Wade Offers Move to Save Life of Ruby

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Lawyer Calls DA Proposal 'Premature'

By JOHN GEDDIE

Dist. Atty. Henry Wade made public Thursday a proposal to join Jack Ruby's defense attorneys in a plea to save Ruby from the electric chair.

Wade said he will ask the Board of Pardons and Paroles to commute the sentence to life — an 8- to 15-year sentence in many Texas murder cases — if the defense attorneys drop Ruby's appeal and request the move.

Attorney Phil Burleson said he appreciated Wade's move but considered it "premature." He indicated that if all appeal moves fail, he would accept the proposal.

Wade told an afternoon press conference that his change in attitude came because of several reasons.

HE DENIED, HOWEVER, that the move concerned speculation that he was failing in the race for appointment to a federal judgeship.

"This (the offer to Ruby attorneys) was done six months ago," he said. "There is no connection to that (the judgeship)."

He later said he had talked with Ruby attorneys about a commutation "six months to a year ago." Wade admitted the proposal "off the record" several months ago, but publicly revealed the offer after questioning Thursday.

Wade gave expense as one reason to stop proceedings and let Ruby live. An estimated $75,000 to $100,000 has been spent on trying him, he said. He added that Dallas County has a crowded docket and he and his assistants "have plenty else to work on."

Another reason, he said, is that "some people are still asking questions about the assassination — it is just as well to have him available."

Pardons board cannot consider Ruby case while appeal pending, Page 3D.

THEN HE ADDED, "Although he is sane, there is no question he has some neurotic tendencies that could be treated in the penitentiary."

Wade indicated he agreed with speculation that Ruby would have received a less severe sentence if his defense attorneys had requested leniency.

Throughout the interview, Wade insisted "there is nothing new" in his offer. He said the Ruby family and lawyers asked for a commutation to murder without malice and a 5-year sentence.

Attorney Burleson later agreed with the statement and added:

"We are still processing our appeals — one from the trial itself and the other on the habeas corpus hearing based on (the allegation of) Judge (Joe B.) Brown's disqualification."

"MY POSITION in the trial was that Ruby was guilty of murder without malice, if he was sane at the time. If we had accepted any compromise, we wouldn't have been proceeding with our appeal, would we? he asked.

He added that as he "understands the law," the pardons board has no jurisdiction while the case is on appeal. He indicated Ruby would take advantage and save his life if the appeals failed, but "I don't think it will come down to that."

Ruby has been in jail since Nov. 24, 1963., when he murdered presidential assassin Lee Harvey Oswald.