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3rd NL Jack Ruby

By Tom Johnson

Dallas, May 24 (AP)- Jack Ruby, who killed President Kennedy's assassin, declared today that he had: taken numerous pills -- "they stimulate you" -- shortly before he gunned down Lee Harvey Oswald.

He made the admission -- the first such revelation -- at a court hearing during which his veteran counsel, Joe Tonahill, was removed from Ruby's forthcoming sanity hearing.

Judge Louis T. Holland of Montague, Tex., ruled that Tonahill should be removed as Ruby's counsel for the sanity hearing.

After that, said the visiting judge, the question of Ruby's representation will be decided by the Texas Court of Criminal Appeals.

Judge Holland also said he would hold a hearing tomorrow on whether Judge Joe B. Brown, who presided at the original Ruby murder trial, should be disqualified from presiding at the sanity hearing.

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Dallas, Tex -- 3rd night lead Jack Ruby A94dn sub fifth graf  
!Judge Holland x x x sanity hearing."

Judge Holland indicated that Ruby's sanity hearing would probably be set for sometime in July. He also said at the close of today's proceedings that a hearing on whether Judge Joe B. Brown should be disqualified in the case would be set later. Brotn presided at the Ruby murder trial.

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But the sensation of the trial was Ruby's fresh testimony that he took pills which "make you want to do positive things" before gunning ~~down~~ Oswald to death, and that he fears there will be an attempt in future years to link him as a conspirator with Oswald against President Kennedy's life. cd439pcs

"to the American people and the world.... I'm going to be <sup>a</sup>granded a part of a conspiracy with Oswald," he declared in an emotional courtroom scene.

"You're going to forget how I felt about the beloved President Kennedy. There has been so much torment, so much hardship...." he said.

The Warren Commission sought for months to determine if a conspiracy existed between Ruby and Oswald but found none.

Ruby, in his sometimes rambling discourse, appeared to have given up hope up hope of escaping the electric chair.

"I know that I am a lost cause as far as <sup>✓</sup>saging my life x x x don't believe Joe Tonahill (one of his original trial lawyers)....

I know there is a whole conspiracy behind it."

He related waking up Sunday morning, Nov. 24, 1963, and brooding about the fact that the Kennedy children now were fatherless.

"What quirked me after that I don't know. As God is my judge, that is the truth," said Ruby.

Ruby said that after getting up the day he killed Oswald he took 30 antibiotic pills and some other pills that "stimulate you and make you want to do positive things."

This was the first time Ruby had referred to taking any pills that morning.

"I walked into a trap when I walked down that ramp (into the city hall basement where he shot Oswald). I know I am going to die a horrible death (in the electric chair)."

Today's hearing was called to determine which set of lawyers will represent Ruby at his sanity hearing and in any further appeals proceedings.

Ruby, when he talked about matters pertinent to the hearing, declared he would have been better off had he dismissed his attorneys and thrown himself on the mercy of the court.

Until he arose in court Ruby, his jail pallor very evident, had seemed a disinterested spectator.

"I'd have done better if I'd thrown myself at the mercy of the court without (Melvin) Belli and Tonahill and Phil Burleson," he said.

The hearing was called to determine whether Tonahill should be ousted from the case as sought by the Ruby family and Ruby himself.

Tonahill claims that Ruby signed a valid contract making Tonahill his attorney while the defendant was sane, and that Ruby since has become insane and is incompetent to determine who his counsel will be.

"When Joe Tonahill and Melvin Belli were in my cell (after his conviction)" said Ruby, "they were like two little snakes sneaking pictures of me."

The pictures Tonahill and Belli are alleged to have taken have figured in charges and counter-charges that each set of attorneys sought to financially capitalize on the Ruby case.

The family claimed that Tonahill sought to sell the jail pictures to a magazine.

Ruby, looking directly at the judge, asserted ~~xxxxxx~~ of that chaotic Sunday morning when he killed Oswald:

"I shouldn't have tried to play the part of a hero."

Then the former girlie show-night club operator added:

"My background wasn't clean enough to play the part of a hero."

Belli was discharged shortly after Ruby was convicted. Phil Burleson, the third member of the original defense team, is still on the case and apparently with the approval of the Ruby family.

Ruby declared that Tonahill does <sup>NOT</sup> now have his interests at heart, that he does not want the Jasper, Tex., lawyer as counsel and that Tonahill has not visited him in three or four months.

Ruby asked the lawyers to question <sup>him</sup>, but Tonahill commented that it would be "cruel and inhuman to question this man."

He defended the role of Sol Dann of Detroit in attempting to take over Ruby's defense against the wishes of Tonahill.

Dann and several other lawyers were employed by the Ruby family.

Ruby said one reason he wished Tonahill removed from the case was because Tonahill took a picture of him in his jail cell after his conviction and, said Ruby, tried to sell it.

Up to the moment in mid-afternoon when Ruby arose, he sat stoically listening to the wrangle about which lawyers will be his counsel.

Ruby showed no emotion when Earl Ruby, his favorite brother, called him insane.

The defendant, sentenced to die in the electric chair, appeared much the same as he did March 14, 1964, when he was convicted and sentenced except that the jail pallor was pronounced.

Earl Ruby called himself "the closest member of our family to Jack."

The detroit man was the first witness in a hearing to determine which lawyers will represent the 54 year old Ruby in a sanity hearing trial ordered the the Texas Court of Criminal Appeals.

The appeal of Ruby's conviction has not progressed behind the trial court because of the struggle between two sets of attorneys, both of which say they should be his counsel. ~~xxxxxx~~

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Earl Ruby said under questioning that he tried to oust original Ruby Lawyers Melvin Belli of San Francisco and Joe Tonahill of Jasper, Tex., while the murder trial still was under way. Belli left the case after Ruby was convicted.

"I lost all confidence in them. They were supposed to be handling Jack's trial, but here they were out making a movie," he said. ~~xxxxxx~~

The film was one of several commercial ventures cited by both ~~xxxxxx~~ sets of lawyers in efforts to discredit the other side.....

Tonahill said the movie project Earl Ruby referred to was dropped because it turned out to be a "failure" and a "flop." He said the film was to be made for law schools and bar associations.

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