

# Ruby Loses Plea for New Trial

DALLAS, April 29 (UPI) — Judge Joe B. Brown refused to grant a new trial today to condemned killer Jack Ruby, rejecting a motion to "set aside this cruel and inhuman verdict" of death.

But Ruby will have a sanity trial.

Gaunt and haggard, a shadow of the roly-poly man who shot accused presidential assassin Lee Harvey Oswald, Ruby was led from court saying over and over to his family, "I won't see you again, I won't see you again."

Defense attorneys immediately filed notice of appeal to the Texas Court of Criminal Appeals in Austin.

Assistant defense attorney Joe Tonahill asked Brown to set a date for a sanity trial, before a jury. Brown must grant the request.

"We'll have to talk about that later," Brown told Tonahill.

If a jury found Ruby insane, he would be committed to Rusk State Hospital for the Criminally Insane at Rusk, Tex.

Although the defense called 30 witnesses, Brown refused to let them take the stand because what they planned to say was not included in the motions for a new trial made by the defense.

Once, the Judge threatened to cite Tonahill for contempt when the burly lawyer pressed for permission to put a justice of the peace on the stand who handled the charges against Oswald in the assassination of President Kennedy. Tonahill stopped talking.

- Tolson
- Belmont
- Mohr
- Casper
- Callahan
- Conrad
- DeLoach
- Evans
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele Room
- Holmes
- Gandy

*Jack Lee Ruby*

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*S. Pol*

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- The Washington Post and Times Herald  23
- The Washington Daily News
- The Evening Star
- New York Herald Tribune
- New York Journal-American
- New York Mirror
- New York Daily News
- New York Post
- The New York Times
- The Worker
- The New Leader
- The Wall Street Journal
- The National Observer
- People's World
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