

RUBY

MAR. 6 1966
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A7DN (BJT)

JACK RUBY BUDGET (350)

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(ADVANCE) DALLAS, MARCH 6 (AP)-JACK RUBY, HIDDEN BEHIND JAIL BARS MOST OF THE TIME SINCE HE DREW THE DEATH SENTENCE FOR KILLING PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD, WILL EMERGE FOR A COURT HEARING MONDAY.

HIS APPEARANCE MAY GO FAR TOWARD DETERMINING WHETHER THE FORMER NIGHT SPOT OPERATOR IS ADJUDGED INSANE AND THUS ESCAPES THE ELECTRIC CHAIR.

RUBY WILL GO BEFORE DIST. JUDGE JOE B. BROWN FOR A HEARING ON A LONG-DORMANT DEFENSE REQUEST FOR A SANITY TRIAL. BROWN SCHEDULED IT 10 DAYS AGO AT THE DIRECTION OF THE TEXAS COURT OF CRIMINAL APPEALS.

INDIVIDUALS ACQUAINTED WITH RUBY, HIS FAMILY AND VARIOUS LAWYERS WHO HAVE BOWED INTO AND OUT OF THE CASE EXPECT THE DALLAS JURIST TO ORDER SUCH A TRIAL. IT COULD BE LENGTHY. NATIONALLY KNOWN MEDICAL EXPERTS ARE SURE TO BE CALLED.

SEVERAL PSYCHIATRISTS HAVE EXPRESSED INFORMAL OPINIONS THAT RUBY IS MENTALLY DISTURBED. SOME OF THE LAWYERS SAY THERE HAS BEEN STEADY DETERIORATION DURING HIS LONG MONTHS IN THE DALLAS COUNTY JAIL. A DOCTOR GAVE HIM TRANQUILIZER PILLS FOR WHAT WAS DESCRIBED AS "PSYCHOTIC DEPRESSION."

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DIST. ATTY. HENRY WADE, IN TURN, PROMISES HIS STAFF WILL OFFER EVIDENCE CALCULATED TO PROVE THE DEFENDANT IS SANE. WADE SAID RUBY WILL BE TAKEN INTO THE COURTROOM ALTHOUGH THE LAW DOES NOT MAKE HIS PRESENCE MANDATORY.

THIS WILL BRING RUBY BACK INTO PUBLIC VIEW FOR THE FIRST TIME IN MORE THAN 10 MONTHS. HE LACKS ONLY A FEW DAYS OF MARKING TWO

ANNIVERSARIES--HIS CONVICTION LAST MARCH 14 FOR MURDERING THE MAN *who*
~~BELIEVED TO HAVE KILLED~~ PRESIDENT JOHN F. KENNEDY ON A DALLAS STREET,
AND HIS 54TH BIRTHDAY FALLING ON MARCH 25.

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ANOTHER FACTOR IN THE CASE ASIDE FROM RUBY'S CONDITION IS AN EFFORT BY HIS FAMILY TO FIRE DEFENSE LAWYER JOE TONAHILL OF JASPER, TEX.

TONAHILL, DISPUTING THE POWER OF ATTORNEY CLAIMED BY RUBY'S SISTER-- MRS. EVA GRANT OF DALLAS--HAS VOWED TO STAY WITH THE CASE THROUGH A FINAL APPEAL. HE AND PHIL BURLESON OF DALLAS ARE THE ONLY LEGAL STAFF MEMBERS ON THE JOB THROUGHOUT. AT LEAST FIVE OTHERS HAVE COME AND GONE.

RELATIVES HAVE DELIVERED TO THE COURTS A SIGNED NOTICE FROM RUBY DISMISSING TONAHILL. THE LAWYER CONTENDS IT IS INVALID BECAUSE RUBY IS INSANE.

RUBY'S LEGAL STAFF FILED WHAT IS KNOWN AS AN AFFIDAVIT OF INSANITY LAST APRIL 27 BUT ASKED BROWN IN JUNE TO DELAY CONSIDERING IT. THE MATTER WAS LEFT PENDING WHILE COUNSEL WORKED INSTEAD ON RUBY'S APPEAL OF THE DEATH SENTENCE.

BROWN SET MONDAY'S HEARING AFTER THE TEXAS COURT OF CRIMINAL APPEALS TOLD HIM IT WANTS TO KNOW WHETHER RUBY IS LEGALLY SANE BEFORE IT HEARS ARGUMENTS ON THE APPEAL, WHICH HAD BEEN SET FOR MARCH 10.

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