


UNITED STATES GOVERNMENT

Memorandum

69A5574
DEPARTMENT OF JUSTICE 147

TO : J. Walter Yeagley

DATE: March 6, 1967

 FROM : Robert J. Stubbs

SUBJECT:

The following article appeared in the June 16, 1963 issue of the New York Times at page 52, column 1.

"Effort to Kill Castro Reported

Miami, June 15, (AP) - An attempt to assassinate Premier Fidel Castro last March in Montangas Province in west-central Cuba was reported today in a letter from Cuba published by the Revolutionary Junta. The letter, from an underground agent, said the assassins killed one of Dr. Castro's guards "but unfortunately he was un- d".

(The last word was incompletely reproduced on the film copy)

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF JUSTICE

69A5574

7147

DATE: March 9, 1967

TO : J. Walter Yeagley
Assistant Attorney General
Internal Security Division

KTM:RLK:1cr

RK
FROM : Kevin T. Maroney, Chief
Appeals and Research Section

SUBJECT: Statute of Limitations re
Conspiracy to Commit Murder
in the Jurisdictions of
Florida and the District of Columbia

1. District of Columbia:

There is no separate conspiracy statute contained within the criminal offenses set out in the District of Columbia Code. Therefore, the applicable statute is the Federal Conspiracy Statute, 18 U.S.C. 371, and the applicable statute of limitations is the Federal Statute of Limitations which provides for a period of five years.

The Federal Conspiracy Statute requires, of course, an overt act. The common law conspiracy did not. It should be noted that the D.C. Code contains a general crimes statute, 22 D.C.C. Section 107, which provides in part that any person "who shall be convicted of any criminal offense not covered by the provisions of any section, or of any general law of the United States not locally inapplicable in the District of Columbia" may be given a prison sentence up to five years or fined up to \$1,000 or both. There is some slight authority that since the common law conspiracy differs from the statutory definition of conspiracy in 18 U.S.C. 371, such a conspiracy, that is, one comprised of an agreement alone without any overt acts, could be prosecuted under the general crimes section of the D.C. Code. If this situation were presented by the facts and the matters under consideration, perhaps further research should be done on this point.

There is no immunity provision in the D.C. Code.

2. Florida:

A conspiracy to commit murder would be covered by Section 833.03 of the Florida Statutes Annotated (FSA). This Section provides a penalty of imprisonment for not more

Mr. Yeagley Mr. Keuch A&R

than seven years for individuals who conspire to commit any felony punishable by death or imprisonment for life, and both first degree and second degree murder are such felonies. (FSA 782.04.)

The applicable period of statute of limitations for crimes other than those punishable by death is two years. (FSA 932.05.) Though the substantive crime of murder is punishable by death, the conspiracy is not, and the two year period would be the applicable period to a conspiracy to commit murder. This period would apparently begin to run as soon as the offense is completed, though no Florida case law was found on this point. /It is, however, the stated opinion of the writers in the field of Florida law, see Volume 6, Florida Jurisprudence, Conspiracy, Section 5.

It should be noted that under the Florida statute no overt act is necessary for the crime of conspiracy and the agreement to commit an unlawful act by itself constitutes the crime of conspiracy, see Pine v. United States, 135 F.2d 353, cert. denied 320 U.S. 740.

There is an immunity statute in Florida but it covers only the crimes of bribery, burglary, larceny, gaming or gambling, and the illegal sale of liquor, FSA 932.39. There is also a section of the Code which reflects holdings of the Supreme Court in this area by providing that the testimony of a witness who appears before a United States court or grand jury and is directed to give evidence concerning matters listed in the federal immunity statute - that is, matters "involving any interference with or endangering of, or plans or attempts to interfere with or endanger, the national security or defense of the United States by treason, sabotage, espionage, sedition, or seditious conspiracy" - cannot be used against the witness in any subsequent criminal proceeding in the Florida courts. FSA 932.291.

/Or by the same reasoning, it would seem that if the object of the conspiracy was abandoned before the substantive crime was committed, the period would begin to run from the time of the abandonment of the scheme.

ORIGIN/ACTION

EUR-6

DEPARTMENT OF STATE

AIRGRAM

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RM/R REP AF

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FOR RM USE ONLY

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UNCLASSIFIED

NEA CU INR

NO.

1965 NOV 30 HANDLING INDICATOR

E P IO

TO : Department of State

L FBO

S/P S/S 12/PM

AGR COM FRB

FROM : Amembassy MOSCOW

DATE: November 26, 1965

INT LAB TAR

SUBJECT : Izvestiya Article on President Kennedy's Assassination

TR XMB AIR

REF :

ARMY CIA NAVY

OSD USIA NSA

W.C. FBI (543)

MSC-6

The Soviet press marked the second anniversary of President Kennedy's assassination in an article by Valentin Zorin in Izvestiya November 20.

Zorin skeptically reviews the theories on Oswald's motives for the assassination and discusses various unexplained "secrets" of the case. In passing, he ridicules Congressman Gerald Ford's book "Portrait of an Assassin" for describing Oswald's motive as simply a desire to impress his wife and erase the epithet of "rabbit" (i.e. weak-kneed) he had earned in the Marine Corps. Zorin notes that the White House Secret Service has been increased to a thousand men, which shows how "terror is inherent in the very character of American political life."

Zorin makes the standard Soviet conclusion that the assassination has not been fully explained. He questions whether one man could plan the assassination of the President of the United States and carry it out alone, the implication being that powerful unknown organizations must have secretly been behind Oswald.

For the Charge d'Affaires ad interim:

D. E. Boster
D. E. Boster
Counselor for Political Affairs

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FORM 4-62 DS-323

Drafted by:

POL:RFRogers:eu

11-23-65

Contents and Classification Approved by:

POL:AAkalovsky

Clearances:

MIN:JGuthrie *JG*

COMMUNICATIONS SECTION

1965 NOV 30 AM 11 32

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Typed: 2/2/66
FMV:GAB:cos
129-11

February 3, 1966

Honorable Robert F. Kennedy
United States Senate
Washington, D. C.

Dear Senator:

This is in reply to your letter transmitting a
letter dated November 25, 1965, from [REDACTED]

Although [REDACTED] states that she "found no
answers in the Report of the Warren Commission," I believe
that a careful perusal of that very thorough document and
the appendices thereto will provide her with the answers
she seeks. The Report of the President's Commission on
the Assassination of President Kennedy should be available
to [REDACTED] in any public library or may be ordered
directly from the Superintendent of Documents, Government
Printing Office, Washington, D. C.

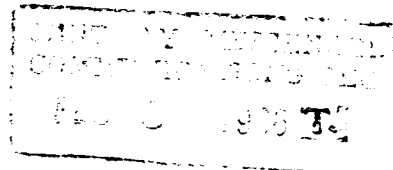
It is, as always, a pleasure to be of assistance
to you. Your enclosure is returned herewith as requested.

Sincerely,

FRED M. VISON, Jr.
Assistant Attorney General

Enclosure

cc: Records
Chrono
Brugger
Assistant Attorney General
Deputy Attorney General



K.C. Justice

THANKSGIVING DAY
November 25, 1965

ROBERT KENNEDY
WASHINGTON
Dec 8 3 00 PM '65

[Redacted]

1-
Dist. J
Justice

Dear Sir:

Lord Bertrand Russell (England) has written an article for the magazine REPORT of Oct., entitled "18 Questions on the Assassination", Sept. 1964 issue.

I would be grateful for your response to the following questions raised, as I found no answers in the REPORT OF THE HARRIS COMMISSION.

1. Why was the President's route changed at the last minute to take him past Oswald's place of work?"

"The President's route for his drive through Dallas was widely known and was printed in the Dallas Morning News on Nov. 22. At the last minute the Secret Service changed a small part of their plans so the President left Main Street and turned into Houston & Elm Streets. This alteration took the President past the book depository building from which it is alleged that Oswald shot him.

How Oswald is supposed to have known of this change has never been explained. "

2. Why was Oswald interrogated nearly 48 hours without allowing him to contact a lawyer despite his repeated requests to do so? ACLU lawyers were in Dallas requesting to see Oswald and were not allowed to do so. A confession or evidence obtained from a man held 48 hours in custody is likely to be inadmissible in a U.S. Court of Law. This interrogation was conducted in a manner which made the use of material secured unlawful....This raises the question of whether the FBI Director in Dallas conducted the interrogation in violation of the Constitution.

3. Why did the taxi driver's log book show that a man answering Oswald's description had been picked up at 12:30 when the President was shot at 12:51? (Dist. Atty. Wade has this evidence.)

4. Oswald's description was broadcast by the Dallas Police only 12 minutes after the President was shot. This raises one of the most extraordinary questions ever posed in a murder case: Why was Oswald's description in connection with the murder of Patrolman Tippett broadcast over Dallas police radio at 12:43 PM on Nov. 22, when Tippett was not shot until 1:00 PM?

I would very much appreciate your reply to this letter. Thank you.

Most sincerely yours,

[Redacted Signature]

cc: Hon. Robert Kennedy
Pres. Lyndon B. Johnson
Dist. Atty. Wade, Dallas, Texas.
FBI Dir. Herbert Hoover
CIA Dir. John A. McCone

PLEASE ADDRESS ALL MAIL TO
UNITED STATES ATTORNEY
P. O. BOX 153

United States Department of Justice

BHT:ija

UNITED STATES ATTORNEY
NORTHERN DISTRICT OF TEXAS
DALLAS, TEXAS 75221

November 24, 1965

AIRMAIL

Mr. Carl W. Belcher, Chief
General Crimes Section
Criminal Division
Department of Justice
Washington, D.C. 20530

Re: One 6.5 mm. Mannlicher-Carcano Military Rifle,
Model 91-38, Serial No.C2766, With Appurtenances,
and One .38 Special S & W Victory Model Revolver,
Serial No.V510210, With Appurtenances
Dept. Ref.: FMV:CWB:pem 129-11

Dear Mr. Belcher:

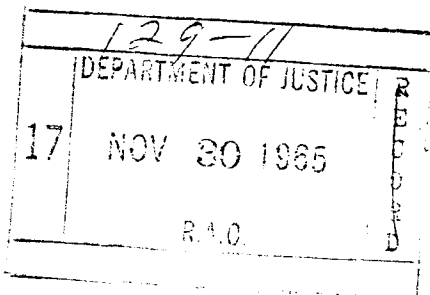
I have received the various material which I had requested Joe Cella send me in connection with our preparation for the pre-trial. At the joint request of our office and King's attorney Judge Estes has re-scheduled pre-trial which was set for today for January 3, 1966. This will allow us to meet further with Mr. Garrett and work out the stipulations. It will also allow time for both sides to prepare briefs for presentation to the Court at the pre-trial.

I have discussed on the telephone with Joe Cella the various items that King's attorney wanted incorporated in the stipulation. We are now working on expanding the stipulations to cover some of those matters which will be prefaced by a statement that neither side concedes the materiality of any particular stipulation. As soon as we complete the draft of the new and expanded stipulation I will forward a copy to you for your study well in advance of the date set for pre-trial.

Very truly yours,

Melvin M. Diggs
United States Attorney

B. H. Timmins, Jr., Assistant
United States Attorney



T. 11/18/65

FMV:JJC:ls
129-11

Air Mail - Special Delivery

Mr. Melvin M. Diggs
United States Attorney
Dallas, Texas

Attention: Mr. B. H. Timmins, Jr.
Assistant U. S. Attorney

Re: United States v. One 6.5 mm.
Mannlicher-Carcano Military Rifle,
Model 91-38, Serial No. C2766, with
appurtenances, and One .38 Special
S&W Victory Model Revolver, Serial
No. V510210, with appurtenances

Dear Mr. Diggs:

In further reference to the above entitled case the following
material is attached:

Three (3) copies of Senate Report No. 851
(89th Cong., 1st. Sess.)

Three (3) copies of the letter of June 17, 1965
from the Attorney General to the Vice President,
United States Senate.

Three (3) copies of the letter from the Attorney
General to the Speaker, House of Representatives.
(These copies are not dated but House Report No. 813
(89th Cong., 1st. Sess.) sets out this letter bear-
ing date of June 17, 1965).

One (1) copy of a memorandum prepared in the Legal
Division, A&TT.

One (1) copy of an informal memorandum captioned
"Using Fictitious or Assumed Names" and prepared
in this Division.

One (1) copy of a memorandum dated November 17, 1965
by Charles A. Mays of this Division.

CC: Records
Chrono.
Mr. Cella

NOT INSPECTED FOR
SERIAL 4.9.

Three (3) copies of the transcript of the Court's Ruling in John J. King v. Nicholas deB. Katzenbach, Civil Action No. 9168, District of Colorado.

A copy of the Transcript of Hearing on October 4, 1965 in King v. Attorney General, supra.

It will be appreciated if you would return the copy of the Transcript of Hearing in the District of Colorado proceeding when it has served your purpose.

Please also note that at page three (3) of Mr. May's memorandum of November 17, 1965, reference is made to United States v. Fullard-Leo, 66 F. Supp. 782, 788. The principle there set forth has no application to forfeiture proceedings (Stowall v. United States, 133 U.S. 1). In such proceedings the rights of intervening purchasers are cut off. Florida Dealers & Growers Bank v. United States, 279 F. 2d 673 (C.A. 5); Weathersbee v. United States, 263 F. 2d 324.

We assume you have received our letter of November 15, 1965 with the attached copy of the memorandum of October 18, 1965 from the Director, Federal Bureau of Investigation, setting forth information respecting the use made by Lee Harvey Oswald of the name "Hidell." It seems unmistakably clear that Oswald used the name "Hidell" and variations thereof for the sole purpose of concealing his true identity and defrauding anyone with whom he might come in contact. Apparently the name "Hidell" was nothing but a name pulled out of thin air used not as an adopted name by Oswald but to convey the impression that one "A.J. Hidell" did, in fact, exist.

During the course of an interview on August 15, 1963, Oswald informed a special agent of the Federal Bureau of Investigation that since receiving his membership card in the New Orleans Chapter of the Fair Play for Cuba Committee he had spoken with Hidell on the telephone on several occasions. He further stated he had never personally met Hidell. Hearings before the President's Commission on the Assassination of President Kennedy, Vol. XVII, Exhibit 826, p. 759. Add to this the fact that one William Kirk Stuckey, a radio broadcaster, testified that Oswald insisted during the course of an interview that he was not president of the Fair Play for Cuba Committee but was the secretary. ". . . that was the occasion in which he pulled out his card showing that he was the secretary, not the president, and this other gentleman, Hidell, was the president."

Hearings, Vol. XI, P. 162. See also Commission Exhibits 2966 A and 2966 B (Report of the President's Commission, p. 409 which are Fair Play for Cuba Handbills on which Oswald had stamped his true name and the name "A. J. Hidell." Commission Exhibit 819 (p. 697 of the Hearings, Vol. XVII) is Oswald's membership card in the Fair Play Committee. It purports to have been issued to him in the name, "L. H. Oswald" and purports to bear the signature "A. J. Hidell" as "Chapter President." Marina Oswald testified that she signed the name, "A. J. Hidell" to this card after Oswald threatened to beat her if she did not do so. Report, p. 407. Too, Oswald denied to Captain Fritz that he ever used the name, "A. J. Hidell." Report, p. 636.

The above instances hardly demonstrate that Oswald adopted the name of "Hidell." No one could successfully question the use of a name such as Mark Twain, for example. That was his pen name and a name by which he was generally known in the community. On the contrary, Oswald used the name "Hidell" only to conceal his identity, witness the forged Selective Service Card and the Certificate of Service in the Marine Corps card. If he had, in truth and fact, adopted the name "Hidell" there would be no necessity for his forging anything.

Nor can the claimant derive any comfort from the statement in the Attorney General's letter of June 17, 1965 to the Vice President as set forth in Senate Report 851 (last sentence of the third paragraph) to the effect that the national interest requires legislation providing a valid legal basis for the permanent retention of the exhibits. At the time the Attorney General made this statement, it was not known whether a forfeiture action would be instituted and, or course, if such an action were begun, whether it would terminate successfully. The legislation is vital in the event of failure in the forfeiture proceeding. Too, the Committee Reports point out that claimants are provided a procedure for recovering just compensation "by permitting the claimant his day in court to litigate his asserted rights." The legislation allows any claimant this right to the extent that he has an interest in any of the articles. Here, King has no such interest. And with further reference to the legislation, it is of more than passing interest to note that the claimant apparently does not concede the validity of the enactment if his statement before the Senate Judiciary Committee (Cong. Record, pp. 26302, 26303) is any indication of his future intentions.

We understand you will advise us further when you are informed as to the specific issues to be determined in this matter and whether the claimant files a memorandum in support of the points he raises.

Sincerely,

FRED M. VINSON, Jr.
Assistant Attorney General
Criminal Division

By: CARL W. BELMONT
Chief, General Crimes Section

Enclosures

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Joseph J. Cella
General Crimes Section
Criminal Division

DATE: November 17, 1965

CAM:skw

FROM : Charles A. Mays
General Crimes Section
Criminal Division

SUBJECT: Oswald Gun case;
Abandonment, Estoppel,
and Laches

This memorandum relates to possible arguments in the Government libel action to perfect title in the United States of the rifle used by Lee Harvey Oswald to assassinate President Kennedy and the pistol he used to slay Dallas Police Officer Tippett. It is possible that the Government may be faced with arguments that the delay in instituting libel proceedings constituted an abandonment of the Government's right to the firearms, that the Government should be estopped from asserting title thereto because of the delay, and that the Government's action is barred by laches. It is to these arguments that this memorandum is directed.

ESTOPPEL AND LACHES

"Mere acquiescence, laches, lapse of time, or nonaction on the part of the public or the public agents or officers does not ordinarily work an estoppel."
31 C.J.S. Estoppel §132, p. 686.

No estoppel arises from mere delay in bringing suit. City and County of San Francisco v. United States, 223 F.2d 737 (9th Cir. 1955), cert. denied 350 U.S. 903.

The Supreme Court has had numerous occasions in the past to consider the application of these doctrines to the United States as a party litigant. Following is a chronological treatment of some of these cases with pertinent quotations:
United States v. Beebe, 127 U.S. 338, 344 (1888):

"The principle that the United States are not bound by any statute of limitations, nor barred by any laches of their officers, however gross, in a suit brought by them as a sovereign

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| DEPARTMENT OF JUSTICE | |
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Government to enforce a public right, or to assert a public interest, is established past all controversy or doubt."

Utah Power and Light Co. v. United States, 243 U.S. 389, 409 (1917):

"As a general rule laches or neglect of duty on the part of officers of the Government is no defense to a suit by it to enforce a public right or protect a public interest."

Chesapeake & Del. Canal Co. v. United States, 250 U.S. 123, 125 (1919):

"It is settled beyond controversy that the United States when asserting 'sovereign' or governmental rights is not subject to either state statutes of limitation or to laches."

United States v. Summerlin, 310 U.S. 414, 416 (1940):

"It is well settled that the United States is not bound by state statutes of limitations or subject to the defense of laches in enforcing its rights. *** The same rule applies whether the United States brings its suit in its own courts or in a state court."

In addition to the above cases, several circuit courts have commented on the problem. American Surety Co. of N.Y. v. United States, 112 F.2d 903, 906 (10th Cir. 1940):

"Those defenses /estoppel, ratification and laches/ do not apply to actions brought by the United States in its sovereign capacity where they would frustrate the purpose of its laws or thwart its public policy."

United States v. City of Greenville, 118 F.2d 963, 966 (4th Cir. 1941):

" *** Rights of the government are not affected by laches of its officers and *** it is not estopped by their conduct from asserting its rights."

United States v. Sharp, 216 F.2d 602, 604 (9th Cir. 1954):

"The conclusion of the court below, that by reason of unreasonable delay in instituting the action, the government was barred from collecting the note from the appellee, cannot be sustained. The defense of laches does not apply where the United States enforces its rights."

United States v. Costello, 275 F.2d 355, 357 (2d Cir. 1960), cert. denied 362 U.S. 973 (an action to cancel a naturalization certificate issued 30 years earlier):

" *** United States is not bound by state statutes of limitations or subject to the defense of laches in enforcing its rights."

Before finally concluding that estoppel and laches are not available in the present libel action, one caveat should be noted. In United States v. Fullard-Leo, 66 F.Supp. 782, 788 (d. Hawaii 1944), aff'd 156 F.2d 756, aff'd 331 U.S. 256, the court after reciting that it is well settled that the Federal Government is not estopped by the mere laches or non-action of its officers, went on to hold:

"But it is likewise well settled that where, while the laches in continuing, the rights of a bona fide purchaser have intervened, equity will protect them.

"This applies to actions brought by the Government as well as those brought by individuals."

This, at first blush, appears to cause considerable concern about the status of the defense of laches in the present case, since the guns in question were purchased during a period of delay by the Government in commencing libel proceedings. However, Mr. Cella opines that the law of libel is such that title vests in the Government immediately upon commission of the act causing forfeiture and that such title cannot be disturbed even at the instance of an innocent purchaser of the forfeited goods. It therefore appears that laches, estoppel, and similar defenses would not be available in the present case.

ABANDONMENT

A related argument that may be made is that the Government abandoned its title to the guns prior to institution of the libel proceeding. This is equally without merit.

The Supreme Court, reviewing an alleged abandonment by the Federal Government of lands under the ocean within the three mile limit off California, held in United States v. California, 332 U.S. 19, 40 (1947), opinion supplemented 332 U.S. 804, rehearing denied 332 U.S. 787, petition denied 334 U. S. 855:

"The Government, which holds its interests here as elsewhere in trust for all the people, is not to be deprived of those interests by the ordinary court rules designed particularly for private disputes over individually owned pieces of property, and officers who have no authority at all to dispose of Government property cannot by their conduct cause the Government to lose its valuable rights by their acquiescence, laches, or failure to act."

In Kern Copters, Inc. v. Allied Helicopter Service, Inc., 277 F.2d 308, 313 (9th Cir. 1960), it was argued that the Government had abandoned a crashed helicopter. The court held:

"The Army's failure to seek to recover the remains for eighteen months does not constitute an abandonment. Congress has the power to provide for the disposition of property of the United States *** and the power must be exercised by the authorized authority *** and in the authorized manner ***. Inactivity, or neglect, upon the part of Government officers is insufficient to cause the Government to lose its property."
(Emphasis added)

It therefore appears that inactivity or delay by Government officials in instituting libel proceedings in the present case to ripen the title they acquired by forfeiture when the firearms law was violated does not constitute an abandonment of such title and would not provide a defense in favor of an adverse claimant in such libel proceedings.

November 12, 1965

Mrs. Marguerite C. Oswald



Dear Mrs. Oswald:

In regard to your telegram of November 12 the Attorney General has asked me to inform you that any information you may have should be brought to the attention of the Federal Bureau of Investigation, either in your locality or through the main office in Washington.

Sincerely,

Harold F. Reis

JFF:cjc

TELEGRAM SPECIAL

DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
TELEGRAPHIC OFFICE

NOV 12 1965

WUB035 (20)NSA045 DC005

D FWA106 PD [REDACTED] 12 857A CST

ATTORNEY GENERAL NICHOLAS KATZENBACH

JUSTICE DEPT WASHDC

SPOKE WITH ASSISTANT JAMES FLUG ABOUT DEVELOPMENTS IN KENNEDY
OSWALD CASE IMPORTANT I PERSONALLY MEET WITH YOU AND COMMITTEE
MEMBERS BECAUSE OF NEW DEVELOPMENTS

MRS MARGUERITE C OSWALD [REDACTED]

(06).

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OFFICE OF THE
RECEIVED
NOV 12 1965
ATTORNEY GENERAL

29-11
DEPARTMENT OF JUSTICE
NOV 12 1965
ATTORNEY GENERAL
CRIM-GEN, CRIME SEC

Typed: 11/10/65

FHV:JJC:bf
129-11

November 10, 1965

~~F. M. Vinson~~
Mr. Mitchell Rogovin
Chief Counsel
Internal Revenue Service
Department of the Treasury
Washington, D. C.

Attention: Mr. Robert B. Ritter
Director, Alcohol and
Tobacco Tax Legal Division

Re: United States v. One 6.5 mm.
Mannlicher-Carcano Military
Rifle, Model 91-38, Serial No.
C2766, with appurtenances, and
One .38 Special S&W Victory
Model Revolver, Serial No.
V510210, with appurtenances

Dear Mr. Rogovin:

Thank you for your letter of November 10, 1965 attaching a copy of a memorandum of points and authorities prepared by Mr. John F. Mc Carren regarding the exceptions filed by the claimant in the above entitled action.

The memorandum contains an excellent discussion of the issues raised by the claimant and has been forwarded to the United States Attorney at Dallas, Texas.

Your cooperation is appreciated.

Sincerely,

FRED M. VINSON, Jr.
Assistant Attorney General
Criminal Division

By: CARL W. BELCHER
Chief, General Criminal Section

CC: Records ✓
Chrono
Cella

SENT DIRECT FROM
CRIMINAL DIVISION MAIL ROOM
DATE 11-10-65
BY

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J. M. E.

Typed: 11/10/65

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November 10, 1965

AIR MAIL - SPECIAL DELIVERY

Mr. Melvin M. Diggs
United States Attorney
Dallas, Texas

Attention: Mr. B. H. Timmins, Jr.
Assistant U. S. Attorney

Re: United States v. One 6.5 mm.
Mannlicher-Carcano Military
Rifle, Model 91-38, Serial No.
C2766, with appurtenances, and
One .38 Special S&W Victory
Model Revolver, Serial No.
V510210, with appurtenances

Dear Mr. Diggs:

Attached is a copy of the letter of November 10, 1965
from the Chief Counsel, Internal Revenue Service together
with a copy of its enclosure.

It is our understanding that you will advise us of
counsel's intentions respecting the filing of a memorandum
in support of the claimant's exceptions and answer.

We trust the enclosed memorandum will be of assistance.

Sincerely,

FRED M. VINSON, Jr.
Assistant Attorney General
Criminal Division

By: CARL W. BELCHER
Chief, General Crimes Section

CC:
Records
Chrono
Cella

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CRIMINAL DIVISION MAIL ROOM
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Enclosures

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POST OFFICE DEPARTMENT
BUREAU OF OPERATIONS
WASHINGTON, D. C. 20260

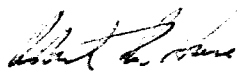
November 10, 1965

Department of Justice
Washington, D. C. 20530

Dear Sir:

The attached correspondence is referred to your office for attention you deem warranted. Mr. Bray has not been advised of this referral as his address is not known.

Sincerely,


Robert M. Huse
Director
Customer Relations Division

Rev. 6-7-65

John P. ...
14 NOV 12 1965
ORIGINAL-GEN. CRIME SEC.