

Rby

27 APR 1968
444 PCS

EA96DN (RUBY)

BYGUMLEABNSUBY (450)

ASSOCIATED PRESS WRITER

DALLAS, APRIL 27 (AP)-JACK RUBY, DESCRIBED BY HIS LAWYERS AS A MAN WHOSE "MIND IS FALLING APART," WILL GET A JURY TRIAL TO DETERMINE IF HE IS NOW INSANE AND SHOULD BE COMMITTED TO A MENTAL HOSPITAL.

IN RESPONSE TO A REQUEST FOR A SANITY TRIAL FILED BY MRS. EVA GRANT, RUBY'S SISTER, JUDGE JOE B. BROWN SAID HE WOULD BEGIN EMPANELING A JURY AT THE FIRST SUITABLE DATE.

TEXAS LAW REQUIRES THAT A JUDGE HOLD SUCH A TRIAL IF THE DEFENSE ASKS FOR IT.

RUBY, WHO BANGED HIS HEAD AGAINST A CELL WALL YESTERDAY, APPEARED PALE AND SHAKY AT A HEARING TODAY. AN ABRASION THE SIZE OF A HALFDOLLAR COULD BE SEEN ON THE TOP OF HIS HEAD.

C O R R E C T I O N

DALLAS--NL RUBY (A96DN), IN FIFTH GRAF BEGINNING "A PSYCHIATRIST TESTIFIED XX", MAKE IT READ ZXX BELIEVES HIS CRIME HAS BROUGHT ABOUT A SLAUGHTER THAT WILL BRING DEATH TO 25 MILLION AMERICAN JEWS." (REPHRAISING)

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✓ A PSYCHIATRIST TESTIFIED THAT RUBY, THE SLAYER OF ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, BELIEVES HIS CRIME HAS RESULTED IN THE SLAUGHTER OF 25 MILLION AMERICAN JEWS. ^{brought about a slaughter} that will bring death to 25 million American Jews.

RUBY BELIEVES HE IS "THE JEW RESPONSIBLE" FOR THE IMAGINED SLAUGHTER, THE PSYCHIATRIST SAID, ADDING THAT SUCH HALLUCINATIONS TRIGGERED HIS APPARENT SUICIDE ATTEMPT YESTERDAY.

DEFENSE LAWYER JOE TONAHILL SAID RUBY TRIED TO FIGHT HIM EARLIER TODAY. "I HAD TO CALL IN HIS RABBI TO CALM HIM," TONAHILL SAID.

TODAY'S HEARING WAS ON A DEFENSE MOTION THAT RUBY BE IMMEDIATELY HOSPITALIZED FOR MENTAL TREATMENT. JUDGE JOE B. BROWN OVERRULED IT.

TONAHILL SAID RUBY'S MENTAL STATE IS "WORSE THAN IT HAS EVER BEEN. WE'VE GOT TO GET THAT BOY TO A HOSPITAL BEFORE HE PERMANENTLY INJURIES HIMSELF."

THE JUDGE SAID HE WAS BOUND TO PROCEED TO A SANITY TRIAL AFTER RUBY'S SISTER, THROUGH THE DEFENSE ATTORNEYS, FILED A "STATEMENT OF PRESENT INSANITY" REGARDING THE 53-YEAR-OLD FORMER NIGHT-CLUB OPERATOR.

TEXAS LAW REQUIRES A JURY TRIAL FOR SANITY IF THE DEFENSE ASKS FOR ONE, ASST. DIST. ATTY. BILL ALEXANDER EXPLAINED.

EA97DN

IT WILL BE INCUMBENT ON THE DEFENSE AT THE TRIAL TO PROVE THAT RUBY IS INSANE. IF THEY SUCCEED, HE WILL BE COMMITTED TO A STATE INSTITUTION.

SHOULD STATE HOSPITAL DOCTORS LATER DECIDE RUBY HAS REGAINED HIS SANITY, ANOTHER SANITY TRIAL WOULD BE REQUIRED TO LEGALLY CONFIRM IT, ALEXANDER SAID.

THE NEXT IMMEDIATE DEVELOPMENT IN THE RUBY CASE WILL COME WEDNESDAY AT A HEARING ON A MOTION FOR A NEW TRIAL.

THE DEFENSE HAS ISSUED 36 SUBPOENAS FOR EVIDENCE AND WITNESSES, INCLUDING DIST. ATTY. HENRY WADE, POLICE CHIEF JESSE CURRY, TWO JURORS AT THE RUBY MURDER TRIAL, AND POLICE OFFICERS WHO TESTIFIED FOR THE STATE.

DR. LOUIS JOLYON WEST, PROFESSOR OF PSYCHIATRY AT THE UNIVERSITY OF OKLAHOMA, SAID AT TODAY'S HEARING THAT RUBY IS "OBVIOUSLY PSYCHOTIC AND SHOULD BE HOSPITALIZED IMMEDIATELY." WEST EXAMINED RUBY YESTERDAY AND TODAY.

"RUBY BELIEVES THAT 25 MILLION JEWS IN AMERICA WILL BE SLAUGHTERED BECAUS OF WHAT HE DIDN" WEST SAID. "HE BECAME AGITATED WHEN I EXAMINED HIM THIS MORNING WHEN HE THOUGHT HE HEARD JEWISH CHILDREN CRYING AS THEY WERE BEING TORTURED."

"HE BECAME TERRIFIED AND CRAWLED UNDER THE TABLE ONCE," HE SAID.

"HE IS COMPLETELY PREOCCUPIED WITH DELUSIONS OF THE PERSECUTION OF JEWS. HE FEELS HOPELESS, WORTHLESS AND GUILTY BECAUSE HE THINKS HE IS TO BLAME FOR THE MASS MURDER OF HIS OWN PEOPLE," WEST SAID.

RUBY WAS BRIEFLY HOSPITALIZED YESTERDAY AFTER HE SLAMMED HIS HEAD INTO THE JAIL WALL. X-RAYS PROVED THE INJURY TO BE MINOR.

RUBY WAS SENTENCED TO DEATH IN THE ELECTRIC CHAIR MARCH 14 FOR THE SHOOTING OF OSWALD TWO DAYS AFTER THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY.

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