

BB12DN

(TEX.OUT) (280)

DALLAS, TEX., JULY 21 (AP)-COUNSEL FOR JACK RUBY WILL ATTEMPT TOMORROW TO QUESTION DIST. JUDGE JOE B. BROWN ABOUT HIS PROPOSED BOOK ON THE RUBY TRIAL.

LAWYER PHIL BURLESON ASKED YESTERDAY THAT BROWN, HIS SISTER AND DALLAS NEWS COLUMNIST PAUL CRUME BE CALLED AS WITNESSES. THE SISTER, MRS. BARD W. (MARY) PAUL, IS A BOOK REVIEWER.

COURTHOUSE SOURCES SAID BURLESON WILL SEEK ALSO TO SUBPOENA TELEPHONE COMPANY RECORDS SHOWING LONG DISTANCE CALLS FROM BROWN'S OFFICE THE PAST YEAR.

DEFENSE LAWYERS WILL ASK DIST. JUDGE LOUIS T. HOLLAND OF MONTAGUE, WHO REPLACED BROWN IN THE RUBY CASE, FOR A FULL HEARING ON A MOTION TO DISQUALIFY BROWN.

DIST. ATTY. HENRY WADE IS EXPECTED TO OPPOSE THE MOTION. IF HE DOES, NO WITNESSES WILL BE CALLED.

WADE SAID HE CONSIDERS THE QUESTION MOOT SINCE BROWN RESIGNED FROM THE CASE. BURLESON SAID QUESTIONS ASKED IN HIS MOTION WERE NOT ANSWERED BY THE RESIGNATION.

HOLLAND ALREADY HAS SCHEDULED AN OCT. 18 SANITY TRIAL FOR RUBY, THE CONDEMNED SLAYER OF PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

BROWN AND CRUME, WHO IS HELPING WRITE THE JURIST'S BOOK, WERE ASKED TO BRING ALL RECORDS PERTAINING TO THE VOLUME, TITLED "DALLAS, RUBY AND THE LAW."

IN A SUBPOENAED LETTER TO HOLT, RINEHART AND WINSTON, BOOK PUBLISHERS, BROWN WROTE:

"I THINK THAT YOU WILL FIND THAT THE WORK THAT PAUL AND I HAVE DONE WILL BE VERY INTERESTING. MY SISTER, WHO IS A BOOK REVIEWER, HAS READ IT AND COMMENTED THAT IT WAS ONE OF THE MOST INTERESTING THINGS SHE HAD READ IN A LONG TIME."

BROWN WROTE IN ANOTHER LETTER:

"AS YOU PROBABLY READ IN THE PAPERS, THE (TEXAS) COURT OF CRIMINAL APPEALS TOSSED THE CASE BACK TO ME TO DETERMINE JACK RUBY'S SANITY . . . I DON'T KNOW THE OUTCOME, BUT IS MY OPINION THAT THEY WILL NEVER PROVE RUBY INSANE, BUT THE CASE IS FAR FROM BEING OVER."

DP159ACS NM