

(Mount Clipping in Space Below)

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Wick	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Defense Opposes Hearing

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By WAYNE KING
Staff Writer

Attorneys for Jack Ruby de-
clared Friday that the sanity
hearing scheduled for him next
week would violate his constitu-
tional rights. They said they
will not offer any evidence of
his insanity if the hearing is
held.

Judge Louis T. Holland of
Montague, hearing pre-trial mo-
tions before the sanity hearing
scheduled Monday, at one point
ordered the lawyers to produce
witnesses on Monday, but later
returned the hearing until 1
Monday afternoon and said he
would announce his decision
then.

The sanity hearing before
the sanity hearing is a result of
an affidavit filed by Mrs. Eva
Grant, Ruby's sister, on April
27, 1964, claiming her brother
was insane.

MRS GRANT filed a motion
Thursday asking that her affi-
davit be withdrawn and the
lawyers said this motion re-
moves the reason for the hear-
ing.

Judge Holland and attorneys
for the defense argued that the
hearing would violate the con-
stitutional rights of the de-
fendant. The hearing is set for
Monday afternoon at 1:30 p.m.
in the courtroom of Judge Hol-
land in Montague.

a courtroom full of spectators
disappointed because Ruby was
not brought in as expected, was
held in a tense atmosphere as
attorneys for Ruby and the
state exchanged arguments.

EARLY IN THE hearing,
Judge Holland overruled a
motion to withdraw Mrs. Grant's
affidavit, saying, "I think
justice requires me to do this."

But attorneys Phil Burleson,
Sol Dann, and Joe Tonahill of-
fered numerous arguments to
the contrary, saying that the
only evidence in the hearing
Monday, if it is held, will be
evidence of Ruby's sanity, since
the defense plans to offer no
evidence.

Tonahill introduced the pos-
sibility of appealing an un-
favorable ruling when he said,
"Should you go forward and try
the case, I feel it would reach
constitutional dimensions."

MRS GRANT motion
to withdraw the affidavit that
she filed in a request for
three reasons:

1. "To avoid further legal en-
tanglements that have been
present in processing Jack
Ruby's appeal.
2. "To assure Jack Ruby a
speedy review of his main trial
record at the next term of the
Court of Criminal Appeals.
3. "To assure speedy and ade-
quate psychiatric aid in the
event of a conviction, either in a
prison hospital with features of
the one operating in the city
of Dallas, or in a hospital
operating in the Dallas area.

JUDGE HOLLAND observed
that nowhere in the motion does
Mrs. Grant say that her brother
is presently sane.

"If you could file motions and
withdraw them at will," said
the judge, "you could file another
one before sundown and de-
lay the proceedings indefinitely."

Dist. Atty. Henry Wade ar-
gued that the defense's in-
sistence on a sanity hearing has
been responsible for the delay
in appealing Ruby's conviction
for the murder of Lee Harvey
Oswald. Ruby was convicted in
March, 1964 of murdering Os-
wald and received the death
penalty. His appeal of the con-
viction is still pending.

BURLESON, HOWEVER, said
that if the sanity hearing is
called off, the defense will im-
mediately ask the Court of
Criminal Appeals to consider
Ruby's appeal.

Judge Holland, in ruling on
the motion, said he would
offer a choice to the
judge other than sustaining or
overruling Mrs. Grant's motion.
He suggested that Judge Hol-
land continue the matter and
consult the Court of Criminal
Appeals, which ordered the san-
ity hearing in the first place.

Judge Holland decided to con-
tinue the hearing until Friday
afternoon so that he could con-
sider the attorneys' arguments.
The sanity hearing is set for
Monday afternoon at 1:30 p.m.

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

1
"The Dallas Times Herald"
Dallas, Texas

Date: 6/10/66
Editor: Felix R. McKnight

Title:
Character:

56 JUN 27 1966

44-24016-A
NOT RECORDED
JUN 24 1966