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DATE

Was Jack Ruby Sane That Day?

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A
By TOM JOHNSON

DALLAS, Tex. (AP)—
The question of whether
Jack Ruby was sane or
insane when he killed
Lee Harvey Oswald is to
be decided by a district
court jury this week.

The sanity hearing — first re-
quested and then opposed by
defense attorneys — gets under
way today with the selection of
a jury.

Ruby's lawyers, claiming their
client's constitutional rights
would be violated by having to
present witnesses who might be
called for a possible second mur-
der trial, are expected to ask for
a postponement. Judge Louis T.
Holland indicated at a pretrial
hearing Friday that he would
not grant any delays.

Ruby, 55, former strip joint
operator, is under the death
penalty for killing Oswald, nam-

ed by the Warren Commission
as the assassin of President John
F. Kennedy. The slaying in the
basement of the Dallas police
station occurred before a na-
tionwide television audience
Nov. 24, 1963.

After they were unsuccessful
in forestalling the sanity hear-
ing, two groups of lawyers, each
representing Ruby, said they
would not call their client to the
stand nor would they present
witnesses or evidence to sup-
port their earlier contentions he
is insane.

One group is headed by Phil
Burleson of Dallas, currently
representing Ruby. The other is
headed by Joe Tonahill of Jasper,
named by the Texas Court
of Criminal Appeals to represent
Ruby in the sanity hearing.
Judge Holland said Friday he
would recognize both groups.

The Court of Criminal Appeals
ordered the sanity hearing May
18, saying it would not consider
an appeal of his conviction un-
til his mental condition had been
determined.

If Ruby is found insane, he
will be committed to a state
mental hospital. If found sane,
the high court is expected to
consider his appeal.

At Friday's hearing, defense
lawyers said that Ruby does
not want a sanity hearing.

During the more than 2½
years he has been in jail, the
short, balding Ruby has told
newsmen and jailers several
times he is not insane.

Deputy sheriffs say that dur-
ing his stay in jail he has re-
mained outwardly calm, playing
dominoes, reading the Bible, and
doing pushups in his one-man
cell.

"He's living as usual a life as
could be expected," said deputy
sheriff Allen Seatt. "Three
meals a day, visits by his fam-
ily, that sort of thing."