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FEB 26 1965

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DALLAS, FEB. 26 (AP)-A HEARING TO DETERMINE WHETHER A SANITY HEARING FOR CONDEMNED SLAYER JACK RUBY WILL BE HELD WAS POSTPONED TODAY UNTIL MARCH 8. IT HAD BEEN SCHEDULED FOR MONDAY.

DIST. JUDGE JOE B. BROWN, WHO PRESIDED AT THE TRIAL OF RUBY ON CHARGES OF MURDERING PRESIDENT KENNEDY'S ASSASSIN, LEE HARVEY OSWALD, CALLED FOR THE HEARING.

HE ACTED X X X THIRD GRAF E21DN

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DALLAS OUT

(180)

DALLAS, FEB. 26 (AP)-JACK RUBY, CONDEMNED SLAYER OF PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, WILL GO BACK INTO COURT MONDAY FOR A HEARING ON HIS MOTION FOR A SANITY TRIAL.

DIST. JUDGE JOE B. BROWN, BEFORE WHOM RUBY WAS CONVICTED OF MURDER LAST MARCH 17, NOTIFIED DEFENSE LAWYERS AND THE DISTRICT ATTORNEY'S OFFICE TO APPEAR.

HE ACTED YESTERDAY AFTER THE TEXAS COURT OF CRIMINAL APPEALS DIRECTED BROWN TO DETERMINE RUBY'S PRESENT MENTAL STATE. THE COURT ASKED THIS INFORMATION BEFORE IT HEARS ARGUMENTS ON RUBY'S APPEAL AGAINST THE DEATH SENTENCE.

AN AIDE OF DIST. ATTY. HENRY WADE SAID RUBY WILL BE TAKEN BEFORE BROWN FROM HIS CELL IN THE COUNTY JAIL. IT WILL BE HIS FIRST PUBLIC APPEARANCE IN MORE THAN 10 MONTHS.

BROWN ORDERED THE HEARING ON AN AFFIDAVIT OF INSANITY FILED BY DEFENSE COUNSEL LAST APRIL 27 AND LEFT PENDING WHILE HIS MURDER CONVICTION WAS BEING APPEALED.

DEFENSE LAWYER JOE TONAHILL OF JASPER, TEX., SAID HE WILL ASK BROWN TO TRANSFER THE SANITY TRIAL, IF ONE IS ORDERED, TO ANOTHER COUNTY.

"THE PEOPLE OF DALLAS HAVE BEEN SUBJECTED TO SO MUCH PAIN AND SUFFERING AND ANXIETY THAT WE SHOULD NOT PUT THEM THROUGH MORE," TONAHILL SAID.

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