

(Mount Clipping in Space Below)

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Ruby Lawyer to Ask For Sanity Hearing

By CARL FRUEND

A defense lawyer said Wednesday he will ask Judge Joe B. Brown this week to order a sanity hearing for Jack Ruby.

The lawyer, Joe Tonahill of Jasper, said he will base the request on a report submitted to Judge Brown by Dr. Robert Stubblefield.

Dr. Stubblefield, who heads the Southwestern Medical School department of psychiatry, examined Ruby at Judge Brown's request.

The report prepared by Dr. Stubblefield states that Ruby is mentally ill and needs treatment, preferably in a hospital. The psychiatrist noted, however, that a man may be legally sane although mentally ill since medical and legal standards differ.

Tonahill said:

"Judge Brown assured us he would schedule a hearing and let

a jury pass on Ruby's sanity if Dr. Stubblefield believed him mentally ill. We feel we were entitled to the hearing on the basis of Dr. West's affidavit and testimony. Now there can be no doubt."

Tonahill referred to Dr. Louis Jolyon West of the University of Oklahoma medical school, who said Ruby had delusions that he was "responsible for the slaughter of millions of Jews" throughout America.

Defense lawyers claim Ruby has become insane since a jury sentenced him to the electric chair for the Nov. 24 murder of Lee Harvey Oswald, the Marxist accused of killing President John F. Kennedy and policeman J. D. Tippit.

If a jury agreed, Ruby would go to a mental hospital and could not be executed unless his sanity was restored.

Dist. Atty. Henry Wade contends Ruby is sane and says he sees "no need whatever" for a sanity hearing now.

Wade said he was willing for Ruby to receive treatment temporarily in a hospital if psychiatrists think it is needed "to snap him out of his depression."

Tonahill said this "does not go far enough" and the defense will argue it is entitled to a sanity hearing as a matter of law.

If Judge Brown does order a hearing, prosecutors want him to delay it until September or October. By that time, they believe, the slayer's mental condition will have improved or deteriorated to such an extent that there will be little doubt about his sanity.

Judge Brown indicated last week he would delay a decision until he confers with Dr. Stubblefield; Dr. John Holbrook, who examined Ruby for the district attorney's office, and Dr. William Beavers, who was employed by Ruby's family.

Wade said Tuesday he had been informed Ruby was receiving "treatment for his mental condition" in the jail. The district attorney said Thursday he referred to interviews with psychiatrists and not to pills.

(Indicate page, name of newspaper, city and state.)

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