH THE POLICE. HE HAD BEEN ARRESTED TWICE BEFORE FOR CARRYING AN UNREGISTERED GUN."

DOCTORS HAVE NOT SAID HOW LONG THEY THINK RUBY CAN HANG ON TO LIFE.

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(400)

DALLAS--FIRST ADD RUBY (A2-5) XXX TO LIFE.

WHILE THE MEDICAL BULLETINS FROM PARKLAND HOSPITAL--ISSUED BY THE DALLAS COUNTY SHERIFF BILL DECKER--REPORT RUBY'S CONDITION AS "UNCHANGED, RESTING COMFORTABLY," 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.

"I DON'T THINK HE COULD GET FINER TREATMENT THAN HE IS RECEIVING AT PARKLAND," SAID EARL RUBY. "THE HOSPITAL IS DOING EVERYTHING IN THE WORLD TO TAKE CARE OF HIM AND CALLING ON THE FINEST DOCTORS AND NURSES."

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."

A7

"LISTEN," EARL RUBY SAID, "ONE THING JACK IS GRATEFUL FOR-- THE WHOLE FAMILY IS--IS FOR WHAT ELMER GERTZ DID IN REVERSING THE DEATH SENTENCE. GERTZ IS DOING THIS WITHOUT ANY FEE."

GERTZ TRIED TO DISMISS THE REMARK THEN SAID, "MY ASSOCIATES, PHIL BURLESON OF DALLAS, WILLIAM KUNSTLER OF NEW YORK AND SAM HOUSTON CLINTON JR. OF AUSTIN, ALSO ARE SERVING WITHOUT COMPENSATION AND SHARED WITH ME ANY CREDIT FOR THE REVERSAL."

"YES," SAID EARL RUBY, "BUT I WANT PEOPLE TO KNOW ABOUT IT."

GERTZ SAID RUBY'S ANXIETY ABOUT HAVING A LIE DETECTOR TEST AMOUNTS TO A DYING MAN WISHING THAT HIS FINAL TESTIMONY BE TESTED.

RUBY HAD UNDERGONE SEVEN HOURS OF SUCH TESTING BY THE WARREN COMMISSION. IN IT HE DENIED KNOWING OSWALD, OR TIPPIT, HAVING A PLAN TO KILL OSWALD, BEING PART OF ANY CONSPIRACY, BEING OR EVER HAVING BEEN A COMMUNIST OR MEMBER OF ANY EXTREMIST GROUP.

"THE ASSESSMENT OF HIS ANSWERS HAS NEVER BEEN MADE," SAID GERTZ, "BECAUSE RESULTS, PARTICULARLY IN A CASE INVOLVING A MAN OF RUBY'S EMOTIONAL AND DISTURBED CONDITION ARE NOT CONSIDERED RELIABLE.

"AS J. EDGAR HOOVER POINTED OUT TO THE WARREN COMMISSION, EVEN WITH A STABLE PERSON THERE ARE RESERVATIONS AND DOUBTS ABOUT THE VALIDITY OF SUCH TESTS. THE POINT IS THAT RUBY IS SO DESPERATE TO HAVE PEOPLE BELIEVE HE IS TELLING THE TRUTH, HE IS CRYING FOR ANY KIND OF TEST THAT WILL SATISFY AND CLEAR ALL DOUBTS FOREVER."

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