

EB15DN

RUBY NL (340)

DALLAS, TEX. (AP)-A DALLAS JUDGE RULED THURSDAY THAT JACK RUBY WAS NOT MENTALLY ABLE TO WRITE A VALID WILL IN AUGUST OF LAST YEAR, THUS REJECTING A FORMER DEPUTY SHERIFF'S CLAIM TO RUBY'S DIAMOND RING, A WATCH AND A SUIT.

PROBATE COURT JUDGE TED Z. ROBERTSON RULED AFTER NEARLY THREE DAYS OF HEARINGS ABOUT WILLS LEFT BY RUBY, WHO WAS AWAITING A SECOND TRIAL FOR KILLING LEE HARVEY OSWALD WHEN HE DIED JAN. 3 OF CANCER.

NORMAN HOOTEN, THE FORMER DEPUTY WHO NOW IS UNEMPLOYED, SAID HE WILL APPEAL THE RULING.

HE HAD CLAIMED A WILL THAT RUBY SCRAWLED ON A PIECE OF PAPER AND PASSED TO HOOTEN FROM RUBY'S JAIL CELL SHOULD BE RECOGNIZED BY THE COURT. HOOTEN WAS ONE OF THE GUARDS ASSIGNED TO RUBY.

RELATIVES OF RUBY HAD FOUGHT HOOTEN'S CLAIM TO ATTACH HIS WILL TO A DOCUMENT WRITTEN BY RUBY IN 1950 IN WHICH ALL PROPERTY WAS LEFT TO TWO SISTERS AND A NEPHEW.

ROBERTSON NAMED DALLAS ATTORNEY JULES F. MAYER EXECUTOR OF RUBY'S ESTATE, AS SET OUT IN RUBY'S 195 WILL.

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ESTATE, AS SET OUT IN RUBY'S 1950 WILL.

A SPOKESMAN FOR MAYER SAID PERSONS WITH CLAIMS AGAINST RUBY'S ESTATE WOULD HAVE ONE YEAR TO FILE CLAIMS.

THE U. S. INTERNAL REVENUE SERVICE ALREADY HAS FILED A \$45,000 CLAIM AND ANOTHER IS EXPECTED FROM PARKLAND HOSPITAL, WHERE RUBY WAS CONFINED FOR SHORTLY LESS THAN A MONTH BEFORE HE DIED.

EB16DN

WEDNESDAY, A PARKLAND PHYSICIAN WHO TREATED RUBY SAID THE FORMER FLAMBOYANT NIGHT CLUB MANAGER APPARENTLY SURRENDERED IN HIS FIGHT AGAINST CANCER.

DR. EUGENE P. FRENKEL SAID RUBY "DIDN'T APPEAR TO HAVE A GREAT ENTHUSIASM FOR GETTING WELL." HE SAID RUBY TALKED SHORTLY BEFORE HIS DEATH OF A PLOT AGAINST JEWS.

RUBY'S BROTHER EARL TESTIFIED THAT THE FAMILY COLLECTED \$26,000 FROM SELLING A SERIES OF NEWSPAPER ARTICLES BUT THAT LEGAL DEFENSE FEES REACHED \$59,000. EARL RUBY SAID ATTORNEY MELVIN BELLI WAS PAID \$11,000 IN CASH IN ADDITION TO EXPENSES "WHICH RAN INTO THE THOUSANDS" BEFORE BELLI WAS FIRED BY THE FAMILY.

THE 1950 WILL BEQUEATHS RUBY'S ESTATE TO HIS SISTERS, MRS. EVA GRANT AND MRS. EILEEN KAMINSKY, AND A NEWPHEW, RONALD MAGID.

JS 525PCD