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W. Stone

Jack Ruby's Brother Sells the Gun for \$200,000

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NEW YORK, Dec. 26 — In a hotel ballroom still decorated for Christmas, Earl Ruby sat at a table today near the snub-nosed revolver his brother Jack used to kill Lee Harvey Oswald and, as he has for 28 years, answered questions about the conspiracy: the Grassy Knoll, the Mafia, the C.I.A., and now, Oliver Stone.

"I'm sure you've been asked this a million times," Albert Perry, a schoolteacher from Connecticut, said, and then asked, "Do you think Oswald acted alone?"

Mr. Ruby shrugged.

"I don't expect anybody to believe me," he said in a gruff voice. "Three Justice Department investigations, the Warren Commission, Bobby Kennedy, all said there was no conspiracy. But nobody believes them. What the hell do people want?"

Some would settle for his brother's black .38-caliber Colt Cobra revolver.

The gun, the center of a legal battle over Jack Ruby's estate that ended in August, sat at the center of a draped table — the most notorious curio among more than 300 other autographs and pieces of Americana to be auctioned by Herman Darvick in the 26th-floor ballroom at the Omni Park Central Hotel in Manhattan.

Mr. Ruby, a short, stocky man wearing a camel's-hair sports jacket and thick glasses, was hoping that the gun would elicit more than curiosity. A \$100,000 minimum had been set on

the auction — money he could use to pay off the estate's legal bills and \$86,000 in back taxes his brother owed the I.R.S. He waited anxiously all day for the auction to begin at 7:30 P.M., pacing and talking on the phone, which rang incessantly with calls from reporters.

Given the air of mystery that surrounds everything about the assassination, it was hardly surprising that it was an unidentified buyer who bought the gun for \$200,000 at the end of a brisk but brief round of bidding last night.

"It's a part of history," Mr. Ruby said earlier in the day, sounding relieved that he would soon be rid of it. "That's what they tell me. I don't know."

'Available for Sale'

Mr. Darvick, who organized the auction, had no doubts about the historical significance of the gun — nor the possibility someone would pay in excess of \$100,000 for it.

"Twenty million people saw that gun being used on live TV," Mr. Darvick said. "This is the only thing related to the Kennedy assassination that is available for sale to the public."

America's fascination with the assassination has never really abated and has been fueled by "J.F.K.," Mr. Stone's highly criticized version that portrays a wide conspiracy and cover-up. The film's release a week before the auction, Mr. Darvick said

with a smile, was a fortunate coincidence.

The gun, lying in a bulletproof case with a police evidence tag still attached, was by far the most expensive item in an auction that also included letters and photographs signed by presidents, Mao Zedong's autograph, baseballs signed by such greats as Lou Gehrig and Babe Ruth and a passport belonging to Bugsy Siegel.

The shooting of Oswald, Mr. Ruby believes, was an impulsive act on the part of his brother, who was distraught over the assassination. But whatever the motives, since then Mr. Ruby, a semi-retired drycleaner who now lives in Boca Raton, Fla., has had to live with the morbid curiosity of conspiracy-minded strangers who have made his brother's every possession a macabre souvenir.

The revolver and the clothes, watch and ring Jack Ruby was wearing when he was arrested remained in the hands of a lawyer, Jules Mayer, who was originally named executor of Mr. Ruby's estate. After a 23-year legal dispute, a probate judge in Dallas declared last year that Mr. Mayer had grossly mismanaged the estate and in August gave the younger Mr. Ruby control over the estate.

Mr. Ruby said he decided, with the blessing of his surviving brother and two sisters, to sell the gun to pay his brother's back taxes and the legal bills stemming from five lawsuits. Jack Ruby died of cancer in 1967.