

EB39DN

E L I M I N A T I O N

EDITORS:

DALLAS, TEX.--ELIMINATE RUBY FAMILY MAY SUE, MOVED AS EB30DN (SPECULATIVE AND UNNECESSARY).

THE AP

DP653ACSE

EB30DN

(190)

DALLAS, TEX., JAN. 5 (AP)-RELATIVES OF JACK RUBY PROBABLY WILL FILE A DAMAGE SUIT OVER HIS DEATH, A LAWYER WHO FORMERLY REPRESENTED HIM SAID YESTERDAY.

THIS PREDICTION CAME FROM JOE TONAHILL OF JASPER, TEX., WHO WAS DISCHARGED AFTER HELPING WITH THE DEFENSE AT RUBY'S TRIAL FOR KILLING ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

HE SUGGESTED THAT FAMILY COMPLAINTS OVER RUBY'S TREATMENT DURING MORE THAN THREE YEARS IN THE DALLAS COUNTY JAIL MIGHT BE A PRELUDE TO COURT ACTION.

EARL RUBY, A BROTHER, AND EVA GRANT OF DALLAS, A SISTER, ASSERTED IN CHICAGO THAT JACK RUBY WAS NEGLECTED WHILE IN JAIL. HE WAS TREATED THERE FOR A COLD BEFORE BEING MOVED DEC. 9 TO A HOSPITAL, WHERE DOCTORS DISCOVERED CANCER AND WHERE RUBY DIED TUESDAY.

TONAHILL SAID HE EXPECTED THE SURVIVORS TO "COMB THE DAMAGE SUIT AREA OF LAWBOOKS."

QUOTING MEDICAL SOURCES, THE DALLAS NEWS REPORTED THAT X-RAYS AND EXAMINATIONS OF RUBY BY A JAIL DOCTOR IN 1964 YIELDED NO CLUE TO ANY ILLNESS.

DIST. ATTY. HENRY WADE SAID, MEANWHILE, THAT HE HAS REFUSED A REQUEST BY DEFENSE LAWYER PHIL BURLESON FOR THE PISTOL WITH WHICH RUBY SHOT OSWALD.

THE COURTS WILL HAVE TO DECIDE WHO IS ENTITLED TO THE WEAPON, WADE SAID, ADDING:

"I PERSONALLY THINK IT SHOULD BE IN THE NATIONAL ARCHIVES WITH THE OSWALD GUN."

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