

Dallas Lawyers Want Present Sanity Defense

DALLAS (AP)—Jack Ruby's sanity trial is scheduled to begin Monday. His lawyers say that to protect their client they will present no witnesses and no evidence to support the earlier contention he is insane.

District Judge Louis T. Holland turned down defense attorneys Friday that would have forestalled the sanity hearing for the convicted slayer of Lee Harvey Oswald.

Holland ordered that selection of a jury start Monday morning after overruling defense arguments that Ruby's constitutional rights would be violated if witnesses who might be called for a second murder trial testified at a sanity hearing.

Holland said he would recognize Phil Burleson of Dallas, Joe Tonahill of Jasper and several other attorneys as Ruby's counsel.

Burleson and Tonahill have been at odds over defense procedure. But they agree the sanity hearing should be optional.

Both said they will not call Ruby as a witness nor will they present witnesses or evidence at the sanity trial.

Ruby, a 55-year-old former night club operator, was not in court. He has been in the Dallas County Jail since the November 1963 shooting of Oswald named by the Warren Commission as the assassin of President John F. Kennedy.

The district court is under orders of the Texas Court of Criminal Appeals to conduct the sanity hear-

ing before the appeal court reviews the death sentence assessed in July 1964.

At Friday's hearing, the defense sought the judge's approval of a petition to draw an affidavit filed in 1964 by Mrs. Eva Grant, Ruby's sister-in-law, which she contended her brother was insane. Her lawyers said the

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