

(Mount Clipping in Space Below)

Belli's Prediction: Ruby Will Never Be Executed

Attorney Melvin Belli said yesterday that Jack Ruby will never be executed for the murder of Lee Harvey Oswald, the accused assassin of President Kennedy.

Belli made the comment shortly after the Texas Court of Criminal Appeals ordered that a sanity trial be held for Ruby, who has been sentenced to death.

"Ruby will be judged to be insane and sent to an institution for the rest of his life," Belli told a news conference here.

"He will never be executed."

'INCOMPETENT'

"What the court did is what we've been asking it to do — in brief, Ruby is incompetent to defend himself. Everything we said during the trial has now come true," Belli said.

The court had scheduled hearings March 10 on Ruby's

appeal from his murder conviction. However, it suddenly ordered the insanity trial because of a dispute over Ruby's current attorney J.H. Tonahill of Texas.

Ruby's family has tried to fire Tonahill, but the attorney contends Ruby is not mentally competent either to select his own lawyer or take part in an appeal.

FIRED

Belli was Ruby's defense lawyer at the murder trial and was later fired by Ruby's family. However, he said he had completed only yesterday morning a 100-page brief to be filed with the appeals body as a friend of the court.

The attorney sharply criticized Texas Judge Joe B. Brown, who presided at the trial, and Dallas District Attorney Henry Wade.

Both men, Belli said, failed to give Ruby a fair trial which was conducted in such

a fashion that "no appeals court under the sun could ever confirm a guilty verdict."

Belli said his brief would have led to a reversal of the conviction, but he added that neither Texas official wanted that to happen.

LEAK

To prevent such a reversal, Belli said, the judge and the district attorney leaked information that Ruby is insane. "Once the court hears this, the appeals proceeding stops."

"They feel they have saved Dallas' image as a law-abiding city," Belli said. "Now there will be mercy from Dallas for Ruby. But what kind of mercy? It's like operating on a man for cancer when he could have been saved, but instead they operate at the autopsy."

If psychiatric treatment had been given to Ruby at the time, he could have been cured, Belli said.

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