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## Ruby Sane, Stage Set

DALLAS, Tex. (AP)-The Jack Ruby murder case plagued by legal complications and wrangles among defense lawyers, appears finally to be on its way to the Texas Court of Criminal Appeals.

Ruby's conviction and death sentence for the Nov. 24, 1963, killing of Lee | Harvey Oswald has not yet technically progressed beyond the trial court level. Oswald was named by the Warren Commission as the assassin of President John F. an jury only 10 minutes Monday agreed that Ruby was sane. Kennedy. Kennedy was shot to rule that Ruby was sane. Nov. 22, 1963.

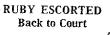
Appeals-the highest court in murder conviction.

Oswald who took pictures of sound mind. Ruby despite a court order banning photographs.

der March 14, 1964, in the same anyone believe that I was of would continue as Ruby's lawcourt- Criminal District Court unsound mind. I never tried to yer until ordered to get out of No. 3-that adjudged him sane. camouflage my mental capac-the case by the appellate court. The defense, claiming that ities."
Ruby was insane, had requested The a sanity hearing a month after nesses, conducted no cross-ex-the appeal could be considered the conviction. It was repeated-amination and gave no final ar- until October. The court's sumly delayed for various reasons.

The Texas appeals court, ordered May 18 that Ruby's sanity be judicially determined without of Jasper, Tex., repeatedly en-take the case into the federal







COURT SPECTATOR Mrs. Marguerite Oswald

But one major obstacle to the asked that the sanity trial be sanity trial in April 1964. She movement of Ruby's trial was put off. Reasons given were that tried to have it withdrawn Friremoved Monday when a Dallas District Court jury ruled that the 55-year-old former strip would violate Ruby's constitu-tempt. joint operator was legally same tional rights and would only. The appeals court had sug-The texas Court of Criminal serve to slow the appeal of the gested in 1965 that a sanity trial

indicated that it would not take nied formal motions to that ef-resent Ruby. up the appeal of the murder fect Monday and the jury panel The Ruby family had said it conviction until the sanity issue was selected and sworn in 42 did not want Tonahill, but Tonaminutes.

Attending the hearing was the put on five witnesses-four jail-him before the murder trial, he hearing was Mrs. Marguerite ers and the jail doctor-to back had since become insane, and Oswald, mother of Lee Harvey up its contention that Ruby is of therefore could not dismiss him.

ing the trial to say: "Never at up the dispute. Ruby was convicted of mur- any time have I tried to make | Tonahili said Monday he

guments.

Defense lawyers Phil Burle- One Ruby lawyer, Sol Dann of son of Dallas and Joe Tonahill Detroit, said the defense might tered formal objections to the coutrs to further protest the It took a seven-man five-wom-proceeding. Ruby's lawyers all sanity trial hearing.

Ruby's sister, Eva Grant, The defense last Friday had filed the original motion for a

be held to lear up a dispute the state for noncivil cases—had: But Judge Louis Holland de-over which lawyers should rep-

> hill contended that whereas The state chose 12 jurors and Ruby was sane when he hired

The lawyer fight persisted Ruby himself took the wit-juntil the appellate court ordered ness stand for one minute dur- a sanity trial which would clear

A source near the appeals The defense put on no wit-court said it was unlikely that mer recess starts June 25.