

40. On November 24, 1963, Lee Harvey Oswald told Captain Will Fritz, Dallas Police Department, that he, Oswald, did not know anyone by the name A. J. Hidell, and he, Oswald, falsely told Captain Will Fritz that he had never used the name "A. J. Hidell" as an alias. During the course of that interview Lee Harvey Oswald stated to Captain Will Fritz of the Dallas Police Department that he did not know anyone by the name "A. J. Hidell" and he falsely stated that he had never heard of the name before.

(PCR, page 636.)

41. The rifle and pistol were acquired by Lee Harvey Oswald during his marriage to Marina N. Oswald.

42. The information set forth on pages 741 through 745 of the President's Commission Report correctly shows the financial situation of Lee Harvey Oswald during the period covered so far as can be ascertained.

Dated at Dallas, Texas, this 26th day of January, 1966.

MELVIN M. DIGGS
United States Attorney

By:

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

William C. Garrett
William C. Garrett
Attorney for Claimant

A TRUE COPY

ATTEST:

MAR 15 1966

RAMELLE HAMILTON, CLERK,

By Ramele Hamilton Deputy

Typed: 3/7/66

FNV:JJC:bf
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C. E. S.

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

March 5 1966

Attention: Mr. E. 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 -
Civil No. 3-1171 - Dallas Division

Dear Mr. Diggs:

Thank you for your letters of February 24 and February 25,
1966, with attachments, in the above entitled case.

If convenient, it will be appreciated if you would forward
several copies of the stipulation of facts so that we will be
certain that conformed copies of the memorandum opinion and the
stipulation will be available in our files.

Your cooperation is appreciated.

Sincerely,

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

By: CARL W. BELCHER
Chief, General Crimes Section

CC:
Records ✓
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Cella

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FBI - DALLAS

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

United States Department of Justice

BHT:neo

UNITED STATES ATTORNEY
NORTHERN DISTRICT OF TEXAS
DALLAS, TEXAS 75221

February 25, 1966

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

ATTENTION: Mr. Joseph Cella

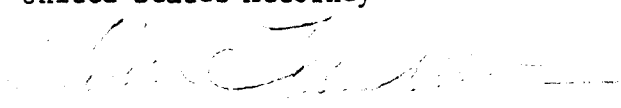
Re: United States v. One 6.5 mm. Mannlicher-Carcano
Military Rifle, Model 91-38, Serial No. C2766,
With Appurtenances, and One .38 Special S&W
Victory Model Revolver, Serial No. V510210, with
Appurtenances - Civil No. 3-1171 - Dallas Division

Dear Mr. Belcher:

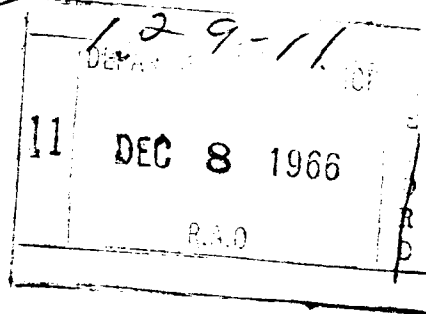
I enclose five certified copies of the memorandum opinion of the Court filed in the captioned case on Wednesday, February 23. You will note that the opinion states that the stipulation of facts is appended. I believe that you have copies of the stipulation of facts, and I have not attached them to the opinion. I am having several additional copies of the stipulation reproduced, and if you wish them, I will forward to you additional copies so that they may be attached to each copy of this memorandum opinion. Perhaps Barefoot, Ramsey, and the Attorney General may wish to have a copy of this memorandum opinion and the stipulation.

Yours very truly,

MELVIN M. DIGGS
United States Attorney


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

Enclosures



IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF TEXAS

DALLAS DIVISION

UNITED STATES OF AMERICA,)
 Libelant,)
 v.)
 ONE 6.5 mm. KARLHOFFER-CARCANO)
 MILITARY RIFLE, MODEL 91-33,)
 SERIAL NO. C2766, WITH APPUR-)
 TENANCES, AND ONE .38 SPECIAL)
 S&W VICTORY MODEL REVOLVER,)
 SERIAL NO. V510210, WITH)
 APPURTENANCES,)
 Respondents.)

CIVIL ACTION NO. 3-1171

FEB 23 1966

Filed _____ day of _____
 19____ at _____ o'clock _____ M
 RAMELLE HAMILTON, CLERK
 By _____ Deputy

MEMORANDUM OPINION

The United States of America brings this proceeding for forfeiture of respondent military rifle and revolver to the government because these weapons were involved in violations of the Federal Firearms Act, 15 U.S.C. §§ 901-909. Claimant John J. King denies the right of the government to forfeiture and claims title to the weapons by purchase from Marina N. Oswald, individually and as community administratrix of the estate of Lee Harvey Oswald. It is stipulated for the purpose of this action only that respondent 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. The case was heard on the "Stipulation of Facts" appended hereto, briefs and oral argument..

Title 15, United States Code, § 903(d), enacted June 30, 1938, provides:

"Licensed dealers shall maintain such permanent records of ... shipment, and ... disposal of firearms ... as the Secretary of the Treasury shall prescribe." (... ch. 850, § 3, 52 Stat. 1251.)

Section 905(a) provides:

"Any person violating any of the provisions of this chapter or any rules and regulations promulgated hereunder... shall, upon conviction thereof, be ... [guilty of a felony offense]."

Section 905(b), enacted February 7, 1950, provides:

"Any firearm ... involved in any violation of the provisions of this chapter or any rules or regulations promulgated thereunder shall be subject to seizure and forfeiture...." (June 30, 1938, ch. 850, § 5, 52 Stat. 1252; Feb. 7, 1950, ch. 2, 64 Stat. 3.)

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Section 907 authorizes the Secretary of the Treasury to prescribe such rules and regulations as he deems necessary to carry out the provisions of the Federal Firearms Act.

26 Code of Federal Regulations, § 177.51 Firearms Records, provides:

"Each licensed ... dealer shall maintain complete and adequate records.... The records will show and include:
*** (c) The disposition made of each firearm including the name and address of the person to whom sold...."

This means, of course, the name by which the purchaser could be identified, not a fictitious name which would not disclose but would conceal his identity.

The names A. Hidell and A. J. Hidell were purely fictitious names willfully, intentionally, deliberately and fraudulently contrived by Lee Harvey Oswald for the purpose of deceiving the dealers and concealing Oswald's identity as purchaser of respondent rifle and revolver.

"... Regulations issued by the Secretary of the Treasury, pursuant to statutory authority, and when [as here] necessary to make a statute effective ... [have] the force of law." United States v. Fisher (5 Cir., 1965), 353 F.2d 396, 393-99, citing Worceus Machine Co. v. United States, 282 U.S. 375; Commissioner of Internal Revenue v. South Texas Lumber Co., 333 U.S. 496, 501.

In the history of the Federal Firearms Act [enacted June 30, 1938, 15 U.S.C. §§ 901-909, which did not include Section 905(b), enacted February 7, 1950], Senate Report No. 82, 75th Congress, states:

"The bill under consideration ... is designed to regulate ... the shipment through interstate commerce of all firearms [and] ... will go far in the direction we are seeking and will eliminate the gun from the crooks' hands."

In the history of 15 U.S.C. § 905(b), which provides for seizure and forfeiture for any violation of the Federal Firearms Act "or any rules or regulations thereunder," Senate Report No. 1207 (January 6, 1950) shows that the purpose of this legislation is to give express authority to law enforcement officials "for the seizure, forfeiture, and disposition of firearms ... involved in violations of the Federal Firearms Act. (U.S.C., title 15, secs. 901-909)."

To constitute a crime, there must be the joint operation of two essential elements, an act forbidden by law and an intent to do the act, or there must be the omission of a duty required by the law and the intent to omit that duty.

In determining a defendant's intention, the law assumes that every person intends the natural consequences of his voluntary acts or omissions. Therefore, the intent required to be proven as an element of the crime is inferred from the defendant's voluntary commission of the act forbidden by law, or from his omission of the duty required by law, and it is not necessary to establish that the defendant knew that his act or omission was a violation of the law.

Section 2 of Title 18, U.S.C., provides:

"(a) Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal.

"(b) Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal."

An actor who commits an offense can be the "real though unconscious agent" whose conviction is not a prerequisite to conviction of the one who causes the offense to be committed. United States v. Giles (1937), 300 U.S. 41, 48; Walker v. United States (10 Cir., 1951), 192 F.2d 47.

Lee Harvey Oswald violated and caused to be violated the Federal Firearms Act, 18 U.S.C. § 903(d), and the regulations promulgated thereunder, 26 C.F.R. 177.51, requiring "[o]ach licensed ... dealer ... [to] maintain complete and adequate records ... [which] show ... [t]he disposition made of each firearm including the name ... of the person to whom sold..." in that Lee Harvey Oswald voluntarily, willfully, intentionally, fraudulently and deliberately caused the fictitious names, A. Hidell and A. J. Hidell, to be entered in the firearms dealers' records as purchaser of the respondent rifle and revolver, respectively, by placing those fictitious names in his order for respondent firearms, thereby causing the records to fail to show the name of the person to whom respondent firearms were actually sold.

All the circumstances and the fact that Lee Harvey Oswald did not use his own name in his purchase orders, but instead used the

fictitious names A. Hidell and A. J. Hidell, plainly show that Oswald intended to mislead and deceive the dealers and to make it appear that a person separate and apart from Oswald was the person to whom the firearms were sold, thereby deliberately, willfully, intentionally and fraudulently producing a record which failed to show the name of the person to whom the firearms were sold.

In United States v. Giles (1937), 300 U.S. 41, the Supreme Court held that to commit the offense of making a false entry in bank records, a person need not himself make the false entry if, in fact, he takes

"... deliberate action from which a false entry by an innocent intermediary necessarily follows.... To hold that it [the false entry statute] applies only when the accused personally writes the false entry or affirmatively directs another to do so would emasculate the statute--defeat the very end in view....

"[T]he false entries ... were the intended and necessary result of respondent's deliberate action.... Within the statute he made them." At 43-49.

Likewise, the failure of the firearms dealers' records to show the name of the person to whom the respondent rifle and revolver were sold was the intended and necessary result of Oswald's deliberate actions.

The records of the sale of these weapons specifically referred to and "involved" respondent rifle and revolver. Lee Harvey Oswald willfully caused the firearms dealers to fail to keep "complete and adequate" records of the disposition of the respondent firearms as required by law, by deliberately, willfully, intentionally and fraudulently producing records which did not show the name of the firearms purchaser as required by law. Respondent firearms were "involved in" a violation of the record-keeping provisions of 15 U.S.C. § 903(d) and 26 C.F.R. § 177.51, and have been forfeited to the United States under Section 905(b) of Title 15 U.S.C.

Violations of record-keeping laws and regulations thereunder have been held to exist where sellers required to keep records

of sales were caused by purchasers to make false records of the address to be entered on records of narcotic sales, Walker v. United States (10 Cir., 1951), 192 F.2d 47; and entries on bank records, United States v. Giles (1937), 300 U.S. 41. Liquor, Thacher's Distilled Spirits v. United States (1881), 103 U.S. 679; and automobiles, One 1941 Buick Sedan v. United States (10 Cir., 1946), 158 F.2d 445, have been held subject to forfeiture for failure to keep required records of liquor sales.

The requirement of the law, 15 U.S.C. § 903(8), and the regulations, 26 C.F.R. § 177.51, that the dealer keep a record showing the name of the person to whom a firearm is sold was enacted for the important purpose of identifying the person to whom firearms are sold and to "eliminate the gun from the crooks' hands." If the deliberate production of records with fictitious names of purchasers of firearms does not violate the Federal Firearms Act, then every crook in the United States can, by the simple device of ordering in a fictitious name, obtain firearms with complete immunity. This would make a shambles of the Federal Firearms Act.

Claimant King's contentions that forfeiture of respondent firearms deprives him of property without due process of law and takes private property for public use without just compensation is without merit. In Associates Investment Co. v. United States (5 Cir., 1955), 220 F.2d 835, the Court said in respect to forfeiture of an automobile used in the transportation of marijuana:

"... [I]t is well settled that such deprivation [forfeiture] is not a denial of due process of law, or a taking of private property for public use without fair compensation." At 833.

Judge Will's discriminating opinion in United States v. One 1962 Ford Thunderbird (N.D. Ill., 1964), 232 F.Supp. 1019, 1022, states:

"Where Congress, in the implementation of its constitutional powers, provides for penalties such as forfeitures, such action is not a taking of property in a constitutional sense. It is not an instance of eminent domain, in which property is taken because the use of such

property is beneficial to the public. Rather, the property interest is infringed because Congress has deemed it necessary in order to preserve other incidents of the public welfare. As such, it represents a federal exercise of a police power to which the constitutional requirement of compensation is inapplicable. See Hamilton v. Kentucky Distillers Co., 251 U.S. 146, 156-157, 40 S.Ct. 106, 64 L.Ed. 194 (1919) ..." *

Claimant King is in no sense an innocent purchaser. He knew when he purchased his claimed interest in these firearms, on December 31, 1964, and March 25, 1965, that they were not in the possession of the seller, Marina N. Oswald individually and as community administratrix of the Estate of Lee Harvey Oswald, and that the weapons were in possession of agents of the United States. The Bill of Sale and Contract covering "all right, title and interest" of the seller in the weapons expressly recognizes that the weapons were subject to "adverse claims." A \$35,000 additional contingent payment was conditioned upon obtaining possession "free and clear of all adverse claims."

Forfeiture of respondent weapons occurred and took effect immediately upon their involvement in the violation of the Federal Firearms Act in March, 1963, and the right to the property vested in the United States at that time. Formal declaration of forfeiture relates back to that time and avoids all intervening sales, even to innocent purchasers. United States v. Stovell (1890), 133 U.S. 1, 17; Thacher's Distilled Spirits v. United States (1881), 103 U.S. 679. The government is entitled to judgment of forfeiture.

Public Law 89-318 (originally introduced as H.R. 9545), dealing with the acquisition and preservation of certain items of evidence before the President's Commission on the Assassination of President John F. Kennedy, by the exercise of eminent domain, is not in irreconcilable conflict with, and was not intended as a repeal of or substitute for, the provisions of the Federal Firearms Act. The cardinal rule is that repeals by implication are not favored. Posadas v. National City Bank (1936), 296 U.S. 497, 503. Nothing in

*See also One 1953 Plymouth Sedan v. Pennsylvania, 380 U.S. 693, 85 S.Ct. 1246 (1965).

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

United States Department of Justice

BHT:neo

UNITED STATES ATTORNEY
NORTHERN DISTRICT OF TEXAS
DALLAS, TEXAS 75221

February 24, 1966

Mr. Carl W. Belcher
Chief, General Crimes
Criminal Division
U. S. Department of Justice
Room 2115
Washington, D. C. 20530

ATTENTION: Mr. Joseph Cella

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 - Civil No. 3-1171 - Dallas Division

Dear Mr. Belcher:

As I told Joe Cella on the telephone Monday, Judge Estes rendered an opinion from the bench that the weapons were forfeited to the government. He instructed us to prepare the order of forfeiture which was signed by the Judge and filed with the Clerk today. I enclose for your files three certified copies of the order of forfeiture. I also enclose reports of the case which appeared in Dallas newspapers on Monday and Tuesday.

Judge Estes filed his formal memorandum opinion yesterday. This opinion incorporated the entire stipulation of facts. We are having copies of this opinion reproduced and expect to mail you several copies of it tomorrow.

Toward the end of the sixty-day period, we will be in further touch with you with regard to the mechanics of transfer of the weapons as set out in the order of forfeiture.

Sincerely yours,

MELWIN M. DIGGS
United States Attorney

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

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Miscellaneous - Unknown

Enclosures

file 12 129-11

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-CARCANO
MILITARY RIFLE, MODEL 91-39,
SERIAL NO. C2766, WITH APPURTENANCES,
AND ONE .38 SPECIAL S&W VICTORY MODEL
REVOLVER, SERIAL NO. VS10210, WITH
APPURTENANCES,

Respondents.

FEB 24 1966

Filed _____ day of _____
19____ at _____ o'clock _____ M
RAMELLE HAMILTON, Clerk
By *Elizabeth M. Cline* Deputy

Civil No. 3-1171

ORDER OF FORFEITURE

The above entitled cause was submitted to the Court upon the Libel of Information and Claimant's pleadings, upon the Stipulation introduced herein, and upon other matters and claims on all of which the Court entered a memorandum opinion as filed herein.

Therefore, in accord with such memorandum opinion, it is hereby ordered, adjudged and decreed that the 6.5 mm. Mannlicher-Carcano Military Rifle, Model 91-39, Serial No. C2766, with appurtenances, and the .38 Special S&W Victory Model Revolver, Serial No. VS10210, with appurtenances, be and hereby are forfeited and condemned to the use of the United States of America for the causes set forth in the Libel of Information filed herein.

It is ordered, adjudged and decreed that the United States Marshal for the Northern District of Texas be and is directed to cause delivery of the respondent firearms to the Secretary of the Treasury, or his delegate, for ultimate transfer to the Administrator of General Services, General Services Administration, as prescribed in Title 26, U. S. Code, Section 5062(b) for the preservation and use of such firearms consistent with their evidentiary and historical significance, but that actual delivery of these firearms by the Marshal be delayed for a period of sixty (60) days after 129-11 enclosure of this order.

and it is further ordered that costs of this action be taxed against the Claimant in accord with the terms of his bond.

Dated this _____ day of _____, 1966.

A TRUE COPY FEB 24 1966

WITNESSED:
RAMELLE HAMILTON, CLERK,
By *Elizabeth M. Cline* Deputy

JOE E. ESTES

UNITED STATES DISTRICT COURT

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Oswald's Weapons Ruled Property of Government

By DON BUCKMAN
Staff Writer

A federal judge in Dallas Monday ruled—in effect—that the U.S. government owned a 6.5 Mannlicher-Carcano rifle at the time it was used to kill President John F. Kennedy.

A similar ruling was made on a .38-caliber revolver which killed Dallas policeman J. D. Tippit.

Judge Joe E. Estes announced his ruling in a lengthy prepared statement about 12:30 p.m. Basically, the statement declared:

—That Lee Harvey Oswald, by ordering the guns in the fictitious name of Hidell, caused a false entry to be made in records of the gun dealer, and thus, under provisions of the Federal Firearms Act, ownership of the guns immediately was forfeited to the government.

—That the guns, in effect, were "owned by the government" from the time Oswald ordered them.

—That the name, "A. Hidell" was purely fictitious, and was used only for the purpose of deceiving the dealer and concealing Oswald's own identity.

Judge Estes' ruling ended—at least temporarily—a claim of ownership by Denver oilman John J. King. Mr. King said he paid \$10,000 and promised an additional \$35,000 to Mrs. Marina Oswald Porter for the guns.

Mr. King was not present in

the courtroom Monday. His attorney, William C. Garrett, said he didn't know if the case would be appealed until he contacted Mr. King by phone.

If an appeal is filed, the case would go before the 5th Circuit Court in New Orleans.

Judge Estes' ruling, believed to be the first of its kind, said Mr. King's claim was "without merit," and that Mr. King was "in no sense an innocent person."

This decision in no way denies Mr. King due process or just compensation, the ruling declared, but the guns were owned by the government, in effect, from the time Oswald ordered them. They never belonged to Oswald; they never belonged to his wife; and they never belonged to Mr. King.

In fact, the ruling continues, Mr. King knew the guns were not in the seller's possession. They were in possession of agents of the U.S. government.

TO MUSEUM

Unless an appeal is filed, government attorneys indicated the weapons would be forwarded to Washington, turned over to the General Services Administration, and possibly placed in the Smithsonian Institution.

Asst. U.S. Atty. Tim Timmins and attorney Jim Gaulding of the Internal Revenue Service concentrated mainly on only two points

in presenting the government case Monday.

The points were:

1. That accused presidential assassin Lee Harvel Oswald used a fictitious name in ordering the two weapons and thus immediately forfeited ownership by violating the Federal Firearms Act.

2. That Denver oilman John J. King had no legal right to the guns or to governmental compensation for them because he became involved after the ownership already was forfeited under the firearms act.

Judge Estes' ruling upheld both points.

Mr. Garrett had claimed no violation was involved when Oswald used the assumed name, and said it was difficult for the government to say a firearm was involved in violation when it "only has a record of what it says was a false name."

"The government only uses this act if a person is very bad, or if it dearly wants a weapon," Mr. Garrett said.

"This section of the law does not require anyone to use his own name in ordering a weapon," Mr. Garrett continued. "These are not false records . . . these are true ones. The real nature of this action is that the government wants these guns, and it wants to deprive Mr. King of his property without compensation."

Legal Battle Due on Oswald Guns

Government Suing to Retain Weapons Sought by Collector

By GENE ORMSBY

Relics of a tragic moment—relics which have become priceless because they dealt death and grief to a nation—lie in an FBI vault in Downtown Dallas as objects of a legal battle which will be fought in court here Monday.

The case is the United States of America versus one 6.5 Mannlicher-Carcano military rifle, which was used by Lee Harvey Oswald to kill President Kennedy, and a .38 special Smith & Wesson revolver used in slaying police officer J. D. Tippit.

Assistant U.S. Atty. Tim Timmins, who will present the government's arguments for retaining the firearms, has called it a historic case.

FEDERAL JUDGE JOE E. ESTES will conduct a final hearing on the case between the government, which wants to preserve the firearms for historical purposes, and John J. King, Englewood, Colo., gun collector and independent oil operator.

King, who has said he wants the guns for his collection, has already paid Mrs.

Marina Oswald Porter \$10,000 for them and has agreed to pay an additional \$35,000 when he gets possession.

He has also reportedly sought to buy the gun Jack Ruby used to kill Oswald.

Some government sources have said King paid \$10,000 to get himself a lawsuit and that the Justice Department, for which Timmins filed the suit, ultimately will get possession of the firearms anyway.

A BILL PASSED BY CONGRESS Nov. 2, 1965, provides a procedure for the government to acquire and preserve evidence pertaining to the assassination, all in the national interest. The bill gives the attorney general authority to determine which items of evidence surrounding the assassination should be acquired and preserved in the national archives.

Then why is the government suing to retain the weapons?

Timmins contends that the government has a legal right to keep the weapons now because the guns were involved in violations of the Federal Firearms Act. He main-

tains in his brief in support of forfeiture that the guns became forfeited when they were purchased in March, 1963.

Timmins states that Oswald, by ordering the rifle and revolver under the fictitious name of A. Hidell, caused the sellers of these firearms to reflect this name on their records and thereby violated federal law.

IN PROCEEDINGS FOR Internal Revenue forfeitures, it is the "thing" which has "offended."

One source has said that if the government wins the suit now, it can keep the guns without having to pay King so much as a dime.

In addition, the moment the attorney general lists the guns in the Federal Register by virtue of the new bill, making them government property, King may file action in a federal court for "just compensation" from the government.

And what "just compensation" might be determined brings shudders to people in the Justice Department, who envision the

possibility of King declaring in court he was denied a terrific amount of revenue which he might have obtained by displaying the weapons at public exhibitions such as fairs and sideshows.

King's attorney, William C. Garrett of Dallas, states in his brief that, "The fundamental defect in the government's position is that there is simply no law providing for the forfeiture of weapons ordered under an assumed name."

GARRETT CONCLUDES, "The weapons involved in the instant case could have limitless value, and the legal fiction of the guilt of an inanimate object should not be relied upon to extinguish the valuable rights of innocent persons."

The words "limitless value" are the ones which cause hand wringing in the halls of the Justice Department.

Whatever price will have to be paid—if any is paid—the Justice Department believes these and other items of evidence pertaining to the assassination must be acquired.

The attorney general contends that in future years allegations and theories concerning President Kennedy's assassination may abound.

THE HEARING MONDAY WILL, in effect, be a trial on the merits of briefs and oral arguments, and the outcome is expected to be appealed regardless of who prevails.

King filed suit against the attorney general May 24 to obtain the guns, and an order has been entered by the district judge in Denver withholding ruling pending outcome of Monday's action.

Some sources predict that no matter which side wins Monday's hearing, the matter will be taken to the Supreme Court in what probably has become one of the bitterest fights ever to face the courts over items with so little face value.

Both the rifle and the pistol are worth less than \$50.

The Dallas Morning News

Monday, Feb. 21, 1966

Local News Editorials

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Typed: 2/23/66
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February 25, 1966

Mr. B. H. Timmins, Jr.
Assistant U. S. Attorney
Dallas, Texas

Dear Mr. Timmins:

I want you to know that all of us in the Department are well aware of the excellent representation enjoyed by the Government in the libel proceeding against the weapons used to assassinate President Kennedy and murder Officer Tippit which I understand terminated favorably for the United States.

Congratulations on a job well done and kindest personal regards.

Sincerely,

FRED H. VINSON, Jr.
Assistant Attorney General

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J.J.C.

AKS
2/23
FV

Records ✓
Chron
Mr. Calla
Mr. Vinson
Bill Brady

USA, Ft Worth

INSPECTION AND COMMUNICATIONS SECTION
FEB 25 1966

From

THE ATTORNEY GENERAL

- DEPUTY ATTORNEY GENERAL
- EXECUTIVE OFFICE-U. S. ATTORNEYS
- EXECUTIVE OFFICE-U. S. MARSHALS
- EXECUTIVE ASSISTANT
- OFFICE OF PUBLIC INFORMATION
- SOLICITOR GENERAL
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- 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

2/21

MEMORANDUM

2/17

[Signature]
Bernice,

Do you have a record of her previous letter?

Yes -
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See FBI report in file (See 6)

**CRAWFORD
MARTIN**
FOR ATTORNEY GENERAL

February 11, 1966

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United States Department of Justice
Office of the U. S. Attorney General
Honorable Robert Kennedy
Washington, District of Columbia

Dear Sir:

This campaign reminds me of another day in Houston Texas when President Kennedy was there and paraded, and spoke at Rice stadium.

Please excuse my informality, but I want to call this to your attention in relation to a letter I wrote to you in 1965. →

Thank you for your kind attention.

Respectfully submitted,

[Redacted signature block]

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encl

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129-11
DEPARTMENT OF JUSTICE
F. B. I.
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742
ATTORNEY GENERAL
2 CRIMINAL DIVISION
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News about Crawford Martin

Number 1

HANDY BIOGRAPHICAL FACTS

Born in Hillsboro on March 13, 1916; attended Hillsboro Public Schools and The University of Texas Law School; married to the former Margaret Ann Mash of Brandon; parents of three children: Sherry, 22, a University of Texas student; Jim, 19, a Southwest State College student; Nancy, 12.

Served in World War II as a member of the Coast Guard.

Elected mayor of Hillsboro in 1946 at the age of 30. Elected to Senate seat once held by his father, Will M. Martin. Served continually from 1949 to 1963 in the Texas Senate.

Appointed in 1963 by Governor John Connally as Secretary of State; reappointed in 1965.

Elder in First Presbyterian Church of Hillsboro for 17 years; former member of the Council of Mid-Tex Presbytery.

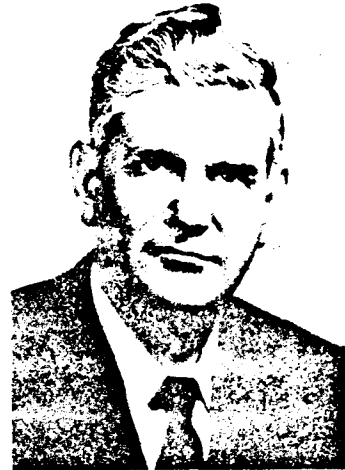
Member of the Lions Club, American Legion and State Bar of Texas; former president of the Hill Country Bar Association; director of the Texas Ginners' Association.

In 1963, made honorary member of the Texas Hospital Association.

Received Distinguished Service Award of the Dallas Council of Social Agencies for outstanding leadership for the aged citizens of Texas in 1958; has received merit awards from Texas Society on Aging and Texas Nursing Home Association.

During 14 years in Senate, he was sponsor of some of State's most significant legislation; headed Senate Appropriations Committee in 1955-56, only session in 13 years in which there were not revenue-raising measures required to cover State expenditures; has served on virtually every standing Senate committee.

A personal word...



Dear Friend:

The many letters, calls and expressions of interest which I have received in the past few weeks concerning my candidacy for Attorney General have been most gratifying.

In my travels all across Texas, the genuine enthusiasm which has been evidenced for my candidacy has left me more certain than ever of our victory.

In the days ahead...campaign days filled with work and travel, days of long hours and short nights... your friendship and support will become even more vital to my success in this race.

I take this personal means to ask your help and support, your guidance and counsel.

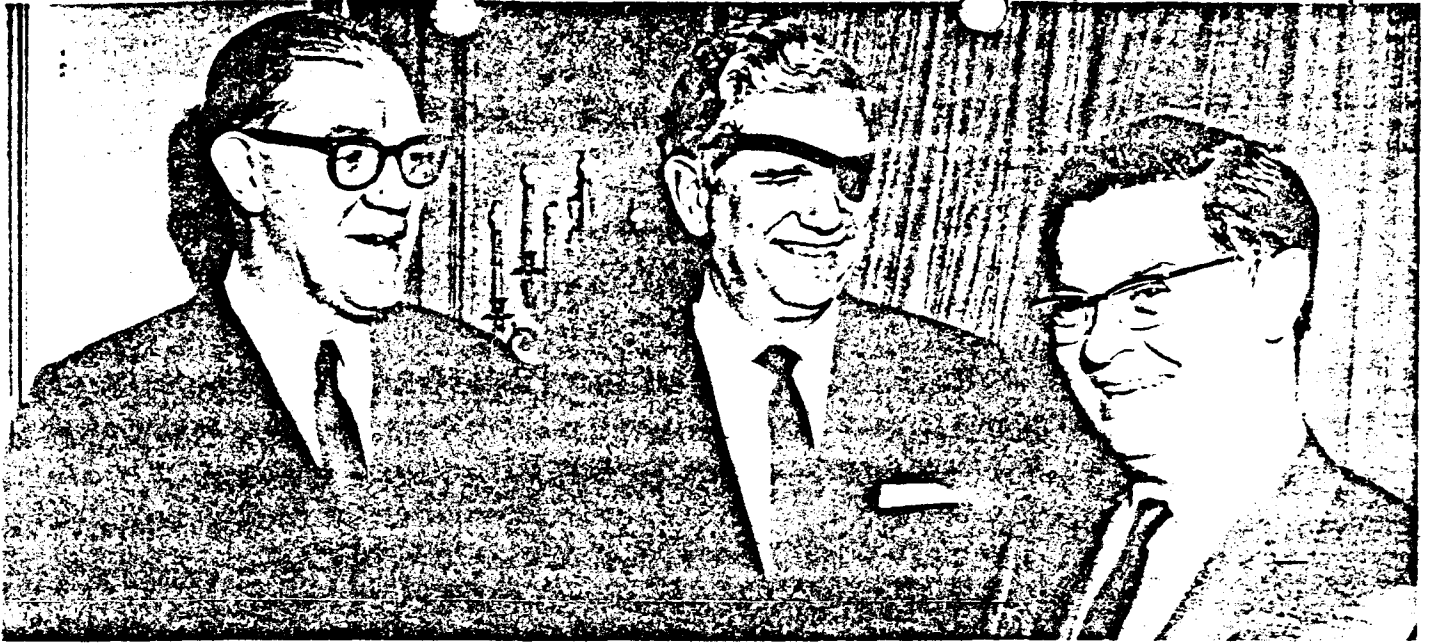
I pledge to you a campaign of hard work, dedication and dignity.

Sincerely,

Crawford C. Martin
Crawford C. Martin

Campaign Headquarters:

915½ Congress Ave./Austin
Telephone GR 7-5733 (AC 512)



ROGER BLOUGH, (L) Chairman of the Board of U. S. Steel, Secretary of State CRAWFORD MARTIN and Houston mayor Louie Welch gather at a dinner honoring the officials of U. S. Steel for planning a Gulf-area steel mill.

On the go with CRAWFORD MARTIN



CRAWFORD MARTIN officially files his application for Attorney General with J. PAT O'KEEFE of the SDEC. Martin's filing fee was paid by dozens of Hillsboro friends.

Crawford Martin is on the go...for you and for Texas...and is taking an active campaign for Attorney General to all parts of Texas.

He has had enthusiastic meetings in El Paso, Houston, San Antonio, Dallas and other major Texas cities.

His activity is expressed best by his January itinerary:

January 16-22:

Texas Cotton Ginners' Association meeting in Houston; "Helping Texas Grow" tour at Waxahachie; bumped by weather out of a Texas Electric Cooperatives meeting in Big Spring; Highway Commissioners' reception in San Antonio; Juvenile Officers Association meeting in Gatesville; Youth Conference seminars in Morton; coffee in Levelland.

January 23-29:

Meetings scheduled in Austin, Lubbock, Amarillo, El Paso, Farmers Branch and San Antonio.

How YOU can help CRAWFORD MARTIN

TALK...

One of the best ways you can help Crawford Martin is to keep his name prominent in your conversations... with your neighbors, the folks you work with, where you buy groceries and during social visits.

You can tell your friends...with great accuracy...that Crawford Martin has an impressive list of credentials for the post of Attorney General...that Crawford Martin has an abundant knowledge of the law and of state affairs.

PAY YOUR POLL TAX BEFORE JANUARY 31

AND REMIND YOUR NEIGHBORS, TOO!

Obviously, you are a much greater force for Crawford Martin when you are a qualified voter.

Don't let the deadline get past you. Pay your poll tax...or get your old-age exemption...before Monday, January 31.

And urge your neighbors and your friends to make sure they become qualified to vote for Crawford Martin on May 7.

CAMPAIGN HEADQUARTERS...

The "Crawford Martin for Attorney General" campaign headquarters has been opened at 915½ Congress in downtown Austin. The coffee pot is on and you are always welcome.

Our telephone is GR 7-5733.

WALK...

You can widen the candidacy of Crawford Martin by stepping next door to the home of your friends, by visiting with other tenants of your office building, by going to nearby businesses...and telling about Crawford Martin's lifetime of service to Texas, about his unique qualifications to be the attorney for ALL of Texas and for ALL Texans.

You can always be proud of the man you are supporting!

WRITE...

In your social and business letters, drop in a friendly word about the candidacy of Crawford Martin for Attorney General...and solicit the efforts of your friends to work in this campaign.

And you can also mail a special post card to your friends in town, telling them of your choice in the Attorney General's race and asking their support.

And don't forget to write us here at Campaign Headquarters and tell us of your efforts!

CAMPAIGN MATERIALS...

Campaign materials are on the way! They'll be ready soon and we'll keep you posted as to variety and supply.

Meanwhile, you can help by sending us names of your friends who would like to receive our newsletter.



for CRAWFORD MARTIN
for ATTORNEY GENERAL
915½ CONGRESS · AUSTIN, TEXAS · GR 7-5733

GOOD CAN BE OF GREAT ASSISTANCE IN THE FIELD OF CAMPAIGN CONTRIBUTIONS

Everyone is certainly aware of the vastness of Texas...and it requires a great deal of expense to effectively campaign across such a huge state.

You can help the candidacy of CRAWFORD MARTIN for ATTORNEY GENERAL by mailing your contributions to the campaign headquarters at 915 1/2 Congress Avenue, Austin, Texas 78701.

And after you have sent your check...why not remind a friend to send one along, too. Checks should be made out to the "Crawford Martin Campaign Fund."

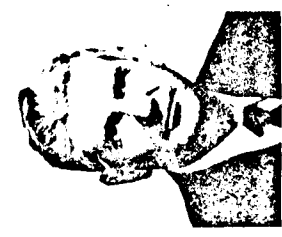


Crawford Martin has an impressive list of credentials for the high office of Attorney General. As a Texas Senator, he sponsored:

- *Medical aid for recipients of old age assistance through a state contract with Blue Cross of Texas.
- *Enforcement of the State's escheat law.
- *The State's first act requiring registration of lobbyists in 1957.
- *Insurance reform laws, strengthening the capital structure and operations of casualty companies to put an end to Texas insurance scandals, in 1955.
- *The State's first strict securities regulation, creating the Securities Commission and protecting the public from worthless promotions, in 1955 and 1957.
- *Improved treatment for the mentally ill by introduction of a constitutional amendment in 1955, waiving mandatory trial by jury for hospitalization.
- *Improved supervision of the State's youth correction centers under the Texas Youth Council.
- *Revision of the Election Code to provide a ballot that is secret.
- *Modernization of the State's tax accounting system.
- *Reorganization of the Texas Industrial Commission.

915 1/2 Congress, Austin, Texas 78701

News about



Crawford Martin for Attorney General