

U.S. Court Asked to Halt Ruby Sanity Hearing

DALLAS (UPI)—Jack Ruby's lawyers asked a federal court Thursday to stop a scheduled hearing in state court on the condemned slayer's sanity and to have a U.S. marshal take him out of state custody.

The motion, filed in U.S. District Judge T. Whitfield Davidson's court, also asked for an injunction against District Atty. Henry Wade and State District Judge Joe B. Brown to prevent any further state court proceedings in the case.

The motion was filed by Sam Houston Clinton Jr. of Austin, a lawyer with the Civil Liberties Union, who listed Sol Dann of Detroit and Elmer Fertz of Chicago as other lawyers in the action.

They charged violation of Ruby's constitutional rights. They asked that the slayer of presidential assassin Lee Harvey Oswald be put in the U.S. marshal's custody pending Davidson's ruling on the motion.

RUBY IS due to appear be-

fore Judge Brown Friday so he can state for the record whether he wants J. H. Tonahill of Jasper, Tex., as his lawyer.

A sanity hearing before a jury is scheduled for March 29 before Brown. The judge had appointed Phil Burleson of Dallas and Tonahill to act as Ruby's lawyers in the sanity trial.

Ruby's appeal was before the state Court of Criminal Appeals when the Ruby family asked the Appeals Court to drop Tonahill.

The Appeals Court refused to go ahead with the appeal un-

til Ruby's sanity was legally determined in Brown's court. he defense says Ruby has gone insane since his conviction last March 14.

The legal action filed before Judge Davidson Thursday said Ruby was being unconstitu-

tionally forced into a sanity hearing because of Tonahill, "whom he does not want for counsel."