

RBY

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WITH INVESTIGATION

DALLAS, TEX., DEC. 2 (AP)-JACK RUBY'S ATTORNEY SAID TODAY HE WILL REQUEST A PRE-TRIAL SANITY HEARING FOR RUBY, CHARGED IN THE SLAYING OF LEE HARVEY OSWALD.

PREPARATION FOR THE SANITY HEARING WOULD TAKE AT LEAST TWO MONTHS, SAID ATTORNEY TOM HOWARD.

TO HOLD THE HEARING IT WOULD BE NECESSARY TO POSTPONE RUBY'S TRIAL, SCHEDULED FOR DEC. 9. HOWARD SAID HE AND DIST. ATTY. HENRY WADE HAVE AGREED THEY CANNOT PREPARE THEIR CASES BY THEN.

RUBY HAS BEEN HELD WITHOUT BOND SINCE SHOOTING OSWALD, ACCUSED ASSASSIN OF PRESIDENT JOHN F. KENNEDY, IN THE BASEMENT OF THE DALLAS, TEX., POLICE STATION WHILE MILLIONS WATCHED ON TELEVISION.

THERE ARE SEVERAL POSSIBILITIES AT THE PRE-TRIAL HEARING.

IF THE JURY FOUND RUBY INSANE AT THE TIME OF THE SHOOTING BUT NOW SANE, HE COULD GO FREE.

IF HE WAS FOUND TO BE INSANE NOW, HE WOULD BE COMMITTED TO A STATE HOSPITAL.

IF HE WAS FOUND SANE NOW AND AT THE TIME OF THE SHOOTING, HE WOULD STAND TRIAL ON A MURDER CHARGE BEFORE ANOTHER JURY. DEFENSE ATTORNEYS THEN COULD RAISE THE SANITY QUESTION AGAIN.

HOWARD INDICATED HE ALSO IS CONSIDERING DROPPING PLANS TO SEEK RUBY'S RELEASE ON BOND AND ASKING THAT THE CASE BE MOVED TO ANOTHER COUNTY "BECAUSE OF THE ATMOSPHERE WHICH HAS BEEN CREATED HERE."

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