

B87 First lead Ruby hearing

By Tom Johnson

Dallas, Tex., Sept. 10 (AP)* Judge Joe B. Brown said today one reason he decided to write a book about the Jack Ruby murder trial was because he had been "cast as the hanging judge in a city of hate."

Brown quoted this statement from the unpublished draft of the book which is the center of a legal controversy over Ruby's figure.

Ruby is under death sentence for slaying President John F. Kennedy's assassin, Lee Harvey Oswald.

It was the second day of direct examination of Brown by defense lawyer Phil B. Burleson of Dallas in a habeas corpus hearing to disqualify Brown and thereby throw out Ruby's murder conviction.

Brown acknowledged that he entered into a contract to deliver the manuscript of the book, "Dallas, Ruby and the Law," by Nov. 1, 1964, at which time appeal litigation was still pending in the Ruby case, as it is now.

The judge also said he was angry because court stenographers who transcribed the Ruby trial record had tried to copyright it.

He said he didn't know if they had secured a copyright or not, but Burleson said the court record is stamped "copyright by Shirley Steinbaugh and Jimmy Muleady."

Testimony at the two-day hearing has brought out that portions of the trial record had been used in writing the book. uh1122acs

The Ruby lawyers contend that Brown, by writing the book, had a pecuniary interest in the trial, and should be formally disqualified -- and that Ruby's conviction of murdering the assassin in President John F. Kennedy should be set aside.

The state maintains that no such prejudice existed because Brown didn't decide to write the book until four months after the trial.

Brown voluntarily withdrew from the case earlier this year. Dist. Judge Louis Holland of Montague, Tex., was appointed to succeed him.

Brown testified yesterday that he decided to write the book -- "Ruby, Dallas and the Law" -- 14 months ago "to tell the truth and clear up distortions."

He said he got in touch with Clint Murchison Jr. of Dallas, whose family owns a substantial part of the New York publishing house of Holt, Rinehart and Winston, Inc.

Holt, Rinehart signed a contract with Brown and gave him a \$5000 advance against expected royalties from the book.

Brown and Dallas newspaper columnist Paul Crume testified that Crume was ghost-writing the book. The jurist said he edited the copy written by Crume.

"The book is still in its roughest draft," Brown said, and not close to completion.

Technically, the current proceeding is a habeas corpus hearing on the defense contention that Ruby is being held in jail illegally because the conviction was faulty. He also is appealing the death sentence.

If Holland should rule for the defense, Ruby would get a new trial.

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