Hearings Before the President's Commission on the Assassination of President Kennedy

TESTIMONY OF HYMAN RUBENSTEIN

The testimony of Hyman Rubenstein was taken at 9:20 a.m., on June 5, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Burt Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. My name is Burt Griffin, and I am a member of the staff of the General Counsel's Office of the President's Commission on the Assassination of President Kennedy.

I have been authorized under the rules of procedure of the Commission to take your deposition here today, Mr. Rubenstein.

I might tell you a little bit about the Commission before we go into the testimony.

The Commission was established under an Executive order of President Johnson and under a joint resolution of Congress on November 29, 1963, to investigate and evaluate the facts and report back to President Johnson on the assassination of President Kennedy and the facts surrounding the murder of Lee Oswald.

In asking you to come here today, we are particularly concerned with the information you may be able to bring to bear upon the murder of Lee Oswald.

Now, under the authorization setting up this Commission by the President and by Congress, the Commission is authorized to promulgate certain rules of procedure, and pursuant to those rules of procedure, the Commission has authority to issue subpenas and to require witnesses to attend here.

In pursuance of of those rules we have sent you a letter. I want to ask you now if you did receive the letter. You are pointing to your inside coat pocket.

Can you tell us when you received the letter from the Commission?

Mr. RUBENSTEIN. I, that I, can't tell you because I was gone out of town all last week, and I came in Monday night, and I didn't open my mail until Tuesday morning.

Mr. GRIFFIN. But you did see the letter on Tuesday.

Mr. RUBENSTEIN. Definitely. It was too late for me to get here.

Mr. GRIFFIN. The reason I ask is that you are privileged to have 3 days' notice before you come here and I wanted to make sure we had given you the 3-day notice.

Mr. RUBENSTEIN. It probably was there.

Mr. GRIFFIN. Now, you are also entitled under the rules of the Commission to have an attorney with you if you desire, and I see you don't have one here so I take it it is not your desire to have one.

Incidentally, in the letter that we sent you did you get a copy of some rules of procedure?

Mr. RUBENSTEIN. I wasn't worried about it because I felt I have nothing to hide to tell you.

Mr. GRIFFIN. All right. Do you have any questions that you want to ask about the general nature of what the proceeding will be before I administer the oath?

Mr. RUBENSTEIN. No; but I think it is going to be very interesting.

Mr. GRIFFIN. Let me ask you to raise your right hand if you will. Do you solemnly swear the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RUBENSTEIN. I do.

Mr. GRIFFIN. If you would, give the court reporter your name.

Mr. RUBENSTEIN. Hyman Rubenstein.

Mr. GRIFFIN. Where do you live, Mr. Rubenstein.

Mr. RUBENSTEIN. 1044 Loyola Avenue.

Mr. GRIFFIN. Is that in Chicago?

Mr. RUBENSTEIN. Chicago, 26.

Mr. GRIFFIN. How long have you lived there?

Mr. RUBENSTEIN. 6 years.

Mr. GRIFFIN. Can you tell us when you were born?

Mr. RUBENSTEIN. December 28, 1901.

Mr. GRIFFIN. Where were you born?

Mr. RUBENSTEIN. Warsaw, Poland.

Mr. GRIFFIN. When did you come to this country?

Mr. RUBENSTEIN. When I was 2½ years old.

Mr. GRIFFIN. That would have been in 1903?

Mr. RUBENSTEIN. I don't—all right, put it down, I don't know.

Mr. GRIFFIN. The only recollection, I take it, you have——

Mr. RUBENSTEIN. From my folks when they told us when they came here.

Mr. GRIFFIN. What is your occupation at the present time?

Mr. RUBENSTEIN. I am a salesman.

Mr. GRIFFIN. Who do you work for?

Mr. RUBENSTEIN. I work for Davidson and Uphoff.

Mr. GRIFFIN. Where is that?

Mr. RUBENSTEIN. 448 Mark Avenue, Clarendon Hills, Ill.

Mr. GRIFFIN. What do you sell?

Mr. RUBENSTEIN. Florist supplies.

Mr. GRIFFIN. What do those consist of?

Mr. RUBENSTEIN. Bird cages, stands, different things that the florists sell in their shops and greenhouses.

Mr. GRIFFIN. Are you obliged to travel in the course of your employment?

Mr. RUBENSTEIN. Almost constantly.

Mr. GRIFFIN. Can you give us a general idea of the area that you travel in?

Mr. RUBENSTEIN. Sure. Now, I cover Michigan. I have covered Wisconsin, Illinois, Minnesota, Iowa, Kentucky, and Tennessee. With different firms but related to the same field.

Mr. GRIFFIN. How long have you been covering Michigan?

Mr. RUBENSTEIN. 11, 12 years.

Mr. GRIFFIN. You said now you cover Michigan. I take it at the present time——

Mr. RUBENSTEIN. This is a new firm I am with.

Mr. GRIFFIN. At the present time you don't cover any State other than Michigan?

Mr. RUBENSTEIN. No; except this. In 1963 the firm I was with in New York, the Lewis Ribbon Co., merged with the International Artware Co. of Cleveland, so I had to go in business for myself. So, I still cover the same territory for myself as I did with Lewis Ribbon Co. in 1963. So I had a lot of money outstanding so I am trying to pick that up little by little as I am traveling through Illinois and eventually will travel through Wisconsin to pick up money I have coming from merchandise I have sold.

Mr. GRIFFIN. When did you leave the Lewis Ribbon Co.?

Mr. RUBENSTEIN. 1963; January 1st.

Mr. GRIFFIN. You say you went into business for yourself?

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. What business did you go into then?

Mr. RUBENSTEIN. Same business, ribbons.

Mr. GRIFFIN. Were these sold to floral customers?

Mr. RUBENSTEIN. Right. The same customers I had before.

Mr. GRIFFIN. When did you begin to work for the Davidson-Uphoff Co.?

Mr. RUBENSTEIN. Last month.

Mr. GRIFFIN. I see. So between approximately last January and last month or January 1963 and last month, you were employed for yourself, is that correct?

Mr. RUBENSTEIN. Practically.

Mr. GRIFFIN. Practically?

Mr. RUBENSTEIN. I mean because I haven't done much work since the incidents down in Dallas.

Mr. GRIFFIN. I see. When you were employed for yourself did you travel in any States other than Michigan?

Mr. RUBENSTEIN. Yes; Illinois and Wisconsin.

Mr. GRIFFIN. How much of your time was spent in each of those States?

Mr. RUBENSTEIN. For one trip complete? In other words, if I had to make a State complete time, how much time would I spend in that State?

Mr. GRIFFIN. In a typical 3-month period, for example.

Mr. RUBENSTEIN. I could cover a State in 3 months.

Mr. GRIFFIN. Do you recall where you were traveling in the fall of 1963, what State?

Mr. RUBENSTEIN. Yes; I had just come back from Michigan.

Mr. GRIFFIN. Do you remember when you began traveling in Michigan?

Mr. RUBENSTEIN. No; but I could have told you that if I had my records here.

Mr. GRIFFIN. I wanted to get a little background on yourself before we go into some general questions. You say you came to this country when you were about 2½?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Did you come to Chicago?

Mr. RUBENSTEIN. I don't know. I don't think we did. I think, of course, I think we stopped off in New York, and then I think we came to Chicago. My father was here first.

Mr. GRIFFIN. How long was your father here?

Mr. RUBENSTEIN. He—about a year.

Mr. GRIFFIN. And you say you are not sure where you came to. Did you have a permanent home any place before you moved to Chicago?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. So your first permanent home in this country was in Chicago and I take it that would have been shortly after you arrived in the country?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Have you lived in Chicago all your life?

Mr. RUBENSTEIN. Except when I was in the service or where else, except when I travel but outside of—my voting is right here in Chicago, my voting residence.

Mr. GRIFFIN. When were you in military service?

Mr. RUBENSTEIN. From October 1942, until April 1943.

Mr. GRIFFIN. Where did you serve?

Mr. RUBENSTEIN. Fort Lewis, Wash.

Mr. GRIFFIN. Was that in the army?

Mr. RUBENSTEIN. In the army.

Mr. GRIFFIN. Is Fort Lewis near Seattle?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Do you recall a man when you were in the service by the name of Sloan, a man from Chicago by the name of Sloan?

Mr. RUBENSTEIN. What business was he in or what was he doing?

Mr. GRIFFIN. He would have been in the service out in Seattle, in the Washington area.

Mr. RUBENSTEIN. The name doesn't ring.

Mr. GRIFFIN. Do you recall if your brothers visited you at any time while you were in the service?

Mr. RUBENSTEIN. In the service?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. We were scattered all over the earth.

Mr. GRIFFIN. Was this in the army, your military service?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. And what did you do, what rank did you attain?

Mr. RUBENSTEIN. I was a private. I was at 210 Field Artillery, 33d Division.

Mr. GRIFFIN. You spent all of your time at Fort Lewis?

Mr. RUBENSTEIN. Well, we were 1 day at Rockford, you know, they throw a uniform at you and then they put you on the train and you are on the train for 3 days, and then you wind up at Fort Lewis.

Mr. GRIFFIN. You left the service——

Mr. RUBENSTEIN. No; we were in Yakima for cannon training.

Mr. GRIFFIN. You left the service in 1943?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What was the reason for your leaving?

Mr. RUBENSTEIN. Overage. They told me they had no more use for me. They apologized, I had a good record. I got an excellent discharge, they were sorry but they wanted a younger man in my place.

Mr. GRIFFIN. What did you do after you left the service?

Mr. RUBENSTEIN. I stayed in Seattle.

Mr. GRIFFIN. How long did you stay there?

Mr. RUBENSTEIN. About 10 weeks.

Mr. GRIFFIN. Then what did you do?

Mr. RUBENSTEIN. I signed up with the U.S. Army Engineers to go to Alaska, to go to work as a carpenter. I felt I wanted to do something. They were going to build barracks out there. I waited and waited and waited and I got tired of waiting, so I asked the company that hired me to release me, because they did not know when I would be put on a boat to go across. The Army would have allowed only two men, civilians, with the regular soldiers to go across Alaska at a time.

Well, I probably would have been there for 4 years waiting yet so I decided to ask for a release, and they gave me a release and I went back to Chicago.

Mr. GRIFFIN. So the 10 weeks you spent waiting?

Mr. RUBENSTEIN. I worked; I worked part time for the Seaboard Lumber Co.

Mr. GRIFFIN. But the reason you were there was because you were waiting to go to Alaska?

Mr. RUBENSTEIN. Definitely. In fact, I had my tools sent to me, my father's tools.

Mr. GRIFFIN. Had you worked as a carpenter before?

Mr. RUBENSTEIN. Never.

Mr. GRIFFIN. And on your return to Chicago what did you do?

Mr. RUBENSTEIN. I took odd jobs, whatever I could get to make a buck, you know, salesman on the road. I am trying to think what I sold, novelties, premiums, different things that you could get. A lot of items you couldn't get, there was a scarcity, so you sold what you could obtain from different companies or different friends who were in business.

Mr. GRIFFIN. Did you work for any particular company?

Mr. RUBENSTEIN. I am trying to think. I can't think of any particular company I worked for. I probably bought stuff myself and sold it on the road.

Mr. GRIFFIN. I have in front of me your social security, a summary of your social security record. Do you remember working for the Arlington Park Jockey Club?

Mr. RUBENSTEIN. Oh, yes.

Mr. GRIFFIN. When was that?

Mr. RUBENSTEIN. Ben Lindheimer—how did that work out, I am trying to think. I worked there just before I got in the service, and then I was drafted, that was the last job I believe I had at the Arlington Park Jockey Club.

Mr. GRIFFIN. Your social security record indicates that you worked for the Arlington Park Jockey Club in 1943.

Mr. RUBENSTEIN. Then I probably went back there.

Mr. GRIFFIN. In fact all of 1943, and in 1942 with the exception of the fourth quarter of 1942.

Mr. RUBENSTEIN. I was in the army for 6 months, how could that possibly be?

Mr. GRIFFIN. I see. When did you go in the army in 1942?

Mr. RUBINSTEIN. October.

Mr. GRIFFIN. October. And when were you separated from the service in 1943?

Mr. RUBENSTEIN. About April.

Mr. GRIFFIN. Well, that would be understandable.

Mr. RUBENSTEIN. Is it October? Because I know I was in the service for 6 months. That I am positive of.

Mr. GRIFFIN. Now do you recall when you left the service coming back to work for the Arlington Park Jockey Club?

Mr. RUBENSTEIN. I don't recall but I probably did.

Mr. GRIFFIN. What did you do for them?

Mr. RUBENSTEIN. You are a ticket puncher like he is doing now. You come over and ask for number two I gave you number two. You ask for number five, I gave you number five.

Mr. GRIFFIN. You worked in the mutuel window?

Mr. RUBENSTEIN. Yes, mutuel window.

Mr. GRIFFIN. Your record here indicates that you didn't have any employment covered by social security from 1944 to early 1949.

Mr. RUBENSTEIN. Then——

Mr. GRIFFIN. What were you doing during that period after you left the Washington Park Jockey Club, and actually the last place you worked at the National Jockey Club.

Mr. RUBENSTEIN. I don't know about the names of the jockey club but I worked at the racetrack for a while as a mutuel ticket seller.

As I said before, and I am repeating again, that I bought what I could and sold on the road for myself, and I made a living that way.

Mr. GRIFFIN. I see.

It is my understanding you were selling novelties?

Mr. RUBENSTEIN. Novelties, premiums, punchboards, that is about it. That covers a lot of territory.

Mr. GRIFFIN. What part of the country did you travel in when you were doing that?

Mr. RUBENSTEIN. I covered the Middle West.

Mr. GRIFFIN. Did you cover any of the South?

Mr. RUBENSTEIN. No. I never cared much for the South.

Mr. GRIFFIN. Do you recall in the latter part of 1949 working in Ripley, Ohio?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What did you do there?

Mr. RUBENSTEIN. I was a bartender for a friend of mine, Bob Knoff. He owned a tavern, the Riviera Cafe at Front and Main Streets, and Bob said to me, I came down to visit him and he said "What are you doing?" And I said, "Bumming around, making a few bucks selling items." He said, "I need a bartender. Help me out for a while." I said, "OK." So I stayed with him, I don't know, for about a year, about a year or so, about a year, I think.

Mr. GRIFFIN. 6 months.

Mr. RUBENSTEIN. All right, 6 months. I don't remember. 1949. Then I went back to Chicago. I fixed a few things for him.

Mr. GRIFFIN. What did you do after you worked for Mr. Knoff?

Mr. RUBENSTEIN. What year was that, 1949?

Mr. GRIFFIN. 1949, 1950.

Mr. RUBENSTEIN. I went back to my own business again, I think.

Mr. GRIFFIN. Let me just ask you if you remember working for some of these companies and then I will ask you some general questions.

Do you remember working for the Fisher Pen Co.?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Was that a——

Mr. RUBENSTEIN. Paul Fisher is a very dear friend of mine, salesman.

Mr. GRIFFIN. Chicago Cardboard Co.?

Mr. RUBENSTEIN. That is the punchboard outfit I told you about, Chicago Cardboard was a punchboard outfit and Paul Fisher, I covered Chicago territory for him.

Mr. GRIFFIN. When you worked for the punchboard company where did you travel?

Mr. RUBENSTEIN. Wisconsin.

Mr. GRIFFIN. How about the Parliament Sales Corp., do you remember working for them?

Mr. RUBENSTEIN. I sold television sets for them only in Chicago.

Mr. GRIFFIN. How about the Enterprise Contract Consultants, do you remember working for them?

Mr. RUBENSTEIN. I don't even know who they are.

Mr. GRIFFIN. They were located on Milwaukee Avenue in Chicago.

Mr. RUBENSTEIN. That is the same thing, must be.

Mr. GRIFFIN. Same thing?

Mr. RUBENSTEIN. I think it was the same outfit.

Mr. GRIFFIN. Just changed the name?

Mr. RUBENSTEIN. Could be. You never can tell about those outfits. Oh, they had to change their name, I believe, because they were using the word "Paramount."

Mr. GRIFFIN. Parliament.

Mr. RUBENSTEIN. And they changed it to Parliament to make it sound like Paramount because Paramount wouldn't let them use their name.

What is this Enterprise deal?

Mr. GRIFFIN. I don't know, that is why I am asking you.

Mr. RUBENSTEIN. I don't recall, either. How long did I work there?

Mr. GRIFFIN. About 6 months.

Mr. RUBENSTEIN. What did they make?

Mr. GRIFFIN. That is what I am asking.

Mr. RUBENSTEIN. Were they located on Milwaukee Avenue?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Then it must be the same outfit.

Mr. GRIFFIN. Who were the people who ran it?

Mr. RUBENSTEIN. One fellow was a nice guy and I still see him occasionally in Chicago, Oscar Fishbein, he is president of the firm, I believe, and I still believe he is still in business.

Mr. GRIFFIN. How about the G.T. & I.T. Drake Co.?

Mr. RUBENSTEIN. That was in 1950.

Mr. GRIFFIN. 1952.

Mr. RUBENSTEIN. 1952. I bought a suburban carryall from a friend of mine by the name of Harry King.

Mr. GRIFFIN. Carryall or carryout?

Mr. RUBENSTEIN. Carryall. It is called a suburban carryall. It is a car that is designed to carry all, with glass all around it, and it looked like a small truck where the doors opened up in back like this so you could load and unload easily. I saw an ad in the paper, this Drake outfit, the restaurant outfit, $100 a week, and $100 a week in 1952, gentlemen, is a lot of money.

So, here is how it worked. I delivered, unloaded, and loaded food items for, they paid me $60 a week and $40 for the car expense that was $100 a week. It was a hard job but I took it because it paid well. That was it.

Mr. GRIFFIN. Do you remember working for Miracle Enterprises?

Mr. RUBENSTEIN. Miracle?

Mr. GRIFFIN. Do you remember them?

Mr. RUBENSTEIN. Never heard of them.

Mr. GRIFFIN. Would it have been another name for Parliament Sales?

Mr. RUBENSTEIN. It could have been. What address?

Mr. GRIFFIN. What did you do after you worked for the Drake Co., who did you work for?

Mr. RUBENSTEIN. I went to work for the Lewis Ribbon Co.

Mr. GRIFFIN. Do you remember going back to work for a few months for Fishbein?

Mr. RUBENSTEIN. I don't remember.

Mr. GRIFFIN. Then I take it, you worked for the Lewis Ribbon Co., just simply tell me if this is correct, from early 1953 until you left them.

Mr. RUBENSTEIN. Ten years.

Mr. GRIFFIN. In January of 1964.

Mr. RUBENSTEIN. Ten years.

Mr. GRIFFIN. How did you happen to leave them?

Mr. RUBENSTEIN. They merged with the International Artware of Cleveland and they sold out. My territory was already absorbed by International's men. In fact, they had three men in my three states and they had no room for me and felt rather bad about it because I am a rather conscientious worker, I like people, I don't have trouble selling them legitimate merchandise and I liked the work and I was doing pretty good and they felt very bad. They promised me as soon as there was an opening they would let me know. So that is the story.

Mr. GRIFFIN. I am going to go back a few years more now. Was your childhood spent in Chicago?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. And I take it you went to school in Chicago?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. How far did you go in school?

Mr. RUBENSTEIN. I had a couple of years of college.

Mr. GRIFFIN. Of college. Where did you go to college?

Mr. RUBENSTEIN. The YMCA Junior College.

Mr. GRIFFIN. In Chicago?

Mr. RUBENSTEIN. In Chicago, and the Lewis Institute.

Mr. GRIFFIN. What kind of courses did you take?

Mr. RUBENSTEIN. General courses. I was studying prelaw. I wanted to become a lawyer.

Mr. GRIFFIN. When did you attend these institutions?

Mr. RUBENSTEIN. I would say around 1933, 1934, 1935, 1936.

Mr. GRIFFIN. So you were working at the same time?

Mr. RUBENSTEIN. Working at the same time.

Mr. GRIFFIN. Now, going back to your earlier childhood, how many years of continuous formal education did you have until you left school the first time?

Mr. RUBENSTEIN. Well, I graduated high school.

Mr. GRIFFIN. So you graduated from high school, and then what did you do after you graduated from high school?

Mr. RUBENSTEIN. I took whatever job I could to sustain myself and help out the family once in a while when I could.

Mr. GRIFFIN. What year would it have been that you graduated from high school?

Mr. RUBENSTEIN. I graduated in February 1922 from Hyde Park High.

Mr. GRIFFIN. Where was your family living at that time?

Mr. RUBENSTEIN. They were separated. The folks were living, my mother was living, with the children, I think on the west side, and I was living on the south side.

Mr. GRIFFIN. Were you living with any other members of your family?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. How long had you been separated from the family?

Mr. RUBENSTEIN. I left home when I was, right after I graduated grammar school, when I was about 15. That was in 1916, around 1916 or 1917.

Mr. GRIFFIN. Where did you go to live.

Mr. RUBENSTEIN. I went to the Deborah Boys Club.

Mr. GRIFFIN. How long did you live there?

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Mr. RUBENSTEIN. About 3 years.

Mr. GRIFFIN. What kind of place was that?

Mr. RUBENSTEIN. It was a club for boys who had no home, but they had to work or go to school. I did both. I worked after school.

Mr. GRIFFIN. You lived there for about 3 years?

Mr. RUBENSTEIN. I would say about 3 years.

Mr. GRIFFIN. Until you were about 18, I take it?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. 15 to 18. But you say you finished high school in 1922. What did you do after you left the Deborah Boys Club?

Mr. RUBENSTEIN. I got, I believe I got a room with another fellow at 4907 Vincennes Avenue, and worked after school, and I continued going to school and worked, whatever I could do after school. Some jobs were easy and some jobs were tough.

Mr. GRIFFIN. How long did you live with this other fellow?

Mr. RUBENSTEIN. Until I graduated.

Mr. GRIFFIN. Until about 1922?

Mr. RUBENSTEIN. I would say that.

Mr. GRIFFIN. During this period from 1916 until 1922, when you returned to the family home, what contact did you have with your family?

Mr. RUBENSTEIN. I used to see them, used to go over there, bring them different things, try to talk to the kids, and see that they tried to get along and have what they needed.

Mr. GRIFFIN. How did you happen to go to live at the Deborah Boys Club?

Mr. RUBENSTEIN. I had a fight at home and my father wanted me to go to work and I wanted to go to school because I knew I had to have some education. But with eight children I could see his point but yet I wanted to look out for myself, and I probably was advised by some of my friends that I should leave home, and I did, and through some agency, I don't remember how, they suggested it would be best for me if I left home and they found this place for me, and so I was admitted.

Mr. GRIFFIN. Do you remember if any juvenile court proceedings were instituted?

Mr. RUBENSTEIN. It could have been. It is possible. It is possible there were some juvenile court proceedings, it is a long time ago.

Mr. GRIFFIN. Who instituted those proceedings?

Mr. RUBENSTEIN. I don't remember. Probably the family service on the west side in Chicago through my mother's complaints to this association about my father.

Mr. GRIFFIN. Were you having some difficulty with your father at that time?

Mr. RUBENSTEIN. Oh, yes.

Mr. GRIFFIN. Can you tell us about it?

Mr. RUBENSTEIN. I just wanted to go to school, and he thought I should go to work.

Mr. GRIFFIN. Well, do you recall an incorrigibility proceeding being instituted against you?

Mr. RUBENSTEIN. Me?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Incorrigibility?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. I don't remember any such case.

Mr. GRIFFIN. Would it have been about May of 1916 that you went to live at the Deborah Boys Club?

Mr. RUBENSTEIN. No, no; it was after I graduated grammar school, and I graduated in 1917.

Mr. GRIFFIN. I see. So you would have been 16 or 17 when you went to live at the Deborah Boys Club?

Mr. RUBENSTEIN. No; it was right after I graduated from grammar school.

Mr. GRIFFIN. Well, you say 1917.

Mr. RUBENSTEIN. Yes; I was only 15½ when I graduated.

Mr. GRIFFIN. You were born in 1901?

Mr. RUBENSTEIN. Yes; close to 1902, though, you see.

Mr. GRIFFIN. You don't recall any juvenile court proceedings against you in the early part of 1916, in May of 1916.

Mr. RUBENSTEIN. I don't.

Mr. GRIFFIN. Do you recall being under the supervision of a probation officer?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. All right, tell us about that.

Mr. RUBENSTEIN. I don't remember it.

Mr. GRIFFIN. Do you remember anything about the supervision, what did you have to do?

Mr. RUBENSTEIN. Nothing.

Mr. GRIFFIN. You didn't have to report?

Mr. RUBENSTEIN. Well, maybe I had to report but I don't remember what the incident was. I don't remember who the supervisor was or what I had to do to report.

Mr. GRIFFIN. You don't remember how the proceeding was instituted, who instituted, the proceeding against you?

Mr. RUBENSTEIN. I don't remember. It is almost 50 years ago.

Mr. GRIFFIN. Now, did you return to the family in 1922?

Mr. RUBENSTEIN. I think I did. I wanted to stay with the family to see what I could do to keep them together.

Mr. GRIFFIN. During the period that you were away from the family were other members of the family also separated?

Mr. RUBENSTEIN. Yes; I think Earl and Sammy went to live on a farm. Jack went to live on the north side, northwest side. I don't know about the girls. I don't remember about the girls.

Mr. GRIFFIN. Do you recall who Jack went to live with?

Mr. RUBENSTEIN. No; but it was a very nice family on the northwest side. That is where he met a lot of his northwest-side friends.

Mr. GRIFFIN. Can you be more precise about the northwest side?

Mr. RUBENSTEIN. No; I couldn't because I don't know.

Mr. GRIFFIN. Your mother was maintaining a home while you were at the boys club. Where was her home at the time?

Mr. RUBENSTEIN. We moved to so many places, I wouldn't know exactly, on the west side.

Mr. GRIFFIN. On the west side?

Mr. RUBENSTEIN. Yes; but I don't remember the addresses.

Mr. GRIFFIN. Would it be northwest?

Mr. RUBENSTEIN. No; straight west, around Roosevelt Road, that would be the best specific spot that I can give you.

Mr. GRIFFIN. Did you, during your childhood while the family was together, did you always live around Roosevelt Road?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Did you always live in the same ward? Do you remember in terms of wards where you lived?

Mr. RUBENSTEIN. No; it could be divided between the 24th ward and the 29th ward.

Mr. GRIFFIN. I see.

Mr. RUBENSTEIN. And one ward crossed the other, the boundary lines.

Mr. GRIFFIN. All right. When you did return home about 1922 was your father living in the home at that time?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. When did your father finally come back to the home?

Mr. RUBENSTEIN. I don't remember when he came back. I think he came back after my mother died.

Mr. GRIFFIN. When you returned to the home, did all the rest of the children return at that time?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. So the family was brought back together somehow?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. How did that come about?

Mr. RUBENSTEIN. I couldn't tell you.

Mr. GRIFFIN. Who was supporting the family by 1922?

Mr. RUBENSTEIN. My father, I think, was giving $10 a week, and the girls were working, I was working, and we tried to keep the rest of the kids in school.

Mr. GRIFFIN. Can you tell us—first of all, let me ask you, after 1922, prior to the time you went into the service, were there any periods when you weren't living in the family home?

Mr. RUBENSTEIN. When I wasn't living in the family home?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. After 1922?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. No; I think I stayed home. I thought it my duty, I believe, to stay home. I think it was that way. I think I felt an obligation to take care, help take care of the family because my father wasn't living with us.

Mr. GRIFFIN. Did Jack, do you recall when Jack left school?

Mr. RUBENSTEIN. He went to high school, I think, for 1 year, I believe he went 1 year.

Mr. GRIFFIN. How did he come to leave school?

Mr. RUBENSTEIN. I don't know. We often wonder ourselves because Jack is no dummy. He has got a good head on him. I don't think he liked school, let's put it that way. That would be honest. He just did not like school, that is all there was to it.

Mr. GRIFFIN. Are there any incidents that you can recall which would indicate that?

Mr. RUBENSTEIN. He wouldn't do his homework, that is a good enough incident.

Mr. GRIFFIN. How about his companions during that period?

Mr. RUBENSTEIN. He had nice friends. He always had, because Jack was a little bit choosy about his friends, I mean it. He always had nice friends, fellows who either they were doctors' sons or boys in the neighborhood that respected Jack, and Jack was more progressive than the rest of us, was a hustler.

Anything that he could go out and sell and make a dollar, legitimately, even if he had to go on the road, and sell items, he was always trying to work, always tried to—he wouldn't have a steady job, but he was always on the go thinking of ideas of how to make a dollar and helping the family.

Mr. GRIFFIN. Do you remember when he left school what he first started to do?

Mr. RUBENSTEIN. That is a good question. I imagine—let me think what he did do. I think he scalped a few tickets during the fights. All the kids used to do that to try to make an extra buck. That is the only revelation that I have in my mind, but as far as a steady job was concerned, no. Jack never cared for no steady jobs.

Mr. GRIFFIN. How did this particular ticket scalping work, where would he get the tickets?

Mr. RUBENSTEIN. Let's say he borrowed $20 from some friend who had $20. Two days before the fight he would buy $20 worth of tickets, and then if the fight was a sellout, he would sell the tickets for maybe 50 cents or a dollar more than what he paid for the ticket and people would be glad to pay him for it on the outside. So, he would make himself $5 or $6, and $5 or $6 during those years would go a long way.

Mr. GRIFFIN. Would he buy these tickets at the box office or would there be somebody else who would go in and buy up a big block of them?

Mr. RUBENSTEIN. No; he would go to the box office himself.

Mr. GRIFFIN. Let's get back to your own activities a bit. Can you tell us generally what you did from the time you got out of high school in 1922 until you went into the service in 1942?

Mr. RUBENSTEIN. I drove a cab for a while, I worked in a drugstore for a while, worked for Albert Pick and Company, they were a big hotel supply house on 35th Street.

Mr. GRIFFIN. What did you do for them?

Mr. RUBENSTEIN. I was an assistant buyer, I want you to know, and I liked it, it was interesting. I was in politics for a good many years.

Mr. GRIFFIN. Can you tell us about that?

Mr. RUBENSTEIN. Sure. It was during my Deborah Boys Club days, I met a man by the name of Morris Feiwell, who took a liking to me, and he encouraged me to finish school, like a sponsor, you know, and when I graduated he says, "You come on downtown and talk to me. What do you want to be?" I says, "I don't know." He says, "Do you like to study continuously?" And frankly, I didn't. He said, "Well, don't study law. I was going to put you through law school but if you don't like to study continuously after you learn a profession, don't study law." And through him I met many big political men in Chicago, because Mr. Feiwell was associated to our ex-Governor Henry Horner. Henry Horner was probate judge of Cook County, and a probate judge in Cook County is the biggest judge in the area because he took care of 5 million people probating wills.

The judge took a liking to me because we done certain things, running errands for him, distributing literature for the campaigns—then I met different people, I met Ben Lindheimer. Ben Lindheimer was a big man in Chicago, owned Arlington Park and Washington Park racetracks later on.

He finally became chairman of the Illinois Commerce Commission and also president of the Board of Local Improvements in Chicago. So, I got a job as a sidewalk inspector. That is when I decided to go back to school, because the job as a sidewalk inspector was a political job, sponsored by Ben Lindheimer.

Mr. GRIFFIN. That would have been in the 1930's sometime.

Mr. RUBENSTEIN. Yes; 1932 or 1933, right. So, I figured why should I waste my time. I can take care of my job and go to school, and I did that. I tried to get my prelegal training there. Then in 1932 the judge ran for governor. Ben Lindheimer became president of the—not president, chairman of the Commerce Commission, Illinois Commerce Commission. He took me with him. I became a warehouse investigator. I was there for 8 years.

Mr. GRIFFIN. Warehouse investigator for the Illinois Commerce Commission?

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. For 8 years?

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. What period of time did this cover?

Mr. RUBENSTEIN. I would say from 1932 to 1941. When the administration changed I was let go.

Mr. GRIFFIN. Were your duties in Chicago or elsewhere?

Mr. RUBENSTEIN. In Chicago; no, the entire State. I had to cover quite a bit of the State of Illinois inspecting warehouses that were licensed by the Illinois Commerce Commission, and storage houses.

Mr. GRIFFIN. What would your duties as an inspector involve?

Mr. RUBENSTEIN. Just to see everything was orderly, clean, fire extinguishers, clean, clean aisles, nothing to clutter up, so as to prevent fires, fire doors, to prevent internal combustion, different things like that.

Mr. GRIFFIN. Now, during this period that you were with the Illinois Commerce Commission, were you politically active?

Mr. RUBENSTEIN. Yes. Since I had no civil service connections, I was politically active.

Mr. GRIFFIN. Before that period, were you politically active?

Mr. RUBENSTEIN. Yes; in the local area.

Mr. GRIFFIN. Was this Democratic or Republican politics?

Mr. RUBENSTEIN. Democratic.

Mr. GRIFFIN. Now——

Mr. RUBENSTEIN. The whole family was Democratic.

Mr. GRIFFIN. Would you tell us about how you happened to meet—I take it Mr. Feiwell was the way you got—made your political connections?

Mr. RUBENSTEIN. Indirectly, not directly, indirectly.

Mr. GRIFFIN. First of all, tell us how you happened to know Mr. Feiwell.

Mr. RUBENSTEIN. He used to come down to the club and give us talks.

Mr. GRIFFIN. What club was that?

Mr. RUBENSTEIN. The Deborah Boys Club.

Mr. GRIFFIN. I see. And what sort of work did Mr. Feiwell do?

Mr. RUBENSTEIN. He was a big lawyer in Chicago.

Mr. GRIFFIN. He took a liking to you?

Mr. RUBENSTEIN. He wanted to encourage me because I was working my way through high school and he tried to help out all the boys that he possibly could.

Mr. GRIFFIN. And he made introductions of you to people in politics?

Mr. RUBENSTEIN. As I said before indirectly. Let me give you one example.

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. When Henry Horner ran for probate judge in 1928, I believe, Mr. Feiwell was one of the men in charge of the campaign. So he didn't have too much time, so I helped him whatever I could do. If we had a special meeting for fund raising, I would line up the hall, get the chairs, see that everything was ready made for the meeting, got coatracks and hatracks for the men for the meeting and they all got to know me that way, and so I became officially the sergeant-at-arms, and so that is how they got to know me. If they wanted something before they sat down, they told me if they get a telephone call, "Call me out" of if there was a call I could spot the man right away and tell them there was a call from out of the hall. Different things like that, that is how I got acquainted.

Later on I became more important because I knew the ropes a little bit because I knew what to do without their telling me everything. I knew how to pick up the printing, how to distribute the literature in the different wards and so forth.

Mr. GRIFFIN. Were you active in any particular ward yourself or were you in the downtown headquarters?

Mr. RUBENSTEIN. Mostly the downtown headquarters.

Mr. GRIFFIN. Were you ever on the payroll of the downtown headquarters?

Mr. RUBENSTEIN. Yes. I was on the payroll for downtown headquarters. One year, when Adlai Stevenson was running, I was connected with the downtown Democratic headquarters at the Morrison Hotel.

Mr. GRIFFIN. Was this after World War II?

Mr. RUBENSTEIN. Yes. And they didn't pay me much, but I was glad to help out. I think they were paying me $25 a week.

Mr. GRIFFIN. Prior to World War II, were you ever on a salary or payroll for any Democratic club?

Mr. RUBENSTEIN. No. Only with the job that I had.

Mr. GRIFFIN. So your political activities prior to World War II were on a voluntary basis and would have been in your spare time apart from your other job?

Mr. RUBENSTEIN. Yes. Unless the big men in Chicago once in a while if they had me do an errand purposely slipped me a $5 bill because they knew I earned it.

Mr. GRIFFIN. Did you ever have occasion during that period to do any favors for Jack?

Mr. RUBENSTEIN. What Jack, my brother?

Mr. GRIFFIN. Your brother Jack.

Mr. RUBENSTEIN. Yes. He got in a fight one time with a policeman for scalping tickets, and so I had to go to court for him.

Mr. GRIFFIN. When was that?

Mr. RUBENSTEIN. I don't know but that was dropped. That is the only time that I can remember when Jack actually got in trouble where you might say was minor. Never before.

Mr. GRIFFIN. Did you ever have any occasion to help him get a license or anything?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us about that.

Mr. RUBENSTEIN. I will never forget that as long as I live. Since I was connected in politics, the man in charge of the vending licenses in the city of Chicago was a new man, and I didn't mean to take advantage of him.

My brother came to me one day in early December one year, "Hy." "Yes." "I would like to get a license for selling novelties on the street at 63d and Halstead."

You gentlemen must realize that 63d and Halstead is a business district where no such thing was ever before done because they have their own business association and no peddlers were allowed on the street, they have got their stores to worry about. So, I went up to this fellow, who I got to know very well, and he said, "What can I do for you, Hymie?" I said, "I have got to have a license for my kid brother." "Sure, for Christmas?" "Yes." "What is he going to sell?" "I don't know. Probably toys or gimmicks or whatever he can put on a stand, you know, on the sidewalk and sell." As long as he got a permit they can't bother him. He says, "What corner do you like?" So, I gave him the corner of 63d and Halstead. You don't know, I almost started a small war and they couldn't do nothing to Jack because he had that permit. The business people came downtown and they raised particular hell with the guy in charge at the license department, and he couldn't understand it.

Then he calls me, I think I was working at the time for some department in the city. He said, "Do you realize what you done to me?" I said, "What did I do to you?" He says, "You almost got me fired." It was really funny.

Mr. GRIFFIN. When was that?

Mr. RUBENSTEIN. I don't know. I can't remember but I will never forget that incident, and Jack felt like a hero. He has got a permit. They can't do him nothing. The police even tried to chase him off. He says, "You can't chase me off, here is my permit," and the policeman told these people downtown at 63d and Halstead, he says, "The man has got a permit. What am I supposed to do, get myself in a jam?" But they finally had to get him off. They finally realized they made a mistake.

Mr. GRIFFIN. This was in the Christmas season?

Mr. RUBENSTEIN. Yes; during the Christmas holidays when everybody tries to make a buck for the holidays selling Christmas novelties or toys or gimmicks on the street, you know. It was terrific. I will never forget that. That is the kind of a guy Jack was. When he wanted a permit he used to get one.

Mr. GRIFFIN. Do you recall any other episodes of that nature?

Mr. RUBENSTEIN. There could have been but this was the greatest. It is a wonder I didn't get fired. I will never forget that.

Mr. GRIFFIN. Were you working for the Illinois Commerce Commission at that time?

Mr. RUBENSTEIN. I think I was at that time because that was the longest job I had with the city outside of being with the Board of Local Improvements for a couple of years.

Mr. GRIFFIN. When was that?

Mr. RUBENSTEIN. Before the Commerce Commission.

Mr. GRIFFIN. You mention the period 1932 to 1941 as the Commerce Commission. Are you clear in your mind that that is when you did start there, in 1932?

Mr. RUBENSTEIN. When Horner got in, I think it was 1932.

Mr. GRIFFIN. And before that you worked for?

Mr. RUBENSTEIN. The Board of Local Improvements for a couple of years, sidewalk investigator.

Mr. GRIFFIN. So that would have taken you back to 1930 perhaps?

Mr. RUBENSTEIN. About 1930 or even 1929. I will tell you why. As long as we had connections in Chicago and things were tough, you know 1929 was a bad year, you wouldn't remember, but I would, as long as you had a letter from somebody downtown they were reevaluating all the real estate in Cook County.

Now, you know that is a tremendous job, fellows, and so I got on. They weren't paying us too much in salary, but every morning I had to meet two real estate men, and I measured the buildings, the length and the width and the lot, and the stories and we gave a legal description of the building, reevaluation. That kept on for about a year. That was a pretty good job with the Board of Review.

So that also kept a lot of us fellows from starving. That was before the Board of Local Improvements. In the meantime I still kept my fingers in the politics on the good side with the Democrats in Chicago.

Mr. GRIFFIN. Before you worked for the Board of Local Improvements did you have any government or city or political jobs before that?

Mr. RUBENSTEIN. I am telling you that was it.

Mr. GRIFFIN. That was the first one. The Board of Local Improvements was the first one?

Mr. RUBENSTEIN. No, the Board of Review.

Mr. GRIFFIN. So you worked for the Illinois Commerce Commission in 1932, you worked for the Board of Local Improvements——

Mr. RUBENSTEIN. About 1930, and 1929 or 1928, I believe I worked for the Board of Review.

Mr. GRIFFIN. All right. Now, between approximately 1922 when you got out of school and 1928 what did you do during that period?

Mr. RUBENSTEIN. Worked as a cab driver, worked in a drugstore. I went on the road as a salesman in 1925.

Mr. GRIFFIN. Who did you sell for?

Mr. RUBENSTEIN. The Plymouth Rubber Co. of Canton, Mass.

Mr. GRIFFIN. What did you sell?

Mr. RUBENSTEIN. Rubber heels to shoemakers.

Mr. GRIFFIN. Where did you travel?

Mr. RUBENSTEIN. All over the United States.

Mr. GRIFFIN. How long did you do that?

Mr. RUBENSTEIN. A couple of years, I think.

Mr. GRIFFIN. How did you happen to leave that job?

Mr. RUBENSTEIN. I was a missionary man. They broke me in, they tried to make a salesman out of me and they did, because I done a good job for them and I worked hard. I liked it, I liked it for two reasons. Traveling and selling and when you can sell you felt like a moral victory, you felt that you had a station in life, something to do. The job just ended. I covered the territory they wanted me to cover. I went from Chicago to the west coast, Vancouver, Canada, all over the west coast, all through the Middle West. I don't think I covered—no, never went south. I didn't go south, no. We didn't cover it. We just covered the west, kept on going west and west and over to the west coast and up to Vancouver.

Mr. GRIFFIN. Let's now shift the focus a little bit and rather talk about yourself. Now let me ask you some questions about your family, your early family life.

Was there any discussion in your home as a child of the background of your parents—where they had come from, what they had done before they had come to this country?

Mr. RUBENSTEIN. My father was a soldier in the Russian Army for about 7 years. If you know the history of the Russian people, one member of each family must serve, one member. My father was elected to serve.

Mr. GRIFFIN. Let's just talk about your father for a minute.

As you understand it where was your father born?

Mr. RUBENSTEIN. Sokolov, a small town outside of Warsaw.

Mr. GRIFFIN. What kind of family did he come from, do you have any idea?

Mr. RUBENSTEIN. Very nice family, good reputation. His father before him was a carpenter, his brother Abraham was a carpenter. Very well respected.

Mr. GRIFFIN. How many brothers and sisters did he have?

Mr. RUBENSTEIN. I don't know, I don't know.

Mr. GRIFFIN. Did any of his family come to the United States other than him?

Mr. RUBENSTEIN. His brother.

Mr. GRIFFIN. Abraham? When did Abraham come?

Mr. RUBENSTEIN. I don't know.

Mr. GRIFFIN. Before or after your father?

Mr. RUBENSTEIN. I think after.

Mr. GRIFFIN. Is Abraham still alive?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Does he have a family that is still living?

Mr. RUBENSTEIN. Yes; he has a son, a doctor, Dr. Hyman Rubenstein, and he has got about three or four sisters, very nice, family.

Mr. GRIFFIN. Where do they live?

Mr. RUBENSTEIN. On the north side.

Mr. GRIFFIN. They are living in Chicago?

Mr. RUBENSTEIN. In Chicago.

Mr. GRIFFIN. Did you see this family from time to time as you were children?

Mr. RUBENSTEIN. Very, not as regularly as we should. We should have seen them oftener but we didn't.

Mr. GRIFFIN. About how often would you say?

Mr. RUBENSTEIN. Once a year.

Mr. GRIFFIN. Was your father trained as a carpenter?

Mr. RUBENSTEIN. Yes; in the army.

Mr. GRIFFIN. How old was he when he went in the army?

Mr. RUBENSTEIN. He was a young man, very young.

Mr. GRIFFIN. Do you know what rank he attained?

Mr. RUBENSTEIN. According to the thing on his hat for the uniform it was a No. 2, and he always used to get in trouble with the captain, but he always would get right with the captain's wife, he would always make something for her, a cradle or a chair or something to even up the score.

Mr. GRIFFIN. Did he tell you any of his adventures, where he was?

Mr. RUBENSTEIN. He was in China, but he didn't like it. He was in Korea and he didn't like it. He was in Siberia and he hated it most of all. He broke away from the army.

Mr. GRIFFIN. How did he happen to leave?

Mr. RUBENSTEIN. He just left; walked away, walked away; went over to England; from England he went to Canada; from Canada he came to the United States.

Mr. GRIFFIN. Now, when he married your mother was he in the service?

Mr. RUBENSTEIN. He was in the service; in fact I and my sister were born when he left Europe.

Mr. GRIFFIN. You mean you were born after he left Europe?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. You had been born when he left Europe?

Mr. RUBENSTEIN. My sister and I.

Mr. GRIFFIN. That is the oldest?

Mr. RUBENSTEIN. That is the oldest sister.

Mr. GRIFFIN. She is Ann Volpert?

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. Do you know where you and your mother stayed when your father left?

Mr. RUBENSTEIN. Probably in Warsaw.

Mr. GRIFFIN. Do you know any reason why you did not accompany him?

Mr. RUBENSTEIN. Well, the only reason I can give you is he had to get away first. He didn't want the army to find him.

Mr. GRIFFIN. He was really escaping from the army?

Mr. RUBENSTEIN. Right. He didn't want any more of it. He had it. And I think there was a Japanese war going to break out there any day, and he didn't want no part of that so he just broke away.

Mr. GRIFFIN. Do you know if, did he ever mention whether religious problems were a reason, any factor in his leaving or do you have the impression it was strictly his dislike for the military service that caused him to leave?

Mr. RUBENSTEIN. Well, you know Jews in the Russian Army is a tough proposition, a very minority race and he probably didn't like that, either.

Mr. GRIFFIN. He never mentioned that to you?

Mr. RUBENSTEIN. No, he wouldn't anyway. I don't think he is the type of a man who would mention things like that. He always felt that he belonged. We, the Jewish problem was never really brought up. We felt like if you did you were a coward. The Jewish problem was always kept to ourselves. Even

when I went to high school there wasn't too many Jewish people there but we tried to belong. We tried to face it.

Mr. GRIFFIN. And your father; I take it from what you say, was very much this kind of a man that he didn't outwardly voice any feelings of sensitivity or separation because of the fact that he was Jewish in a——

Mr. RUBENSTEIN. I doubt it. I doubt if he would have said anything. No, not with him. But if you asked me that about somebody else in our family——

Mr. GRIFFIN. How about your mother?

Mr. RUBENSTEIN. No, no; I don't think she—she just wanted to look out for my welfare. My mother was very much interested in the welfare, how we got along, how we got along at school and how our progress was going with us in Chicago.

Mr. GRIFFIN. Now, I take it from what you say also that if your father had any family back in Europe once he came to this country he didn't maintain contact with them?

Mr. RUBENSTEIN. I don't think he ever got one letter. I don't remember ever hearing a word of his family in Europe; not one word. We would have known about it. If he heard anything about the family indirectly it was through somebody else. Somebody else from his home town might have gotten a letter and mentioned the fact that so and so——

Mr. GRIFFIN. Did he go into the service with any of his brothers?

Mr. RUBENSTEIN. Who?

Mr. GRIFFIN. Your father.

Mr. RUBENSTEIN. I told you there was only one member taken from a family.

Mr. GRIFFIN. The reason I ask you is I believe that in one of the newspaper articles about Jack's life that was serialized the story was told by the newspaper reporter that your father had joined the service with his two brothers and that your father and his two brothers married your mother and her two sisters.

Do you ever recall a story like that?

Mr. RUBENSTEIN. Never. I don't even remember seeing the article. I don't think it is true.

Mr. GRIFFIN. I am going to ask questions about your mother's family then. Did your mother talk about her family background?

Mr. RUBENSTEIN. Except her father was a very important man in the community. He was like a doctor.

Mr. GRIFFIN. You say like a doctor?

Mr. RUBENSTEIN. I don't know. That is the expression they used at home. I don't know. You know, you are going back 4 or 5 thousand miles, and that is the expression that was used.

Mr. GRIFFIN. Yes; but I take it the words "like a doctor" were used which sort of indicated to you that maybe he wasn't quite a doctor or something similar to it.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Like a pharmacist?

Mr. RUBENSTEIN. Could have been. I know he went out and took care of people and my mother was called in to take care of the family when somebody was sick.

Mr. GRIFFIN. Your mother was?

Mr. RUBENSTEIN. Do you follow me?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. My mother went along as a servant to take care of the needs of the family that was sick. Her father took care of the family in a medical way.

Mr. GRIFFIN. I see.

Mr. RUBENSTEIN. That is the impression that I always had from the stories we gathered at home.

Mr. GRIFFIN. Did your mother spend her life around Warsaw, her early life?

Mr. RUBENSTEIN. I suppose, I don't know.

Mr. GRIFFIN. Do you recall her talking about her life in Europe where she came from?

Mr. RUBENSTEIN. Yes; I think Warsaw was her main life.

Mr. GRIFFIN. Do you recall how big her family was?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Did she have any brothers or sisters who came to this country?

Mr. RUBENSTEIN. One brother, Harry Rutland. He was, he worked for the Union Pacific for many, many years as a boilermaker.

Mr. GRIFFIN. Was Rutland his name?

Mr. RUBENSTEIN. I think it used to be Rutkowsky and he changed it to Rutland, naturally.

Mr. GRIFFIN. Where did he live?

Mr. RUBENSTEIN. Denver.

Mr. GRIFFIN. Is he still living?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Do you have some knowledge he is dead?

Mr. RUBENSTEIN. Oh, no; we know he is dead.

Mr. GRIFFIN. Did he have any family?

Mr. RUBENSTEIN. Four children, two boys and two girls.

Mr. GRIFFIN. I see. Had your family maintained any contact with the Rutland family?

Mr. RUBENSTEIN. About as much as we maintained with Europe. We would see them occasionally when they would come through or during the war, the boys would pass through Chicago they would stop off and say hello, and if I were working west with the Plymouth Rubber Co. and I went to Denver I stayed there for a week. And then Rita left a trunk at our house one time in Chicago for a couple of years and it blocked up our closet and we asked her to remove it. That is the only connection.

Mr. GRIFFIN. Rita is one of his daughters?

Mr. RUBENSTEIN. Out on the west coast.

Mr. GRIFFIN. So far as you know the only aunts or uncles that you have, whoever came to this country, were your father's brother Hyman?

Mr. RUBENSTEIN. No; my father's brother Abraham.

Mr. GRIFFIN. Abraham, who has a son Hyman.

Mr. RUBENSTEIN. A doctor.

Mr. GRIFFIN. And your mother's brother Harry?

Mr. RUBENSTEIN. That is it.

Mr. GRIFFIN. Did you ever hear your mother talk about having any sisters?

Mr. RUBENSTEIN. Here in this country or in Europe?

Mr. GRIFFIN. Either place.

Mr. RUBENSTEIN. I don't remember. There might have been one—I don't think she is a sister. She was very close to my mother. I don't remember her name.

Mr. GRIFFIN. Where was she??

Mr. RUBENSTEIN. I don't know. It has been so many years ago.

Mr. GRIFFIN. Did your mother—do you remember any contact being maintained by your mother with her family in Europe?

Mr. RUBENSTEIN. None. Not even one letter.

Mr. GRIFFIN. How did your mother—did your mother ever express any feelings about that?

Mr. RUBENSTEIN. I imagine she got lonely. She used to sort of daydream and tell us a few stories about Warsaw, and her family but she never mentioned any names. I don't remember her ever mentioning one name.

Mr. GRIFFIN. As you were growing up, as a child, did your mother speak English?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. What did she speak?

Mr. RUBENSTEIN. Jewish.

Mr. GRIFFIN. Yiddish?

Mr. RUBENSTEIN. Yiddish.

Mr. GRIFFIN. How about your father?

Mr. RUBENSTEIN. Yiddish mostly.

Mr. GRIFFIN. So it—the conversation in the home was Yiddish among the children?

Mr. RUBENSTEIN. Always, always with them.

Mr. GRIFFIN. What sort of religious practices were maintained in the home?

Mr. RUBENSTEIN. Not orthodox, not strict, nothing strict, except for the holidays. We would have for Easter, we would follow the Easter services. For Yom Kippur my father would go to synagogue and try to take me along when I was a little boy; and I went to Hebrew school for a while, and that is all I can remember. I don't know whether any of the other boys went to Hebrew school or not.

Mr. GRIFFIN. But at least you as the oldest child——

Mr. RUBENSTEIN. I was an oldest child and they tried to set me as an example for the others, but I couldn't see it. I couldn't understand it. It is like speaking, what is that language that the Catholics use in their church?

Mr. GRIFFIN. Roman.

Mr. RUBENSTEIN. Roman.

Mr. GRIFFIN. Latin.

Mr. RUBENSTEIN. It is like the Catholics speak Latin in their churches and it is like Hebrew speaking to us kids in America, if you don't know Hebrew you don't understand it.

We tried to get some meaning out of it just enough so that we could stay in school and then there was no use. It just didn't absorb. There was no practice. That is the word, practice.

Mr. GRIFFIN. Did your family, did your mother, observe any of the dietary laws?

Mr. RUBENSTEIN. Yes, yes; we had two sets of dishes, and very clean. My mother was very clean with the children and with her own life and her own family and her own home. She was very strict about those things.

Mr. GRIFFIN. Can you explain how it is that your mother would observe the dietary laws and so forth and yet the more religious, the formal religious aspect of the life was not incorporated in your home?

Mr. RUBENSTEIN. Very simple. You try to bring up eight kids in Chicago and keep them in shoes and keep them in school, out of jail, out of trouble, that was enough, that is the big problem. That is more important.

Mr. GRIFFIN. There were troubles in your home, weren't there?

Mr. RUBENSTEIN. Always.

Mr. GRIFFIN. What kind of troubles?

Mr. RUBENSTEIN. Family troubles.

Mr. GRIFFIN. Would you be specific?

Mr. RUBENSTEIN. Between my father and mother.

Mr. GRIFFIN. What seemed to be the trouble?

Mr. RUBENSTEIN. Arguments constantly, quarrels, unfortunately.

Mr. GRIFFIN. What would they fight over?

Mr. RUBENSTEIN. Who knows?

Mr. GRIFFIN. Did your father drink?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us about his drinking?

Mr. RUBENSTEIN. Always. He learned that in the army.

Mr. GRIFFIN. Where would he drink, at home or go to a corner saloon or what?

Mr. RUBENSTEIN. I would say both.

Mr. GRIFFIN. Did he drink to excess?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Was he abusive in any way?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Would you tell us about that?

Mr. RUBENSTEIN. My mother objected to it and they would start to fight and started an argument and sometimes they hit each other.

Mr. GRIFFIN. They did separate at one time did they not?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What was the cause of the separation?

Mr. RUBENSTEIN. Just ill-feeling.

Mr. GRIFFIN. While you were a child, did your mother have any peculiar ideas, any delusions of any sort, did she seem to have any mental problems?

Mr. RUBENSTEIN. Yes; she always felt there was a bone stuck in her throat and about once a month I had to take her downtown. I being the oldest, to a clinic for 50 cents, we had clinics, you know those days, and she insisted there was a bone stuck in her throat from fish, and everytime we would go there the doctor would tell her, "Mrs. Rubenstein, there is nothing in your throat, you are imagining things. Why don't you forget it."

Thirty days later, about 30 days, I don't know, I would go back there with her again. She insisted and I went, she made me go. This kept on for a couple of years, and she finally got tired of going and then we quit going.

Mr. GRIFFIN. Well, was this after you left high school?

Mr. RUBENSTEIN. No; before.

Mr. GRIFFIN. Did there ever come a time when your mother was inattentive to the children, sloppy and so forth?

Mr. RUBENSTEIN. Yes. There came a time when she felt very despondent, very disgusted, because she felt she had to keep up the job by herself taking care of the children, and she was unhappy, and so I think the family service suggested that she go to Elgin Sanitarium for a while.

Mr. GRIFFIN. That was in the thirties, though, was it not?

Mr. RUBENSTEIN. I don't remember what year, but I know I went out to see her one time with my sister Marion, I drove her out there. It could have been the thirties and it could have been the twenties.

Mr. GRIFFIN. But it was after you got out of high school.

Mr. RUBENSTEIN. I don't remember.

Mr. GRIFFIN. How many children were born into the family?

Mr. RUBENSTEIN. Nine.

Mr. GRIFFIN. How many of them are now living?

Mr. RUBENSTEIN. Eight.

Mr. GRIFFIN. And one of them died as a young child?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Where did the one who died come in the picture, in the age span of the children?

Mr. RUBENSTEIN. I don't know. It was a girl. She was about 5 years old, I think.

Mr. GRIFFIN. How did she happen to die?

Mr. RUBENSTEIN. She got burned. She tipped over a kettle of hot soup on herself. It was a very tragic incident in our family.

Mr. GRIFFIN. Were you living at home at the time?

Mr. RUBENSTEIN. I was a kid. I was only about 6 or 7 years old, I think.

Mr. GRIFFIN. Was—it is clear to you that you were a child and you were not an adult when this happened?

Mr. RUBENSTEIN. Oh, definitely.

Mr. GRIFFIN. Was this before your parents separated?

Mr. RUBENSTEIN. Many years before.

Mr. GRIFFIN. How did your mother take that?

Mr. RUBENSTEIN. Don't ask. I thought she was going to go crazy. She loved her children.

Mr. GRIFFIN. I take it you have considerable affection, affectionate feelings toward your mother?

Mr. RUBENSTEIN. Always.

Mr. GRIFFIN. How about the other children, did they feel that way or was there some fighting?

Mr. RUBENSTEIN. Yes; yes.

Mr. GRIFFIN. All right.

Mr. RUBENSTEIN. The reason I think for that is, she had a tough life. It wasn't easy for her putting up with my father all these years, moving from place

to place, trying to raise her children decently and honestly. It was tough for her, and alone.

Mr. GRIFFIN. How did your father feel towards the children?

Mr. RUBENSTEIN. I can't find the word for it but it wasn't like—wasn't—he loved the children but I believe since he didn't have to have an education he felt that grammar school was good enough for all of us, and that is what we should have done. But my mother felt differently. She realized that you have got to have an education to progress, and maybe that is why we all felt more for our mother than we did for our father as a parent.

Mr. GRIFFIN. Your father ultimately came back and lived with you?

Mr. RUBENSTEIN. After my mother died.

Mr. GRIFFIN. Not before?

Mr. RUBENSTEIN. I don't remember.

Mr. GRIFFIN. Of all of the children in the family, who do you think is the one who has paid the most attention to this early family life and would have the most information to contribute on it?

Mr. RUBENSTEIN. I imagine Eva. Eva is a pretty smart woman. She could, she was at home most of the time and I think she could, tell more about the family than any of us. She has a very good memory, too, by the way, which is important.

Mr. GRIFFIN. How close were you to Jack as he was growing up?

Mr. RUBENSTEIN. I wasn't home much. I told you. You have got the history of my life here. I wasn't home much. I am about 10 years older than Jack so when he was 15, I was already 25. I was working and traveling on the road, and whatever he was doing as long as he didn't get into any serious trouble I felt it is OK.

Except one incident and I found this out not so long ago. On the West Side on Roosevelt Road there used to be a place called the Lawndale, it is a restaurant. During the Roosevelt administration some character made a wisecrack about Roosevelt. Jack picked up a chair and was going to hit him right in the head with that and got stopped by two guys.

Mr. GRIFFIN. Did you see this?

Mr. RUBENSTEIN. No; but I was told this by fellows who have no direct connection with them.

Mr. GRIFFIN. Who were those fellows?

Mr. RUBENSTEIN. I can give you the name of the owner of the tavern, I can mail it to you, and the fellow who told it to him was afraid to get involved because he has got a record and I said, "What are you afraid of?"

He said, "I don't want to get involved."

Mr. GRIFFIN. Do you remember the name of the tavern owner?

Mr. RUBENSTEIN. I can find it for you. I can give it to you, I can mail it to you as soon as I get back to Chicago.

Mr. GRIFFIN. Why don't you make a note of it and mail it to us.

Mr. RUBENSTEIN. Sure, this came as a complete surprise to me because we tried to get, we tried to get, some information from the boys how he reacted away from home, and when a fellow told me this, I almost fell through the floor. I know this, Jack went out to the northwest side many times and broke up Bund meetings. That is one thing he wouldn't go for.

Mr. GRIFFIN. You know this from your own?

Mr. RUBENSTEIN. From my own fact, and not that he will tell anybody. It came also back to me.

Mr. GRIFFIN. This other people have told you?

Mr. RUBENSTEIN. Other people told me. They said, "Your brother is terrific. He just goes in there and breaks up the joint." He just couldn't tolerate those guys. Nobody would dare mention the word "Jew" in a derogatory form to him because he would be knocked flat in 2 minutes. That is the kind of a guy he was, hasty, quick, and he was agile, he is built good, he never drank or smoked, and he took care of himself. And I admire him for it and I love him for it.

Mr. GRIFFIN. Did he ever put this strength and physical ability to use in any sort of a job? For example, did he ever act as a bouncer any place?

Mr. RUBENSTEIN. He never liked to show off. He is not that kind of a loud mouth braggadocio, he never went in for that stuff. He hung around Barney Ross all his life. He liked Barney Ross. Everybody liked Barney Ross.

Mr. GRIFFIN. Were you one of Barney Ross' followers?

Mr. RUBENSTEIN. Naturally when you live on the west side you have got to be a follower.

Mr. GRIFFIN. I mean did you hang around him?

Mr. RUBENSTEIN. No; he was Jack's age. I knew Barney through Jack, you know, met him.

Mr. GRIFFIN. I take it you were not in a position to know Jack's friends when Jack was a child.

Mr. RUBENSTEIN. His friends were the fellows who loved life and go out and have a good time. His business associates were fellows who were hustlers and like to make money. So you put two and two together. You find good business associates who are hustlers, and you had to be, without much education, go out and make money, and in the evening you go out and you find the friends you like to spend it with. He never hung around with no hoodlums. We knew hoodlums, sure. If they come into a restaurant where you are, next to them you are sitting, "Hello, Hy," "Hello, Joe." What do you do, ignore them? You have known them all your life, you don't ignore them.

Mr. GRIFFIN. Kids from the neighborhood?

Mr. RUBENSTEIN. Kids from the neighborhood.

Mr. GRIFFIN. Do you have any people in mind?

Mr. RUBENSTEIN. Wherever you lived on the west side there was a hoodlum or became a hoodlum who you went to school with, or you belonged to some club with, or maybe—let me give you another example or you played ball with them. You never knew. You never knew. They surprised you.

Mr. GRIFFIN. Who were Jack's closest friends before he went to Dallas?

Mr. RUBENSTEIN. He was very popular, he had a lot of friends.

Mr. GRIFFIN. Who were the people he was closest to?

Mr. RUBENSTEIN. What age?

Mr. GRIFFIN. Let's take it after he got out of high school.

Mr. RUBENSTEIN. Harry Epstein was one, a business promoter. Sam Gordon on the west coast now, very wealthy man, a business promoter.

Mr. GRIFFIN. How about Ira Kolitz?

Mr. RUBENSTEIN. He knew Ira from the Lawndale; he knew Ira.

Mr. GRIFFIN. But they weren't close?

Mr. RUBENSTEIN. Leave me tell you something now so you people understand. Ira Kolitz comes from one of the finest families in Chicago. His father was a banker on the west side. But living on the west side you are next door—your next-door neighbor might be a hoodlum, you don't know. Maybe Ira Kolitz went to school with Jack, it could have been. Maybe they hung around the same poolroom together. I was in the Army with Ira. How much Jack hung around with Ira, I don't know. I know Ira had a couple of taverns downtown; that I did know. Whether a tavern owner is a hoodlum that is another category, that I don't know.

Mr. GRIFFIN. How about Marty Gimpel?

Mr. RUBENSTEIN. He died; poor Marty. Marty was a nice guy; worked for the post office for many years, saved up a nice piece of change, went down to Dallas, Tex.; they tried to promote homes, build homes, out of log cabins. They built one, they sold it and that was the end of that deal as far as I know.

Mr. GRIFFIN. Was Marty friendly with Jack during the thirties?

Mr. RUBENSTEIN. I don't know. I imagine; yes.

Mr. GRIFFIN. When did you first become aware that Marty was——

Mr. RUBENSTEIN. I don't remember.

Mr. GRIFFIN. Did you know Marty in Chicago?

Mr. RUBENSTEIN. I knew of him. Probably met him once or twice at the house.

Mr. GRIFFIN. Do you know when he went to Texas?

Mr. RUBENSTEIN. No. Leave me tell you about Dallas, Tex. I mean anybody that Jack knew when Jack came up to Chicago maybe once every 4 or 5 years. "Come down to Dallas, I have got a proposition for you." "Come down to Dallas, I have a proposition for you." Everybody he wanted to come down that he wanted to have a friend down there, that was the kind of a guy he was, or else have a place for him to stay, he probably would have a job for them, or if a proposition come up that this fellow could handle Jack would fix him up for it. That was the kind of guy Jack was; you never go hungry with Jack.

Mr. GRIFFIN. Did you know a fellow in Chicago named Frank Howard?

Mr. RUBENSTEIN. No; never heard the name.

Mr. GRIFFIN. Jack Howard?

Mr. RUBENSTEIN. The musicman?

Mr. GRIFFIN. Is that who he is?

Mr. RUBENSTEIN. I don't know, that is the only Jack Howard that I remember.

Mr. GRIFFIN. Tell us how you knew him?

Mr. RUBENSTEIN. I can't tell you nothing. I don't know him that well; no.

Mr. GRIFFIN. Did Jack know him?

Mr. RUBENSTEIN. I don't know.

Mr. GRIFFIN. Do you remember Jack being in the music business?

Mr. RUBENSTEIN. No; I don't.

Mr. GRIFFIN. Selling sheet music or anything like that?

Mr. RUBENSTEIN. That is the guy that Jack counted sheet music; that is the guy.

Mr. GRIFFIN. Did your brother Jack sell sheet music?

Mr. RUBENSTEIN. I don't know.

Mr. GRIFFIN. Did you know a man named Irwin Berke?

Mr. RUBENSTEIN. Never heard of him.

Mr. GRIFFIN. Or Sam Chazin?

Mr. RUBENSTEIN. Never heard of him.

Mr. GRIFFIN. Did you know a fellow by the name of Paul Labriolla?

Mr. RUBENSTEIN. Needlenose; I seen his name in the paper. I never met him.

Mr. GRIFFIN. How about Hershey Colvin?

Mr. RUBENSTEIN. Hershey was an Army buddy of Jack in Mississippi, and Hershey is a gambler by profession, and he now is a bartender on the north side of Chicago. That is about all I can tell you.

Mr. GRIFFIN. Tell us what you mean by a gambler by profession.

Mr. RUBENSTEIN. Well, years ago when everything was open in Chicago, like certain communities were. He is a professional gambler. He dealt cards or he run a crap table, or he was in that particular line. Maybe he booked horses; I don't know. But I know Hershey.

Mr. GRIFFIN. How about Jimmy Weinberg?

Mr. RUBENSTEIN. Never—I heard of him but I don't know him.

Mr. GRIFFIN. Did you know Alex Gruber?

Mr. RUBENSTEIN. Never heard of him.

Mr. GRIFFIN. How about Mike Nemzin?

Mr. RUBENSTEIN. Oh, there is a nice guy. Mike is a nice guy, but Mike is not Jack's friend; he is Earl's friend.

Mr. GRIFFIN. How about Marty Eritt?

Mr. RUBENSTEIN. Rambler agency in Chicago; very well respected and a very nice guy.

Mr. GRIFFIN. Was he a friend of Jack or was he Earl's friend?

Mr. RUBENSTEIN. Both. I think Jack introduced him to Earl.

Mr. GRIFFIN. Did you ever loan Jack any money while he was down in Dallas?

Mr. RUBENSTEIN. No; I didn't. Earl did, I think.

Mr. GRIFFIN. How about Eva; did you ever lend her any money down in Dallas?

Mr. RUBENSTEIN. Yes. Eva went down there, I don't know, before the war. What she was doing down there I can't tell you, how she ever fell in love with that city that is her business. She came up to Chicago one year, and I had a little money hustling around like I told you, buying and selling things for

myself. "I got a good spot," she says. "1717 Ervay Street." I said, "What do you need?" She says, "I need about a thousand dollars." I said, "What for?"

She wants to buy a piano, so I bought her a piano and cost me $625 for the piano. She wanted a loudspeaker system for the nightclub, cost me a couple of hundred bucks for that. Then she bought some dishes, and some pots and pans for the restaurant in the back. I said, "O.K. I will ship them all down to you." We picked out the piano. I got her the loudspeaker system, and the paraphernalia that goes with it, the speakers, and we went down to Maxwell Street and we bought pots and pans and dishes and cups and saucers and shipped it all down to Dallas, Tex. That was the last I heard of it until I went down there. I was subpenaed by the Government by a guy by the name of Paul Jones. They got in a jam. How did she meet Paul Jones? Eva sent him up to Chicago and he is in Chicago and he calls me. I came downtown and I met him. Do you want this part of the story now?

Mr. GRIFFIN. Yes; go ahead.

Mr. RUBENSTEIN. Paul is looking over things down in Dallas that they can't buy. We were looking for stuff in Chicago that you can't buy either; merchandise, legitimate merchandise. One of the items was pipe. Of course right after the war, you couldn't buy anything. There was nothing to be had. I made a connection with somebody I don't remember now—this is 20 years ago—on pipe. So I sent Paul down a small piece of pipe about 6 inches, and I put a sticker on it and I mailed it down to Dallas, and I said, I sent him a letter, how else can you send a piece of pipe, that was the best way. I figured nobody is going to use a piece like that. I put a label on it and I mailed it down to Paul Jones.

I mailed it to the tavern; Eva's place. He got it.

Mr. GRIFFIN. Had you met Jones before you sent the pipe down?

Mr. RUBENSTEIN. Up here in Chicago. I never heard anything else from Paul Jones. But shortly after I am subpenaed, come down to Dallas by the U.S. District Attorney from Chicago, Al Lehman, who died since, they wanted me to go to Dallas. "What do you know about Paul Jones?" So I told them. He said, "Go down there and tell the truth," and I did. I go down to Dallas, the district attorney down there cross-examined me for about an hour, and I told him exactly what happened about the pipe deal, and he didn't like it because he subpenaed me as his witness, here I am testifying for Paul Jones on the pipe deal. I had to tell him the truth. So he got sore at me, and I said, "Look, I don't want no part of this court; you sent for me and I am telling you the truth," and he got angry at me. That was it.

I hung around, this was not in Dallas, the trial was in Nuevo Laredo, Tex. It seems that some of Paul's associates were smuggling dope, by airplane, from Mexico—across the line—and Paul got grabbed. They found my ticket, I think one of my cards, in his pocket. So, I am subpenaed. I am a dope peddler right off the bat. What the hell do I know about dope peddling? And that was the story of my connection with Uncle Sam. I don't know what year it was, either 1944 or 1945. That was it.

Mr. GRIFFIN. Was it before or after Jack had moved down to Dallas?

Mr. RUBENSTEIN. Jack was in the service.

Mr. GRIFFIN. This was while Jack was in the service?

Mr. RUBENSTEIN. I am almost positive.

Mr. GRIFFIN. Jack didn't testify in that trial, did he?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Do you recall being questioned by Federal narcotics agents in connection with Jones?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Was that—were you questioned about that before or after the trial?

Mr. RUBENSTEIN. It must have been before the trial because after the trial they let me go. They didn't even bother with me after that because I was no good to them.

Mr. GRIFFIN. So the best way to date it when you went down there was when the Federal narcotics agents questioned you in Chicago?

Mr. RUBENSTEIN. Yes. Al Lehman, I think, was the one who questioned me.

Mr. GRIFFIN. How about Jack, was he questioned at the same time?

Mr. RUBENSTEIN. Jack was in the Army.

Mr. GRIFFIN. You don't have any recollection of his being questioned?

Mr. RUBENSTEIN. Jack was never in Dallas before in his life. He didn't know nothing about Dallas. He never met Jones. I met Jones through Eva.

Mr. GRIFFIN. You don't ever remember meeting Jones with Jack?

Mr. RUBENSTEIN. I told you Jack did not know Jones.

Mr. GRIFFIN. Well now, if the record showed differently, would you think you might be mistaken?

Mr. RUBENSTEIN. No; I am almost positive. Because this was before Jack went down there.

Mr. GRIFFIN. Do you remember a time when Jack was living at the Sherman Hotel?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. All right. When was that?

Mr. RUBENSTEIN. When he came out of the Army.

Mr. GRIFFIN. Do you recall if during part of the period when he was living at the Sherman Hotel he also went down to Dallas for a while to see Eva?

Mr. RUBENSTEIN. I don't remember that.

Mr. GRIFFIN. Incidentally, when Jack was in Chicago were there times when he did not live with the family?

Mr. RUBENSTEIN. Yes; when he stayed at the Sherman Hotel.

Mr. GRIFFIN. Any other time?

Mr. RUBENSTEIN. Either the Sherman or the Congress, one of the two hotels I know he stayed.

Mr. GRIFFIN. For how long was he living in a hotel?

Mr. RUBENSTEIN. I don't know, after he got out of the service.

Mr. GRIFFIN. Why was it that he was not living with the family?

Mr. RUBENSTEIN. He had sold out his business to my brother Earl or part of his interest to my brother Earl, and he had some money, and so he felt he wanted to live by himself for a while, which is all right. I mean he was no kid any more, he was a man.

Mr. GRIFFIN. Was there room for him at home?

Mr. RUBENSTEIN. I don't remember.

Mr. GRIFFIN. Did you have any contact with Jack during the fall of 1963 prior to the time that the President was assassinated?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us about your contact with Jack?

Mr. RUBENSTEIN. In the fall of 1963. Let me tell you when the first time was. He called me on the phone, the records you get from the telephone company, and he is going to send me up—he wanted me to come down and become his manager of the Carousel Club.

Mr. GRIFFIN. When was this?

Mr. RUBENSTEIN. In the fall, sometime in the fall of 1963 and he also told me in 1962 he wanted me to come down——

Mr. GRIFFIN. Let's talk about this being the manager first before we get into the other thing.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Why did he need a manager?

Mr. RUBENSTEIN. He wanted someone in the family to run the place.

Mr. GRIFFIN. What was he going to do?

Mr. RUBENSTEIN. He was going—he used to come down later. Jack did not come down early. A manager has got to be there from 4:30 until closing. Jack used to come down around, I understand, nine or ten o'clock in the evening. Probably he belonged to a couple of the clubs there, I understand he was a member of the YMCA and the Dallas Athletic Club I think he was a member of—maybe even had a girl friend or two, I don't know.

Anyway, he asked me to come down and be the manager. I could not see working in a place 7 days a week, I couldn't stand the noise in the striptease joints, those brassy bands, you know. I know right away that was out.

Mr. GRIFFIN. Were you having trouble at that time making a living?

Mr. RUBENSTEIN. No; I had a good job. I was making good money.

Mr. GRIFFIN. Now, this is in 1963, this was after you left the Lewis Ribbon Co.

Mr. RUBENSTEIN. Yes; I had a lot of money outstanding on the road from merchandise I had sold to my customers and that was more important to me than taking any kind of a job.

Mr. GRIFFIN. This wasn't going to help you out?

Mr. RUBENSTEIN. He thought—he didn't know what my position was.

Mr. GRIFFIN. But you told him, did you tell him, that you really didn't need it? That you were doing all right?

Mr. RUBENSTEIN. Yes; I told him, I didn't want no 7-day a week proposition right off the bat, that was No. 1.

No. 2, I was a little bit too old for that kind of a deal. You get to be a certain age you don't want that noise all night long and you realize it, you don't have to be there but you can realize it, you can visualize the job. I didn't want it.

All of a sudden he sends me up, do you know what a twistboard is? I should have brought one with me.

Mr. GRIFFIN. Tell us what it is.

Mr. RUBENSTEIN. I showed it to the FBI. Somebody in Dallas invented a twistboard. It is a square board, two boards, one on top of the other with a ball bearing that separates it in the center.

Mr. GRIFFIN. So that one piece of wood rests on the floor and the other would swivel around on the top of it?

Mr. RUBENSTEIN. And you stand on this and you can twist.

Mr. GRIFFIN. Indicating you stand on the board and twist your body around.

Mr. RUBENSTEIN. "$1.69 retail, hottest thing in the world. Go out and sell it." I still have it home with the original wrapper and all.

Mr. GRIFFIN. This is what Jack told you?

Mr. RUBENSTEIN. He told me and he also made me a sample.

Mr. GRIFFIN. How many did he mail you?

Mr. RUBENSTEIN. Just one. He mailed Earl one, anybody in Chicago he thought he could contact for promotion he mailed one, because he had the distributorship.

Mr. GRIFFIN. Do you remember any——

Mr. RUBENSTEIN. That is the kind of a guy Jack is. He gets a hot item, boom, he wants to go out and sell it, promote it, that is his life.

You can never take that out of a person.

Mr. GRIFFIN. Do you remember some of these other things that he did like that?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us about it.

Mr. RUBENSTEIN. When Roosevelt died he was the first one with a plaster of Paris bust, and he sold them all over the country. I don't know, it wasn't much. He probably paid them $1 apiece for them and sold them for $2.

Mr. GRIFFIN. Do you know who manufactured them?

Mr. RUBENSTEIN. No; but somebody in Chicago done Jack a favor, they made him a mold and kept on making these things for him and he either shipped them or took them and sold them by himself, always something, anything that is hot, he is right there out with it.

Mr. GRIFFIN. Any others; can you think of any others?

Mr. RUBENSTEIN. Punchboard deals. He would pick up items that the average person couldn't afford to buy. Let's say a small radio, probably would retail for about $18 or $19 he would arrange on a punchboard card that from 1 to 39 cents the winner would get the radio and the guy selling the board would get a radio, that the radios would probably cost him about $5 apiece because they would buy lots of them, small radios, little ones, cheaply constructed. Well, you walk into a plant and get hold of a foreman and say, "Would you like one of these for yourself?" "Sure." "Well, sell out the punchcard on their lunch hour, mail me the money, give the winner this radio and I will mail you a radio." Perfect. Good gimmick.

Mr. GRIFFIN. As I understand it then, part of the punchboard gimmick was that he would give some merchandise away with it, is that right?

Mr. RUBENSTEIN. That is right. Incentive. Otherwise, why should the foreman take the board? The foreman wants one exactly like he is going to give to the winner, and there was always enough profit left over for Jack to sufficiently

cover his expenses, and make a little profit on the side, and that was one of his other promotion deals.

What else did he do? During the football seasons when he was a kid, you know, these little footballs with the school colors. He would go out to the games, Wisconsin, Ohio, Champaign, Mich., he would leave on the Friday morning with some fellow who had a car and they would load up the car with these emblems and these different school things and he would sell them.

That is another one of the things he did when he was—after he got out of high school—I forgot to tell you that. That was a good deal for him.

Mr. GRIFFIN. Can you think of anything else? While he was in Dallas, did he call you with anything else beside the twistboard, any other promotions he had? How about entertainers?

Mr. RUBENSTEIN. Yes. He had more trouble—this is a guy in charge of the union down there was giving Jack a headache.

Mr. GRIFFIN. I am not asking you for his problems now, did he promote any entertainers?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us about that.

Mr. RUBENSTEIN. He came up to Chicago on one time with a little colored boy by the name of Sugar Daddy, was about 10 years old.

Mr. GRIFFIN. Would this have been Little Daddy Nelson?

Mr. RUBENSTEIN. I don't know; I don't know the extra name but there was a little colored boy who was the greatest piano player and singer for a kid 10 years of age.

Jack took him to Chicago, tried to get him on the TV and tried to get him on radio, and we went to New York, Jack spent all this money, and the deal was all set, with even a tutor for the kid, a tutor, all set, the contract was going to be signed, and everything, and he had to give the mother and father 25 percent or something like that of the kid's earnings and Jack took 25 percent, I think for his work and expenses, and the kid would get the rest of the 50 percent and all the money for the tutoring would come out of the kid, expenses and so forth, all set and signed. This you will never believe. A second mother shows up. You know that would make a story in itself.

Mr. GRIFFIN. Tell us about it.

Mr. RUBENSTEIN. I don't know, that is it. That is all.

Mr. GRIFFIN. How did you learn about the second mother?

Mr. RUBENSTEIN. From Eva.

Mr. GRIFFIN. When did you learn about this?

Mr. RUBENSTEIN. Way after; Jack was advised by his lawyer in order to avoid a lot of legal difficulties, and all that stuff, drop it, and Jack dropped it like a hot potato. You can get yourself into a lot of trouble, two mothers. Talk about Jack with his promotions. That is the kind of a guy Jack was, you would love him, nice guy, likable guy. Do you a favor any time.

Mr. GRIFFIN. What other promotions can you think of?

Mr. RUBENSTEIN. It is really funny. Jack's promotions. I wish I could think of all of them. Ever since he was a kid. I can't think offhand now. But when I heard about that two-mother deal that was really funny.

Mr. GRIFFIN. Did you hear about the two-mother problem before or after the President was killed?

Mr. RUBENSTEIN. Oh, this is long before.

Mr. GRIFFIN. So this is something that was, you all knew about?

Mr. RUBENSTEIN. I am just trying to give you the background of Jack's life, what kind of a guy Jack was. He would never hurt anybody, I mean either physically or mentally. He loved life, he loved a story, he loved to laugh, he loved women, and—but don't hurt him, don't hurt him or you would never hear the end of it. He was very sensitive, very sensitive.

Mr. GRIFFIN. Give us some examples of that.

Mr. RUBENSTEIN. Well, I gave you one about the Roosevelt chair, and I am trying to think of something very important in his life. Yes; he popped Eva on the nose one time.

Mr. GRIFFIN. How did that happen?

Mr. RUBENSTEIN. I don't know. Something about chop suey. I wasn't there.

He popped my own sister on the nose. That is the kind of a guy he was, something quick, something broke in him and he hit her, hit her right in the nose, which isn't like our family.

Mr. GRIFFIN. So when you say he wouldn't hurt anybody, what do you mean by that?

Mr. RUBENSTEIN. I mean he wouldn't go out of the way and start a fight. I mean he wouldn't just pick a fight on the street.

Mr. GRIFFIN. He did fight with people on the street?

Mr. RUBENSTEIN. Oh, yes; oh, sure—sure. That is because they were doing something to, something to hurt him.

Mr. GRIFFIN. Or at least he felt they did?

Mr. RUBENSTEIN. That is right. He wouldn't start anything. Let's put it that way. He wouldn't start anything. He would let the other guy start it. That would be the end.

Mr. GRIFFIN. Well, when you say he wouldn't start anything, he sometimes would strike the first blow, wouldn't he? He didn't wait for the other guy to hit him?

Mr. RUBENSTEIN. That is true. But there must have been cause to lead up to it.

Mr. GRIFFIN. You feel that these—were there any times when you observed him in a fight?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. So what you are telling us about his fights you heard from other people, fights that he did get in? How about arguments? Have you observed him in arguments with people?

Mr. RUBENSTEIN. Yes; he was a little bit stubborn with his arguments. When he felt he had a certain idea that was it. He was a hard person to change or to convince.

Mr. GRIFFIN. Do you think—was Jack a personally ambitious person?

Mr. RUBENSTEIN. Oh, definitely.

Mr. GRIFFIN. What were his aspirations and his ambitions? I want you to tell us from your own personal knowledge. Do you have any personal knowledge of what his aspirations and ambitions were, did he ever talk to you about that?

Mr. RUBENSTEIN. No; but I feel he always wanted to be successful and he was capable, and always trying to meet the right type of people, where he could either be friendly or have knowledge to a promotion. Let's put it that way. To him a promotion was the greatest thing in his life, something to have exclusive that was his, with his experience in selling items and promoting items, or promoting an individual, where he would get some profit out of it, that was his ambition.

Mr. GRIFFIN. Well, was he interested in the promotion aside from making money, was he interested in any notoriety that he might get out of it?

Mr. RUBENSTEIN. Jack was not the type, I am trying to tell you. Jack was not the notorious type of a person. Because of all the fights that he had, he never came home and told us about one. We had to hear it from his friends.

Mr. GRIFFIN. Did he do anything, did he promote anything which would have also involved the promotion of himself?

Mr. RUBENSTEIN. Explain that.

Mr. GRIFFIN. Well, for example, in the promotion of this Little Daddy, would it have become known that, generally known that, this was Jack's boy? Would Jack have received some recognition for that?

Mr. RUBENSTEIN. Possibly. It is possible naturally being in the entertainment field and Jack was learning more and more about the entertainment field and the prospects of promotion in another form, naturally he would have to be recognized as he is the one who found Sugar Daddy.

Mr. GRIFFIN. Can you think of any other thing that he was promoting, any products that he was promoting?

Mr. RUBENSTEIN. Yes; some vitamin deal down there. He mailed us a sample that somebody was making something down there but I couldn't see it. He mailed me a sample of that, too, I believe. Somebody was making a vitamin pill down there that Jack got ahold of and he became the distributor.

Mr. GRIFFIN. He wanted you to sell them. You started out to tell us about the twistboard.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. And how Jack contacted you on the twistboard. Tell us what happened.

Mr. RUBENSTEIN. He wanted me to call on the department stores on the road. He says that is where they sell best. I would make about $3 a dozen which is a good deal, because if they start selling the reorders would come in automatically, the missionary work is hard, when you are making $3 a dozen on an item that sells for $1.69 that is a pretty good profit.

Mr. GRIFFIN. So you thought Jack's idea as far as pricing was concerned, he was talking about selling them for $1.69?

Mr. RUBENSTEIN. Retail, I think so.

Mr. GRIFFIN. Retail for somewhere less than $2?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. And you would have made?

Mr. RUBENSTEIN. Three dollars a dozen.

Mr. GRIFFIN. Three dollars a dozen, which would have been how much on each item?

Mr. RUBENSTEIN. A quarter on each item.

Mr. GRIFFIN. Is that the normal?

Mr. RUBENSTEIN. Yes; for a salesman, yes; that is about right. Especially for an item like that, I don't think it costs very much to make, to be honest with you. Two pieces of board, and some kind of a gimmick in the center in between.

Mr. GRIFFIN. All right. What was your response to that one?

Mr. RUBENSTEIN. I hadn't had a chance to take it out. It was shortly before the incident.

Mr. GRIFFIN. Did he send you anything else in connection with it besides the board?

Mr. RUBENSTEIN. Literature. I think I got some literature if I can find it. I have got the board home, that I can show you, with the original wrapper.

Mr. GRIFFIN. Did he ask you to advertise in any newspapers or anything for him?

Mr. RUBENSTEIN. No; I don't remember that.

Mr. GRIFFIN. Was it your intention to try to sell these and promote them?

Mr. RUBENSTEIN. I didn't ask him for the board. He just mailed it to me with all the literature after he spoke to me about it.

Mr. GRIFFIN. How many times did he speak to you about it?

Mr. RUBENSTEIN. I don't remember, several times, I would say.

Mr. GRIFFIN. Was he going to have a company name or anything that he was going to use?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What was it called?

Mr. RUBENSTEIN. Spartan; you see his nickname is "Sparky." He was going to call it Spartan Manufacturing and Promotional.

Mr. GRIFFIN. How did he get the nickname "Sparky"?

Mr. RUBENSTEIN. Fast, aggressive, quick thinker, always on the ball, you know, I imagine that is where he got the name.

Mr. GRIFFIN. You don't really know of your own knowledge?

Mr. RUBENSTEIN. No; but how else would a fellow get a name "Sparky". Like a sparkplug, fast, you know, lightning.

Mr. GRIFFIN. Did Jack have occasion to call you in the fall of last year before November 22 for any reason other than about the twistboard?

Mr. RUBENSTEIN. Yes; union trouble.

Mr. GRIFFIN. When did he call you about that?

Mr. RUBENSTEIN. I don't remember the exact date.

Mr. GRIFFIN. Tell us what he said to you and what you said to him about the union trouble.

Mr. RUBENSTEIN. I can't give you the exact words but I will come close to it. He wanted me to contact some people in Chicago who had connections with AGVA in New York, the president. I didn't know anybody so I started calling people. I called everybody in Chicago I knew. One of the fellows I called was

Jack Yanover. Jack Yanover owns the Dream Bar at 1312 South Cicero Avenue, a striptease joint.

Jack and I are old friends for many years, in fact, he is one of the oldest friends I have. Jack told me two things, Jack Yanover. First, my brother Jack was looking for girls down there, was only going to pay them $150 a week for 6 weeks' work. So Jack Yanover explained to me, he says, "You cannot get a girl to go down to Dallas for 6 weeks' work for $150 a week and she will have to pay her own expenses, that is out. They won't do it." And the second problem was with the union. Jack Yanover told me that the people in Chicago, the agents, the union agents, had no connection with the agents in Dallas. It would have to come from New York, and Joey Adams, I think, is one of the big men in the organization, the entertainer Joey Adams, president. So I tried to call some people in Chicago who could get to Joey Adams or anybody else in the New York deal. I didn't succeed, let's put it that way. I remember now. We didn't succeed. It was just one of those things that didn't work out, and if I am not mistaken I think Jack tried to call some of the other boys in Chicago, one bail bondsman, I can't think of his name, and then he tried to call Lenny Patrick, I believe, Lenny Patrick, and then I think he tried to call somebody else.

Mr. GRIFFIN. How about a fellow named Barney Baker?

Mr. RUBENSTEIN. Baker?

Mr. GRIFFIN. Barney Baker, did you ever hear of him?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. How does Jack know Lenny Patrick?

Mr. RUBENSTEIN. Everybody knows Lenny Patrick. When you go to school you know everybody in a school, grade school or even high school, and if you lived on the west side you know Lenny Patrick because Lenny Patrick, you walk into a delicatessen or into a poolroom, "Hi, Lenny," "Hi, Jack," that is how you know him.

Mr. GRIFFIN. What does Lenny Patrick do?

Mr. RUBENSTEIN. I don't know what he does.

Mr. GRIFFIN. Does he make an honest living?

Mr. RUBENSTEIN. I think gambling is his biggest racket. I think so.

Mr. GRIFFIN. Do you know a fellow in New York by the name of Frank Carbonaro?

Mr. RUBENSTEIN. Carbonaro. He is the guy who used to ship my merchandise for me when I was in business for myself. 811 East 242d Street, Bronx 70, N.Y.

Mr. GRIFFIN. What was his connection with the shipping?

Mr. RUBENSTEIN. He bought my merchandise for me and he shipped it to me for my customers. You see New York is the ribbon market of the world. You can't get the stuff anywhere else than in New York, certain items, and Frankie took care of those things for me. I paid him a commission on every order. That is how it worked out.

Mr. GRIFFIN. How about the Morris Paper Mill Co., did you have some dealings with them?

Mr. RUBENSTEIN. Yes; all the time. I buy paper boxes from them, Morris, Ill., florist boxes.

Mr. GRIFFIN. Do you recall anything else that Jack called you about before November 22 of last year?

Mr. RUBENSTEIN. If you would give me an inkling I will give you an answer. I won't lie to you because I have nothing to hide.

Mr. GRIFFIN. Did he ever call you about Eva?

Mr. RUBENSTEIN. I think he was having a little trouble with Eva, I think. She was sick. Yes. Eva was sick and going for an operation, so I mailed her a check for $100, make her feel better. I mailed it to the club. So Jack would give it to Eva so she would have $100 to help her with the operation. That was it, and he loved me for it. He said that was wonderful. He said, she hasn't been up here for many years and she thought that we had completely ignored her. So he thought by doing that she felt closer to the family, that we were *thinking of her.*

Mr. GRIFFIN. Did he ever talk to you about Eva?

Mr. RUBENSTEIN. Always, always.

Mr. GRIFFIN. But I mean——

Mr. RUBENSTEIN. Whenever he called.

Mr. GRIFFIN. Last fall, did he ever make any special telephone calls about her?

Mr. RUBENSTEIN. I can't think of anything special.

Mr. GRIFFIN. Let's focus again on the twistboard. Was Jack planning to manufacture the twistboard?

Mr. RUBENSTEIN. No; somebody down there was making it for him.

Mr. GRIFFIN. Do you know of any other people he talked to about the twistboard in connection with promoting it?

Mr. RUBENSTEIN. He was going to call some other people. I don't remember who the names were. I wasn't too much concerned because frankly, I do not have enough time to donate to an item that is not relating to my business because when you walk into a department store, you can be tied up for 2 solid hours selling something to a buyer if you find him, and 2 hours a day is a lot of my time when I am on the road trying to call on my own customers. So, therefore, I wasn't too much interested, that is my answer.

Mr. GRIFFIN. Did Jack mention to you the names of any other people who were associated with him in the twistboard?

Mr. RUBENSTEIN. I can't think of the name. There is somebody down there, yes, but I don't know who he is. I wasn't concerned, I was only interested in Jack. If Jack wanted to promote it I was going to try to find him some other fellows to help with selling it. I never got any chance.

Mr. GRIFFIN. How many days a week do you work?

Mr. RUBENSTEIN. I am on the road 240 days a year when I am working right, you know, when I get started right, before November 1963.

Mr. GRIFFIN. You work Monday through Friday or Monday through Saturday?

Mr. RUBENSTEIN. Saturday.

Mr. GRIFFIN. Where were you on November 22, the day the President was shot?

Mr. RUBENSTEIN. I happened to be in Chicago. I was at the Harry Eichenbaum's store, Merrill Manufacturing Co.

Mr. GRIFFIN. When were you there, at what time of the day?

Mr. RUBENSTEIN. At the moment when the President got assassinated. When the people heard it on the radio, I didn't believe it, nobody believed it. Who could believe a thing like that? And then all of a sudden everything seemed to quiet down, the whole area, and then it finally leaked out that it was the truth. My God, you could know it is like an atomic bomb hit you. It is just one of those things. We all loved this guy. He was a real guy. He was a friend of our people, too, by the way, which is important to us in America.

Mr. GRIFFIN. What happened, what did you do after you learned the President was shot?

Mr. RUBENSTEIN. What was there to be done, nothing. Nobody could work. Everything seemed to stand still. I finished my business, what I had to do, I picked up some stuff downtown, I think—yes, I remember, I went out to the Flavor Candy Co. and picked up a couple of cases of candy because the girl told me about it the other day, she said, "Remember you were here on that Friday, November 22." She knew all about the family. She knows the family, and I says, "Was I here that day?" She says, "Yes. That is the last time we saw you." I didn't even remember where I was that day. I mean the thing hits you like a shock. It just isn't right, it isn't normal.

Mr. GRIFFIN. Do you remember what you did after that?

Mr. RUBENSTEIN. I probably went home. I probably did. I don't know, because I was home that Friday night.

Mr. GRIFFIN. Who is living with you at your house?

Mr. RUBENSTEIN. Marion Carroll, my sister, and Ann Volpert.

Mr. GRIFFIN. Did Marion and Ann normally work on Fridays? Were they both employed?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. So there would be nobody home during the day.

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. You have another sister, is that right, Eileen?

Mr. RUBENSTEIN. Eileen is married and lives about 2 miles west from where we do.

Mr. GRIFFIN. Does she work?

Mr. RUBENSTEIN. No; she has two little girls she has to take care of.

Mr. GRIFFIN. Do you remember what happened when you got home?

Mr. RUBENSTEIN. Friday?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Who you talked to and so forth?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What happened? Let's try to take this, if we can, chronologically. What happened when you walked in the door?

Mr. RUBENSTEIN. I can't remember that particular incident. You mean what time I got home and what happened? I don't remember. I don't even remember who was home.

Mr. GRIFFIN. What is the first thing you remember doing when you were home that evening or afternoon?

Mr. RUBENSTEIN. The family was—our family couldn't believe it because it happened in Dallas. It was a bad rap for the city of Dallas and we having there members of our family down there, sort of like a black mark; you know, it sort of gets you. How come of all the places, in Dallas? You know. Then we got a call. Would you mind me telling you about?

Mr. GRIFFIN. Yes; I want to know about that.

Mr. RUBENSTEIN. At 9 o'clock Friday night we got a call from Jack. He felt very, very bad about.

Mr. GRIFFIN. How long did he talk to you?

Mr. RUBENSTEIN. Oh, quite a while.

Mr. GRIFFIN. How long would you say?

Mr. RUBENSTEIN. I would say 10 or 15 minutes. He was disgusted with the whole situation down there. He said, "You know this is a good time for me to sell out and come back up north."

Mr. GRIFFIN. Did he talk to you?

Mr. RUBENSTEIN. To me.

Mr. GRIFFIN. What did you say?

Mr. RUBENSTEIN. I didn't know what to tell him. What can I tell him. I am a thousand miles away from him. I don't know what the answer could be, I hadn't seen him in quite a while. I don't know what his position is down there. I couldn't see what his selling out would help with losing our wonderful President. It was too close to the assassination to even think. What could you tell a person?

Mr. GRIFFIN. Why did he want to sell out?

Mr. RUBENSTEIN. He was so disgusted and fed up with the whole God damn town, that is why.

Mr. GRIFFIN. He was upset with Dallas?

Mr. RUBENSTEIN. Absolutely.

Mr. GRIFFIN. All right. Tell us what he said that indicated that, and what his earlier problems had been that would have, you know, made him feel that way?

Mr. RUBENSTEIN. Well, he had no problems outside of this union, and the hiring, getting new girls for the show. That he probably could have straightened out eventually; and he was going all right. He was making money, I imagine, because I believe he was paying all his bills. I think he owed Uncle Sam a little money but he straightened that out eventually.

But the fact is that he probably didn't want to have any connection between a city that murdered his President and him—he just wanted to separate himself from that.

Mr. GRIFFIN. What did he say to you that indicated that?

Mr. RUBENSTEIN. Because he said, "This is a good time for me to sell out and come back up north."

Mr. GRIFFIN. That is all you can remember him saying?

Mr. RUBENSTEIN. That is all I can remember him saying. He says, he started

off, "Can you imagine, can you imagine," like that, and he sounded like he had tears in his eyes.

Mr. GRIFFIN. What else do you recall him saying during that conversation?

Mr. RUBENSTEIN. I couldn't say much, because we still felt that sickness when the President got shot.

Mr. GRIFFIN. Did you do most of the talking?

Mr. RUBENSTEIN. No; I let him talk, I wanted him to talk.

Mr. GRIFFIN. Why did you want him to talk?

Mr. RUBENSTEIN. Because he was so close to the situation. He was close to Dallas. He probably has got some facts that we didn't get out here.

Mr. GRIFFIN. Did you ask him what was going on down there?

Mr. RUBENSTEIN. No; I didn't ask him anything because I felt it was enough. I didn't want to know anything. That was enough to hear.

Mr. GRIFFIN. Were your two sisters home when you called?

Mr. RUBENSTEIN. Yes; I think that Mary spoke to him first and then I got on the phone.

Mr. GRIFFIN. About how long did you speak to him?

Mr. RUBENSTEIN. About, I would say 10 minutes.

Mr. GRIFFIN. How long did your sisters speak to him?

Mr. RUBENSTEIN. I don't know. We weren't—we had the television turned on, I had my television turned on, in the living room trying to get the news.

Mr. GRIFFIN. Now, are you clear in your mind that this conversation about thinking about coming back——

Mr. RUBENSTEIN. Yes; definitely.

Mr. GRIFFIN. No; that it happened on, at the 9 o'clock telephone call.

Mr. RUBENSTEIN. 9 o'clock telephone call, Friday night, the day of the assassination.

Mr. GRIFFIN. Well now, did Jack make some other calls to you in the next day or so?

Mr. RUBENSTEIN. I think he did. I think he did.

Mr. GRIFFIN. Do you think, do you have any clear recollection?

Mr. RUBENSTEIN. No; I think he called everybody. He called Eileen, and I think he called us, and he called Earl.

Mr. GRIFFIN. I am just asking you to think about what happened to you. What did you do after the telephone call?

Mr. RUBENSTEIN. I hung up. What is there to do?

Mr. GRIFFIN. What did you do the rest of the evening?

Mr. RUBENSTEIN. I sat down and watched the rest of the program on television.

Mr. GRIFFIN. Did you hear again from Jack that night?

Mr. RUBENSTEIN. I don't remember. I don't think we did. It was too late then.

Mr. GRIFFIN. How about—did you hear from any of your other friends or relatives?

Mr. RUBENSTEIN. Eileen called, I think, after that. She said, "Jack called me," my sister Eileen.

Mr. GRIFFIN. I see.

Mr. RUBENSTEIN. And she called the house, too.

Mr. GRIFFIN. Was your understanding that Jack called both you and Eileen?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. You think he talked to Eileen before or after?

Mr. RUBENSTEIN. I don't know, he could have called her before.

Mr. GRIFFIN. How do you fix the time of his call at 9 o'clock?

Mr. RUBENSTEIN. Good; I am glad you asked me that. Because when I was in Dallas during the trial they were supposed to subpena me as a witness.

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Our wonderful lawyer Belli, so Eva and I sat in the hall through the whole trial waiting to be called as witnesses.

Mr. GRIFFIN. For your brother?

Mr. RUBENSTEIN. My brother Jack and also about this telephone call. Bob Dennison, our investigator, who the lawyer hired, gave me this message.

Mr. GRIFFIN. In other words, Bob Dennison had checked some records and found that you had—that he had made a call at that time?

Mr. RUBENSTEIN. He wanted me to have it so that I would be able to tell the judge and the jury exactly what happened that Friday night.

Mr. GRIFFIN. All right. What you have done is handed me an orange sheet of paper which says, "While you were out" and then there is a message written down on it, "Call to Hyman in Chicago, call made from WH 1-5601, to SH 3-0984 on November 22, 1963, on 9:02 p.m."

Mr. RUBENSTEIN. Do you want this?

Mr. GRIFFIN. No; I have read it into the record and that is satisfactory. Thank you.

Aside from that note that Mr. Dennison gave you what recollection do you have that you placed the call at about 9 o'clock?

Mr. RUBENSTEIN. I know it was after 8 o'clock because we had dinner late that evening or something, and I remember getting a call later on in the evening.

I didn't know it was exactly 9 o'clock. I didn't know, until Bob handed me the note.

Mr. GRIFFIN. Is there anything that places the call before 10 o'clock?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What?

Mr. RUBENSTEIN. Too late. I mean we usually don't get many calls after 9 o'clock at home, usually.

Mr. GRIFFIN. Well, but——

Mr. RUBENSTEIN. Under normal procedures we don't.

Mr. GRIFFIN. Was there anything about this particular call that makes you think it was before 10 o'clock?

Mr. RUBENSTEIN. I think so. I don't know why. I can't give you a real honest answer, I don't remember.

Mr. GRIFFIN. Do you have a clear recollection that not only you talked with Jack but that your sisters Marion and Ann talked on that call?

Mr. RUBENSTEIN. I am almost positive.

Mr. GRIFFIN. Did Jack call you again the rest of the weekend? Did you hear from him again?

Mr. RUBENSTEIN. I think he did call.

Mr. GRIFFIN. When do you recall hearing from him?

Mr. RUBENSTEIN. I think he called Saturday night. I think he called the night after. I think so. I am not sure.

Mr. GRIFFIN. Do you remember anything about what was said at that time?

Mr. RUBENSTEIN. No; I don't because if I remember what he said I would remember if he would have called.

Mr. GRIFFIN. I want to ask you to think back again to this telephone call and ask yourself if other than this one statement that Jack made about wanting to close the place and come back to Chicago, if there was anything else that Jack said on the phone that indicated to you that he was disgusted and upset with the situation in Dallas, that is with Dallas as a place to stay.

Mr. RUBENSTEIN. All I can say is this: I believe from the tone of his voice he felt very much heartbroken and very sad and he felt he had lost a very dear friend and he wanted to get away from that site.

Like, let's say like, being removed from the scene of the crime. He just wanted to get away from it.

Mr. GRIFFIN. So when you talk about disgust or revulsion, do you mean to direct it, could it have simply meant that the recent—that the events that upset him—or do you think he made some special connection with the city itself that he was living in so he wanted—you know you have indicated here he was making some special connection with this place as a place he wanted to have nothing more to do with it?

Mr. RUBENSTEIN. Yes; that is the way he felt because he lost a very dear friend, that is what I am trying to bring out. He just wanted to get away. He wanted to sell out and he was having——

Mr. GRIFFIN. Did he indicate what he would do after that?

Mr. RUBENSTEIN. With a fellow like Jack you don't have to worry what he can do. He can do a thousand things and make a living. He is very capable. And he has got a good mouthpiece. He has proved it before he went into the night-

club business. He was in the manufacturing business with Earl, he walked out with a nice piece of change.

Mr. GRIFFIN. Are you in the habit of keeping your papers and records that you make over the years. Do you retain these?

Mr. RUBENSTEIN. What kind of papers?

Mr. GRIFFIN. Receipts and check stubs and things of that sort.

Mr. RUBENSTEIN. I try to. I try the best I can in my own small way. I am my own bookkeeper, my own recorder, my own lawyer, and my own everything and I try to keep them as best as I can.

Mr. GRIFFIN. How far back do you keep them?

Mr. RUBENSTEIN. You are supposed to keep them for 4 years, you know.

Mr. GRIFFIN. How long do you keep them?

Mr. RUBENSTEIN. I try to keep them for 4 years.

Mr. GRIFFIN. Do you recall that when you were interviewed by one of the FBI agents that you showed him your receipt for the piano that you sent? How did you happen to keep that?

Mr. RUBENSTEIN. By accident. Just one of those incidents. Did you see the color of that sheet, how it looked?

Mr. GRIFFIN. I haven't seen it.

Mr. RUBENSTEIN. Oh, brother. You would never believe that a receipt would last that long. Of course, you could always check it with the piano company.

Mr. GRIFFIN. What did you do on Saturday, the 23d of November?

Mr. RUBENSTEIN. I don't remember. If I had my daybook here—I have a daybook I keep my notes in for what I am supposed to do, like you lawyers do.

Mr. GRIFFIN. Did you go to work?

Mr. RUBENSTEIN. I don't remember. I could get my daybook and tell you exactly what I did, nothing to hide.

Mr. GRIFFIN. Do you have it here in Washington?

Mr. RUBENSTEIN. No; I can tear out the sheet and mail it to you. Would you like that?

Mr. GRIFFIN. It would be fine. Would you want to make a note of that? In fact, if you can run off a copy just send us a copy.

Mr. RUBENSTEIN. I don't need it. What do I need it for? I have nothing to hide.

Mr. GRIFFIN. Why don't you send us——

Mr. RUBENSTEIN. The whole book. Do you want the whole book, you can have it. Mail the book. I have nothing to hide in there. A couple of telephone numbers, call them and say I said hello.

Mr. GRIFFIN. What did you do on Sunday, do you recall getting up on Sunday the 24th?

Mr. RUBENSTEIN. I had breakfast and went out for the newspapers and I came back and all of a sudden there was—was there anybody in the house at that particular time—oh, that was a black Sunday. Eileen called, screaming. Eva called, screaming, and they hung up. All we could get was "Jack Ruby, Dallas," you know.

I turned on the television, turned on the television and they showed the event of everything, you know, the recording of what took place. We couldn't believe it. I still don't believe it. I still don't believe it.

Mr. GRIFFIN. Did you first learn of what Jack had done from your sisters?

Mr. RUBENSTEIN. Yes. They called.

Mr. GRIFFIN. You, I take it, were not watching television or listening to the radio?

Mr. RUBENSTEIN. No. I didn't think I was. Because I was walking through the hallway when the phone rang and I forget whether I picked up the phone or Mary picked up the phone. You see Ann doesn't answer the phone because she doesn't get many calls. Her son is on the west coast, so we, Mary and I, pick up the phone. It was like an atomic bomb hitting the top of the house and everything caved in on you, like a disaster. It is just unbelievable. If a family has incorrigibles where they get into trouble and you get them out of jail, and the family is used to it, you know, you feel OK. But we never had anything like that in our lives, nothing. We are not accustomed to such things. We all work for a living, some of us work very hard. We are not the notorious type,

we don't care for no publicity. We all have pretty good personalities. My customers still laugh at my corny stories I tell them the year before. I don't have to impress anybody. We don't go for none of that big shot stuff.

So, when this thing hit us, you people can't imagine, and then the phone started to ring. It kept ringing from that Sunday morning from reporters, and newspaper people from all over the country, and it just didn't stop. We didn't know what to say. It was just sickening. We had no answer for them.

Mr. GRIFFIN. Did you have occasion to go to Dallas at any time in the fall of—before the President was assassinated?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Did you go to Dallas afterward?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. When did you go?

Mr. RUBENSTEIN. Just before Christmas, let's say December 23, 24, and 25. No; on Christmas day I was on the road so I probably was there for 2 or 3 days around that period.

Mr. GRIFFIN. Now, did you know any of Jack's friends in Dallas?

Mr. RUBENSTEIN. No; because I wasn't familiar with Dallas.

Mr. GRIFFIN. Did you know Ralph Paul?

Mr. RUBENSTEIN. I met him later.

Mr. GRIFFIN. Had you known him before then?

Mr. RUBENSTEIN. Never even heard of the name.

Mr. GRIFFIN. How about George Senator?

Mr. RUBENSTEIN. Never heard the name.

Mr. GRIFFIN. Did you have anything to do with raising money for the defense?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us what you had to do with that.

Mr. RUBENSTEIN. Here is a copy of, almost like this that we placed in certain newspapers.

Mr. GRIFFIN. I will simply read this into the record. You have handed me a sheet of paper on which is printed in capital letters on the first line, "Appeal for Fair Play." And on the second line "Save Jack Ruby" with three exclamation marks after it. Then in lowercase letters with the initial capitals "Funds for his Defense Needed" on one line. "Send your Contributions to:" on the next line, and then in all caps under that "Jack Ruby Defense Fund Committee," then with initial caps and lowercase letters "P.O. Box 5226, Chicago 80, Illinois."

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. That is an advertisement you say you ran?

Mr. RUBENSTEIN. They ran it in several newspapers. One was the New York Times, I believe. It was rather unsuccessful, rather unsuccessful. But here is one we sent out 2,000 letters and we lost $200 out of it. We got $5 back.

Mr. GRIFFIN. This is a copy of a letter on the stationery headed "Jack Ruby Appeal Committee".

Now, do you want this stationery?

Mr. RUBENSTEIN. You can have it. Just keep it. Keep this, too, so you will have it for your records.

Mr. GRIFFIN. All right. Let me mark the "Appeal for Fair Play" advertisement as "Washington, D.C., deposition of Hyman Rubenstein, June 5, 1964, Exhibit No. 1," and let me ask you if you will sign it.

Mr. RUBENSTEIN. Down here?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. All right.

(Hyman Rubenstein Exhibit No. 1 was marked for identification.)

Mr. GRIFFIN. And the next piece of paper, the letter on Jack Ruby Appeal Committee stationery I am going to mark "Washington, D.C., deposition of Hyman Rubenstein, June 5, 1964, Exhibit No. 2," and ask you if you will sign this also.

Mr. RUBENSTEIN. Sure. I have got "Hy Rubenstein."

Mr. GRIFFIN. That is all right.

(Hyman Rubenstein Exhibit No. 2 was marked for identification.)

Mr. GRIFFIN. All right.

Now, Exhibit No. 2 is a letter addressed to "Dear Friend" dated April 30, 1964, and signed by Michael Levin, Chairman of the Jack Ruby Appeal Committee.

Members of the committee listed on the left-hand side are Michael Levin, Chairman, Marty Eritt, Blanca Fortgang, Elmer Gertz, Ann Osborne, Barney Ross.

Who is Blanca Fortgang?

Mr. RUBENSTEIN. I don't know, probably a friend of Mike Levin.

Mr. GRIFFIN. Who is Elmer Gertz?

Mr. RUBENSTEIN. Also the fellow who got the letter up and the ad up, a friend of Mike Levin.

Mr. GRIFFIN. Who is Ann Osborne?

Mr. RUBENSTEIN. I don't know who she is. I think she is the one who got the letter out and got the list of names that was submitted to Mike Levin, the 2,000 names that cost us $200.

Mr. GRIFFIN. Now were Fortgang, Gertz, and Osborne friends of your brother, did they know Jack?

Mr. RUBENSTEIN. No. I am almost positive that not one of those people even know Jack.

Mr. GRIFFIN. How about Mike, Michael Levin.

Mr. RUBENSTEIN. Mike is our family lawyer. Mike knew Jack ever since he was a kid.

Mr. GRIFFIN. How about Marty Eritt?

Mr. RUBENSTEIN. Marty Eritt I told you they probably went to school together and probably knew each other on the West Side.

Mr. GRIFFIN. Barney Ross?

Mr. RUBENSTEIN. Barney Ross he has known all his life.

Mr. GRIFFIN. What was your connection with the Jack Ruby Appeal Committee?

Mr. RUBENSTEIN. It was hard to get members names. A lot of people, business people, don't want to put their names on this kind of a committee. So I used my name, I said, "Mike, go ahead and use my name."

I had nothing to hide and nothing to be ashamed of. We needed money. Those trials are expensive, gentlemen.

Mr. GRIFFIN. Who was handling the funds for the defense?

Mr. RUBENSTEIN. Earl.

Mr. GRIFFIN. How about the money that was raised by the Jack Ruby Appeal Committee? Did Earl have anything to do with that?

Mr. RUBENSTEIN. Earl.

Mr. GRIFFIN. Did you have anything to do with the raising of funds other than this letter and this advertisement?

Mr. RUBENSTEIN. Nothing outside of these two.

Mr. GRIFFIN. When was the first time that you talked with your brother Jack after the shooting?

Mr. RUBENSTEIN. I think it was down in Dallas. I believe it was down in Dallas when I was down there.

Mr. GRIFFIN. That was December sometime?

Mr. RUBENSTEIN. Yes, sir, either the 22d or the 23d of December is as close as I can get to it.

Mr. GRIFFIN. Do you recall seeing him on that occasion?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Do you recall how long you talked to him?

Mr. RUBENSTEIN. Quite a while. I think I was there with Eva, and who else was down there, Sammy.

Mr. GRIFFIN. Can you tell us what you said to him and what he said?

Mr. RUBENSTEIN. What did we talk about: Something about, this is the gist of it if I can remember right because I walked away thinking about it to myself that he loved the President and something happened to him, that he don't remember exactly what it was, and all that I remembered is the last time when he was down at the Western Union office when he wired that dancer of his $25

that she needed for room rent and I says, "What else, Jack?" And he said, "That is all I can remember."

Then he mentioned something about the policemen down in Dallas. He said they lied. He said, "I didn't say any of those things."

Mr. GRIFFIN. That would have been after the trial that he mentioned that to you. I am talking about conversations he had before the trial.

Mr. RUBENSTEIN. Oh, that is right, yes.

Mr. GRIFFIN. Do you remember that meeting?

Mr. RUBENSTEIN. Well, there wasn't much to say. First of all they have a little piece of glass that big that you can see him through.

Mr. GRIFFIN. You are indicating about 6 by 6.

Mr. RUBENSTEIN. It is hard to talk to people through a piece of glass like that. You have got a barrier between you. He looked good. Jack looked good, but he didn't act right. He looked disturbed to me.

Mr. GRIFFIN. What about him, what did you see that——

Mr. RUBENSTEIN. He wasn't our Jack 100 percent. There was something bothering him.

Mr. GRIFFIN. You don't know?

Mr. RUBENSTEIN. I don't know. I am not a psychiatrist. I can't figure the man out. We knew it wasn't right. We thought it was the environment in the jail, maybe he was mistreated.

Mr. GRIFFIN. Are you talking about the time you saw him before the—before Christmas?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What did he say or what indications did you see about his face or mannerisms?

Mr. RUBENSTEIN. Something like "What are they keeping me here for, what have they got me in here for?"

Half sentences. He asked me if I called certain people and here I haven't even known any people. He gave me a list of names to call and I tried to write them down, you know, quick and I didn't know nobody. I didn't want to argue with him. I didn't want to aggravate his situation. I didn't want to disturb him any more than I had to and he gave me names, called off names, I said I will get in touch with them.

Later on when I went out with Eva, I said, "Who are these people I am supposed to call?" She says, "Forget about it. He gives me the same thing, people I am supposed to see and call to help him." I didn't know. And he wanted us to get every lawyer in the State of Texas. "Did you call this guy? Did you call Percy Foreman and did you call him?" I didn't know anybody. We didn't know who to call. We were strangers in Texas. We were never in trouble before.

Mr. GRIFFIN. Did he ask you to call people other than lawyers?

Mr. RUBENSTEIN. His personal friends, his personal friends. I think some owed him some money, no names were mentioned that Eva didn't know. She knew all the names he mentioned. That is why she told me to forget about it. She probably had already contacted them. Friends in Dallas, personal people who were either very dear friends of his and club members. And he was worried more about the dogs than he was about anybody else.

Mr. GRIFFIN. Was the occasion that you went down to see him before Christmas, was that at the time of the bail bond hearing? Do you remember the hearings?

Mr. RUBENSTEIN. I don't remember what the hearing was but I was down there.

Mr. GRIFFIN. Did you go down there for a hearing in December?

Mr. RUBENSTEIN. I don't remember. I think it was a bail bond hearing.

Mr. GRIFFIN. You say he was more concerned about the dogs?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Than anything else?

Mr. RUBENSTEIN. Yes, sir; worried about his dogs. I figured that was odd. Here is a man incarcerated, in prison for a shooting and here he is worried about his dogs and that didn't make any sense to me.

You know, there was no logic there. I can understand how a man can be in love with a dog or dogs but why bring it up at a time like that.

Mr. GRIFFIN. You indicated to me that you saw him during the trial or after the trial?

Mr. RUBENSTEIN. Oh, yes.

Mr. GRIFFIN. How many times did you see him in the course of the trial?

Mr. RUBENSTEIN. Wait a minute. In the course of the trial, I couldn't see him in the courtroom but we saw him in the evening, I think—I think we were allowed to see him in the evening, I think. I am not sure. I don't want to make a statement I am going to be responsible for because I can't—I think we saw him in the evening. Yes; I think we saw him in the evening, after the trial. I think the hours were from 7:30 to 8:30 and the sheriff was very nice. He let all of us go up one time, the family.

Mr. GRIFFIN. Were you allowed in his jail cell?

Mr. RUBENSTEIN. Oh, no; outside, through that little piece of glass only.

Mr. GRIFFIN. Would you describe that cell? Is there any other, is it possible to see out other than through that glass?

Mr. RUBENSTEIN. See what out?

Mr. GRIFFIN. If you are inside were there any other windows, could you look in through the glass and see windows or anything in that cell?

Mr. RUBENSTEIN. No; it is inside. It is inside the center. It is one of these rooms that are inside, see. It is a separate room. It is not his room. It is like a visiting room that they bring him in from another part of the building into this particular room.

Mr. GRIFFIN. So you didn't see the cell that he was in?

Mr. RUBENSTEIN. His own personal cell?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Are you able to see anything of the prisoner other than through this glass, this 6-inch glass?

Mr. RUBENSTEIN. Just about up to here is all you can see.

Mr. GRIFFIN. You are indicating about the middle of your chest.

Mr. RUBENSTEIN. That is all.

Mr. GRIFFIN. Is there anything you want to tell us about the conversations you had with him?

Mr. RUBENSTEIN. In general, how he is feeling, how he is getting along. How is the food. The sheriff told us that "Any time he doesn't like to eat the stuff we give him," and this was also $20 left downstairs for him someplace so that Jack could order what he wanted but nobody was allowed to bring in any food or candy from the outside, only the sheriff.

Mr. GRIFFIN. But there was money left downstairs for him?

Mr. RUBENSTEIN. Oh, yes; we would do that for a stranger. It is our brother.

Mr. GRIFFIN. Has he been supplied, has money been made available to him throughout his incarceration?

Mr. RUBENSTEIN. He received quite a bit of money from people who send it in to him, you know voluntarily, telegrams, letters, money, money orders. He got money from all over the country. One country in Europe invited him to come over as a guest.

Mr. GRIFFIN. Did you see the letter of the invitation?

Mr. RUBENSTEIN. I think we have the letter home.

Mr. GRIFFIN. What country was that?

Mr. RUBENSTEIN. I think Rhodesia.

Mr. GRIFFIN. Has the family, however, provided sort of a weekly allowance for Jack?

Mr. RUBENSTEIN. We could always see that Jack would get whatever he needs. They don't allow too much in there in the first place.

Mr. GRIFFIN. But you indicated he was left, at least while you were down there during the trial he was left, enough money so that he could order meals from the outside.

Mr. RUBENSTEIN. If he wanted it, naturally.

Mr. GRIFFIN. How about before the trial, was he given money for that purpose?

Mr. RUBENSTEIN. I don't know. I think he had money because he was getting donations all the time in letters.

Mr. GRIFFIN. I see.

Mr. RUBENSTEIN. Telegrams by the hundreds.

Mr. GRIFFIN. How did he feel about those letters and telegrams?

Mr. RUBENSTEIN. He felt pretty good that he didn't fight the case alone. He felt like he had help.

Mr. GRIFFIN. What did he think the cause was?

Mr. RUBENSTEIN. Of course, there was always cranks who didn't agree with what he did. We don't agree with what he did, either. You don't avenge a wrong with another wrong but I told the television people this, and I am going to tell it to you. Chances are this was a hundred million people. If they were down in Dallas at the same time Jack was, if they had a gun in their hand they probably would have done the same thing. I don't say they would have, probably. Just one of those incidents. May I add something?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Jack left a Western Union office at 11:17, stamped by his receipt from the money order that he mailed to Fort Worth. The maid knocked on his door at 8 o'clock that morning to clean up his room. Jack says, "Come back at 2 o'clock." Which meant he wanted to sleep. The girl called him at 10 o'clock from Fort Worth, about there, Jack got up, took his dog, Sheba, drove down to the Western Union, wired $25 to this, I can't think of her name.

Mr. GRIFFIN. Little Lynn?

Mr. RUBENSTEIN. Little Lynn.

He saw the commotion about 450 feet down, and he wanted to know what was going on and he just happened to be there, and it was figured out 6 more seconds Jack would have missed the whole thing, if he had hesitated, because they were walking Oswald from the station to the wagon.

Mr. GRIFFIN. Did you talk to Jack at all about his activities prior to the shooting and how he got in?

Mr. RUBENSTEIN. No, no; we didn't even mention anything like that. We weren't concerned with what happened before. We were worried, we were wondering and worried why, and the only answer I can give you is he must have blacked out. You just black out and you do things like that. It is like punching somebody in the nose and then you feel sorry for it later.

Mr. GRIFFIN. Perhaps this would be a good time for you, unless you want to break for lunch now——

Mr. RUBENSTEIN. I don't care. Can I add something to this?

Mr. GRIFFIN. I would like to ask you if we can go on here maybe we can finish up.

Mr. RUBENSTEIN. In an hour?

Mr. GRIFFIN. Less than that. Why don't you take an opportunity now to tell us what you would like to tell us that I haven't covered in the questioning.

Mr. RUBENSTEIN. May I add how a person can possibly shoot a guy like Oswald, may I give you an example?

Mr. GRIFFIN. Certainly.

Mr. RUBENSTEIN. A player is sitting on the football bench, a sub. A man on the opposite team is running with the ball. The player gets off the bench and tackles the guy with the ball. What do you call the instinct, compulsion. That is the same situation with Jack. How do you account for it. You don't know. He had no business getting off that bench. He is not even playing in the game any more than Jack had any business being in that station. That is my answer why Jack did it. May I add this?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. That police department is using Jack as a scapegoat for their mistakes. Anything—they have nobody else to blame it on, Jack Ruby. "You were responsible for the whole deal." They are blaming everything on him, and that is one of the reasons why these policemen lied to save their own skins.

Mr. GRIFFIN. Which policemen?

Mr. RUBENSTEIN. All five that testified. Jack never said those things. He told me he never said those things about going to shoot him three times. No

man tells you he is going to shoot a person three times. And then about him saying that the Jews are cowards and he stuck up for the Jews.

Jack is not that type of a guy because he doesn't talk about those things. Sure he is a Jew but you don't go out telling the world about it.

Mr. GRIFFIN. Do you recall the things that Jack specifically denied when he talked to you about those policemen's testimony?

Mr. RUBENSTEIN. Yes, sir.

Mr. GRIFFIN. Tell us which ones they were?

Mr. RUBENSTEIN. All of them. He said—Jack did not talk to any of the policemen at all. He said he didn't say anything like that at all to them. He don't even recall mentioning anything that those five policemen testified that he talked to them about, anything like that.

Mr. GRIFFIN. Did he mention those specific things or did he just talk generally about it?

Mr. RUBENSTEIN. Just generally.

Mr. GRIFFIN. So when you mentioned, for example, you said something about the Jewish motivation or whatever it was.

Mr. RUBENSTEIN. Yes; I don't think Jack would talk like that to a businessman.

Mr. GRIFFIN. Did Jack mention that particular topic to you?

Mr. RUBENSTEIN. No, no, no.

Mr. GRIFFIN. How about the shooting the three times, did he mention that particular incident?

Mr. RUBENSTEIN. No; but he said he would never discuss those things in general.

Mr. GRIFFIN. Go ahead.

Mr. RUBENSTEIN. That television man who was downstairs taking movies of the thing, he made—he was testifying on the stand that at 10:25 and at 10:35 Jack came over and asked him twice when they were going to bring out Oswald. If he was 11:17 in the Western Union and got up to mail the money to this Little Lynn what would he be doing down at the station at 10:25. And who would dare walk into a police station with 30 policemen in front of television and radio reporters and shoot anybody unless you blacked out. The man must be crazy to do that.

Mr. GRIFFIN. This one episode about the police officers' testimony is apparently something that sticks in your mind. How many conversations did you have with Jack about the policemen's testimony?

Mr. RUBENSTEIN. Didn't have hardly any. We don't talk about those things, what happened at the trial. We didn't want to relive the trial. We didn't want to relive the shooting even.

Mr. GRIFFIN. When did you first hear about, when did you first hear Jack deny that he had said the things that the policemen testified to?

Mr. RUBENSTEIN. It either could have been in December or it could have been right, at one of the nights of the trial. I don't remember which. I don't know when those statements were made. It could have been after the trial. Because that is when the FBI took the report, too, I think.

Mr. GRIFFIN. Who else was present?

Mr. RUBENSTEIN. Eva and Earl.

Mr. GRIFFIN. Sam?

Mr. RUBENSTEIN. Sam might have been present at another time but I don't think he was present at that particular time. It could have been. I don't remember, you know when you have got problems on your head that are heavy, you don't pick out, pinpoint different things. Nobody is that good.

Mr. GRIFFIN. Well, do you recall, can you form a visual image in your own mind of going up there and seeing Jack on the occasion that he talked about the police officers' testimony?

Mr. RUBENSTEIN. No; because we saw him often. We saw him many times, we saw him in the evening during the trial and after the trial we saw him in the afternoon and evening both. So there was a lot of visits made between myself and also other members of the family.

Mr. GRIFFIN. How about anything else about Jack, that might have caused Jack to do this. Do you have any other things you want to tell us about that?

Mr. RUBENSTEIN. I believe I have mentioned the most important things and

gave you gentlemen some good examples. Yes; you didn't ask me what led up to this thing, how come?

Mr. GRIFFIN. That is what I am asking you now.

Mr. RUBENSTEIN. Did you know he went out at 3 o'clock in the morning with George Senator and Larry Crafard, the kid that watched the nightclub, at nighttime and took tickets for Jack, Jack charged $2 a ticket to get into his club. It was no bums' hangout. It was a classy joint. So Larry used to take the tickets and also sleep there at nighttime. Jack got up to go at 3 o'clock in the morning one time, and this was told to me by both, George Senator and Larry, they went out and they took a picture of a great big billboard, "Impeach Earl Warren," the pictures and camera were in the car that Jack was going to use as evidence when the city policemen confiscated his car, you can make a note of this, they took the camera, they took the pictures, they took his adding machine, and they took his spare tire. What a bunch of characters down there.

Mr. GRIFFIN. What has become of that?

Mr. RUBENSTEIN. We would like to know. They took his diamond ring, they took a very good wristwatch.

Mr. GRIFFIN. Have you asked for that?

Mr. RUBENSTEIN. And his blue suit he wore when he shot Oswald, we would like to have that all back, and his gun.

Mr. GRIFFIN. Have you asked for it?

Mr. RUBENSTEIN. I think they have but they haven't had any success. If Jack cannot have the gun, then we would like to submit it to the Smithsonian Institution or in his library.

Mr. GRIFFIN. Kennedy's Library?

Mr. RUBENSTEIN. That is right. Because Jack bought the gun legitimately in a Dallas store under his name. And also when he walked into that newspaper office, and there was a big black border around, a full page ad signed by somebody by the name of Weissman, Jack didn't like that.

Mr. GRIFFIN. When did you hear about that?

Mr. RUBENSTEIN. Eva told me this. Eva says, "You know, Jack came here one day showing me all this thing and I couldn't believe it."

You know, when a person reads a paper you don't always pay attention. It was addressed not to the President of the United States. I understand the ad was addressed to Mr. Kennedy with grievances, signed by the committee. With a post office and box number in Dallas, with a black border around a full-page ad. When Jack was changing the ad of his closing dates of the club the minute the President got shot in the newspapers, he got ahold of someone in the newspaper office, as I understand it, and that man will have to testify, and Jack said to him, "Do you have to accept an ad like this? Is business that bad? The other newspapers in town didn't take it." Then he went over Saturday morning to the post office and got ahold of one of the clerks and he says, "Can you tell me who belongs to this post office box number," and the clerk says, "We can't tell you that."

Mr. GRIFFIN. Hyman, what do you think is the significance of Jack's concern with the ad and with the "Impeach Earl Warren" sign?

Mr. RUBENSTEIN. And the ad calling Mr. Kennedy instead of "Mr. President," with the grievance committee to——

Mr. GRIFFIN. What do you think that signifies about Jack's concern?

Mr. RUBENSTEIN. He didn't like the signature for one which was a Jewish name. And he thought it was another organization disgracing the Jews.

Mr. GRIFFIN. How do you get that impression that that was his—how do you get that impression?

Mr. RUBENSTEIN. That is the way it would hit me. Why would an organization like this put down the name Weissman and put down all these grievances in the newspapers with a black border around it and then—oh, when he couldn't find—when Jack couldn't find—the name of the owner of the post office box so he asked the clerk, "Does this ad belong to Oswald," and the clerk says, "I can't answer you that, either." He thought there was a connection between this and Oswald, and Oswald was using a phoney name in the ad.

Mr. GRIFFIN. Has Jack told you any of that?

Mr. RUBENSTEIN. Eva, because Eva spoke to Jack about it, and Jack told Eva that.

Mr. GRIFFIN. So it is your understanding that Eva learned this from Jack?

Mr. RUBENSTEIN. From Jack directly.

Mr. GRIFFIN. And he thought Oswald was using a phoney name in the advertisement and trying to disgrace the Jews?

Mr. RUBENSTEIN. And also disgracing the President. You don't call a President Mr. Kennedy. You call him Mr. President with respect to his title. And also trying to disgrace the name of Earl Warren, Supreme Court Justice of the United States.

Mr. GRIFFIN. And he thought Oswald might have done the same thing?

Mr. RUBENSTEIN. Right or his organization or somebody connected with that group whoever it was. He couldn't understand it, somebody was doing it. There was the evidence and that bothered him. It kept boiling in him and boiling in him and finally he blew up and when he saw Oswald then he really blew up, and that is all I can tell you, gentlemen.

Mr. GRIFFIN. Do you know or have you heard of anything that happened in Dallas between the time the President was shot and the time that Jack shot Oswald——

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. That would have led Jack to think that other people thought the Jews were behind the assassination of the President?

Mr. RUBENSTEIN. No; I did not hear anything like that. You see we didn't go down to Dallas—I didn't go down there to Dallas—until almost Christmas time. That was almost a whole month so I didn't know anything about it.

Mr. GRIFFIN. I want to make sure my question is clear because it is possible that it can be misunderstood. I am not suggesting that the Jews were—that the Jews were behind the assassination.

Mr. RUBENSTEIN. Of course not.

Mr. GRIFFIN. What I am suggesting is that there might have been that kind of talk in Dallas which might have disturbed Jack and whether you heard that there was, whether you heard that there was such kind of talk going on in Dallas that did disturb him.

Mr. RUBENSTEIN. The only talk that I heard from people in Dallas that there are a lot of anti-Semites who don't like Jews. That is the only talk I heard.

Mr. GRIFFIN. Where? Had you heard that before you went down to Dallas?

Mr. RUBENSTEIN. No; after I got down there.

Mr. GRIFFIN. Did you have any personal experiences with Jack that would shed some light on his sensitivity about his position as a person of Jewish background in the community—personal experiences that you would have?

Mr. RUBENSTEIN. Except what I heard from the Bund meetings in Chicago from his friends. His own friends told me he used to go break them up, and that takes a little guts to walk into a meeting and break it up, in my opinion. How many guys would do that?

Mr. GRIFFIN. I am going to digress here a bit.

Mr. RUBENSTEIN. Good, go ahead.

Mr. GRIFFIN. Did you, when you were traveling in Michigan on your job, did you have occasion to visit Earl, your brother Earl, at his home?

Mr. RUBENSTEIN. At the plant?

Mr. GRIFFIN. At the plant.

Mr. RUBENSTEIN. Sure; several times.

Mr. GRIFFIN. Did you ever have occasion to use his telephone, make calls from his plant?

Mr. RUBENSTEIN. I possibly could have.

Mr. GRIFFIN. Did you—have you ever had any dealings with any people in Massachusetts in the course of your business?

Mr. RUBENSTEIN. Yes; the Necco Confectionery Co., 254 Massachusetts Avenue, Cambridge 39, Mass.

Mr. GRIFFIN. What were your dealings with them?

Mr. RUBENSTEIN. If you give me an order for $100 or $150 for ribbons or for novelties whatever you use in your florist business, I like you. I like you. So I go to my car and I says, "Wait a minute, I have got something for the

wife, not for you," tease you. I go over and I get a can of imported English candy. "Take this home to the family." "Thank you, Hy, come back again, you are a nice guy." That is how I had business in Massachusetts.

Mr. GRIFFIN. When were you doing this now?

Mr. RUBENSTEIN. Always. I still do it. I got a half case home now.

Mr. GRIFFIN. Any other candy companies you deal with?

Mr. RUBENSTEIN. Flavor; same thing. I buy half pound bags of hard candy, if the order is only $50, I can't afford to give them a box of candy, mints.

Mr. GRIFFIN. How about the Welch Candy Co.?

Mr. RUBENSTEIN. Never, don't even know them. But I think this Necco bought out the Welch Co., but I am not sure. That Necco is a big outfit now but I never done any business with Welch.

Mr. GRIFFIN. Have you ever had any occasion to communicate with any people in Latin America?

Mr. RUBENSTEIN. Yes; I think I sent down one time a sample, somebody gave them my name, how I got it, I don't know, some ribbons. He wanted me to quote them prices on ribbons. So I mailed them some sample ribbons. I never heard from them no more.

Mr. GRIFFIN. Where was it?

Mr. RUBENSTEIN. I don't remember, this was years ago, 5, 6 years ago.

Mr. GRIFFIN. How about—have you any occasion to communicate with anybody in Havana?

Mr. RUBENSTEIN. I don't know anybody in Havana. Jack had friends there. Jack had a lot of friends there when the gambling was going good and one of his friends from Dallas was a big shot down there and he invited Jack down. Jack told me this himself. He invited Jack down to stay with him for a week and Jack flew down, I think, I think.

Mr. GRIFFIN. Let me ask you this question directly.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Do you recall ever having sent a telegram to Havana, Cuba, from your brother Earl's telephone?

Mr. RUBENSTEIN. A telegram? No. I would have no reason for it.

Mr. GRIFFIN. Can you think of anybody outside of Earl's family or employees who might have used his business phone?

Mr. RUBENSTEIN. Earl has got 110 employees, God bless him. You know anybody can pick up a phone in an office with 110 employees and make a call or call Western Union and charge it to the phone.

Mr. GRIFFIN. I am asking you outside of that.

Mr. RUBENSTEIN. No; I never did, no. Havana, Cuba, is as strange to me as what was that word I gave you before, as Rhodesia. I think Jack went down there one time and he had a connection for automobiles. This was when Castro first went down there, I think it was in 1959. At that time Castro was a friend of the United States. Jack was going to try to sell them a lot of trucks or cars or something. Anyhow, the deal fell through, whatever it was, with his friends from Dallas; may I add this?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. If you are trying to infer that Jack had any connections with Castro or communism, that is not our brother. First of all, Jack couldn't even spell communism. I mean it in the sense of the word, the relationship, none.

Mr. GRIFFIN. Let me say I don't want to infer anything. I am simply asking you questions to clarify matters.

Mr. RUBENSTEIN. You can clarify it right now. I will bet my life that Jack wouldn't have anything to do and never did with anybody. Jack didn't go for that kind of stuff. He wasn't that kind of a man. These Communists are supposed to be well read, beatniks, students of universities. Jack doesn't qualify for that kind of a deal. His friends are showgirls, tavern owners, gamblers, other nightclub people, promoters, manufacturers, that was his life, that is all. He opened two nightclubs. What has he got to do with these other kinds of people? What has he got to gain by it? He was doing good. He wore good clothes.

Mr. GRIFFIN. Did he have any political interests?

Mr. RUBENSTEIN. I don't think so; not in Dallas, I don't think in Dallas.

Mr. GRIFFIN. Did he have any political interest in Chicago?

Mr. RUBENSTEIN. I was the only politician but we were all Democrats for me.

Mr. GRIFFIN. Did Jack get involved in politics at all in Chicago?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Did you ever discuss politics with him?

Mr. RUBENSTEIN. I never even knew the incidents about the chair with Roosevelt until this manager of the Zebra, the manager of the Zebra Cafe on 63d Street, I have got to get you his name——

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Told me about it. I never heard of it because he doesn't talk about those things.

Mr. GRIFFIN. Can you think of anything else that you want to bring to the attention of the Commission?

Mr. RUBENSTEIN. Jack was a loyal 1,000 percent American, served in the Army for 3 years with the best record of our family, of all the boys who were in the service, and by the way, when my father went down with Jack and Earl and Sammy to enlist in the service, my father says to the recruiting officer, "Take me" and he must have been at least 65 years old.

Mr. GRIFFIN. Jack didn't go into the service until some time in 1943?

Mr. RUBENSTEIN. Right. After I came out he went in.

Mr. GRIFFIN. And Jack applied for deferment initially, didn't he?

Mr. RUBENSTEIN. Yes; because he was the only one home. We were all in. My mother was alone. Earl was in, Earl was in the Seabees, Sammy was in the Air Corps and I was in the Field Artillery.

Mr. GRIFFIN. There has been a rumor that Jack feigned a hearing disability in order to avoid military service?

Mr. RUBENSTEIN. Not Jack. No; not Jack. No; he was a good soldier and I told you before he had the best record of all of us on his discharge papers.

Mr. GRIFFIN. I think maybe we can conclude here. I am asking you to identify some interview reports that we have, and I will give you a chance to read them over. I am going to mark for identification three different exhibits.

Mr. RUBENSTEIN. O.K.

Mr. GRIFFIN. The first one is an interview report prepared by Special Agent George H. Parfet.

Mr. RUBENSTEIN. Yes; I know him.

Mr. GRIFFIN. I want to start with these chronologically. The first one is a copy of an interview report prepared by special agents of the FBI, Maurice J. White and Robert B. Lee, of an interview that they had with you on November 24, 1963, in Chicago.

I am going to mark this "Washington, D.C., deposition of Hyman Rubenstein, June 5th, 1964, Exhibit No. 3." This consists of two pages numbered at the bottom 193 and 194, respectively.

I will hand you the exhibit and ask you to read it over and then I will ask you some questions about it.

Mr. RUBENSTEIN. That is about correct. Because I didn't know anything else.

(Hyman Rubenstein Exhibit No. 3 was marked for identification.)

Mr. GRIFFIN. You have had a chance to examine Exhibit No. 3.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Are there any corrections you feel ought to be made in that report?

Mr. RUBENSTEIN. The only thing I am doubtful is this, "He then had Jack as a salesman for several companies believed to be the Stanley Oliver Company and the Spartan Company now defunct." That I am sure about. That is the only paragraph. The rest of it is 100 percent true. And that is the way it was as I remember it.

Mr. GRIFFIN. Are you not sure that he had jobs with both companies?

Mr. RUBENSTEIN. The Spartan Co. there was such a company and Jack and Harry Epstein was his partner at that time and they sold novelties and premiums.

By the way, Harry Epstein was a business associate of Jack's for a good many years and knows him well. If there is anything that you might want to find out about his impetuousness or his decisive manner, because Harry and Jack

always fought verbally, so Harry can give you a pretty good reason or reasons of his personality in that respect.

I don't know where you can find Harry. He could be in Chicago, he could be anywhere.

Mr. GRIFFIN. The family has lost track of him?

Mr. RUBENSTEIN. Well, look; when the partnership breaks up—normally the partner comes over to the house and you meet him and see him and you have lunch with him. But when it breaks up you lose all contact with those people because he wasn't my contact, he was Jack's contact. And Jack being in Dallas all these years we didn't even see Harry.

Mr. GRIFFIN. Was Harry, would you say Harry, was one of the people who knew him best when he lived in Chicago?

Mr. RUBENSTEIN. One of the best.

Mr. GRIFFIN. Who would you say, who else would you say, knew Jack best when Jack lived in Chicago?

Mr. RUBENSTEIN. Benny Kay.

Mr. GRIFFIN. What was his connection with Benny Kay.

Mr. RUBENSTEIN. Very dear friends.

Mr. GRIFFIN. Any business associates?

Mr. RUBENSTEIN. I don't know as any business associates but Benny Kay is a well respected businessman in Chicago.

Mr. GRIFFIN. I am not asking for important people who knew him.

Mr. RUBENSTEIN. Let's say they bummed around together quite a bit.

Mr. GRIFFIN. But if we were to go out and look for people who knew Jack better than anybody else, outside of the family, who were the people that you would name?

Mr. RUBENSTEIN. Put his name down, Benny Kay.

Mr. GRIFFIN. Who else would you name?

Mr. RUBENSTEIN. Harry Epstein.

Mr. GRIFFIN. Who else?

Mr. RUBENSTEIN. Hershey Colvin, and this Marty Gimpel that died, Marty could have given you a better report than anybody. Because Marty lived with him down in Dallas.

Mr. GRIFFIN. I am talking about Chicago.

Mr. RUBENSTEIN. Marty knew his from Chicago, Marty worked at the post office in Chicago.

Mr. GRIFFIN. How about Alex Gruber?

Mr. RUBENSTEIN. Don't know him. Never heard his name. Isn't that odd? Of all the names that are in Chicago I never heard of him.

Mr. GRIFFIN. How about Sam Gordon?

Mr. RUBENSTEIN. Sam Gordon was a business associate of Jack, but not as good as these others. Sam was in the highlight of the depression and then moved to L.A.

Mr. GRIFFIN. So your idea was Benny Kay, Hershey Colvin and Harry Epstein outside of Marty Gimpel who is now deceased?

Mr. RUBENSTEIN. Those would be three as far as I know. You see we all had our own friends, so I didn't know too many of Jack's except when he would bring them to the house or we would meet somewhere by accident, downtown, somewhere, you know, run into each other in the street.

Mr. GRIFFIN. I am going to hand you what I have marked—incidentally, if you are satisfied with that——

Mr. RUBENSTEIN. Except for what I told you here the only incident was this Stanley Oliver Corp., I don't know whether Jack sold any stuff, maybe he did. I don't know about those things.

Mr. GRIFFIN. Would you then sign on the first page, Exhibit No. 3?

Mr. RUBENSTEIN. Right here?

Mr. GRIFFIN. Sign it in some conspicuous place.

Mr. RUBENSTEIN. How about down here?

Mr. GRIFFIN. Fine. I will hand you now what I have marked for identification as "Exhibit No. 4, Washington, D.C., June 5th, 1964, deposition of Hyman Rubenstein." This is a copy of the interview report prepared by Special Agent George

Parfet in connection with an interview he had with you on November 27, 1963, in Chicago.

Take the time to read that, and tell us whether there are any corrections that you would make in that.

Mr. RUBENSTEIN. This is the part I forgot to tell you about, when Jack called and told me about the newspaper, I forgot, I couldn't exactly remember. That is exactly what he said.

Mr. GRIFFIN. What was that?

Mr. RUBENSTEIN. When he called about the newspaper with the ad with the black border about it.

Mr. GRIFFIN. He called you?

Mr. RUBENSTEIN. I believe he did.

Mr. GRIFFIN. You said before that he called Eva and that you learned about this from Eva.

Mr. RUBENSTEIN. It could have been. But according to this, according to this, "The exact time of the shooting of the President of the United States his brother Jack had been in the office of a newspaper."

It could have been that Eva told me this. You are right. That is right. Because he came over and had breakfast with Eva and he had tried to explain to her about the ad, whether she had noticed it. Eva said, "What do I notice about an ad?"

He said, "With the black border around it, and the, what was that word I used before, the twenty, what is that word where you have——

Mr. GRIFFIN. Grievances?

Mr. RUBENSTEIN. Grievances. The grievances. It was Eva. Should I sign this?

Mr. GRIFFIN. If you would.

(Hyman Rubenstein Exhibit No. 4 was marked for identification.)

Mr. RUBENSTEIN. You are bringing back a lot of—what a deal.

Mr. GRIFFIN. If you remember anything in the course of reading that we haven't covered, why let's have it. Now is the time.

Mr. RUBENSTEIN. Well, I don't know. It is hard, gentlemen, it isn't easy. It wasn't a pleasant experience. It was a sad experience, and your mind wants to block out those things that you don't want to remember. So, it is hard to remember every incident or every detail.

Mr. GRIFFIN. If things come to your mind.

Mr. RUBENSTEIN. I know.

Mr. GRIFFIN. Because the reason we have asked you to come here is so that we can get——

Mr. RUBENSTEIN. I know. Look, we had nothing to hide. Any member of the family will cooperate 100 percent. Any of our friends and lawyers will cooperate 100 percent or we want to know why. We don't believe in shooting Presidents. Let's put it that way. We love this country, and we make our living here, we all served in the army here. We were brought up in this country, and it is our duty to cooperate with a law enforcement agency or any agency that wants to investigate a thing of this type.

It is unfortunate that our brother Jack had to be involved but many of our friends feel that he is a hero because they felt they would have done the same thing under similar circumstances.

How can a man premeditate, his dog Sheba was in the car, $2,000 in cash, all that photographic equipment in the back trunk with the adding machine and the tire, the dog is waiting for him, and Jack happened to carry the gun because that was the night's receipts in the car and he happened to have it with him and if that girl in Fort Worth hadn't called him that morning at 10 o'clock, Jack would still have been sleeping and forgotten all about it.

So, the man must have blacked out, nothing else could convince me, and nothing else convinces any of my friends that I talked to. People who don't even know him they said that is what must have happened. He blacked out. I understand that Jack cried like a baby when the President was shot. He cried more than when his own father died. His own father was 88 years old when he passed away in the year of 1958, I believe.

Mr. GRIFFIN. Mr. Rubenstein, who did you hear about the crying from? Who told you about the crying?

Mr. RUBENSTEIN. Eva; he made her sick. He came over there crying.

Mr. GRIFFIN. Go ahead.

Mr. RUBENSTEIN. Also from the rabbi in Dallas. He went to synagogue Saturday night, and he cried, and there is witnesses to prove it in the synagogue.

Mr. GRIFFIN. Are there people in the synagogue who saw him?

Mr. RUBENSTEIN. People in the synagogue that saw him crying when they had a special, some services for the President and they saw him crying and the rabbi saw him crying. They didn't believe a guy like Jack would ever cry. I don't know the rabbi's name but——

Mr. GRIFFIN. Silverman.

Mr. RUBENSTEIN. Silverman. He will testify to that and he will bring witnesses who saw him cry. Jack never cried in his life. He is not that kind of a guy to cry. Never complained about nothing. Never talked about any heroic deeds that he ever did. He didn't go for that stuff.

Mr. GRIFFIN. He wasn't; you wouldn't characterize him as somebody who bragged?

Mr. RUBENSTEIN. Far from it. He was reticent in that respect. But to help somebody in an emergency, the first one on the street to raise money for any occasion. Any policeman or fireman got hurt or the family needed something he is out there right away selling tickets, and chances are there wasn't enough, he paid the difference himself whatever was needed.

Eva told me that, too. He didn't tell me that. I heard it from people down in Dallas.

Mr. GRIFFIN. Let me hand you what I have marked as "Washington, D.C. deposition of Hyman Rubenstein, June 5th, 1964, Exhibit No. 5." This is a copy of an interview report prepared by FBI Agent John Golden as a result of an interview that he had with you in Chicago on December 9, 1963.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Do you remember that interview?

(Hyman Rubenstein Exhibit No. 5 was marked for identification.)

Mr. RUBENSTEIN. Yes; that is the truth like I told you. I don't remember the dates. I know how I met John Paul Jones.

Mr. GRIFFIN. Paul Roland Jones.

Mr. RUBENSTEIN. No, John Paul.

Mr. GRIFFIN. The fellow in the trial at Laredo, is that it?

Mr. RUBENSTEIN. Yes; how come it is John Paul Jones here?

Mr. GRIFFIN. That is apparently the name you gave. You understood the man's name to be John Paul Jones.

Mr. RUBENSTEIN. Well, you see I didn't even know his right name then.

Mr. GRIFFIN. The Jones you met you recall as being named John Paul Jones?

Mr. RUBENSTEIN. Yes; that is the name he gave me.

Mr. GRIFFIN. Are there any corrections or additions you would make to that statement?

Mr. RUBENSTEIN. No; this is the truth. Jack did not know Jones—Jack wasn't down there at the time when I went down there. Eva was alone down there.

Mr. GRIFFIN. When you say go down there do you mean——

Mr. RUBENSTEIN. Dallas. When I had to go down to Laredo I stopped off in Dallas to see Eva.

Mr. GRIFFIN. But the time you are referring to going to Texas is when you went to the trial or was it another time?

Mr. RUBENSTEIN. No; regarding this, Laredo.

Mr. GRIFFIN. Yes; and you say when you went to the trial in Laredo it is your understanding Jack was not living in Dallas?

Mr. RUBENSTEIN. Definitely. Do you want me to sign this?

Mr. GRIFFIN. If you would, please. Very good. I say that because I appreciate your coming here and talking with us and taking this time, and I will ask you once again if there is anything else——

Mr. RUBENSTEIN. These two things I will get for you.

Mr. GRIFFIN. If you would we would appreciate that.

Mr. RUBENSTEIN. That is all right. It is the least I can do.

Mr. GRIFFIN. If there is anything else?

Mr. RUBENSTEIN. Anything also you might want to know drop me a note and I will be glad to answer it.

Mr. GRIFFIN. We appreciate your cooperation.

Mr. RUBENSTEIN. We would like to get a new trial for Jack. Some of my friends say Jack should have gotten the Congressional Medal of Honor. They feel the same way I do about it. People say to me, why didn't he wait for the investigation? How stupid can people be? Then it is premeditated. You don't do things like that. Why wait for an investigation? Sure, it would have been a wonderful thing to have done but you can't, you don't know what is in the other man's mind. I blame everything on the stupid Dallas police from every angle, even from that angle up there. They knew Oswald was in town, why didn't they grab him. That is my opinion. They blame everything on Jack, the scapegoat, the poor guy has got to take it for the whole police department down there. You know that is the truth and I mean it.

Mr. GRIFFIN. Well, we certainly appreciate your frankness in this matter and your willingness to express your opinion.

Mr. RUBENSTEIN. You can call me anytime, if you want me to come back again I will be glad to come back, anytime. If I am out of town I will have to wait to pick up my letter.

Mr. GRIFFIN. I hope we won't have to trouble you again and thank you very much for coming.

TESTIMONY OF WILLIAM S. BIGGIO

The testimony of William S. Biggio was taken at 5 p.m., on April 2, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Would you stand, please, and take the oath?

Do you solemnly swear in your testimony before this Commission that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BIGGIO. I will.

Mr. JENNER. Would you state your full name, and spell it, please?

Mr. BIGGIO. William S. Biggio, [spelling] B-i-g-g-i-o.

Mr. JENNER. And you are a member of the Dallas City Police Force?

Mr. BIGGIO. That's right.

Mr. JENNER. Are you in any particular division, do you have a particular assignment?

Mr. BIGGIO. I am with the special service bureau, criminal intelligence section.

Mr. JENNER. Now, I am Albert E. Jenner, Jr., one of the members of the legal staff of the Warren Commission, with which you are familiar, and this item has come to my attention recently through Mr. Davis of the attorney general's office of the Texas staff and while I appreciate the fact that at the moment it is third hand or hearsay, as we lawyers call it, I would just like to have your report on it—which we will seek to run down—as I understand Mr. Davis and the FBI are undertaking the investigation; is that right?

Mr. DAVIS. Yes, sir.

Mr. BIGGIO. I have since talked to them also.

Mr. DAVIS. Since we talked?

Mr. BIGGIO. Yes, sir.

Mr. JENNER. You appreciate the existence of the President's Commission and what the President's Commission is engaged in, in the investigating of the assassination of President Kennedy and many members of your force have been very helpful to us and have been appearing these last 2 weeks by considerable number. Tell us about this whole incident from the beginning—when it first came to your attention, who brought it to your attention and what developed thereafter?