

Tolson _____
 Belmont _____
 Mohr _____
 DeLoach _____
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele Room _____
 Holmes _____
 Gandy _____

Justice
44-21016
RB

UPI A35N DA

Wash. Capital News Service

NIGHT LEAD RUBY

DALLAS, MAY 23 (UPI)--A VISITING JUDGE FROM A SMALL NORTH TEXAS TOWN WILL HEAR COMPLEX LEGAL ARGUMENTS TOMORROW IN THE LATEST EFFORT BY CONVICTED MURDERER JACK RUBY TO ESCAPE THE ELECTRIC CHAIR. DIST. JUDGE LOUIS T. HOLLAND OF MONTAGUE, TEX., POPULATION 284, WILL SIT IN THE COURT OF DALLAS JUDGE JOE B. BROWN, WHO PRESIDED A YEAR AGO AT RUBY'S TRIAL FOR SLAYING PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

TO BE DECIDED FIRST IS THE QUESTION OF WHAT LAWYERS ARE TO REPRESENT RUBY, NOW 54 AND IN DALLAS COUNTY JAIL, IN A POSSIBLE SANITY HEARING AND FURTHER APPEALS THAT ARE EXPECTED TO TAKE A LENGTHY ROUTE THROUGH STATE AND FEDERAL COURTS.

RUBY'S FAMILY WANTS TO GET RID OF ATTORNEY J. H. TONAHILL OF JASPER, TEX. HE HAS REPRESENTED RUBY LONGER THAN ANY OTHER LAWYER IN THE CASE, AND TEAMED WITH MELVIN BELLI OF SAN FRANCISCO AT THE TRIAL. INSTEAD, RUBY'S FAMILY WANTS THE NEW YORK LAW FIRM OF KUNSTLER, KUNSTLER & KINOY, ALONG WITH SOL DANN OF DETROIT AND ELMER GERTZ OF CHICAGO TO HANDLE THE CASE. REMAINING IN THE CASE IS A DALLAS APPEALS SPECIALIST, PHIL BURLISON.

TONAHILL HAS INSISTED ON STAYING IN THE CASE, TOO. HE CONTENTS RUBY HIRED HIM, AND HAS SINCE BECOME TOO MENTALLY CONFUSED TO BE ABLE TO SELECT HIS OWN COUNSEL.

TONAHILL SAID HE NOT ONLY PLANS TO FIGHT TO KEEP RUBY AS HIS CLIENT, BUT ALSO HE INTENDS TO TRY TO HAVE JUDGE BROWN

PERMANENTLY TAKEN OFF THE CASE. HE SAID BROWN SHOULD BE REMOVED BECAUSE HE IS WRITING A BOOK ABOUT THE CASE AND TRIAL, FROM WHICH THE JUDGE WILL PROFIT.

1/2 5/21/65 - A
 NOT RECORDED

TONAHILL CONTENTS THIS IS CLEARLY A CONFLICT OF INTEREST JUN 8 1965

RUBY'S DEFENSE ATTORNEYS HAVE BEEN CRITICAL OF BROWN SINCE THE TRIAL OPENED AND HE REFUSED A CHANGE OF VENUE FROM DALLAS TO ANOTHER CITY. THE INDICATIONS ARE JUDGE HOLLAND WILL CLEARLY COMPLETELY THE QUESTION OF RUBY'S LAWYERS BEFORE HE TACKLES ANY OTHER MATTER. THEN THE VISITING JUDGE, IN DALLAS FOR SEVERAL WEEKS WHILE BROWN WAS ON VACATION, MAY TAKE UP A CHANGE OF VENUE MOTION TO MOVE A SANITY HEARING TO ANOTHER CITY.

"I CERTAINLY THINK THE FIRST ORDER OF BUSINESS SHOULD BE THIS: WHO SHOULD BE COUNSEL FOR MR. RUBY?" HOLLAND SAID.

RUBY IS APPEALING HIS DEATH SENTENCE. THE TEXAS COURT OF CRIMINAL APPEALS HAS REFUSED TO HEAR THE CAUSE UNTIL THE QUESTIONS OF HIS ATTORNEYS AND SANITY ARE CLEARED.

Tolson
 Belmont
 Mohr
 DeLoach
 Casper _____
 Callahan _____
 Conrad _____
 Felt _____
 Gale
 Rosen
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele Room _____
 Holmes _____
 Gandy _____

UPI-174

(RUBY)

DALLAS--AN ATTORNEY FOR CONDEMNED KILLER JACK RUBY HAS FILED NOTICE HE WILL QUESTION A BOOK EDITOR ABOUT A BOOK BEING WRITTEN BY THE JUDGE WHO SENTENCED RUBY TO DIE FOR THE SLAYING OF PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

JUDGE JOE B. BROWN TOLD THE DALLAS NEWS MONDAY HE HAS RECEIVED A \$5,000 ADVANCE FOR THE BOOK, TENTATIVELY ENTITLED, "RUBY, DALLAS AND THE LAW" FROM PUBLISHERS HOLT, RINEHART & WINSTON, INC., OF NEW YORK CITY.

MATERIAL CONCERNING THE BOOK WAS SUBPOENAED BY RUBY DEFENSE LAWYER PHIL BURLESON OF DALLAS. HE WILL USE IT AT HEARING MAY 24 ON A MOTION TO DISQUALIFY JUDGE BROWN FROM HEARING FURTHER ASPECTS OF THE RUBY CASE.

5/18--N443PED

44-24016
 NOT RECORDED
 46 MAY 24 1965

WASHINGTON CAPITAL NEWS SERVICE