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**FIRST BTADIRUBY**

DALLAS, TEX., MARCH 24 (AP)—A HEARING IN FEDERAL COURT ON AN APPEAL BY ATTORNEYS FOR JACK RUBY WILL BE HELD THE WEEK OF APRIL 19 IN JACKSONVILLE, FLA., THE FIFTH CIRCUIT COURT OF APPEALS SAID TODAY.

EARLIER, THE APPEALS COURT SAID THE HEARING WOULD BE HELD TOMORROW IN NEW ORLEANS.

ASSISTANT DISTRICT ATTORNEY A.D. JIM BOWIE TOLD NEWSMEN HERE OF THE NEW HEARING DATE.

AFTER THE FIRST ETC., 4TH GRAF B76

JQ1131PCS

B76

**RUBY (400)**

DALLAS, TEX., MARCH 24 (AP)—A FEDERAL APPEALS COURT SET A DATE FOR A JACK RUBY HEARING, THEN CHANGED BOTH THE DATE AND SITE OF THE SESSION TODAY.

J. D. JIM BOWIE, ASSISTANT TO DIST. ATTY. HENRY WADE, SAID THE HEARINGS ON A RUBY MOTION TO POSTPONE STATE ACTIONS UNTIL A FEDERAL HEARING ON ANOTHER MATTER WILL BE HEARD DURING THE WEEK OF APRIL 19 IN JACKSONVILLE, FLA.

HOURS EARLIER, HE HAD BEEN INFORMED BY THE FIFTH CIRCUIT COURT OF APPEALS THAT THE CASE WOULD BE HEARD TOMORROW IN NEW ORLEANS.

AFTER THE FIRST INFORMATION, THE DISTRICT ATTORNEY'S OFFICE ARRANGED FOR AIRLINE TICKETS FOR TOMORROW AND RUSHED ONE ASSISTANT DISTRICT ATTORNEY INTO FEDERAL COURT HERE FOR AN INTRODUCTORY PROCEDURE PRIOR TO HIS ADMITTANCE TO PRACTICE BEFORE THE FIFTH CIRCUIT.

MINUTES AFTER THE APRIL SETTING WAS ANNOUNCED BY TELEPHONE, DALLAS OFFICIALS LEARNED THAT CONTROVERSIAL ATTORNEY JOE TONAHILL OF JASPER HAD FILED ANOTHER MOTION IN THE COURT OF DIST. JUDGE JOE B. BROWN.

THE MOTION, ASKING THAT HE BE RETAINED AS ATTORNEY FOR JACK RUBY, WILL LIE UNANSWERED UNTIL AFTER THE FEDERAL HEARING ON THE MOTION FOR A STAY.

THE STAY WOULD POSTPONE STATE ACTIONS IN THE CASE UNTIL THE FIFTH CIRCUIT RULES ON A MOTION TO RESERVE A DALLAS FEDERAL DECISION RETURNING RUBY JURISDICTION TO STATE COURTS.

THE NEW MOTION BY TONAHILL MADE THE FOLLOWING CHARGES:

—SOL DANN NEGOTIATED WITH THE AUTHOR OF "ANATOMY OF A MURDER" TO WRITE A BOOK ABOUT JACK RUBY.

--"DANN IS AWARE THAT IF JACK RUBY IS EXECUTED IN THE ELECTRIC CHAIR AT HUNTSVILLE, THAT JACK RUBY WILL BE THE FIRST JEW IN TEXAS HISTORY EVER EXECUTED."

SB77

--DANN ATTEMPTED TO INCORPORATE RUBY AND MAKE HIMSELF CHAIRMAN OF THE BOARD OF DIRECTORS.

--DIST. ATTY. WADE TRIED TO "UNDERMINE" RUBY'S CONFIDENCE IN TONAHILL IN JAIL CELL VISITS AND IN THE PRESS.

AN ATTACHED AFFIDAVIT FROM DR. L. J. WEST OF OKLAHOMA CITY, SIGNED MARCH 7, FURTHER SUPPORTED TONAHILL'S CLAIMS THAT RUBY IS INSANE AND NOT CAPABLE OF FIRING HIM.

DR. WEST CALLED RUBY A "PARANOID DELUSIONAL PSYCHOTIC" WHO BELIEVES THE DALLAS COUNTY JAIL IS BEING PATROLLED BY MEMBERS OF THE JOHN BIRCH SOCIETY AND THE KU KLUX KLAN. DR. WEST SAID RUBY TOLD HIM THE HEAD OF THE CONSPIRACY AGAINST JEWS IS PRESIDENT JOHNSON.

THE DOCTOR SAID AFTER RUBY ATTEMPTED SUICIDE LAST APRIL BY BUTTING HIS HEAD AGAINST A WALL, HE WAS LATER FOUND FASHIONING A NOOSE TO HANG HIMSELF. DR. WEST SAID HE VISITED RUBY FOUR TIMES, THE LAST ON JAN. 28.

JQ1036PCS

SB86

DALLAS--1ST ADD RUBY B76-77 X X X ON JAN. 28.

WEST IS A PSYCHIATRIST CALLED IN BY TONAHILL TO EXAMINE RUBY IN HIS JAIL CELL.

JQ1130PCS