

WITH RUBY (450)

BY THE ASSOCIATED PRESS

NEW YORK, JAN. 4 (AP)—JACK RUBY SAID IN A TAPE-RECORDED CONVERSATION LESS THAN A MONTH BEFORE HIS DEATH THAT HIS FATAL SHOOTING OF LEE HARVEY OSWALD "HAPPENED IN SUCH A BLUR THAT BEFORE I KNEW IT I WAS DOWN ON THE GROUND... THE OFFICERS HAD ME ON THE GROUND."

IN THE TAPE-RECORDED CONVERSATION WITH HIS BROTHER, EARL, RUBY WAS ASKED IF HE KNEW OSWALD BEFORE, AND HE REPLIED: "I NEVER HAVE KNOWN HIM OR SEEN HIM BEFORE."

EARL ASKED HIM, "HAD YOU EVER PLANNED ANYTHING LIKE THIS?"

"I WAS SO EMOTIONALLY UPSET FOR THREE DAYS," RUBY ANSWERED.

"IS THERE ANY TRUTH AT ALL TO THE STORIES THAT OSWALD HAD BEEN IN YOUR CLUB OR ANYWHERE..." EARL EQUATIONED HIM.

RUBY, INTERRUPTING HIM, SAID: "NONE WHATSOEVER. IT'S A FABRICATION."

THE CONVERSATION, RECORDED IN RUBY'S MAXIMUM-SECURITY ROOM AT PARKLAND MEMORIAL HOSPITAL IN DALLAS SOMETIME BETWEEN 1ST DEC. 15 AND 18, WAS MADE PUBLIC FOR THE FIRST TIME YESTERDAY BY CAPITOL RECORDS AT A NEWS CONFERENCE.

JACK RUBY SAID THAT HIS PRESENCE AT THE DALLAS COUNTY JAIL RESULTED FROM HIS MAKING AN "ILLEGAL TURN" BEHIND A BUS AND WINDING UP IN THE JAIL PARKING LOT.

"HAD I GONE THE WAY I WAS SUPPOSED TO GO--STRAIGHT DOWN MAIN STREET--I WOULD NEVER HAVE MET THIS FATE," HE SAID."

JACK RUBY SAID THAT HE ALWAYS CARRIED A GUN WITH HIM "BECAUSE OF VARIOUS ALTERCATIONS I HAD IN MY CLUB."

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IN AN EXCLUSIVE REPORT BY ASSOCIATED PRESS WRITER BERNARD GAVZER DEC. 19, RUBY HAD SAID MUCH THE SAME THING. HE WAS DESCRIBED IN THE ASSOCIATED PRESS REPORT AS PRAYING THAT HE BE GIVEN A FINAL LIE DETECTOR TEST SO THAT PEOPLE WOULD BE CONVINCED THERE WAS NO CONSPIRACY INVOLVED IN HIS KILLING OF OSWALD. HE ALSO MAINTAINED THEN THAT HE NEVER KNEW OSWALD AND THAT THE KILLING WAS A BLANK IN HIS MIND.

THE THREE-MINUTE TAPE-RECORDED CONVERSATION WILL BE PART OF A LONG-PLAYING RECORD ENTITLED, "THE CONTROVERSY: THE DEATH AND THE WARREN REPORT," BEING PRODUCED BY CAPITOL.

SPOKESMEN FOR CAPITOL RECORDS SAID THE TAPING WAS MADE WITH THE HELP OF EARL RUBY WHO CARRIED A RECORDER CONCEALED IN A DISPATCH CASE INTO THE HOSPITAL ROOM PAST POLICE GUARDS.

CAPITOL RECORDS SAID ELMER GERTZ, RUBY'S ATTORNEY IN CHICAGO, TOOK PART IN THE ARRANGEMENTS WITH THE FAMILY, BELIEVING "IF THE PUBLIC COULD HEAR RUBY'S OWN VOICE THERE COULD BE NO QUESTION THAT HE DIRECTLY COMMUNICATED THE FACTS AS HE REMEMBERED THEM."

RUBY, HIMSELF, WAS DEPICTED AS DESIROUS THAT "THE WORLD KNOW DIRECTLY THE FACTS CONCERNING HIS PARTICIPATION AND INVOLVEMENT."

A CAPITOL RECORDS SPOKESMAN SAID PART OF THE PROFITS FROM THE RECORD WOULD GO TO THE JOHN F. KENNEDY LIBRARY IN CAMBRIDGE, MASS. HOWEVER, A LIBRARY SPOKESMAN SAID IN A STATEMENT:

"CAPITOL RECORDS, INC., DID OFFER AS A DONATION TO THE JOHN F. KENNEDY LIBRARY CORPORATION A PORTION OF THE ROYALTY PAYABLE IN CONNECTION WITH THE RUBY ALBUM. THE DIRECTORS OF THE LIBRARY CORPORATION DO NOT ACCEPT CONTRIBUTIONS FROM COMMERCIAL ENTERPRISES SUCH AS THIS."

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