

(Mount Clipping in Space Below)

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Fowler to Withdraw Bid For Ruby Sanity Hearing

Jack Ruby's new chief defense attorney said Wednesday he plans to withdraw a request for a sanity hearing for the condemned slayer. Clayton Fowler said, however, that he wants assurances from

doctors before taking this step. "I want assurances from doctors that Jack's condition will not deteriorate if he receives treatment in the county jail instead of going to a hospital. If I get these assurances, I anticipate we will withdraw the request for a sanity hearing and ask Judge (Joe B.) Brown to cancel the June 19 hearing," said Fowler.

Judge Brown scheduled the June 19 hearing to listen to testimony and arguments about Ruby's mental condition. The judge said he would decide at the time whether to empanel a jury to pass on Ruby's sanity.

Defense attorneys Phil Burleson and Joe Tonahill requested the sanity hearing. Tonahill said Wednesday he still believes Ruby should have a sanity hearing, but added that he and Fowler can reconcile their disagreement on this point.

Fowler, who was hired Tuesday as Ruby's fifth chief defense attorney, said he thinks a sanity hearing now would be "premature."

Fowler said the defense should concentrate on asking the Court of Criminal Appeals to order a new trial for the former strip-tease club manager.

A jury sentenced Ruby to the electric chair for the Nov. 24 murder of Lee Harvey Oswald, who had been accused two days earlier of killing President John F. Kennedy and Patrolman J. D. Tippit here.

Fowler said he expects to confer with Ruby in the county jail Thursday. They have not met since relatives of the slayer hired Fowler to spearhead the legal fight to save him from the electric chair.

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