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119 Nassau Street
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From JUN 14 1966

607 125 01005, 11

Ruby Makes Plea, Found Sane By Dallas Jury

DALLAS (UPI) — A jury Monday found confessed slayer Jack Ruby sane following a dramatic personal appeal by Ruby to the jury to find him of sound mind.

The sanity hearing had been ordered by the Texas Court of Criminal Appeals to see whether Ruby had the mental capacity to fire Joe H. Tonahill, one of the original lawyers in the case.

Even after the jury reached its decision, Tonahill said he still considered himself Ruby's lawyer.

The defense lawyers, including Tonahill, were present in the court of Judge Louis Holland Monday but would take no part in the proceedings beyond objecting, and presented no witnesses.

But after the state called

the last of its five witnesses in the fast-moving hearing, Ruby said he wanted to take the stand and, over his counsel's protest, did so.

"Never at any time since I was convicted have I ever done anything to make anybody believe I was of unsound mind," Ruby said.

"I don't know who conspired to do that (to spread the story that he was insane), and I never tried to camouflage my mental capacity. I never gave them (his lawyers) any reason to believe anything but that I was sane," he said.

After hearing Ruby's plea and a short argument from Asst. District Atty. Bill Alexander, the jury took less than 15 minutes to reach its decision.

Ruby was convicted and doomed in Judge Joe B. Brown's court of killing Lee Harvey Oswald, named by the investigating Warren Commission as the assassin of President John F. Kennedy. The Texas Court of Criminal Appeals now is to consider Ruby's appeal of his conviction. Ruby's defense charges that Judge Brown made 1,200 legal errors in trying Ruby and points out that Brown was compiling a book on the case at the time of the trial.

However, before that can take place, appeals on Monday's sanity ruling must be cleared. Sol Dann, one of Ruby's lawyers, said such an appeal will be made to the U.S. District Court or U.S. Supreme Court, since no appeal from a sanity ruling is available in Texas courts.

The state placed four county jail guards and one doctor on the stand during the hearing, noteworthy for its brevity. The jury was selected in 42 minutes Monday morning because the defense refused to take part in questioning of jurors.