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Jack Ruby's Gun Ends Up in Court

Brother of Man Who Killed Kennedy's Assassin Seeks Ownership

By J. Michael Kennedy
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DALLAS—The gun, the infernal gun, has been sitting in a safety deposit box for 22 years.

The old man who has kept it all these years goes to the bank every now and then to check on it. Sometimes he takes other people who just want to have a look at the black .38-caliber Colt Cobra pistol that killed Lee Harvey Oswald.

Jack Ruby used the gun to kill the man who assassinated President John F. Kennedy on Nov. 22, 1963. And America watched it all on television. There he was, the stocky guy with the Cavanagh hat, lunging toward Oswald in the basement of the Dallas Police Department. Then came the shot, the looks of horror on the faces of the policemen who surrounded Oswald. It is a scene seared into the memories of Americans old enough to have watched it on that Sunday long ago.

The man who has had the gun all this time is Jules Mayer, who was appointed executor of Ruby's estate after the one-time strip joint owner died of cancer in 1967. Now Ruby's brother, Earl, wants the gun, which Mayer says could be worth \$250,000, and has filed suit to get it. A hearing on the case will be held today in a Dallas probate court.

"I know they hate each other," James Simons, the lawyer for the Ruby family, said of Mayer and Earl Ruby. "I think it's a contest of wills between two old men. Nobody wants to give any ground. It's a stalemate."

The story of Jack Ruby's gun, as well as of the few other things he left behind, dates back to 1950. It was in that year that Ruby, whose life ran to the seamy side, decided to write a will. And in it, he named Mayer the executor and his sisters and



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Jack Ruby, right, guns down Lee Harvey Oswald in Dallas police station.

nephew the beneficiaries.

In 1961, Ruby bought the Colt Cobra in a Dallas pawn shop for \$75. On Nov. 24, 1963, Ruby muscled his way through the crowd at the Dallas police station and left his grim mark on history.

Ruby died three years later in a Dallas hospital, the same one at which Kennedy and Oswald also died, and it is at this point that the stories begin to diverge. As

Earl Ruby tells it, his brother decided to change the will two months before his death. Earl said he was to be appointed executor of the estate and that Jack had called Mayer and told him to tear up the old will.

But there was a problem. Jack Ruby lapsed into a coma before the will could be properly signed. And Mayer, whether he was told to or not, did not tear up the old will.

What Ruby had left behind could be put into a shopping bag.

There was the gun, of course, and the hat. There was the suit he wore on the day he killed Oswald, a diamond-studded watch, a silver-and-diamond ring, two pairs of swim trunks, a shower cap, an athletic supporter, a letter written to a woman and a 1960 model car.

After Ruby died, Mayer took possession of the estate. William Alexander, the deputy district attorney who prosecuted Ruby, turned the gun over to Mayer.

"He [Mayer] said he thought he could sell that gun to pay off debts and wind up the estate," Alexander said in a recent interview. "It should have been settled a year or two after the time the will was probated. Realistically, the estate should have been closed."

But it was not. The years drifted by and, despite several attempts by Earl Ruby to settle the estate, Mayer kept control of it.

Peter Bargmann, Mayer's attorney, said the Rubys had so

clouded the issue of ownership that Mayer could not have sold the gun if he wanted to because potential buyers are fearful of not having clear title to the pistol. But to discover why Mayer did not attempt to settle the dispute and the estate, "You will have to ask Mr. Mayer," Bargmann said.

Mayer did not return calls.

About a year ago, Earl Ruby filed suit, only to be further enraged by the fact that Mayer was claiming more than \$50,000 in legal fees for his work since Jack Ruby died.

"He didn't do anything in 25 years," Ruby said. And as for fees Mayer is asking, Ruby said the amount is more than was paid for the lawyers and psychiatrists at his brother's original trial. Included in that were the services of famed, and expensive, trial lawyer Melvin Belli.

In addition, the Internal Revenue Service has demanded \$96,000 from the Ruby estate, although Simons said no claim was made until news reports circulated that the gun used to kill Oswald might bring a handsome price from a collector.

The value of the gun is a matter of conjecture. Mayer has claimed that the gun is worth \$250,000, but Bargmann also said that while several people had expressed interest in the gun, they were not knocking down doors to get to it.

Meanwhile, Earl Ruby said he wants to "wipe the slate clean," including paying Mayer a reasonable fee.