

Jack Ruby's Gun Object of Dispute

■ **Assassination:** The brother of the man who shot Lee Harvey Oswald is at odds with the executor who has the weapon.

By J. MICHAEL KENNEDY
TIMES STAFF WRITER

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



PAULA NELSON / For The Times

Jules Mayer holds the gun Jack Ruby used to shoot an assassin.

Peter Bargmann, Mayer's attorney, said the Rubys had so clouded the issue of ownership that Mayer couldn't 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 didn't attempt to settle the dispute and the estate, "you will have to ask Mr. Mayer," Bargmann said.

Unfortunately, Mayer, who is at least 80 years old, is not returning calls these days.

Earl Ruby is, though, and he uses words like "shyster" to describe Mayer.

"Jack was in jail for more than three years and Mayer never

called, never visited and he was only a few blocks away," he said.

"He didn't do anything in 25 years," said Ruby.

The actual value of the gun and other things is a matter of conjecture. Mayer has claimed in the past that the gun is worth \$250,000, but Bargmann also said that while several people had expressed an interest in the gun, they weren't exactly knocking down doors to get to it.

It was left to Alexander to sum up the irony of the case.

"This big fight is over a gun that is worth more than Jack Ruby ever had in his life."

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 Friday in a Dallas probate court.

And what this all really seems to be about is two men who dislike each other a great deal.

"I know they hate each other," said James Simons, the lawyer for the Ruby family. "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 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 nephew the beneficiaries.

Roll forward to 1961, when Ruby bought the Colt Cobra in a Dallas pawn shop for \$75. Roll forward again to Nov. 24, 1963, when 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 the story, his brother decided to change the will two months before his death. Earl said he was to be appointed the 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 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 and a letter written to a woman. Other than that, Ruby left behind only his 1960 model car, which is said to be in storage somewhere in the Los Angeles area.

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," said Alexander 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 wasn't. The years drifted by and, despite several attempts by Earl Ruby to settle the estate, Mayer kept control of it.