

Brother Says He Thinks Jack Ruby Is Insane

DALLAS (AP)—Earl Ruby of Detroit testified today he believes his brother, Jack Ruby, slayer of President Kennedy's assassin, is insane.

The Detroit man was the first witness at a hearing to determine who will be the lawyers for the man who killed Lee Harvey Oswald.

The question of insanity is a key one in the struggle between the lawyers since Jack Ruby's original attorneys contend the defendant cannot fire them because he is mentally unsound.

Cross-Examined by Lawyer

Earl Ruby made the statement on his brother's mental condition under cross-examination by Joe Tonahill, whom the family is seeking to oust from the appeal maneuvering.

Earl Ruby testified that neither the Ruby family nor Jack Ruby employed Tonahill. He said the Jasper, Tex., lawyer was hired by Melvin Belli, chief of the defense for the murder trial in February and March last year.

Belli was fired from the case. Jack Ruby is under death sentence, but has appealed, and a sanity hearing has been ordered by the Texas Court of Criminal Appeals.

May Rule on Motion

Among witnesses sworn for today's hearing by Judge Louis Holland were Judge Joe B. Brown, who presided at the murder trial, and Dist. Atty. Henry Wade, who prosecuted Ruby.

Judge Holland of Montague, Tex., sitting for Judge Brown, said he may rule on a motion to disqualify Judge Brown from further participation in the case and whether to hold the sanity hearing outside Dallas.

Judge Brown temporarily stepped out of the case and Judge Holland was appointed.

Two groups of attorneys seek to represent Ruby.

On one side is Tonahill, member of Ruby's original defense team. Opposing him is a group of out-of-state lawyers appointed by the Ruby family. These include the firm of Kunstler, Kunstler and Kinoy of New York, Sol Dann of Detroit and Elmer Gertz of Chicago.

Brought to Hearing

Ruby, heavily guarded as usual, was brought down on an elevator from the jail a half hour before the hearing began.

A newsman asked him which lawyers he preferred, and Ruby replied, "The lawyers my family are getting for me." This would be the Kunstler-Dann-Gertz group.

Ruby was dressed in a dark suit and white tie and appeared much the same as in his murder trial last year.

Tonahill contends Ruby signed a contract with him. He says Ruby was sane at the time, but has since become insane and thus not legally competent to break a contract for counsel. He also noted that Judge Brown appointed him and Dallas attorney Phil Burleson to represent Ruby.

- Tolson _____
- Belmont _____
- Mohr _____
- DeLoach _____
- Casper _____
- Callahan _____
- Conrad _____
- Felt _____
- Gale _____
- Rose _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele Room _____
- Holmes _____
- Gandy _____

- The Washington Post and Times Herald _____
- The Washington Daily News _____
- The Evening Star _____
- New York Herald Tribune _____
- New York Journal-American _____
- New York Daily News _____
- New York Post _____
- The New York Times _____
- The Baltimore Sun _____
- The Worker _____
- The New Leader _____
- The Wall Street Journal _____
- The National Observer _____
- People's World _____
- Date _____

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