

EA22DN (LEAD RUBY)

SECOND LEAD RUBY

WITH WIREPHOTOS DN2 AND 3

BY TOM JOHNSON

ASSOCIATED PRESS WRITER

DALLAS, TEX., JUNE 13 (AP)-JACK RUBY WATCHED IMPASSIVELY TODAY AS A SEVEN-MAN, FIVE-WOMAN ALL-WHITE PROTESTANT JURY WAS SWIFTLY IMPANELED TO ADJUDGE HIS SANITY.

DIST. JUDGE LOUIS HOLLAND BEGAN JURY SELECTION AFTER HE HAD OVERRULED SEVERAL DEFENSE MOTIONS THAT THE SANITY TRIAL BE DELAYED.

DEFENSE LAWYERS TOOK NO PART IN QUESTIONING PROSPECTIVE JURORS AND DID NOT PARTICIPATE IN ANY WAY IN THEIR SELECTION.

IT TOOK ONLY 42 MINUTES TO SELECT AND SWEAR IN THE PANEL. JUDGE HOLLAND RECESSED COURT AND SAID TESTIMONY WOULD BEGIN AT 1:30 P.M.

AMONG SPECTATORS ETC FIFTH GRAF (A163DN COUNTING PVS INSERT).

JJ/MW1228PCS NM

EA163DN

FIRST LEAD RUBY (200)

BY TOM JOHNSON

ASSOCIATED PRESS WRITER

DALLAS, TEX., JUNE 13 (AP)-DISTRICT JUDGE LOUIS HOLLAND PREPARED TO IMPANEL A SANITY TRIAL JURY TODAY FOR JACK RUBY OVER THE OBJECTIONS OF RUBY'S DEFENSE LAWYERS.

A THRONG OF PROSPECTIVE JURORS CROWDED THE HALLWAYS OUTSIDE THE COURTROOM AS JUDGE HOLLAND OVERRULED DEFENSE MOTIONS FOR A DELAY.

RUBY REMAINED IN THE CUSTODY OF THE DALLAS COUNTY SHERIFF AND WAS NOT TO BE BROUGHT INTO THE COURTROOM UNTIL A JURY COULD BE SEATED, JUDGE HOLLAND DIRECTED.

HOWEVER, RUBY LATER WAS BROUGHT INTO THE COURTROOM AND TALKED WITH HIS LAWYERS DURING QUESTIONING OF PROSPECTIVE JURORS. IT WAS NOT IMMEDIATELY LEARNED WHY THE JUDGE CHANGED HIS RULING.

AMONG SPECTATORS AS THE PROCEEDINGS BEGAN WERE MRS. EVA GRANT, RUBY'S SISTER, AND MRS. MARGUERITE OSWALD OF FORT WORTH, MOTHER OF LEE HARVEY OSWALD, THE MAN RUBY WAS CONVICTED OF KILLING.

VARIOUS DEFENSE MOTIONS ALLEGED VIOLATION OF RUBY'S CONSTITUTIONAL RIGHTS AND UNNECESSARY DELAY IN THE APPEAL OF HIS CONVICTION IF THE SANITY TRIAL IS HELD AT THIS TIME.

JUDGE HOLLAND ORDERED PHOTOGRAPHERS TO TAKE NO PICTURES OF RUBY EITHER IN THE COURTROOM OR IN THE HALLWAYS WHEN HE IS FINALLY BROUGHT INTO COURT TO GUARD AGAINST WHAT THE JUDGE CALLED "A CIRCUS ATMOSPHERE."

THE SANITY HEARING--FIRST REQUESTED AND THEN OPPOSED BY DEFENSE LAWYERS--IS TO DETERMINE RUBY'S PRESENT MENTAL STATE.

RUBY'S LAWYERS, ETC., THIRD GRAF (A26)...

JJ1034ACS NM

SA26

PHS BUDGET

RUBY HEARING (450)

BY TOM JOHNSON

ASSOCIATED PRESS WRITER

DALLAS, TEX., JUNE 13 (AP)--THE QUESTION OF WHETHER JACK RUBY WAS SANE OR INSANE WHEN HE KILLED LEE HARVEY OSWALD IS DUE TO BE DECIDED BY A DISTRICT COURT JURY THIS WEEK.

THE SANITY HEARING--THE FIRST REQUESTED 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 MURDER TRIAL, ARE EXPECTED TO ASK FOR A POSTPONEMENT. BUT DIST. COURT JUDGE LOUIS T. HOLLAND INDICATED AT A PRETRIAL HEARING FRIDAY THAT HE WOULD NOT GRANT ANY DELAYS.

RUBY, A 55-YEAR-OLD FORMER STRIP JOINT OPERATOR, IS UNDER THE DEATH PENALTY FOR KILLING OSWALD, NAMED 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 NATIONWIDE TELEVISION AUDIENCE NOV. 24, 1963.

AFTER THEY WERE UNSUCCESSFUL IN FORESTALLING THE SANITY HEARING, TWO GROUPS OF LAWYERS, BOTH REPRESENTING RUBY, SAID THEY WILL NOT CALL THEIR CLIENT TO THE STAND NOR WILL THEY PRESENT WITNESSES OR EVIDENCE TO SUPPORT 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 WILL RECOGNIZE BOTH GROUPS.

THE COURT OF CRIMINAL APPEALS ORDERED THE SANITY HEARING MAY 18, SAYING IT WILL NOT CONSIDER THE APPEAL OF HIS CONVICTION UNTIL HIS MENTAL CONDITION HAS 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.

6A27

AT FRIDAY'S HEARING, DEFENSE LAWYERS SAID THAT RUBY HIMSELF DOES NOT WANT A SANITY HEARING.

DURING THE MORE THAN 2 1/2 YEARS HE HAS BEEN IN JAIL, THE SHORT, BALDING RUBY HAS TOLD NEWSMEN AND JAILERS SEVERAL TIMES HE IS NOT INSANE.

"IF I'M A PERSON THAT SOUNDS INSANE AT THIS MOMENT, THEN THE WHOLE WORLD IS CRAZY," HE ASSERTED DURING A FEDERAL COURT HEARING IN MARCH, 1963.

HE ONCE SAID THAT HIS MIND HAD MATURED, NOT DETERIORATED, DURING HIS LONG STAY IN JAIL.

"DO I LOOK INSANE?" HE ASKED.

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

DEPUTY SHERIFFS SAY THAT DURING HIS STAY IN JAIL HE HAS REMAINED 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 SWEATT. "THREE MEALS A DAY, VISITS BY HIS FAMILY, THAT SORT OF THING."

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