

EB11DN

RUBY HEARING (200)

DALLAS, TEX. JULY 25 (AP)-PROBATE JUDGE F. W. BARTLETT JR. HAS A "WAIT AND SEE" ATTITUDE TOWARD THE JACK RUBY GUARDIANSHIP CASE.

JUDGE BARTLETT SAID YESTERDAY HE IS UNCERTAIN WHETHER HE WILL HOLD A HEARING AUG. 6 ON A REQUEST THAT HE APPOINT A GUARDIAN TO MANAGE RUBY'S BUSINESS AFFAIRS.

"IT IS STILL SCHEDULED, BUT I'VE HEARD NOTHING FROM THE LAWYERS WHO REQUESTED IT," JUDGE BARTLETT SAID. "I DON'T KNOW WHAT WILL HAPPEN."

CLAYTON FOWLER, RUBY'S CHIEF DEFENSE ATTORNEY, AND SOL DANN OF DETROIT, A LEGAL ADVISER FOR THE FAMILY OF THE CONDEMNED SLAYER, TEAMED IN REQUESTING THE HEARING LAST WEEK. THEY SAID RUBY WAS MENTALLY INCOMPETENT TO MANAGE HIS AFFAIRS.

THEN FOWLER AND DANN TANGLED IN A VERBAL SLUGFEST.

FOWLER DECLARED HE WOULD CONTINUE AS RUBY'S CHIEF DEFENSE LAWYER DESPITE OBJECTIONS FROM THE RUBY FAMILY, BUT SAID HE WOULD HAVE NOTHING TO DO WITH THE GUARDIANSHIP CASE.

JUDGE B. SMBEEO SAID HE UNDERSTANDS DANN IS NOT LICENSED TO PRACTICE IN TEXAS.

"IF THIS IS TRUE, HE COULD NOT TAKE PART IN ANY GUARDIANSHIP HEARING UNLESS A LICENSED TEXAS ATTORNEY ACTIVELY PARTICIPATED," JUDGE BARTLETT SAID.

JUDGE BARTLETT SAID LAST WEEK THAT HE WAS CONSIDERING APPOINTING A LAWYER TO INSURE THAT RUBY'S RIGHTS WERE PROTECTED DURING THE GUARDIANSHIP HEARING. HE SAID YESTERDAY, HOWEVER, THAT "IN VIEW OF WHAT I READ IN THE NEWSPAPERS, I DECIDED TO WAIT AND SEE WHAT DEVELOPS."

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