

EA58

RUBY

3 JAN 1967

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223 PCS

TO

622 PCS

EA58DN

U R G E N T

SECOND NIGHT LEAD RUBY

BY TOM JOHNSO  
ASSOCIAT

BY TOM JOHNSON  
ASSOCIATED PRESS WRITER

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 ACCUSED ASSASSIN, DIED TODAY-- RAVAGED BY CANCER AND FINALLY KILLED BY A BLOOD CLOT.

HE INSISTED UNTIL THE END THAT HE WAS PART OF NO PLOT, 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.

BECAUSE OF HIS DEATH, DIST. ATTY. HENRY WADE SAID HE WOULD DISMISS THE MURDER CHARGE AGAINST RUBY.

"KJTCOURSE

"OF COURSE JACK DIED NOT A CONVICTED MAN," SAID HIS DALLAS ATTORNEY, PHIL BURLESON.

RUBY HAD BEEN CONVICTED OF MURDERING OSWALD AND GIVEN A DEATH SENTENCE IN HIS FIRST TRIAL IN DALLAS IN MARCH, 1964.

RUBY'S BODY WAS TAKEN TO DALLAS' LOVE FIELD TONIGHT TO BE PLACED ON A 10:10 P.M. (AMERICAN AIRLINES) FLIGHT TO CHICAGO. FUNERAL SERVICES WILL BE FRIDAY IN CHICAGO.

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 EXTENSIVE CANCER "IN BOTH OF HIS LUNGS, IN THE LYMPH NODES AND THROUGH THE LIVER." EARLIER DOCTORS HAD SAID RUBY'S PANCREAS ALSO WAS CANCEROUS.

EA59DN

DOCTORS SAID RUBY'S STEADILY WEAKENING CONDITION AND LOSS OF A POUND A DAY FOR THE PAST TWO WEEKS PROMPTED THEM TO SUMMON HIS FAMILY TO THE HOSPITAL OVER THE NEW YEAR'S WEEKEND.

TODAY 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 THIS MORNING," HAD A BATH AND ORDERED EGGS FOR BREAKFAST. FRENKEL SAID THE ABRUPT DEATH WAS NOT UNUSUAL IN CASES SUCH AS RUBY'S.

A SISTER, 8TH GRAF A31...

JJ622PCS NM

A31(BJT)DN

AMS BUDGET (700)

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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.

~~AM~~ RUBY STEPPED FROM A CROWD OF NEWSMEN AND OFFICERS, JABBED A ~~SNUB-~~NOSE .32 CALIBER REVOLVER TO OSWALD'S ABDOMEN AND KILLED HIM WITH ONE SHOT ON NOV. 24, 1963, TWO DAYS AFTER OSWALD WAS ACCUSED OF ASSASSINATING PRESIDENT KENNEDY.

EA32DN

RUBY SHOT OSWALD AS THE ACCUSED ASSASSIN 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.

X RUBY WAS TAKEN TO THE COUNTY JAIL AND HAD REMAINED THERE UNTIL HE, TOO, DIED AT PARKLAND AT 10:30 A.M. (CST).

EA37DN

CORRECTION

DALLAS--NIGHT LEAD RUBY (A31DN ET SEQ) 14TH GRAF "RUBY WAS, ETC., READ X X COUNTY JAIL AND HAD REMAINED THERE UNTIL HE WAS TAKEN TO PARKLAND, WHERE HE, TOO, DIED AT 10:30 A.M. (CST) TODAY." (FIXING TIME IN JAIL).

CHIEF JUSTICE EARL WARREN PERSONALLY INTERVIEWED RUBY AS CHAIRMAN OF THE COMMISSION WHICH INVESTIGATED THE ASSASSINATION.

RUBY INSISTED THERE WAS NO CONSPIRACY. HE SAID HE KILLED OSWALD TO SPARE MRS. JACQUELIN 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. TIPPIT, WHOM OSWALD ALSO WAS CHARGED WITH SHOOTING TO DEATH ON AN OAK CLIFF STREET SOON AFTER THE ASSASSINATION.

ONE OF HIS LAST REQUESTS IN THE HOSPITAL WAS FOR A LIE DETECTOR TEST WHICH 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.

→ L RUBY WAS TAKEN TO THE HOSPITAL ON DEC. 9 AFTER JAIL DOCTORS HAD TREATED HIM FOR ABOUT THREE WEEKS FOR A SEVERE COLD.

EA33DN

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 MALIGNANT CELLS HAD INVANDED HIS PANCREAS, LUNGS AND LYMPH GLANDS--AND WAS SO WIDESPREAD THAT ITS SOURCE COULD NOT BE DETERMINED.



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21ST GRAF (FIRST GRAF A33DN) "THE HOSPITAL," ETC., READ THE MALIGNANCY HAD INVANDED HIS PANCREAS, ETC. (INSTEAD MALIGNANT CELLS, FIXING GRAMMAR).

THE AP

RW224PCS NM

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.

THE TEXAS COURT OF CRIMINAL APPEALS LAST NOVEMBER ORDERED A SECOND TRIAL FOR RUBY IN A DIFFERENT CITY. THE COURT SAID CRIMINAL DIST. 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.

JUDGE LOUIS HOLLAND OF MONTAGUE, WHO HAD TAKEN OVER THE CASE, ORDERED THE SECOND TRIAL HELD IN WICHITA FALLS, 135 MILES NORTHWEST OF DALLAS, AND INDICATED IT WOULD BE SET FOR FEBRUARY OR MARCH.

BUT FROM THE TIME THE CANCER DIAGNOSIS WAS ANNOUNCED IT WAS EVIDENT THAT RUBY WOULD NEVER BE ABLE TO STAND TRIAL AGAIN.

IN HIS FIRST TRIAL, DEFENSE ATTORNEY MELVIN BELLI INTRODUCED VOLUMINOUS TESTIMONY BY PSYCHOLOGISTS AND PSYCHIATRISTS AND ELECTRIC TRACINGS OF RUBY'S BRAIN WAVES--ALL INTENDED TO PROVE THAT RUBY SUFFERED FROM A RARE AILMENT KNOWN AS PSYCHOMOTOR EPILEPSY, THAT BRIEF ATTACKS COULD BE BROUGHT ON BY OVERPOWERING EMOTION AND THAT IN THESE SPELLS HE ACTED AS IF HE WERE FUNCTIONING RATIONALLY BUT ACTUALLY WAS IN A FUGUE STATE OR BLACKOUT--BEHAVING AS AN AUTOMATON.

EA34DN

THE DEFENSE CONTENDED IT WAS IN SUCH A BLACKED-OUT STATE THAT RUBY KILLED OSWALD.

THE PROSECUTION PRESENTED PSYCHIATRISTS WHO CONTENDED THAT RUBY KNEW EXACTLY WHAT HE WAS DOING AND WHAT IT MEANT.

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.

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 STREET 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.

IN A RECORDING MADE SECRETLY IN HIS HOSPITAL ROOM, ACCORDING TO GERTZ, WHO HEADED RUBY'S FINAL LEGAL STAFF, RUBY SAID: "THE IRONIC PART OF THIS IS, HADN'T I MADE AN ILLEGAL TURN BEHIND THE BUS TO THE PARKING LOT, HAD I GONE THE WAY I WAS SUPPOSED TO GO STRAIGHT DOWN MAIN ST., I'D OF NEVER, I WOULD NEVER HAVE MET THIS FATE BECAUSE THE DIFFERENCE IN MEETING THIS FATE WAS 30 SECONDS ONE WAY OR THE OTHER."

EA35DN

RUBY FIRED THE FATAL SHOT AT 11:20 A.M., SEALED OSWALD'S LKPS, CUT OFF THE WORLD FROM A CHANCE TO EXAMINE THE ACCUSED ASSASSIN IN COURT, INTENSIFIED RUMORS OF A CONSPIRACY--AND BECAME THE FIRST MURDERER IN HISTORY TO COMMIT HIS CRIME BEFORE A NATIONWIDE TELEVISION AUDIENCE OF MILLIONS. NO CRIME IN ALL HISTORY WAS EVER VIEWED BY SO MANY PEOPLE.

BORN MARCH 25, 1911, IN THE MAXWELL STREET SLUM OF CHICAGO, RUBY 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 WINNIN' 'EM."

HIS PARENTS SPLIT UP WHEN RUBY WAS 12 AND HE WAS PLACED IN A FOSTER HOME.

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 ALMOST ANYTHING UNTIL HE WAS DRAFTED IN 1941. HE WAS TRAINED AS AN ARMY AIR FORCES 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.

EA36DN

"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 STREET IS THE POLICE ATHLETIC LEAGUE GYM--WHERE THE COPS TEACH TOUGH KIDS FROM THE SLUMS TO TAKE CARE OF THEMSELVES.

RW/MW/RW223PCS