

RBY

13 JUNE 1966.

EA166

(9 JUNE 1966,
1224 AED)

ADVANCE FOR AMS OF MONDAY, JUNE 13

KLLER (570)

BY TOM JOHNSON

ASSOCIATED PRESS WRITER

(ADVANCE) DALLAS, TEX., JUNE 12 (AP)-IS JACK RUBY CRAZY?

WAS HE OUT OF HIS MIND WHEN HE KILLED LEE HARVEY OSWALD, THE MAN ACCUSED OF ASSASSINATING PRESIDENT JOHN F. KENNEDY?

THE MIDDLE-AGED FORMER NIGHT CLUB OPERATOR SAYS HE IS NOT INSANE.

A FORMAL HEARING TO DECIDE WHETHER HE IS OR ISN'T OPENS TOMORROW. THE OUTCOME MAY DETERMINE IF RUBY DIES IN THE ELECTRIC CHAIR.

IT IS MORE THAN 2 1/2 YEARS SINCE RUBY PULLED A PISTOL AND KILLED OSWALD BEFORE A TV AUDIENCE OF MILLIONS. HE REMAINS OUTWARDLY CALM, PLAYING DOMINOES, READING THE BIBLE AND DOING OCCASIONAL PUSHUPS IN THE DALLAS COUNTY JAIL AS HE AWAITS THE FINAL COURT DECISION.

"HE'S LIVING AS USUAL A LIFE AS COULD BE EXPECTED," SAID DEPUTY SHERIFF ALLEN SWEATT. "THREE MEALS A DAY, VISITS BY HIS FAMILY, THAT SORT OF THING."

EA129DN (INSERT)

(ADVANCE FOR AMS OF MONDAY, JUNE 13)

INSERT

(ADVANCE) DALLAS, TEX.--JACK RUBY ADVANCE BY TOM JOHNSON FOR AMS OF MONDAY, JUNE 13, (MOVED AS A166 THURSDAY NIGHT, JUNE 9) TO COVER DEVELOPMENTS INSERT AFTER SIXTH GRAPH "HE'S LIVING X X SORT OF THING."

THE SCHEDULED SANITY HEARING TOOK AN UNUSUAL TURN FRIDAY WHEN STATE DIST. JUDGE LOUIS T. HOLLAND TURNED DOWN A DEFENSE REQUEST THAT WOULD HAVE FORESTALLED THE TRIAL TO DETERMINE IF RUBY IS SANE OR INSANE. HIS ATTORNEYS SAID THE SANITY TRIAL WOULD VIOLATE HIS CONSTITUTIONAL RIGHTS BECAUSE THEY WOULD BE CALLING THE SAME WITNESSES THAT WOULD BE CALLED IF A SECOND MURDER TRIAL IS GRANTED BY THE TEXAS COURT OF CRIMINAL APPEALS.

AFTER THEIR REQUEST WAS DENIED, RUBY'S LAWYERS SAID THEY WILL NOT PLACE HIM ON THE STAND NOR WILL THEY OFFER ANY WITNESSES OR EVIDENCE IN AN EFFORT TO PROVE HIM INSANE.

THE STATE, WHICH ARGUED FOR THE HEARING, SAYS IT WILL HAVE WITNESSES AND EVIDENCE READY TOMORROW IN AN EFFORT TO PROVE THAT RUBY IS SANE.

RUBY, BALDING AND PLUMP XX SEVENTH GRAF A166 OF THURSDAY NIGHT, JUNE 9, MOVED FOR AMS OF MONDAY, JUNE 13)

RW/CD721PCS NM

VISITS HIM FROM TIME TO TIME

RUBY, BALDING AND PLUMP, WAS 55 YEARS OLD MARCH 25. IT WAS HIS THIRD BIRTHDAY BEHIND BARS SINCE HE SHOT OSWALD IN THE BASEMENT OF THE DALLAS CITY JAIL NOV. 24, 1963.

RUBY WAS CONVICTED OF MURDER AND SENTENCED TO DEATH BY A DALLAS JURY MARCH 14, 1964.

HIS LAWYERS APPEALED ON A VARIETY OF GROUNDS. BUT SO COMPLICATED WAS THE CASE BECOME BECAUSE OF SBSEQUENT LEGAL MANEUVERS THAT THE TEXAS COURT OF CRIMINAL APPEALS HAS YET TO ACT ON IT.

IT IS EXPECTED THAT THE COURT WILL FINALLY TAKE UP THE APPEAL IF THE SANITY TRIAL JURORS FIND RUBY SANE. BUT IF RUBY IS ADJUDGED MAD, HE WOULD BE COMMITTED TO A STATE HOSPITAL FOR THE CRIMINALLY INSANCE.

EA167

SHOULD RUBY BE COMMITTED AND THEN CURED, HE STILL COULD FACE DEATH IN THE ELECTRIC CHAIR.

MEANTIME, RUBY PASSES THE HOURS IN A ONE-MAN CELL IN THE DOWNTOWN JAIL ACROSS THE STREET FROM WHERE KENNEDY WAS SLAIN.

"HE'S A FORLORN, PITIFUL PERSON," SAID RABBI WILLIAM FERTIG, WHO

EA168

HE SAID AT THE SAME TIME THAT HIS MIND HAD MATURED, NOT DETERIORATED, DURING HIS YEARS IN JAIL.

"DO I LOOK INSANE?" HE ASKED.

RUBY HAS ALWAYS BEEN CLEAN SHAVEN AND NEATLY DRESSED IN A DARK SUIT, WHITE SHIRT AND A NECKTIE AT HIS COURT APPEARANCES.

HE HAS BEEN ESCORTED TO COURT BY SHERIFF BILL DECKER AND HALF A DOZEN DEPUTIES AT EACH OF THE HEARINGS ON VARIOUS DEFENSE MOTIONS SINCE HIS CONVICTION.

THE CRIMINAL APPEALS COURT SAID ON MAY 13 THAT IT WOULD CONSIDER AN APPEAL OF RUBY'S CONVICTION AFTER THE SANITY HEARING.

RUBY PLAYS DOMINOES AS THE LEGAL TEMPEST RAGES ABOUT HIM. IT HAS BEEN A LITTLE OVER A YEAR SINCE HE SAID:

"I'VE BEEN VERY PATIENT WHILE EVERYONE HAS CLASSIFIED ME AS AN INSANCE PERSON."

END ADVANCE FOR AMS OF MONDAY, JUNE 13; MOVED JUNE 9

CA1224AED