0-20 (Rev. 12-14-64) Tolson Belmon Moht Casper Callahan Contad 2 Fell Tave1 Trotter Tele Room Holmes Gandy 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 MUNTAGUE, 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 BURLESON.

TONAHILL HAS INSISTED ON STAYING IN THE CASE, TOO. HE CONTENDS RUBY HIRED HIM, AND HAS SINCE BECOME TOO MENTALLY CONFUSED TO BE ABLE TO SELECT HIS CWN COUNSEL. RUBY HIRED HIM. AND HAS S 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 FERMANENTLY 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 11/3 2 134 -1 WILL PROFIT NOT RECORDED TONAHILL CONTENDS THIS IS CLEARLY A CONFLICT OF INTERAGION 8 1965 RUBY'S DEFENSE ATTORNEYS HAVE BEEN CRITICAL OF BROWN SINCE THE tri the offined attende arefyedge ahelicage relieve arrox bohicetely 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.
RUBYIUS APPEALING HIS DEATH SENTENCE. THE TEXAS COURT OF CRIMINAL APPEALS HAS REFUSED TO HEAR THE CAUSE UNTIL THE QUESTIONS OF HIS

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