

June 29, 1966

Director  
Federal Bureau of Investigation

T/6/29/66  
HVV:GMB:pan  
129-11

D. A. R.

Fred M. Vinson, Jr., Assistant  
Attorney General, Criminal Division

RECORD

Assassination Weapons

Attached is a copy of a telegram signed "Marguerite C. Oswald" received in the Criminal Division on June 28, 1966.

This Division would appreciate receiving information relevant to the subject of this communication.

Attachment ✓

OLM  
6/29  
TK  
/OLM

Records ✓  
Chrono  
Mr. Belcher (2)  
Mr. Cella  
Mr. Charles Simms, OLC  
Mr. Vinson

SENT DIRECT FROM  
ORIGINAL DIVISION MAIL ROOM  
DATE 6-29-66  
Ken Raupach  
5716

# TELEGRAM SPECIAL

DEPARTMENT OF JUSTICE  
ADMIN. RECORDS BRANCH  
TELEGRAPH OFFICE

1966 JUN 28 PM 3:32

JUN 28 3 17 PM '66  
DEPT. OF JUSTICE

VWUB207 (50)NSA192 DC164

D. FWA328 PD FORT WORTH TEX 28 1130A CST

ATTORNEY GENERAL NICHOLAS KATZENBACH

CARE JUSTICE DEPT WASHDC

CAN SHOW VISUAL EVIDENCE ERROR PERTAINING TO GUNS

MARGUERITE C OSWALD 4029 BYERS

(58).

315P EDT JUN 28 66

129-11	
DEPARTMENT OF JUSTICE	R E C D
10 JUN 28 1966	OK
Mr Rossack R.A.O.	D
CRIMINAL-GEN. CRIME SEC.	

Typed: 7/8/66

FMV:JJC:kg  
129-11

July 8 1966

Mr. Joe H. Tonshill  
Tonshill Building  
Kasper, Texas

Dear Mr. Tonshill:

President Johnson has asked me to acknowledge receipt of copies of the brief Amicus Curiae filed in behalf of Jack Ruby, Appellant, in the case of Ruby vs. The State of Texas.

sincerely,

FRED M. VINSON, Jr.  
Assistant Attorney General

FV  
OK  
7/8/66  
JJC

OK  
7/8

Records ✓  
Chrono  
Mr. Cella

RECEIVED AND MAILED  
COMMUNICATIONS SEC.  
JUL 8 1966 9

JOE BOB GOLDEN

JOE H. TONAHILL  
LAWYER  
TONAHILL BUILDING  
JASPER, TEXAS 75951

DUDLEY 4-2501

June 23, 1966

Glenn Haynes, Esq.  
Clerk  
Court of Criminal Appeals of Texas  
Courts Building  
Austin, Texas

Re: No. 37,900, Jack Ruby, Appellant  
vs.  
The State of Texas, Appellee

Dear Mr. Haynes:

Please find enclosed the original and 4 copies of our Brief, which you will kindly file in behalf of Jack Ruby, Appellant, as provided in the Court's order of June 15, 1966.

I will present oral argument to the Court on submission day, which is June 24, 1966.

A copy of the brief is being delivered to Texas counsel.

Very cordially yours,

EMMETT COLVIN, JR.  
1115 Fidelity Building  
Dallas, Texas

JOE H. TONAHILL  
Tonahill Building  
Jasper, Texas

By 

/cs  
Encs.

SEE ENCLOSURE FILES  
*22-10-55*

JHT

JHT

JHT

JHT

THE WHITE HOUSE  
WASHINGTON

June 25, 1966

TO: Honorable Ramsey Clark  
FROM: Douglass Cater *DC*

Here is the FBI report on the Oswald radio. I leave it in your hands whether to make it available to the Reporter Magazine. The question of its operating condition seems to me vital.

Attachment ✓

*Files  
JTC*

*129-11*  
NOV 30 1966  
R.A.C.  
DEPUTY ATTORNEY GENERAL

RECEIVED  
JUN 27 1966  
Deputy Attorney General

Form No. DJ-96a  
(Rev. 7-17-63)

DEPARTMENT OF JUSTICE

ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	Judge Heltzer			2119
2.				
3.				
4.				

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> SIGNATURE                                | <input type="checkbox"/> COMMENT          | <input type="checkbox"/> PER CONVERSATION |
| <input type="checkbox"/> APPROVAL                                 | <input type="checkbox"/> NECESSARY ACTION | <input type="checkbox"/> AS REQUESTED     |
| <input type="checkbox"/> SEE ME                                   | <input type="checkbox"/> NOTE AND RETURN  | <input type="checkbox"/> NOTE AND FILE    |
| <input type="checkbox"/> RECOMMENDATION                           | <input type="checkbox"/> CALL ME          | <input type="checkbox"/> YOUR INFORMATION |
| <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ |   |   |
| <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____ |   |   |

REMARKS

June 16 inc. from FBI (attached) does not require an answer (even though the front office seems to think an ans. should be given); but the inc. and attachments may help in your ans to Home's letter to AG.

Please return the attached in "as is" condition with your ans to Home so that I

FROM:	NAME	BUILDING, ROOM, EXT.	DATE
	Will	thus be assisted	to handle
	a related problem.		Will
			6/17

*Memorandum*

TO : Fred M. Vinson, Jr.  
Assistant Attorney General  
Criminal Division

DATE: June 16, 1966

FROM : *H.F.A.*  
Harold F. Reis  
Executive Assistant to the Attorney General

SUBJECT: Letter of Inquiry from Mark Lane dated June 8, 1966

This refers to the memorandum to the Attorney General from the Director, FBI, dated June 16, 1966, concerning this subject. I assume you will prepare a reply to the Director's memorandum. However, I would like an opportunity to see the reply before it goes out. I would like to note specifically that the shirt and jacket worn by President Kennedy are not the property of the government although they are in its custody. Mrs. Jacqueline Kennedy and Robert Kennedy, who are the executors of the late President's estate, have very strong objections to their examination.

129-11	
DEPARTMENT OF JUSTICE	R
27 DEC 5 1966	E
R.A.G.	D

AG  
6/17

Assassination Evd

Mark Jones Request

Call H. Reis

When Commission adjourned -

AG fills the vacuum

Looks better with CLE

Signature than Christie Spoken

H. Reis wants

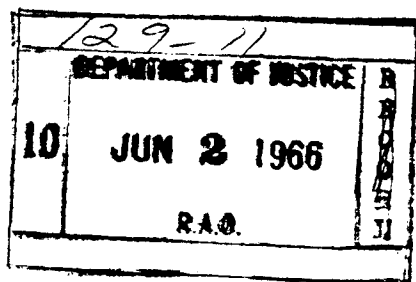


Re: Assassination weapons - motion to expedite granted May 18 --  
submit on original record, mimeographed briefs.

King's brief <sup>due</sup> -- June 6

Government's brief <sup>due</sup> -- June 20

Assigned for oral argument at Atlanta during week of June 26.  
Order by the Court, Tuttle, Reeves and Choate (D.J.) on the  
panel.



129-11

file  
JJC

Typed: 5/19/66  
FMV:TKS:ehd  
129-11

D.A.K.

May 20 1966

Honorable Edward M. Kennedy  
United States Senate  
Washington, D. C.

Dear Senator:

Thank you for your communication of May 16, 1966  
transmitting three identical letters from [redacted]

Y.E.S.  
5/20

The correspondence from [redacted] has been for-  
warded to the Federal Bureau of Investigation for its atten-  
tion and any action which might be deemed appropriate.

It is, of course, always a pleasure to be of ser-  
vice to you.

Sincerely,

FRED M. VINSON, Jr.  
Assistant Attorney General

Records  
Chrono  
Sides  
Deputy AG  
Mr. Vinson

SENT BY [redacted]  
COMMUNICATIONS  
MAY 20 1966

7C  
7C

7C

PKC

7v

Typed: 5/19/66  
PMV:TES:ehd  
129-II

May 20 1966

Director,  
Federal Bureau of Investigation

Mr. Fred M. Vinson, Jr.  
Assistant Attorney General  
Criminal Division

D.A.M.

[Redacted]

7C

RECORD

Enclosed for your attention and appropriate action  
is a letter from Senator Edward Kennedy transmitting enclosures  
from [Redacted]

7C

✓ E.S.  
5/20

716

2 ✓

Enclosures ✓  
Records ✓  
Chrono  
Slides  
Mr. Vinson

SENT BY MESSENGER  
COMMUNICATIONS SEC  
MAY 20 1966 T

United States Senate

MAY 16 1966

RECEIVED

MAY 18 1966

Respectfully referred to  
DEPARTMENT OF JUSTICE  
CONGRESSIONAL RELATIONS  
WASHINGTON, D. C.

for such consideration as the communication  
herewith submitted may warrant, ~~and to report~~  
~~thereon in duplicate to accompany return of~~

~~XXXX enclosure~~

By direction of

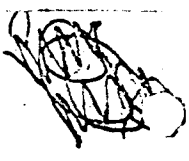
*[Handwritten signature]*

GPO 14-7007-1

U. S. S.

129-11		DEPARTMENT OF JUSTICE		R E C O R D
10	MAY 19 1966	<i>[Handwritten initials]</i>		
R.A.O.				
CRIMINAL-GEN. CRIME SECT.				P.

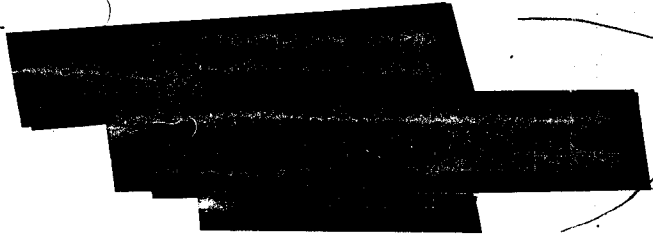
Justice



DEAR SIR

I KNOW OF A MAN WHO INDUCED OSWALD TO MURDER YOUR BROTHER PRESIDENT KENNEDY I HAVE SOME INFORMATION I WILL GIVE YOU IF YOU GET IN TOUCH WITH ME THIS IS NOT A JOKE OR A GAME I AM A CATHOLIC AND PLEASE BELIEVE ME

7C



7C

111



GIVE-MENTAL HEALTH FUND



SEN. ED KENNEDY  
WASHINGTON D.C.

Form No. CM-1a  
(Rev. 11-20-63)

DEPARTMENT OF JUSTICE

ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	<i>Mr. Butcher</i>			
2.				
3.				
4.				

SIGNATURE                       COMMENT                       PER CONVERSATION  
 APPROVAL                       NECESSARY ACTION                       AS REQUESTED  
 SEE ME                       NOTE AND RETURN                       NOTE AND FILE  
 RECOMMENDATION                       CALL ME                       YOUR INFORMATION  
 ANSWER OR ACKNOWLEDGE ON OR BEFORE \_\_\_\_\_  
 PREPARE REPLY FOR THE SIGNATURE OF \_\_\_\_\_

REMARKS

*Copy was previously furnished*

FROM:	NAME	BUILDING, ROOM, EXT.	DATE
	ASSISTANT ATTORNEY GENERAL Criminal Division		<i>5/9</i>

T. 4/29/66

May 3 1966

FMV:JJC:ls  
129-11

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

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

Re: One 6.5 mm. Mannlicher-Carcano Military  
Rifle, Model 91-38, Serial No. C2766,  
with Appurtenances, and one .38 Special  
SAW Victory Model Revolver, Serial No.  
V510210, with Appurtenances; CA No.  
(Civil Action No. 3-1171; DC HD Texas)

Dear Mr. Diggs:

This will acknowledge receipt of your letter of April 26,  
1966, enclosing a copy of the Motion for Special Assignment  
mailed for filing in the above case.

Your cooperation in keeping us informed of significant  
developments is appreciated and please let us know if we can  
be of any assistance.

Sincerely,

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

By: CARL W. BELCHER  
Chief, General Crimes Section

CC: Records ✓  
Chrono.  
Mr. Cella

NOT INSPECTED FOR  
MAILING BY R.A.O.

SENT DIRECT FROM  
CRIMINAL DIVISION MAIL ROOM  
DATE 5-3-66  
BY \_\_\_\_\_

4-29  
RFB  
CB FT  
4/29/66

Ull  
S/3

5/2

Mr. Belcher:

Thanks. Let's be sure to keep 11/1  
deadline well in mind.

Barefoot Sanders

129-11

*Belcher*



ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	<del>Mr. Benjamin Spaulding</del>			<del>4702</del>
2.	MR BELCHER			
3.	Thanks - Let's be sure to			
4.	keep up! Thanks well in advance			
<input type="checkbox"/> SIGNATURE <input type="checkbox"/> COMMENT <input type="checkbox"/> PER CONVERSATION <input type="checkbox"/> APPROVAL <input type="checkbox"/> NECESSARY ACTION <input type="checkbox"/> AS REQUESTED <input type="checkbox"/> SEE ME <input type="checkbox"/> NOTE AND RETURN <input type="checkbox"/> NOTE AND FILE <input type="checkbox"/> RECOMMENDATION <input type="checkbox"/> CALL ME <input checked="" type="checkbox"/> YOUR INFORMATION <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____				
REMARKS DUSA Furrows has moved to expedite the appeal on the basis that the time for designating under the Compensation Statute expires by Nov. 1, 1966 (one year from passage of the statute). It's unlikely the appellate processes (incl. cert.) can be completed by then - but all is not lost. We could designate under the statute with language that the Compensation remedy was to become				
FROM:	NAME	BUILDING, ROOM, EXT.	DATE	
	available only in the event the			
	forfeiture was <u>invalidated</u> on appeal			
	<i>[Signature]</i>	124-11	Collect. by <i>[Signature]</i>	

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

United States Department of Justice

BHT, Jr./ltb

UNITED STATES ATTORNEY  
NORTHERN DISTRICT OF TEXAS  
DALLAS, TEXAS 75221

April 26, 1966

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

Attention: Joseph Cella


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; CA No. \_\_\_\_\_ (Civil Action No. 3-1171 -  
D.C. N.D. Texas)

Dear Sir:

I enclose one copy of a Motion which I have today mailed for filing and presentation to the United States Court of Appeals for the Fifth Circuit. I will advise you when the Court acts on this motion.

Sincerely yours,

MELVIN M. DIGGS  
UNITED STATES ATTORNEY

  
B. H. TIMMINS, JR.  
Assistant United States Attorney

Enclosure

*file  
Lipp*

129-11

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

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, )  
Appellant, )  
v. )  
UNITED STATES OF AMERICA, )  
Appellee. )

CA NO. \_\_\_\_\_  
(CIVIL ACTION NO. 3-1171 -  
D.C. N.D. TEXAS)

MOTION OF APPELLEE FOR SPECIAL ASSIGNMENT  
FOR HEARING, SUBMISSION ON ORIGINAL RECORD  
AND FOR MIMEOGRAPHED BRIEFS

COMES NOW the United States of America, Appellee in the above styled and captioned cause, by and through B. E. Timmins, Jr., Assistant United States Attorney for the Northern District of Texas, and respectfully moves the Court to enter orders providing for submission on the original record, allowing mimeographed briefs to be filed in lieu of printed briefs, and setting this case by special assignment for an expedited hearing during the week of June 6, 1966, or as soon thereafter as possible.

In support of this Motion the movant would respectfully show the Court as follows:

1. The Military Rifle involved here was used by Lee Harvey Oswald in the assassination of President John F. Kennedy and the Revolver was used by Lee Harvey Oswald in killing Dallas Police Officer J. D. Tippett (Stipulation No. 28 and President's Commission Report, pp. 19, 20, 129 and 176).

2. The record before this Court consists entirely of pleadings, a complete stipulation of facts with attached exhibits, requested Findings of Facts and Conclusions of Law, trial briefs on behalf of each party, a Memorandum Opinion of the District Court, the Order of Forfeiture and Notice of Appeal.

The case was submitted to the District Court on stipulations and briefs and no testimony was offered at trial. Therefore, there is no transcript of testimony for incorporation in the record. The above described contents of the record on appeal are presently in mimeographed form and additional copies can be provided the Court should it be ordered that the case may be submitted on this original record.

3. In support of the Motion for submission on mimeographed briefs, movant would advise the Court that this case has been extensively briefed in the District Court and the trial briefs are a part of the record on appeal. The briefs in this Court will, to a substantial extent, contain material submitted in the trial briefs. Acceptance by this Court of mimeographed briefs will shorten the period of time required for filing such briefs, thereby permitting both briefs to be filed at a much earlier date, thus facilitating a possible earlier setting of the case for argument.

4. In support of that portion of the Motion seeking advancement on the docket for special assignment at as early a date as is feasible, the Government would show to the Court that Public Law 89-318, (a copy of which is attached to this motion), deals with acquisition and preservation, by eminent domain, of certain items of evidence before the President's Commission on the Assassination of President John F. Kennedy. This Act was signed into law by President Lyndon B. Johnson on November 2, 1965. The Act pertains to various items of evidence including the two firearms which are the subject of the present case. Pursuant to the provisions of Public Law 89-318 the Attorney General is required to designate by publication in the Federal Register not later than one (1) year after enactment of the Statute, those items of evidence which will become the property of the United States. Consequently, under the Act, the Attorney General is required to publish such determination, if he elects to designate either or both of the firearms involved here thereby vesting title in the United States, not later than November 1, 1966. The United States Attorney is advised that this Notice of Designation

would necessarily have to be submitted to the Federal Register for printing during the third or fourth week of October 1966. The Act further provides that a claimant to any item of evidence so designated may seek compensation by a suit in the United States Court of Claims or the District Court for the District wherein the Claimant resides. The action of the Attorney General with respect to inclusion of these firearms in a published declaration in the Federal Register pursuant to the Act will be contingent upon the final determination of the case now before this Court. It is, therefore, important that this case be heard and decided at the earliest possible date so that this cause will not be pending at the time of expiration of the one year period for a Declaration of Passage of Title to the United States under Public Law 89-318. Further, the Government thinks it reasonable to anticipate that if the case is affirmed by this Court, Appellant will file a Petition for a Writ of Certiorari in the Supreme Court of the United States. It is likewise important that after this case is heard and decided by this Court a sufficient period of time remains for the filing of and action upon a Petition for Writ of Certiorari in the United States Supreme Court prior to November 1, 1966.

5. If this Court accelerates the period of time necessary for filing briefs by allowing submission on the original record and on mimeographed briefs, the Government believes that the briefs of both Appellant and Appellee will be on file so that the case may be set for argument during the week of June 6, 1966, or as soon thereafter as is convenient to the Court.

WHEREFORE, movant respectfully prays the Court to enter an order permitting submission of the captioned case on the original record, on mimeographed briefs, and for an advancement on the docket for a special expedited setting at the earliest possible date.

RESPECTFULLY SUBMITTED,


MELVIN M. DIGGS  
UNITED STATES ATTORNEY

---

B. H. TIMMINS, JR.  
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was served on William C. Garrett, Attorney at Law, 1800 First National Bank Building, Dallas, Texas 75202, attorney for Appellant, by depositing a copy thereof in the United States mail at Dallas, Texas, on this the 26th day of April, 1966.

---

**B. H. TIMMINS, JR.**  
Assistant United States Attorney



Public Law 89-318  
89th Congress, H. R. 9545  
November 2, 1965

An Act

79 STAT. 1185

Providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared that the national interest requires that the United States acquire all right, title, and interest, in and to, certain items of evidence, to be designated by the Attorney General pursuant to section 2 of this Act, which were considered by the President's Commission on the Assassination of President Kennedy (hereinafter referred to as "Items"), and requires that those items be preserved by the United States.

President John F. Kennedy, assassination, Preservation of evidence.

Sec. 2. (a) The Attorney General is authorized to determine, from time to time, which items should, in conformity with the declaration contained in the first section of this Act, be acquired and preserved by the United States. Each such determination shall be published in the Federal Register.

Determination by Attorney General. Publication in Federal Register.

(b) Whenever the Attorney General determines that an item should be acquired and preserved by the United States, all right, title, and interest in and to, that item shall be vested in the United States upon the publication of that determination in the Federal Register.

(c) The authority conferred upon the Attorney General by subsection (a) of this section to make determinations shall expire one year from the date of enactment of this Act, and the vesting provisions of subsection (b) of this section shall be valid only with respect to items described in determinations published in the Federal Register within that one-year period.

Authority, expiration date.

Sec. 3. The United States Court of Claims or the United States district court for the judicial district wherein the claimant resides shall have jurisdiction, without regard to the amount in controversy, to hear, determine, and render judgment upon any claim for just compensation for any item or interest therein acquired by the United States pursuant to section 2 of this Act; and where such claim is filed in the district court the claimant may request a trial by jury: Provided, That the claim is filed within one year from the date of publication in the Federal Register of the determination by the Attorney General with respect to such item.

U. S. Courts, jurisdiction.

Sec. 4. All items acquired by the United States pursuant to section 2 of this Act shall be placed under the jurisdiction of the Administrator of General Services for preservation under such rules and regulations as he may prescribe.

Preservation of items by G.S.A.

Sec. 5. All items acquired by the United States pursuant to section 2 of this Act shall be deemed to be personal property and records of the United States for the purposes of laws relating to the custody, administration, and protection of personal property and records of

U. S. property, Penalty provision.

DEC 7 1965

79 STAT. 1196

Pub. Law 89-318

- 2 -

November 2, 1965

et Stat. 795,  
796.

the United States, including, but not limited to, sections 2071 and 2112 of title 18 of the United States Code.

Sec. 6. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Approved November 2, 1965.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 811 (Comm. on the Judiciary),  
SENATE REPORT No. 851 (Comm. on the Judiciary),  
CONGRESSIONAL RECORD, Vol. 111 (1965).  
Sept. 7: Considered and passed House.  
Oct. 12: Considered and passed Senate.



Form No. DJ-96a  
(Rev. 7-17-63)

DEPARTMENT OF JUSTICE  
ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	<del>Mr. Tolson</del> <del>Mr. DeLoach</del>	<del>Crim</del>		<del>J118</del>
2.	<del>Mr. Sordahl</del> PSE	<del>Crim</del>	<del>Main</del>	<del>2220</del>
3.	<del>Mr. Simms</del>	<del>F.C.</del>	<del>Main</del>	<del>3738</del>
4.	Mr. Rose	Crim	Main	3713

SIGNATURE                       COMMENT                       PER CONVERSATION  
 APPROVAL                       NECESSARY ACTION            AS REQUESTED  
 SEE ME                               NOTE AND RETURN            NOTE AND FILE  
 RECOMMENDATION            CALL ME                               YOUR INFORMATION  
 ANSWER OR ACKNOWLEDGE ON OR BEFORE \_\_\_\_\_  
 PREPARE REPLY FOR THE SIGNATURE OF \_\_\_\_\_

REMARKS

*WLR*  
*4/21*

4-22-66

U.S. Atty will file motion to advance in C.A. 5 -  
Under P.L. 89-318 items must be published in Fed. Reg.  
on or before 11-1-66.

R.F.C.

FROM:	NAME	BUILDING, ROOM, EXT.	DATE
	J.J. Allen	x 2660	4/22/66

PLEASE ADDRESS ALL MAIL TO  
UNITED STATES ATTORNEY  
P. O. BOX 133

United States Department of Justice

*Handwritten notes and signature*

BHT:ija

UNITED STATES ATTORNEY  
NORTHERN DISTRICT OF TEXAS  
DALLAS, TEXAS 75221

RECEIVED

April 19, 1966

APR 21 1966

*Handwritten notes*

AIRMAIL

Mr. Fred M. Vinson, Jr.  
Assistant Attorney General  
Criminal Division  
Department of Justice  
Washington, D.C. 20530

ATTN: Joe Cella  
Attorney

Re: U.S. 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 -  
Civil No. 3-1171 - Dallas Division  
Dept. Ref.: FMV:JJC:bf 129-11

Dear Joe:

Enclosed are two copies of the Notice of Appeal filed in the Oswald  
Gun case on April 14, 1966.

I understand that the record has been mailed by the District Clerk  
to the Court of Appeals either today or tomorrow. As soon as we  
receive the Appellant's brief I will send you copies and be in touch  
with you about our reply.

My warmest personal regards to you and Carl Belcher.

Sincerely,

Melvin M. Diggs  
United States Attorney

129-11

RECEIVED

APR 21 1966

ADMINISTRATIVE  
REGULATIONS SECTION  
RECEIVED

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

APR 20 1966

√ Enclosures

APR 25 1966

APPEALS & RESEARCH SECTION  
CRIMINAL DIVISION

*Handwritten initials and lines*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA, )  
 )  
 Libelant, )  
 )  
 v. )  
 )  
 ONE 6.5 mm. MANNLICHER-CARCANO )  
 MILITARY RIFLE, MODEL 91-38, )  
 SERIAL NO. C2766, WITH APPUR- )  
 TENANCES, AND ONE .38 SPECIAL )  
 S&W VICTORY MODEL REVOLVER, )  
 SERIAL NO. V510210, WITH )  
 APPURTENANCES, )  
 )  
 Respondents. )

APR 14 1966  
Filed \_\_\_\_\_ day of \_\_\_\_\_  
19 \_\_\_\_\_ at \_\_\_\_\_ o'clock P.M.  
RANGLIE HAMILTON, Clerk  
By \_\_\_\_\_ Deputy

CIVIL ACTION NO. 3-1171

NOTICE OF APPEAL

Notice is hereby given that JOHN J. KING, Claimant in the above styled and numbered action, hereby appeals to the United States Court of Appeals for the Fifth Circuit from the final judgment entered in this action on February 24, 1966.

Dated this 14th day of April, 1966.

KILGORE & KILGORE

By s/William C. Garrett  
William C. Garrett

Attorneys for Claimant  
John J. King

1800 First National Bank Building  
Dallas, Texas 75202

This will certify that on this 14th day of April, 1966, I have caused a copy of the foregoing Notice of Appeal to be mailed to B. H. Timmins, Jr., Assistant United States Attorney, Dallas, Texas, Attorney for United States of America, Libelant.

s/William C. Garrett  
William C. Garrett

*William C. Garrett*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA, )  
 )  
 Libelant, )  
 )  
 v. )  
 )  
 ONE 6.5 mm. MANNLICHER-CARCANO )  
 MILITARY RIFLE, MODEL 91-38, )  
 SERIAL NO. C2766, WITH APPUR- )  
 TENANCES, AND ONE .38 SPECIAL )  
 S&W VICTORY MODEL REVOLVER, )  
 SERIAL NO. V510210, WITH )  
 APPURTENANCES, )  
 )  
 Respondents. )

APR 14 1966  
Filed \_\_\_\_\_ day of \_\_\_\_\_  
19 \_\_\_\_\_ at \_\_\_\_\_ o'clock P M  
RAMELLE HAMILTON, Clerk  
By \_\_\_\_\_ Deputy

CIVIL ACTION NO. 3-1171

NOTICE OF APPEAL

Notice is hereby given that JOHN J. KING, Claimant  
in the above styled and numbered action, hereby appeals to  
the United States Court of Appeals for the Fifth Circuit from  
the final judgment entered in this action on February 24, 1966.

Dated this 14th day of April, 1966.

KILGORE & KILGORE

By s/William C. Garrett  
William C. Garrett

Attorneys for Claimant  
John J. King

1800 First National Bank Building  
Dallas, Texas 75202

This will certify that on this 14th day of April,  
1966, I have caused a copy of the foregoing Notice of Appeal  
to be mailed to B. H. Timmins, Jr., Assistant United States  
Attorney, Dallas, Texas, Attorney for United States of America,  
Libelant.

s/William C. Garrett  
William C. Garrett

Typed 4/6/66  
FMV:TES:ehd  
129-11

April 7, 1966

Honorable Joseph W. Martin, Jr.  
House of Representatives  
Washington, D. C.

Dear Congressman:

Thank you for your communication transmitting a  
letter from [REDACTED] 7C

As you know, the Department of Justice does not  
furnish opinions on academic or moot questions. However,  
your constituent may be interested in pages 26, 53-59, and  
454-456 of the report by the President's Commission on the  
Assassination of President Kennedy which refers to the sub-  
ject of jurisdiction over the body of the late President.

I am enclosing a copy of Public Law 89-141 which  
[REDACTED] may find of interest. His attention is invited  
to subsection (b) which would eliminate this jurisdictional  
problem in the future.

It is always a pleasure to be of service to you.  
Your enclosure is returned herewith.

Sincerely,

FRED M. VINSON, Jr.  
Assistant Attorney General

Enclosures

Records  
C. H. W. O.  
Sides  
Deputy AG  
Mr. Vinson

SENT BY MESSENGER  
COMMUNICATIONS SEC.  
APR 7 1966 R.R.R.

DEPARTMENT OF JUSTICE

TO

- ATTORNEY GENERAL
  - EXECUTIVE ASSISTANT
  - OFFICE OF PUBLIC INFORMATION
- DEPUTY ATTORNEY GENERAL
  - EXECUTIVE OFFICE--U. S. ATTORNEYS
  - EXECUTIVE OFFICE--U. S. MARSHALS
- SOLICITOR GENERAL
- ADMINISTRATIVE DIVISION
- LIBRARY
- ANTITRUST DIVISION
- CIVIL DIVISION
- CIVIL RIGHTS DIVISION
- CRIMINAL DIVISION
- INTERNAL SECURITY DIVISION
- LANDS DIVISION
- TAX DIVISION
- OFFICE OF LEGAL COUNSEL
- OFFICE OF ALIEN PROPERTY
- BUREAU OF PRISONS
- FEDERAL PRISON INDUSTRIES, INC.
- FEDERAL BUREAU OF INVESTIGATION
- IMMIGRATION AND NATURALIZATION SERVICE
- PARDON ATTORNEY
- PAROLE BOARD
- BOARD OF IMMIGRATION APPEALS
- ATTENTION: \_\_\_\_\_

- SIGNATURE
- APPROVAL
- RECOMMENDATION
- COMMENT
- NECESSARY ACTION
- YOUR INFORMATION
- ANSWER OR ACKNOWLEDGE ON OR BEFORE \_\_\_\_\_
- PREPARE REPLY FOR THE SIGNATURE OF \_\_\_\_\_
- NOTE AND RETURN
- SEE ME
- PER CONVERSATION:
- AS REQUESTED
- NOTE AND FILE
- CALL ME

REMARKS:

March 30, 1966

Fred M. Vinson  
Assistant Attorney General  
Criminal Division

Attention: Harold D. Koffsky *Appel & Co.*  
Room 2214

Re: Congressional Mail

The Department of State has forwarded the attached communication from Congressman Martin with regard to an inquiry from ██████████ in connection with the relationship between State and Federal jurisdiction with respect to the assassination of President Kennedy.

It is requested that an appropriate reply be made to this communication and that I be furnished with a copy thereof.

No interim acknowledgment has been made to this communication. If it is contemplated that more than two days will be required within which to make a reply, it is requested that an interim acknowledgment be made.

*H2H*  
Herbert E. Hoffman

Attachments FROM

129-11		DEPARTMENT OF JUSTICE		R
10	MAR 31	DATE	1966	R
R.A.Q.			D	
CRIMINAL-GEN. CRIME SEC.				

March 25, 1966

Dear Congressman Martin:

7c I have received your communication concerning [REDACTED] interest in the relationship between State and Federal jurisdiction with respect to the assassination of President Kennedy.

Since this matter falls within the jurisdiction of the Department of Justice, I am referring your communication and enclosure to Mr. Herbert E. Hoffman, Chief of the Legislative and Legal Section of that Department. Mr. Hoffman can be reached on Code 187, extension 2113.

If the Department can be of any further assistance to you, please let me know.

Sincerely yours,

Douglas MacArthur II  
Assistant Secretary for  
Congressional Relations

The Honorable  
Joseph W. Martin, Jr.,  
House of Representatives.

House of Representatives, U.S.  
PUBLIC DOCUMENT  
OFFICIAL BUSINESS

*Joseph W. Martin Jr.*

M. C.

Your assistance would be appreciated.

MASSACHUSETTS.



38

**ACTION**  
is assigned to  
L

MARTIN, JOSEPH W., JR., M. C. UNDATED (REC'D 3-23-66)

LETTER FROM [REDACTED] 7C  
REGARDING THE RELATIONSHIP BETWEEN STATE AND  
FEDERAL JURISDICTION IN LAWS AND VARIOUS CASES.

LEGAL ADVISER

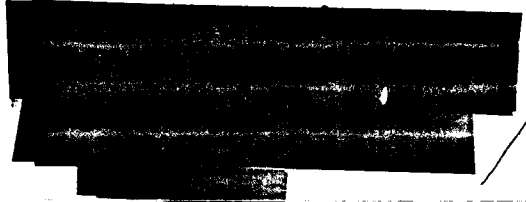
MAR 24 1966

DEPARTMENT OF STATE

7402

①  
Enc. w  
3/23/66

Joseph W. Martin Jr.  
(Attention Ernest C. Ladeira)  
Congress of The United States  
Washington, D.C.



March 9, 1966.

Dear Mr. Ladeira:

FROM THE OFFICE OF CONGRESSMAN  
JOSEPH W. MARTIN, JR.

I am a student in the evening division of S.M.T.I. The other night in my American Government class we were discussing the relationship between state and federal jurisdiction in laws and various cases. We were discussing the assassination of John F. Kennedy. We generally agreed that the murder was under state jurisdiction. The disagreement came over the removal of the body. I say the body was illegally removed from Texas because permission was not obtained from the local authorities.

I would also like to know if the local authorities had the authority to detain the body and perform an autopsy of their own. The other side of the disagreement said "that the body was Federal, and the Federal Authorities had the jurisdiction over it".

Very Truly Yours



Director, Federal Bureau of Investigation

APR 14 1966

Fred M. Vinson, Jr.  
Assistant Attorney General  
Criminal Division

Typed: 4/1/66  
MVB:RCH:KMT  
129-11

9-  
P. 200

Re: Assassination; Letter from [redacted]

S. P.

There are enclosed herewith for your information copies of a letter dated March 4, 1966 from [redacted] to the Department of Labor and forwarded to us by that agency. Also attached are copies of that Department's reply.

*Handwritten notes:*  
✓  
P. 11  
4/1/66  
109  
AWB  
4/1/66

Enclosures ✓

Records ✓  
Chron  
Malley  
Vinson

SENT BY MESSENGER  
COMMUNICATIONS SEC.  
APR 14 1966 R.R.R.

U. S. DEPARTMENT OF LABOR  
WOMEN'S BUREAU

Referral Memo

March 23, 1966

Department of Justice  
Washington, D.C.

Dear Sir:

The attached communication from

is respectfully referred to your office for consideration and appropriate action, and the writer

has been advised.

has not been advised.

A copy of our letter to [REDACTED] is attached.

Mary Dublin Keyserling

Director

129-11

DEPARTMENT OF JUSTICE		RECORDED
17	MAR 25 1966	
R.A.O.		
CRIM. GEN. CRIME		WB12 September 1964

U.S. DEPARTMENT OF LABOR

WOMEN'S BUREAU  
WASHINGTON, D.C. 20210

COPY

March 23, 1966

Dear [REDACTED]

The Secretary of Labor has asked us to reply to your letter, and to send you some of our occupational literature.

The Women's Bureau cannot provide counseling and placement services, but these can be obtained without charge at local State public employment offices, affiliated with the U.S. Employment Service. Staff in these offices have access to all kinds of data that might help you decide what course to follow. They also know about training courses available and could put you in touch with other agencies that might be helpful. There is such an office at 300 South Upper Street, in Lexington. If it would be more convenient for you to call, the telephone number is 5-1120.

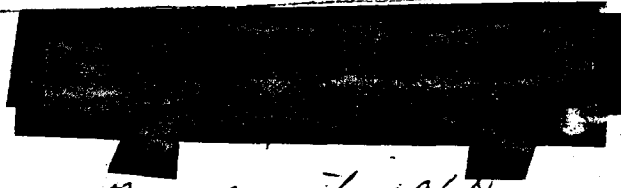
The enclosed publications may be useful to you in your planning.

Sincerely,

Mary Dublin Keyserling  
Director

Enclosures

March 4<sup>th</sup> 1966



The Secretary -  
Dept. of Labor  
14<sup>th</sup> & Constitution Ave N.W.  
Washington, D.C.

RECEIVED

MAR 25 1966

CRIMINAL DIVISION

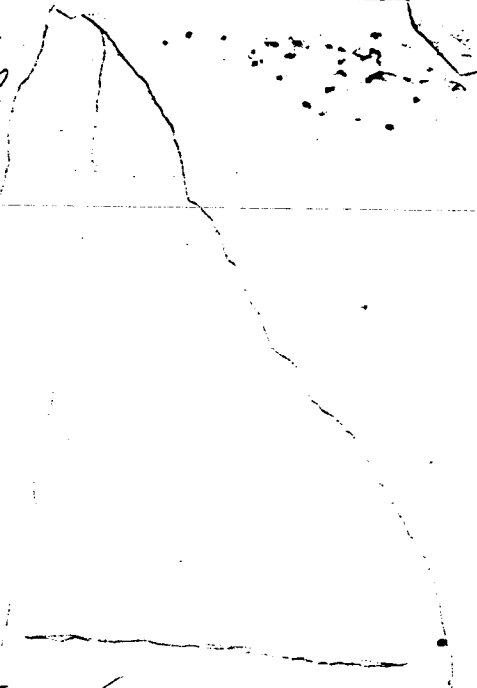
- 11	
DEPARTMENT OF JUSTICE	R
17 MAR 25 1966	R
R.A.O.	C
AM-GEN. CRIME SEC.	O
	R

Dear Sir:

I have just heard a TV announcement ~~and~~, about President Johnson's program of 'Careers for Women' and I am most interested in any program which will enable me - an active second mother of only four - mine 1/18/19 to become a really productive individual in the ever increasing 'growing pains' to use an age old saying, of life in the mid - forties - and life's expectancy, and income is reaching into the mid - seventies. I accidents, included - a nothingness - for those Born Handicaps - by minor defects - mine born with a stroke right by - and this enhanced there an automobile accident. So I am on a social security benefit, and a lost memory for thirteen weeks, hospitalized in 'my city By The Sea (San Francisco California) - as well as seeing the actual assassination, see late President Reporting it! - or trying to at back - because I saw the gun - edge out in that verandah see - aim, well - and fire - and the telephone operator to whom I was telling what I was seeing - said to me - 'Honey, you are one of many - to sleep it off' - as that fatal bullet was -fired - So even then truth for a royal

it seems - because I tell the truth -

This is a tracing of a piece of the ceiling - plaster made with human hair as a part of the thick thickness that holds the ceiling together. The old House at the Shaume Land Country Club - where I was employed for about 13 months. Room in Room #4 - my room - - 7th old post type of house Indian Days -



Shaume Land - really - in Winchester Virginia -

All my personal things had been properly sorted by me in the hall - too late to get them away properly I do

I slept across the hall in #9 - The ceiling had fallen on my pillow - I would have crushed my skull. Too - since I was able to escape and chase the dark man youth who tried to yoke me in the lobby of the Hotel Yuba 1146 Main Street - I still have a life left and I wish to put it into worthwhile uses -

This is most assuredly a most melancholy story - But my abilities - in food preparation - cost accounting - insurance - and managing of sewing - room - I need the Infra-Ray Treatment of work that I know to penetrate and work the aching muscles, the bones - of Age of 49!

I do NOT HARP on the bone - with Intense to work my stomach - I need a free lance sewing - if you know of one - my eyes stay in so badly a part but was increasing my life - and I wish to make to be a part - of Best of life - was on Paris & recently I my son arrived a helpful man - was on Paris & recently I my son arrived a helpful man - But there are many facies open here in the Home front of the House - I may be a small part can front there - a large part of this is mine - PERSE - Don't be dearly - Respectfully (m)



CHIEF COUNSEL

U.S. TREASURY DEPARTMENT  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

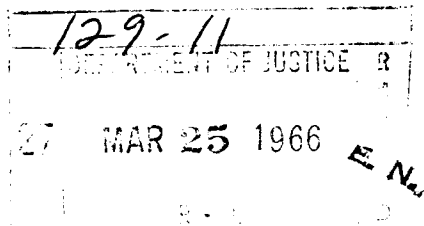
March 21, 1966

Dear Mr. Vinson:

One of the happier aspects of this job is to receive letters such as yours recognizing the unusual and noteworthy efforts on the part of the staff. I want to thank you for your kind words regarding the fine lawyering done by John McCarren and Jim Gaulding. We are quite proud of both of these extremely able attorneys.

We in the Revenue Service are proud also of the part we played in the Administration's successful effort to place these weapons beyond the reach of those who would attempt to turn a dollar at the expense of the Nation's grief. Your comments are appreciated and they will be passed on to both attorneys.

Kind regards,



Sincerely,

*Mitchell Rogovin*  
Mitchell Rogovin  
Chief Counsel

CRIMINAL-GEN. CRIME SEC.  
The Honorable Fred M. Vinson, Jr.  
Assistant Attorney General  
Department of Justice  
Washington, D. C. 20530

*file  
JRC*

129-11



RECEIVED

FMV:JJC:bf  
129-11

Retyped: 3/14/66

March 16, 1966

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

Dear Mr. Rogovin:

It is my pleasure to inform you that the successful termination of the forfeiture proceedings against the weapons involved in the assassination of President Kennedy and the murder of Officer Tippit of the Dallas police force was due, in large part, to the invaluable assistance given this Department by Mr. John McCarren, Chief, Litigation Branch, Alcohol and Tobacco Tax Legal Division and by Mr. James F. Gaulding, Assistant Regional Counsel, Southwest Region, at Dallas, Texas.

The novel issues raised in this proceeding demanded the highest skill and thorough preparation in presenting the Government's position. Messrs. McCarren and Gaulding contributed substantially to this task and I want you to know that I personally and members of my staff are deeply appreciative of their efforts.

With kindest personal regards, I am,

Sincerely,

FRED M. VINSON, Jr.  
Assistant Attorney General

CC:  
Records ✓  
Chrono  
Cells  
Mr. Vinson

NEK  
CW  
3/14

SENT  
COMM  
MAR 16 1966 C

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

United States Department of Justice

BHF:ija

UNITED STATES ATTORNEY

NORTHERN DISTRICT OF TEXAS  
DALLAS 1, TEXAS

March 15, 1966

Mr. Fred M. Vinson, Jr.  
Assistant Attorney General  
Criminal Division  
Department of Justice  
Washington, D.C. 20530

ATTN: Carl W. Balcher  
Chief, General Crimes Section

Re: U.S. 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 -  
Civil No. 3-1171 - Dallas Division  
Dept. Ref.: FMV:JJC:bf 129-11

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Dear Mr. Vinson:

As requested in your letter of March 8, 1966, I am enclosing seven (7) copies of the stipulation of facts in this case which can be appended to the memorandum opinion previously furnished you.

Very truly yours,

Melvin M. Diggs  
United States Attorney

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

Enclosures

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA, )  
 )  
 Libelant, )  
 )  
 v. )  
 )  
 ONE 6.5 mm. MANNLICHER-CARGANO )  
 MILITARY RIFLE, MODEL 91-38, )  
 SERIAL NO. C2766, WITH APPURTENANCES, )  
 AND ONE .38 SPECIAL S&W VICTORY MODEL )  
 REVOLVER, SERIAL NO. V510210, WITH )  
 APPURTENANCES, )  
 Respondents. )

CIVIL NO. 3-1171

JAN 27 1965  
Filed \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M  
RAMELLE HAMILTON, Clerk  
By Elizabeth M. Williams Deputy

STIPULATION OF FACTS

It is stipulated and agreed for the purpose of the above-shown action and for no other purpose, even though the parties thereto may be identical, that the hereinafter outlined facts may be taken as true. Neither party agrees that any particular fact hereinafter stipulated is relevant or material to the issue.

1. The rifle and revolver described in the Libel of Information are herein respectively called the "Rifle" and the "Pistol."
2. That on November 22, 1963, Eugene Boone, Deputy Sheriff, Dallas County, Texas, and Seymour Weitzman, Deputy Constable, Dallas County, Texas, discovered the rifle with telescopic sight on the sixth floor of the Texas Book Depository Building, Dallas, Texas. (President's Commission Report, page 79.)
3. That on November 22, 1963, Lt. J. C. Day, Dallas Police Department, removed the rifle and telescopic sight from the sixth floor of the Texas Book Depository Building, Dallas, Texas, and took such rifle to the Dallas Police Department office as property taken as evidence in connection with the assassination of President John F. Kennedy. (PCR, p. 79)
4. That the right palm print of Lee Harvey Oswald was found on the underside of the barrel of the rifle by Lt. J. C. Day, Dallas Police Department. (PCR, pp. 122-123.)
5. That on November 22, 1963, in Dallas, Texas, Dallas police officers took the respondent pistol from Lee Harvey Oswald. (PCR, pp. 178-179.)

6. That the respondent rifle and respondent pistol were transferred between various places and persons as follows:

(a) November 22, 1963, the rifle was received by an F.B.I. agent from the Dallas Police Department.

(b) November 23, 1963, the rifle was taken to the F.B.I. Laboratory, Washington, D. C., by an F.B.I. Special Agent.

(c) November 24, 1963, the rifle was returned to the F.B.I. vault in Dallas, Texas, and later on that date was turned over to Dallas Police Chief Jesse E. Curry.

(d) November 26, 1963, Dallas Police Department returned the rifle to F.B.I. Special Agent for return to the F.B.I. vault.

(e) November 27, 1963, rifle was taken to F.B.I. Laboratory, Washington, D. C., by Special Agent, F.B.I.

(f) February 5, 1964, rifle delivered to President's Commission on the Assassination of President John F. Kennedy.

(g) February 6, 1964, rifle returned to F.B.I. Laboratory.

(h) February 17, 1964, rifle delivered to President's Commission.

(i) February 17, 1964, rifle returned to F.B.I. Laboratory.

(j) March 11, 1964, rifle delivered to President's Commission.

(k) March 11, 1964, rifle returned to F.B.I. Laboratory.

(l) March 17, 1964, rifle delivered to President's Commission.

(m) March 30, 1964, rifle returned to F.B.I. Laboratory.

(n) March 31, 1964, rifle delivered to President's Commission.

(o) May 8, 1964, rifle returned to F.B.I. Laboratory.

(p) July 2, 1964, rifle delivered to President's Commission.

(q) July 2, 1964, rifle returned to F.B.I. Laboratory.

(r) August 13, 1965, rifle shipped from F.B.I. Laboratory, Washington, D.C., to F.B.I. office, Dallas, Texas, arriving in Dallas, Texas, on August 16, 1965.

(s) At sometime during the period March 17, 1964 to March 30, 1964, rifle was tested by the Weapons Evaluation Branch, Department of the Army, Aberdeen Proving Ground, Maryland. Also, during or about March 1964, the rifle was tested at Edgewood Arsenal, Maryland.

(aa) November 22, 1963, in Dallas, Texas, officers of Dallas Police Department took the pistol, and on this same date turned the pistol over to a Special Agent of the F.B.I.

(bb) November 23, 1963, the pistol was taken to the F.B.I. Laboratory, Washington, D. C., by a F.B.I. agent.

(cc) November 24, 1963, the pistol was returned to the F.B.I. vault in Dallas, Texas, and later on this date was turned over to Dallas Police Chief Jesse E. Curry.

(dd) November 26, 1963, the pistol was returned to the F.B.I. Special Agent by the Dallas Police Department.

(ee) November 27, 1963, the pistol was taken to the F.B.I. Laboratory, Washington, D. C., by F.B.I. Special Agent.

(ff) February 5, 1964, the pistol was delivered to the President's Commission on the Assassination of President John F. Kennedy.

(gg) February 6, 1964, the pistol was returned to the F.B.I. Laboratory.

(hh) March 25, 1964, the pistol was delivered to the President's Commission.

(ii) March 30, 1964, the pistol was returned to the F.B.I. Laboratory.

(jj) April 1, 1964, the pistol was delivered to the President's Commission.

(kk) May 1, 1964, the pistol was returned to the F.B.I. Laboratory.

(ll) August 13, 1965, the pistol was shipped from the F.B.I. Laboratory, Washington, D.C., to F.B.I. office in Dallas, Texas, arriving in Dallas on August 16, 1965.

7. On November 29, 1963, by Executive Order No. 11130, President Lyndon B. Johnson created the Commission to investigate the assassination on November 22, 1963, of John Fitzgerald Kennedy, the 35th President of the United States. (PCR Foreword.)

8. Attached hereto as Exhibits Nos. 1 and 2 are true and correct copies of Senate Report #851 and House Report No. 813 on H. R. 9545 providing for the acquisition and preservation of certain items of evidence pertaining to the assassination of President John F. Kennedy.

9. That the rifle was shipped to one A. Hidell, P. O. Box 2915, Dallas, Texas, on March 20, 1963, by Klein's Sporting Goods Company, Inc., 4540 West Madison Street, Chicago 24, Illinois. (PCR, pp. 118-119.)

10. That the order for the rifle was on a coupon clipped from the American Rifleman Magazine; that this order coupon was signed, in handprinting, A. Hidell, P. O. Box 2915, Dallas, Texas; and that this printing on the face of the mail order coupon was in the handprinting of Lee Harvey Oswald. (PCR, p. 119.)

11. Attached hereto as Exhibits 3, 4, 5, and 6 are true and correct photographic reproductions accurately depicting information contained on the originals of documents reflecting the order, invoice for shipment, and payment for the rifle.

12. That at sometime during the period January 27, 1963 and March 13, 1963, Seaport Traders, Inc., a division of George Rose and Company, Inc., Los Angeles, California, received an order for the pistol, which order was signed A. J. Hidell, and the address was shown as Post Office Box 2915, Dallas, Texas. (PCR, p. 174.)

13. That on March 13, 1963, an invoice was prepared by Seaport Traders, Inc., Los Angeles, California, covering the sale of the pistol to A. J. Hidell, Post Office Box 2915, Dallas, Texas, and this revolver was shipped to the name and address shown on the invoice on March 20, 1963. (PCR, pp. 174 and 173).

14. Attached hereto as Exhibits 7, 8, 9, 10, and 11 are true and correct photographic reproductions accurately depicting information contained on the originals of documents reflecting the order, invoice for shipment, and shipment for the pistol.

15. That Post Office Box 2915, Dallas, Texas, was rented in the name of Lee H. Oswald from October 9, 1962 to May 14, 1963. (PCR, p. 119.)

16. That Post Office Box 2915, Dallas, Texas, was rented by Lee Harvey Oswald from October 9, 1962 to May 14, 1963. (PCR, pp. 119-120.)

17. Attached hereto as Exhibit 12 is a true and correct photographic reproduction accurately depicting information contained on the original document reflecting renting of Post Office Box 2915, Dallas, Texas, by Lee H. Oswald.

18. That the mail order for the rifle was made by Lee Harvey Oswald using the name A. Hidell. (PCR, p. 569.)

19. That the mail order for the pistol was made by Lee Harvey Oswald using the name of A. J. Hidell. (PCR, p. 570.)

20. The individual who mailed the purchase orders, referred to in stipulations 10 and 11 above, was given the name Lee Harvey Oswald at birth. (PCR, p. 377.) In the purchase of the rifle in March 1963, Lee Harvey Oswald used the name "A. Hidell," and in the purchase of the pistol, Lee Harvey Oswald used the name "A. J. Hidell." (PCR, pp. 119-121.) The post office box to which the rifle and pistol were sent was rented in the name of Lee H. Oswald. (PCR, p.119)

At the time of his arrest on November 22, 1963, Lee Harvey Oswald carried on his person a forged Selective Service Notice of Classification in the name of "Alek James Hidell" and a forged United States Marine Corps Certificate of Service in the name of "Alek James Hidell." (PCR, pp. 571-574.) He also had on his person a Selective Service Notice of Classification, a Selective Service Registration Certificate, and a United States Marine Corps Certificate of Service, all in the name of Lee Harvey Oswald. (PCR, pp. 571-574.) Lee Harvey Oswald rented a room at 1026 N. Beckley Avenue, Dallas, Texas, in the name of "O. H. Lee" where he lived on November 22, 1963, and his landlady at this address did not know him as Lee Harvey Oswald. (PCR, pp. 182, 419.) Among Lee Harvey Oswald's effects at 1026 N. Beckley Avenue, Dallas, Texas, there was found a vaccination certificate dated June 8, 1963, showing vaccination of Lee Harvey Oswald by "Dr. A. J. Hideel," P. O. Box 30016, New Orleans, Louisiana. The signature of Dr. A. J. Hideel was in the handwriting of Lee Harvey Oswald. There was no P. O. Box 30016 in New Orleans; however, Lee Harvey Oswald rented box 30061 in New Orleans on June 3, 1963, and "A. J. Hidell" was shown as an additional person entitled to receive mail there. (PCR, pp. 121-122.)

In May 1963, Lee Harvey Oswald, while in New Orleans, joined a New York organization called Fair Play for Cuba Committee. (PCR, p. 290) He caused to be printed handbills headed "Hands Off Cuba" and had membership cards for a local New Orleans FPCC Chapter. (PCR, p. 291.) Lee Harvey Oswald's membership card for the New Orleans Chapter of FPCC showed member name as Lee Harvey Oswald and also showed "A. J. Hidell" as chapter president. (PCR, p. 292.) Mrs. Marina Oswald helped Lee Harvey Oswald by writing the name "Hidell" on the membership cards at the insistence of Lee Harvey Oswald. (PCR, p. 292.) Some of the "Hands Off Cuba" handbills showed the name and address of "L. H. Oswald, 4907 Magazine Street, New Orleans, Louisiana"; whereas others showed "A. J. Hidell, P. O. Box 30016, New Orleans, Louisiana." (PCR, p. 409.) Lee Harvey Oswald was the only member of the FPCC Chapter which he attempted to organize in New Orleans. (PCR, p. 407.) He was arrested by New Orleans Police on August 9, 1963, for disturbing the peace because of a street fight in connection with the distribution of the "Hands Off Cuba" handbills. He was arrested as Lee Harvey Oswald. (PCR, p. 436.)

Mrs. Marina Oswald first heard of Lee Harvey Oswald's use of the name "Hidell" in connection with the pro-Castro activity in New Orleans, which was after May 29, 1963. (PCR, pp. 122, 290). The name "Alek," however, was a nickname used by Lee Harvey Oswald in Russia, and he signed "Alek" to some letters written to Marina Oswald. (PCR, p. 122.)

Lee Harvey Oswald and Marina Oswald were known by the name Oswald by the Paine family in Irving, Texas, where the family lived in October and November 1963. (PCR, p. 438.)

21. That during the calendar year 1963 Klein's Sporting Goods, Inc., 4540 West Madison Street, Chicago 24, Illinois, was a licensed dealer in firearms and held license No. 36-2601 issued pursuant to Section 903, Title 15, United States Code, a part of the Federal Firearms Act.

22. That Klein's Sporting Goods, Inc., Chicago, Illinois, kept records required by Section 903(d) of Title 15, United States Code, and as to the respondent rifle these records showed such firearm as shipped to A. Hidell, P. O. Box 2915, Dallas, Texas.

23. Attached hereto as Exhibits 13, 14, and 15 are true and correct copies of records of the sale of the rifle made by Klein's Sporting Goods, Inc.

24. That during the calendar year 1963, Seaport Traders, Inc., 1221 South Grand Avenue, Los Angeles, California, was a licensed dealer in firearms and held license No. 95-1437 issued pursuant to Section 903, Title 15, United States Code, a part of the Federal Firearms Act.

25. That Seaport Traders, Inc., Los Angeles, California, kept records required by Section 903(d) of Title 15, United States Code, and as to the respondent pistol these records showed such firearm as shipped to A. J. Hidell, P. O. Box 2915, Dallas, Texas.

26. Attached hereto as Exhibits 8, 9, 10, and 11 are true and correct copies of records of the sale of the pistol made by Seaport Traders, Inc., a mail order division of George Rose and Company.

27. The rifle and the pistol shown above as shipped to Hidell were actually received by the individual generally known as Lee Harvey Oswald. (PCR, pp. 128, 171.)



28. The rifle was used by Lee Harvey Oswald in the assassination of President Kennedy and the pistol was used by Lee Harvey Oswald in killing a Dallas Police Officer. (PCR, pp. 19, 20, 129, 176.)

29. On December 31, 1964, Marina N. Oswald, widow of Lee Harvey Oswald, individually and as community survivor, sold to John J. King all right, title and interest which she had in and to the rifle and pistol for and in consideration of Five Thousand Dollars (\$5,000.00) paid by buyer to seller. A true and correct copy of that Bill of Sale and Contract covering this transaction is attached hereto as Exhibit 16.

30. That on March 25, 1965, Marina N. Oswald, individually and as community administratrix of the Estate of Lee Harvey Oswald, sold to John J. King all right, title, and interest over which she had power of sale as such administratrix in and to the rifle and pistol for and in consideration of an additional Five Thousand Dollars (\$5,000.00) that day paid by buyer to seller. A true and correct copy of that Bill of Sale and Contract covering this transaction is attached hereto and marked Exhibit 17.

31. At the time of the purchases by John J. King, referred to in stipulation Nos. 29 and 30 above, John J. King knew that the rifle and pistol were in the possession of agents of the United States. At the time of the purchases referred to in stipulation Nos. 29 and 30, John J. King had no actual notice or actual knowledge of a claim of title thereto by the United States.

32. At no time prior to publication of the notice of seizure of the pistol and rifle and the forfeiture proceedings on or about August 16, 1965, had the United States or any of its representatives ever asserted to claimant, John J. King, any claimed right of forfeiture.

33. On May 24, 1965, John J. King filed an action for the recovery of the rifle and pistol in the United States District Court for the District of Colorado. True copies of the Complaint, Defendant's Motion to Dismiss Plaintiff's Complaint, or alternatively to stay further proceedings, and the order dated October 8, 1965, in that action are attached and marked Exhibit 18.

34. On or about June 17, 1965, the Attorney General of the United States submitted to the Vice President and the Speaker of the House of Representatives a proposed bill to authorize him to condemn the rifle and the pistol and other items of evidence introduced before the President's Commission.

35. That on or about August 4, 1965, the Alcohol and Tobacco Tax Division of the Internal Revenue Service determined to commence forfeiture proceedings against the rifle and the pistol. The forfeitability of these firearms had been considered by the Department of Justice and the Treasury Department in considering methods of preserving these firearms for historical purposes. The Department of Justice filed a memorandum in John J. King's Denver action stating, in part as follows:

"This forfeiture proceeding had previously been withheld upon the hope that the prosecution of the present action could be postponed pending enactment of H. R. 9545. If plaintiff has any lawful property interest in the firearms, he could then have been paid just compensation. Plaintiff, however, has vigorously opposed defendant's efforts to continue this action and it thereby became necessary for Internal Revenue to file its proceeding."

36. That at the time of the sale and delivery of the rifle and of the pistol by the licensed firearms dealers, such dealers had no knowledge or reason to suspect that the person to whom such weapons were shipped had any name other than that shown in the order forms.

37. That since seizure of the rifle and of the pistol on November 22, 1963, such firearms have continuously remained in custody of the President's Commission or of units of the Federal Government or of the City of Dallas, Texas, as shown in stipulation No. 6 above. These firearms at no time have been released to anyone for nongovernmental use.

38. In an interview on or about August 15, 1963, Lee Harvey Oswald falsely informed a Special Agent of the Federal Bureau of Investigation that, since he had received his membership card in the New Orleans Chapter of the Fair Play for Cuba Committee, he had spoken with "Hidell" on several occasions on the telephone. He also stated that he had never personally met "Hidell." (Hearing before President's Commission on the Assassination of President Kennedy, Vol. XVII, Exhibit 826, page 759.)

39. During an interview on or about August 17, 1963, by William Kirk Stuckey of New Orleans radio station WDSU, Lee Harvey Oswald falsely stated that he, Oswald, was not president of the New Orleans Chapter of the Fair Play for Cuba Committee, but was the secretary and that "this other gentleman, Hidell, was the president." Lee Harvey Oswald then exhibited his membership card showing Oswald as secretary and Hidell as president. (PCR, p. 729, Hearings Vol. XI, page 162.)