

RUBY FINDS RUBY SANE AFTER HE PRESENTS HIS CASE

DALLAS (AP)—A seven-man, five-woman jury needed only 10 minutes Monday to find Jack Ruby legally sane.

Ruby, silent and apparently disinterested through most of the sanity trial, took the witness stand shortly before the jury retired to announce: "Never at any time have I tried to make anyone believe that I was of unsound mind. I never tried to camouflage my mental capacities."

Some court observers indicated that the appeal of the 55-year-old Ruby's conviction for the murder of Lee Harvey Oswald would now make its way to the Texas Court of Criminal Appeals.

But one Ruby lawyer, Sol Dann of Detroit, told reporters the defense might quickly take the case into the federal courts again.

The defense did not participate in the sanity trial—it selected no jurors, offered no testimony and pres-

ented no final arguments.

The defense, which had originally requested such a sanity trial, objected to it at the last minute on the grounds it would violate, on several counts, Ruby's constitutional rights.

Dann explained to reporters that action may be sought in federal courts, including the U.S. Supreme Court, in a further protest against the sanity trial proceeding.

The sanity trial was conducted in Criminal District Court No. 3, the same court in which Ruby was convicted of Oswald's murder 2½ years ago.

The state rested its case after producing 50 minutes of testimony from five witnesses. The defense offered no testimony and Judge Louis Holland began preparing his charge to the jury.

Jailers Testify

Four witnesses were county jailers who have spent many hours sitting with Ruby in his isolated cell. They all said he was aware of his position and seemed of sound mind in all respects.

The last witness was Dr. Dan Calahan, the jail doctor who said Ruby was in

control of his faculties. Under Texas law it was up to the defense to prove insanity.

The Texas Court of Criminal Appeals ordered May 18 that Ruby's present sanity be determined without delay. It said that must be done before it will rule on the appeal of Ruby's death sentence for the Nov. 24, 1963, slaying of Oswald.

Oswald had been charged with the assassination of President John F. Kennedy two days before Oswald's mother, Mrs.

Marguerite Oswald of Ft. Worth, and Ruby's sister, Mrs. Eva Grant, were among spectators at the court session Monday.

Mrs. Oswald peered intently toward a courtroom door as Ruby was brought into court from a side entrance.

Ruby was neatly dressed in a dark suit, white shirt and tie. He did not speak other than to make his statement from the stand. Holland had ordered reporters not to ask him any questions or speak to him.

Ruby has made emotional outbursts to newsmen at previous court sessions. He showed no emotion as the jurors were selected.

Overrules Motions

Holland began selection after overruling defense motions that the sanity trial be put off. Defense lawyers Joe Tonahill of Jasper and Phil Burleson of Dallas argued that a trial at this time would violate Ruby's rights.

Dann asked that Tonahill not be permitted to take part in the session. But Holland said the court of criminal appeals had ordered that Tonahill be allowed to participate.

All three defense lawyers agreed that Ruby did not want the sanity hearing now. *END*