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DETROIT, Feb. 3 (AP)- A probate judge in Detroit has summoned District Atty. Henry Wade of Dallas and two other Texas law enforcement officials to show cause why they should not be made to release property of the late Jack Ruby.

Judge Thomas Murphy of the Wayne (Detroit) County probate court ordered the three to appear at a hearing April 3 at 10 a.m.

Wade, one of his assistants and Dallas Sheriff Bill Decker were served with the summonses yesterday by an attorney for Earl Ruby, brother of Jack Ruby and administrator of Jack Ruby's estate.

"They're refusing to release my brother's personal things," Earl Ruby said.

He charged that Wade has refused to turn over Ruby's pistol.

Ruby, who died of cancer last month in Dallas, shot Lee Harvey Oswald in 1963. Oswald was identified by the Warren Commission as President Kennedy's assassin.

Wade, who has said he still has Ruby's pistol, said "I'd like to see it placed in the National Archives."

Earl Ruby said today the Ruby "family wants to place it in the National Archives, but Wade refused to release it.

"They have some of his clothing, a watch and a ring that have some value," Ruby said. "They have cash, I think something over \$2,000 -- that was cash he was carrying with him."

Ruby said he asked Wade a month ago to release the pistol.

"He said see the state's attorney, and the state's attorney said see the city and they just passed the buck back and forth."

Wade, after receiving the summons, said "it seems peculiar to me that they filed his estate case in Detroit when Ruby lived, died and was buried elsewhere."

Ruby said the case is being heard in Detroit because he is administrator of his brother's estate and some of Jack Ruby's belongings already are in Michigan, brought to the state after the shooting.

"We didn't file it (the probate case) in Dallas because we wanted to ~~make~~ sure we were going to get a fair hearing," he said.

An informed source said the estate also may involve a possible \$100,000 contract with a California movie producer who wants to film the ~~Jack~~ Ruby story . The producer was not identified.

Decker said in Dallas that he has nothing that belonged to Ruby.

"He came to me in coveralls and left in coveralls," Decker said. "His family would bring suits down to the jail when he was due in court."

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