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# Ruby Lawyers Ask for New Trial

By CARL FREUND

Attorneys for Jack Ruby cited 15 reasons Tuesday why they think the killer should get a new trial.

Most of their complaints, which were filed as a midnight deadline approached, involved rulings by Judge Joe B. Brown during Ruby's murder trial.

Attorneys Clayton Fowler, Emmett Colvin Jr., Phil Burleson and Joe Tonahill contended that Judge Brown should have moved Ruby's trial to another county. They said the jurist also committed a legal error when he refused to let defense lawyers ask prospective jurors whether they were "Democrats, Republicans or members of the John Birch Society."

In addition, the lawyers said Judge Brown violated Ruby's constitutional rights by insisting that attorneys make their final jury arguments while they were physically and mentally exhausted.

Burleson said one of the 15 bills filed Tuesday is the biggest ever submitted to a Texas court.

This bill involved Judge Brown's refusal to transfer Ruby's trial to another county. Defense lawyers made stacks of newspapers part of this bill.

Ruby's attorneys contend the newspapers carried prejudicial stories which blocked the former striptease club manager from getting a fair trial here on a charge of murdering Lee Harvey Oswald.

Another bill questioned accu-

racy of testimony by Police Sgt. Patrick Dean who told of a conversation with Ruby shortly after he shot Oswald.

Defense lawyers said Dean's testimony helped bring the death penalty. Judge Brown should not have allowed the jury to hear this testimony, they argued, since Ruby was under arrest.

Judge Brown has 10 days in which to "qualify" the bills. This is a process in which he gives his version of what took place in his courtroom and states reasons for his rulings.

Ruby's lawyers state in other bills that:

-Judge Brown should have granted their request for a separate sanity hearing.

-They were forced to face challenges to disqualify prospective jurors with fixed opinions.

-Judge Brown should have disqualified prospective jurors who saw Ruby shoot Oswald on their television screens.

-Judge Brown should have permitted them to introduce the murder complaint which accused Oswald of assassinating President John F. Kennedy here.

-Judge Brown should have forced prosecutors to furnish defense lawyers with copies of medical records which involved the "mental history" of Ruby's mother; a brother, Earl Ruby, and a sister, Mrs. Eileen Haminsky, and which showed that Ruby, himself, had been a patient in a mental hospital while a boy.

- Mr. Tolson \_\_\_\_\_
- Mr. Belmont \_\_\_\_\_
- Mr. Mohr \_\_\_\_\_
- Mr. Casper \_\_\_\_\_
- Mr. Callahan \_\_\_\_\_
- Mr. Conrad \_\_\_\_\_
- Mr. DeLoach \_\_\_\_\_
- Mr. Evans \_\_\_\_\_
- Mr. Gale \_\_\_\_\_
- Mr. Rosen \_\_\_\_\_
- Mr. Sullivan \_\_\_\_\_
- Mr. Tavel \_\_\_\_\_
- Mr. Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Miss Holmes \_\_\_\_\_
- Miss Gandy \_\_\_\_\_

(Indicate page, name of newspaper, city and state.)

The Dallas  
Morning News  
Dallas, Texas

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*Perigian*  
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