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240

DETROIT, FEB. 18 (AP)-JACK RUBY DICTATED A SECOND WILL BUT DIDN'T LIVE LONG ENOUGH TO SIGN IT, THE BROTHER OF THE MAN WHO KILLED ACCUSED PRESIDENTIAL ASSASSIN LEE OSWALD SAYS.

EARL RUBY TOLD WAYNE COUNTY PROBATE JUDGE THOMAS C. MURPHY THAT JACK RUBY DICTATED A WILL IN DALLAS, TEX., LAST DECEMBER AND IT WAS LATER WRITTEN OUT.

BUT JACK RUBY NEVER SIGNED IT, HIS BROTHER SAID.

"THE DAY BEFORE JACK DIED WE SHOWED HIM THE WILL, RUBY SAID. "HE AGREED TO SIGN IT AND WANTED TO.

"BUT THE SHERIFF (DALLAS COUNTY SHERIFF BILL DECKER), WOULDN'T LET HIS DEPUTY WITNESS THE SIGNING, SO WE DECIDED TO POSTPONE IT UNTIL MORNING AND LET THE DOCTOR WITNESS IT," RUBY SAID.

"THE DOCTOR WAS SUPPOSED TO COME IN AT 9 A.M., BUT ABOUT FIVE MINUTES BEFORE THAT JACK WENT INTO A COMA AND NEVER CAME OUT OF IT," HE SAID.

RUBY SAID HE WANTS THE DALLAS PROBATE COURT TO RULE ON THE ORAL WILL.

A WILL JACK RUBY WROTE IN AUGUST, 1950, ALREADY IS BEFORE THE DALLAS COURT. THAT ONE LEAVES HALF OF HIS ESTATE TO ONE SISTER AND THE OTHER HALF TO BE SHARED BY ANOTHER SISTER AND NEPHEW. IT DOES NOT MENTION EARL RUBY.

RUBY'S ESTATE AT THE TIME THE FIRST WILL WAS WRITTEN WAS ESTIMATED AT \$25,000. EARL RUBY SAID THE ESTATE NOW CONSISTS OF SOME \$30,050 IN DEBTS, CHIEFLY IN LEGAL AND MEDICAL BILLS.

THE ORAL WILL NAMES EARL RUBY AS EXECUTOR AND ASKS THAT THE ESTATE BE ADMITTED TO PROBATE IN MICHIGAN, EARL RUBY TOLD THE COURT.

THE MATTER CAME UP IN CONNECTION WITH A PETITION FILED BY EARL RUBY LAST MONTH, ASKING DALLAS AUTHORITIES TO GIVE HIM SOME OF JACK RUBY'S POSSESSIONS, INCLUDING THE PISTOL USED TO KILL OSWALD.

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