

EB176DN

NIGHT LEAD (220)

DALLAS, TEX. SEPT. 8 (AP)-JUDGE JOE B. BROWN WAS ORDERED TODAY TO TURN OVER A COPY OF HIS BOOK ON THE JACK RUBY TRIAL TO RUBY'S ATTORNEYS.

THE ORDER, FILED BY JUDGE LOUIS HOLLAND CAME 24 HOURS BEFORE A SCHEDULED HEARING TO DETERMINE JUDGE BROWN'S QUALIFICATIONS IN PRESIDING AT THE RUBY TRIAL.

ATTORNEY PHIL BURLESON IS EXPECTED TO MAINTAIN THAT JUDGE BROWN SHOULD BE DISQUALIFIED BECAUSE OF HIS BOOK AND THAT THE VERDICT FINDING RUBY GUILTY OF MURDERING LEE HARVEY OSWALD, PRESIDENT KENNEDY'S ASSASSIN, SHOULD BE SET ASIDE.

DIST. ATTY. HENRY WADE WILL FIGHT THE DISQUALIFICATION MOVE. IN A 20-PAGE BRIEF FILED YESTERDAY, WADE CONTENDS THAT JUDGE BROWN COULD NOT HAVE HAD ANY PECUNIARY INTEREST IN THE TRIAL ITSELF SINCE THE CONTRACT FOR THE BOOK WAS SIGNED JULY 21, 1964, NEARLY FOUR MONTHS AFTER RUBY'S TRIAL HAD ENDED.

JUDGE HOLLAND, WHO HAD REPLACED JUDGE BROWN IN THE RUBY PROCEEDINGS, ORDERED THE DALLAS JUDGE "TO IMMEDIATELY PRODUCE AN ORIGINAL OR A COPY OF HIS BOOK OR MANUSCRIPT...FOR INSPECTION BY PETITIONER'S ATTORNEYS, AND NO OTHER PERSONS.

"IT IS FURTHER ORDERED THAT SAID ATTORNEYS KEEP THE CONTENTS OF SAID BOOK OR MANUSCRIPT PRIVATE AND CONFIDENTIAL UNTIL FURTHER ORDER OF THIS COURT."

BURLESON HAD FILED A MOTION SEPT. 3 REQUESTING A COPY OF THE BOOK. HE SAID THAT UNLESS HE HAD A COPY BEFORE THE HEARING AT 9 A.M. TOMORROW, HE WOULD HAVE TO ASK FOR A CONTINUANCE TO ALLOW HIM TIME TO STUDY THE MANUSCRIPT.

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