

Ruby Stakes Hopes On Texas Lawyers

Jack Ruby rejected the advice of relatives Thursday and staked his hopes of escaping the electric chair on the four Texas lawyers who represent him.

Ruby's decision climaxed a verbal battle between the lawyers and Sol Dann, a Detroit attorney who has advised the family of the condemned slayer.

An exchange between Dann and Joe Tonahill of Jasper, one of the four defense lawyers, grew so torrid at one point that others in the room feared it might explode into fisticuffs.

The Texas lawyers—chief defense attorney Clayton Fowler, Tonahill, Phil Burleson and Emmett Colvin Jr.—announced in a joint statement that they would continue to represent Ruby.

"Sol Dann is completely out of the case," Fowler said.

The defense lawyer said he had spent more than two hours with Ruby in the county jail and the slayer urged that the Texas lawyers keep fighting to set aside the death penalty he received on a charge of murdering Lee Harvey Oswald.

"He's going through hell up there," Fowler added.

Colvin said Fowler had a contract in which Ruby gave him full power to direct the defense.

"We're not going to put up with any interference from Sol Dann or anyone else," Colvin said.

The family questioned whether Ruby had the mental capacity to enter into a contract. A brother indicated the family would continue to consult with Dann and follow his advice.

Dann did not answer the phone in his hotel room.

Tonahill told reporters:

"Jack is mentally ill. But, until he is ruled incompetent, he is assumed to be competent and can make contractual agreements with his lawyers."

Probate Judge F. W. Bartlett Jr. has scheduled a hearing Aug. 6 to determine whether he should appoint a guardian to manage Ruby's business affairs. A suit filed last week alleged that the former striptease club manager was "of unsound mind and wholly incompetent" to make business decisions.

If Judge Bartlett appoints a guardian, he could request permission from the court to hire lawyers to represent Ruby in his appeal.

The wrangle between Dann, the relatives and the Texas lawyers raised a question, however, whether Judge Bartlett will hold the hearing as scheduled.