

DEPARTMENT OF JUSTICE

ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	<i>Mr Black</i>			<i>2112</i>
2.	<i>King Thumason</i>			
3.				
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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

*Bill, This is sort of thing
we are in business for
the co for you business
has already been digested
So look it up & see
what the reactions were*

*CVL
17/1*

FROM:	NAME	BUILDING & ROOM	EXT.	DATE

November 14, 1968

ELW, Jr:IG:rnk
129-11

O. M. B.

AIR MAIL

Mr. Edward W. Wadsworth
Clerk, United States Court of Appeals
Fifth Circuit
Room 408 - 400 Royal Street
New Orleans, Louisiana 70130

Re: No. 26620 - U.S.A. v. One 6.5 mm.
Mannlicher-Carcano Military Rifle,
Model 91033, etc.

Dear Mr. Wadsworth:

Enclosed is a motion by the United States for
an extension of time in which to file its brief.
Please submit it to the Court and advise us when it
is acted upon.

Yours very truly,

Enclosure

EDWIN L. WEISL, JR.
Assistant Attorney General
Civil Division

By:
Morton Hollander
Chief, Appellate Section

cc: William C. Garrett, Esq.
Kilgore & Kilgore
1800 First National Bank
Building
Dallas, Texas 75202

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

UNITED STATES OF AMERICA,)
)
 Plaintiff-Appellee,)
)
 v.) No. 26620
)
 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,)
)
 Defendant-Appellant.)
)
 _____)

MOTION OF APPELLEE FOR A ONE-WEEK EXTENSION OF BRIEFING TIME

Now comes appellee, the United States of America, by its undersigned attorneys, and moves this Court for a one-week extension of time in which to file its brief in the above-captioned case, to and including November 22, 1968. Counsel for the appellee have prepared a draft of its brief which is virtually complete except for certain minor revisions which must be made. The brief is thus not as yet in final form and ready to be sent to the printer. The time required to print the brief makes it impossible to file it on the day it is due, November 15, 1968. Therefore, appellee requests this Court to grant its motion to extend the time for filing to and including November 22, 1968.

/s/ John C. Eldridge

JOHN C. ELDRIDGE

/s/ Irwin Goldbloom

IRWIN GOLDBLOOM

Attorneys,
Department of Justice,
Washington, D. C. 20530

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

UNITED STATES OF AMERICA,)
)
 Plaintiff-Appellee,)
)
 v.) No. 26620
)
 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,)
)
 Defendant-Appellant.)
)

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Motion of Appellee for a One-Week Extension of Briefing Time upon opposing counsel this 14th day of November, 1968, by mailing a copy, postage prepaid as follows:

William C. Garrett, Esq.
Kilgore & Kilgore
1800 First National Bank
Building
Dallas, Texas 75202

/s/ Irwin Goldbloom

IRWIN GOLDBLOOM
Attorney,
Department of Justice
Washington, D. C. 20530

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FIELD MESSAGE

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U. S. INFORMATION SERVICE

Miss Carlson
5213

FROM: USIS Bangui
TO: USIA WASHINGTON
REF: None
SUBJECT: Warren Report Film Banned in CAR

NOV 10 9 31 AM '67
MESSAGE NO. 3
OFFICE OF LEGAL COUNSEL
NOV 13 1 09 PM '67
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10A/SC
DATE

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INFO.

The post forwards herewith the pertinent section of the Embassy's last bi-weekly (A-42) concerning the banning in the CAR of an American film on the Warren Commission Report.

James K. Welsh, Jr.
James K. Welsh, Jr.
Public Affairs Officer

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10P/K
10AIR
1AA
1GC

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CERTIFIED _____

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OFFICE OF LEGAL COUNSEL
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PAGE 1 OF 1
ENC NO. 1
FIELD MSG. NO. 14
FROM USIS Bangui

9. Film Critical of Warren Report Banned in CAR

An American documentary film highly critical of the Warren Commission Report was banned in October by the CAR censorship board. The film, whose French title is L'Amérique Faire Appel, consists of a discussion between a moderator and three panelists, all Americans. The moderator is said to have displayed a virulent anti-American and anti-Warren Commission bias. One of the panelists was New Orleans District Attorney James GARRISON. One panelist defended the report of the commission while the other two were critical. According to our source, the vice president of the censorship board who spent six weeks in the United States this past summer as an educational travel grantee, the main reason for banning the film here was its extremely critical comment on the FBI and the Dallas police force. The censorship board, after screening the film, evidently felt that such open and extreme criticism of law-enforcement agencies could lead to Central African reflection upon the role of their own police agencies. An unfounded rumor is now abroad in Local French circles that the American Embassy exerted considerable pressure on the Government and on the censorship board to ban the film.

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cc: Mr. Wozencraft
Mrs. Copeland
Mr. Schmidt
Mr. Hoffman
The File ✓

JAN 24 1968

Mr. Joseph F. Dolan
Administrative Assistant to
Senator Kennedy of New York
United States Senate
Washington, D. C. 20510

Dear Mr. Dolan:

Warren Christopher has asked me to reply to your request for our comments on the letter to Senator Kennedy from Mr. Richard E. Sprague.

Since we have not seen the new photographic evidence which Mr. Sprague claims to have discovered, we cannot comment upon the conclusions he has drawn from that evidence in his monograph. However, the Federal Bureau of Investigation is always open to receive and investigate new evidence bearing on the assassination of President Kennedy if anyone uncovers valid new evidence. The Department of Justice is ready to examine any valid and relevant new evidence to insure that the facts surrounding the assassination have been completely uncovered.

While I would expect that Burke Marshall would have submitted to the Department anything which he considered relevant, I think it would be entirely appropriate for you to reply to Mr. Sprague that he should submit to the Department any new evidence which he has developed.

With best wishes,

Sincerely,

Frank M. Wozencraft
Assistant Attorney General
Office of Legal Counsel

RECEIVED
NOV 14 1967
DATE: November 14, 1967

To: Mr. Frank M. Wozencraft
Assistant Attorney General
Office of Legal Counsel

From: Herbert E. Hoffman
Chief, Legislative & Legal Section
Office of the Deputy Attorney General

Subject: Correspondence from: Senator Robert Kennedy (Joseph Dolan)
Letter from Richard E. Sprague of Boca Raton,
Florida re assassination of President Kennedy.

Responsibility

- Prepare reply for signature of Deputy Attorney General and forward to Herbert E. Hoffman, Room 4117, Main Justice.
- Make an appropriate reply with a copy to Herbert E. Hoffman, Room 4117, Main Justice.

Department File No.: 129-11

Miscellaneous Information:

- Interim reply is being/has been made.
- No interim reply is being made.
- Copy of incoming correspondence attached.
- Original of incoming correspondence attached.
- Please return attachment.

ROBERT F. KENNEDY
NEW YORK

RFK

United States Senate

WASHINGTON, D.C. 20510

November 7, 1967

Mr. Warren Christopher
Deputy Attorney General
Department of Justice
Washington, D.C.

Dear Warren:

I'd appreciate any specific
comments you might be able to give me
as well as a suggested reply for me
to make on behalf of the Senator.

Thanks very much.

Sincerely,

[Handwritten signature]

Joseph F. Dolan

RECEIVED

NOV 9 1967

Deputy Attorney General

Incd

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DEPARTMENT OF JUSTICE	RECEIVED
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RAO.	
DEPUTY ATTORNEY GENERAL	
OFFICE OF LEGAL COUNSEL	

Florida Atlantic University

A STATE UNIVERSITY IN BOCA RATON, FLORIDA 33432

College of Business and Public Administration

The University Club
One West 54th Street
New York, New York

October 31, 1967

REGISTERED

Senator

Robert F. Kennedy
110 East 45th Street
New York, New York

Dear Senator Kennedy:

I have been corresponding with Mr. Burke Marshall with regard to research I have been doing on the assassination of President Kennedy. I have hesitated until now in writing to you because I was not certain whether you would wish to discuss the subject.

However, I feel the time has come for me to call directly to your attention the discovery of considerable new evidence about the events of November 22, 1963. This new evidence, coupled with new scientific analysis of old evidence, proves conclusively, I believe, that the assassination could not have been the work of a single man.

The evidence I refer to is the best possible kind namely, photographic. New photographs, never seen by the Warren Commission, the FBI, the Secret Service, the Justice Dept. or any official investigating body, continually turn up. I have personally discovered more photographs, seen them, and analyzed them, than the sum total of those seen by the Commission and the FBI. I do not mean to imply that I am the only person to have discovered or analyzed new photographic evidence. Many other researchers and a few publications have also done quite a bit of research in this area.

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Frank J. Rooney, President
Frank J. Rooney, Inc.
Miami, Florida

Culver Smith, Circuit Judge
Fifteenth Judicial Circuit of Florida
West Palm Beach, Florida

Richard E. Sprague, Director, Advanced
Business Systems
Touche, Ross, Bailey & Smart
New York, New York

David Swank
D. L. Swank Insurance
Boynton Beach, Florida

Robert F. Wagner, General Investment Mgr.
The Prudential Insurance Company of America
Jacksonville, Florida

Boyd Zacharias, General Director, Data
Systems, Chevrolet Motor Division
General Motors Corporation
Detroit, Michigan

Senator Robert F. Kennedy

-2-

10/31/1967

I am enclosing a monograph and one of a collection of exhibits to the monograph summarizing my research to date.

Many of the photographs are in my possession and can be made available for your viewing if you are interested. Those not in my possession can, for the most part, be viewed at two places in the New York City area.

I would be interested in your reaction to this.

Sincerely,

Richard E. Sprague

enclosure:

Monograph - Edition #4
Exhibit 1 - Edition #2

P.S.

My research has been conducted in cooperation with Dean John Sullivan of the Business College at Florida Atlantic University where I am a member of the Executive Advisory Committee. My home residence is in New York City as indicated above.

October 15, 1967
Edition #4

THE KENNEDY ASSASSINATION

WHAT THE PHOTOGRAPHS SHOW

RICHARD E. SPRAGUE

A. INTRODUCTION:

Ever since the twenty-six volumes of evidence were published by the Warren Commission on the assassination of President Kennedy, researchers in New York, Maryland, California, Pennsylvania and Texas have been analyzing the evidence in minute detail. Since that time in October 1964, a great amount of additional evidence has been placed in the assassination files in the National Archives.

Some of the researchers have attempted to find out whether a conspiracy existed purely through analysis of the photographic evidence. These include principally, Ray Marcus - Los Angeles, Harold Weisberg - Hyattstown, Md., Lillian Castellano - Los Angeles, David Lifton - Los Angeles, and myself. The basic tenets with which this group have approached the situation is that photographs, when properly interpreted, do not lie.

If the collection of movie films (both professional and amateur), television tape recordings (some made from 16mm film), and still camera photos taken at the time of the assassination can all be obtained in their original form and properly analyzed, it is possible we will ascertain the truth about what happened on November 22, 1963. If there was more than one assassin, these photographs may actually show, identify and trace the real assassins.

B. CONCLUSIONS AS OF OCTOBER 15, 1967:

In my analysis to date which has utilized the work done by Ray Marcus, Harold Weisberg, Lillian Castellano and David Lifton, plus some of my own work, the following conclusions can be drawn with a reasonable degree of certainty:

- 1) The shots came from more than one direction.
- 2) There were at least two, and probably three, assassins firing shots.
- 3) The first shot was fired before Zapruder frame 202, probably at frame 189. It is improbable that this shot came from the Depository sixth floor window. The large oak tree was between the sixth floor Depository window and Kennedy at the time

of the first shot. Also the Hughes' film shows no rifle in the sixth floor Depository window and no person in the sixth floor Depository window from approximately one minute prior to and up to six seconds prior to the first shot.

- 4) The Zapruder film, the Willis 5 photo and the Betzner 3 photo show that the direction of the first shot was not on a line passing through the sixth floor window. In fact, the first shot trajectory, even taking the autopsy report at face value, passes through an area south of the corner of Houston and Elm at one end, and through the grassy knoll at the other end.
- 5a) The first shot could have been fired from the grassy knoll from a position between the fence and the stone wall or from the Cupola. In this case it hit Kennedy in the throat and remained in his body.
- 5b) The first shot could also have been fired from a point on the north curb of Elm Street near the Stemmons Freeway sign. In this case the shot hit Kennedy in the throat and exited from the back of his neck above the collar.
- 5c) The first shot could have been fired from the County Records building from a window higher than the first floor. In this case the shot hit Kennedy in the back of the neck and exited from his throat. If Commander Humes' testimony is correct this is the proper solution.
- 5d) Access to the autopsy photographs and X-rays would help resolve the source of the first shot. In any event it could not possibly have come from the Depository Building.
- 6) The second shot most probably was fired at about frame 226 and hit Kennedy in the back. It could have been fired either from some part of the Depository building other than the sixth floor window, or the second floor window of the Dal Tex Building, or the County Courts Building.
- 7) Another shot (either the third or fourth) hit Connally in the back at frame 237. This shot came from either the Depository Bldg, the Dal Tex Bldg, or the County Courts Bldg. It was probably not fired by the same man who fired the second shot, because two shots could probably not have been fired in 11/18 of a second from the same rifle.
- 8) Another shot (either the third or fourth) narrowly missed the car and hit the curb on the south side of Main Street. It was probably fired from the Dal Tex Bldg second floor window at sometime between the first shot (frame 189) and the fifth

shot (frame 313).

- 9) The last shot (fifth) was the fatal head shot. It was probably fired from behind the stone wall or from the Cupola at frame 313. The head motion violently backward indicates this. It is highly improbable that the fatal shot was fired from the Depository window, because the Dillard photo taken within three seconds of the time of the shots shows there was no person in the window.
- 10) The photographs currently available to researchers partially confirm the above conclusions. No definite photograph has been found showing the Dal Tex Bldg or County Courts assassins. However, photographs establish the fact that the first shot probably was not fired from the sixth floor window of the Depository Building.

The Dal Tex second floor window is the most likely source for the curb shot, indicated by plotting trajectories in two dimensions and partially supported by the Underwood photo taken from the curb.

- 11) Two photographs indicate the presence and discovery of at least one and possibly two more rifles in addition to the one found on the sixth floor. These are Montesana 2 and Willis 10, taken at 1:10PM and 12:45PM respectively.
- 12) Several photographs show that shots probably came from the Dal Tex Bldg and they show possible or probable assassins on the grassy knoll. No one of these photographs is conclusive. However, several of them taken together tend to confirm the existence of the possible assassins. The numbers of the men referred to are those assigned by Ray Marcus and used by the author in Exhibit 5 (map) (see also Moorman Photo #18).
- 13) The Martin Film: A movie taken by John Martin, a portion of which was incorporated into the Dallas Cinema Associates' film titled "President Kennedy's Final Hour" shows several things. It was taken beginning approximately eight seconds after the fatal shot. Man #5 can be seen framed in the Cupola doorway and moving to the north side of the arcade.

Men #s 2, 3 and 4 can be seen standing between wall and fence at the start of the film. After about a second or two they begin running to the south and west along the fence and at the top of the grassy slope back towards the triple overpass. Man #2 has proceeded several feet back along

the top of the slope by the end of the film approximately four to five seconds later. What appears to be a white puff of smoke shows against the wall, puffing and growing, in the same position as in the Moorman photo, Willis #5 photo, and others.

A later sequence shows Billy Lovelady standing in front of the Depository Building at 12:45PM wearing a dark blue and red checkered shirt.

- 14) Willis #5: A color slide taken by Phil Willis shows man #2 in the crook of the stone wall at the equivalent of Zapruder frame #202. This is six seconds prior to the fatal shot. The man is facing south with an object about three to four feet long extending upward at a 45 degree angle from the position of the man's hands. The man is wearing a dark black cloak or coat. The man's position corresponds to that of the Martin film, the Moorman photo, Zapruder, and others.
- 15) Betzner #3: A black and white photo taken by Hugh Betzner Jr. about the time of the first shot shows man #2 in the same position as Willis #5. He shows up more clearly.
- 16) The Nix film: A film taken by Orville Nix during the time of the fatal shot shows man #5 in the Cupola doorway after the fatal shot. A blowup of an earlier Nix frame shows possible confirmation of man #5 in the Cupola corresponding to Moorman. Also man #2 appears in the original color version of Nix. The puff of smoke also appears in the color version.
- 17) Mary Muchmore Film: Miss Muchmore's camera was aimed too low to show the men behind the wall or in the Cupola. However, the puff of smoke shows clearly in the same position as in the Moorman, Martin and Nix photos. This film also shows a violent head motion backward after the fatal shot.
- 18) Zapruder Film: The Zapruder film supported by Willis #5 establishes the time of the first, second, third (or fourth) and fifth shots. An analysis of the film was made by Ray Marcus which places the time of the first shot at 189 by the motion of President Kennedy's right hand. His right hand is waving back and forth at the crowd along the north side of Elm Street for many frames. At 189 a sharp jerk occurs and from 190 to 205 the wave turns into a grasping motion toward his throat. By frame 205, JFK's right hand is clearly at his throat. At 206 his hand begins to disappear behind the Stemmons Freeway sign. This fact has two

significant aspects. First, the indication of his hand motion toward his throat showing he has been hit prior to frame 205. Second, any shot passing through JFK's throat after frame 205 would have had to pass through his hand. Prior to frame 207, JFK was behind the oak tree from the sixth floor window. The second shot is placed at 226 by analysis of the President's elbow and head motions; and the third shot timing at 237 is placed by analysis of Connally's head and shoulder motions.

The fatal shot can be determined at frame 313 to have come from the front by noting the President's head motion. Man #2 also appears in Zapruder frames 413 - 424.

Willis #5 confirms frame 189 as the time of the first shot because the picture was snapped (in reaction to hearing the shot) at frame 202. Allowing for the time the sound of the shot took to reach Willis, plus his reaction time, the 189 time would be approximately correct. Betzner #3 also confirms the time because he heard the first shot at about the time he snapped his picture.

- 19) FBI Reenactment Photos: The FBI reenactment photos published in Vol. XVIII clearly show that at no time was JFK's head open for a shot from the sixth floor window during the gap (or notch) in the oak tree. Claims have been made that the first shot might have been fired at Zapruder frame 186 at which time JFK's head appeared in a gap in the oak tree for a fraction of a second. Careful analysis of both the FBI and Secret Service reenactment photos shows that JFK's head was at all times below the bottom of the gap. The Secret Service photos were taken in December 1963 when not much change in foliage could have taken place.
- 20) Mary Moreman Photo: Shows possible faces of four men behind the concrete wall, the fence and the Cupola structure at the west end of the arcade. Man #2 is in the crook of the stone wall. Men #3 and 4 are either behind the fence or between the wall and the fence. Man #5 is framed in the western doorway of the Cupola. The photograph also shows a possible puff of smoke at the end of the stone wall. (6 is the number assigned to a possible Dal Tex assassin.) A fifth possible man behind the fence, formerly labelled man #1 by David Lifton, has been demonstrated to be an optical illusion by comparing Moorman with a photo of the same area taken several months later.

- 21) David Weigman: A very important film was taken by David Weigman of NBC riding in Camera Car #1, six cars behind Kennedy. His camera was running almost continuously from the time he was about fifty feet from the corner of Elm and Houston (before the first shot was fired) until several minutes after the fatal shot. Weigman's film shows the Depository doorway and the people standing in it at the time of the first shot, taken from a distance of about 75 feet. (Much closer than the Altgens' photo.) It also shows several clear pictures of the grassy knoll area within a few seconds after the fatal shot. The film supports the probability that the man in the Depository doorway is Billy Lovelady. Man #2 can be seen behind the wall in several clear frames beginning a few seconds after the fifth shot. He is in the same position as in the Willis, Moorman, Zapruder and Martin photos.
- 22) James Altgens: Mr. Altgens, an AP photographer, took three pictures in Dealey Plaza. The second one, published as the Yarborough exhibit in the Commission's volumes and taken 3.6 seconds after the first shot and one second after the third shot, shows a man on the fire escape of the Dal Tex Building just above the second floor window. He has obviously almost fallen off the fire escape. Just 4 seconds earlier, before the first shot was fired he was standing straight in a normal position for several seconds (see Hughes film). This would indicate the man was startled by something nearby such as a possible loud noise coming from directly beneath him. (This man remains unknown as do all of the other occupants of the Dal Tex Building)
- 23) Robert Hughes: Mr. Hughes took a color movie from the southwest corner of Houston and Main Streets. It shows Kennedy's car proceeding down Houston and turning on Elm Street. It also shows the sixth floor window of the Depository Building. During this sequence, which begins 9.9 seconds before and ends 5.7 seconds before the first shot, no one and no rifle appears in the window. Coupled with the Dillard photo which was taken 3.7 seconds after the fatal shot, the conclusion can be reached that it is highly unlikely that an assassin fired three shots from the window. The total elapsed time between the last Hughes and the Dillard photo is 16.2 seconds.
- Also, the two photos show that several Commission witnesses were imagining things they could not have seen. This includes Mr. Brennan.
- 24) Malcolm Couch: Mr. Couch, an ABC-WFAA photographer was riding in camera car 3, eight cars behind Kennedy. He took movies of the grassy knoll area shortly after the fifth shot was fired. They show man #2 and man #5 behind the wall.

- 25) Puff of Smoke: Nine separate photographs show a possible puff of smoke at the corner of the nook of the concrete wall. The position corresponds to the location identified by Mr. Holland from the overpass where he saw a puff of smoke. Several other witnesses on the overpass also saw it. The photos are Nix 2A, Nix 2B, Hughes 3, Martin 2, Moorman 2, Weigman, Couch 1, Bond 4, Betzner 3. See also a photo of Holland in the book "The Scavengers" by Shiller. This identifies the spot where Holland saw the smoke as being the same spot shown in the nine pictures.
- 26) Vehicles: Several vehicles of possible importance to the analysis of what happened appear in the photographs. These include several white station wagons, a laundry truck, a white roofed vehicle behind the Western Cupola, a train, a boxcar, and a large van - like truck.
- 27) Men being arrested: Several photos show men being arrested or under arrest. These include:
 - a) Three tramps arrested near Railroad tracks
 - b) Larry Florer
 - c) Elderly negro
 - d) Cuban (or Mexican) and negro
 - e) Man in Ft. Worth
 - f) Man near rifle (not Oswald's rifle)
- 28) Witnesses: Several photos show witnesses and people under arrest in the sheriff's office and police station.
- 29) Inside TSB: Several photos show actions inside and just outside the TSB, including the search for and finding of the rifle on the sixth floor, the brown paper bag, the boxes and cartons, the Dr. Pepper bottle, lunch sack and chicken bones, and the shells.
- 30) Oswald's Arrest: Two photographers took photos of Oswald's arrest inside the Texas Theatre.
- 31) Tippett Shooting: One photographer took several photos of the people, cars and activity at the scene of the Tippett shooting just a few minutes after it happened.

C. UNUSED PHOTOGRAPHS:

There are many photographs taken during the assassination which were never tracked down or analyzed by the Commission or the FBI. Some of them probably show the real assassins actually firing the shots, or in the case of the Dal Tex Building, show indications of the shots.

Other photos probably show exactly what each assassin did and where he went after firing the shots. Enlargements may even make it possible to identify the assassins. Exhibit 1 lists all of the photos known to the author as of October 15, 1967. This chart lists objects or photographers which appear, or probably appear in each of the photos. The photos are divided into three categories: Still pictures, Movies, and TV or Newsreel footage. Efforts are continuing to locate all of the photos listed and to view and analyze them. These include the following: Moorman 1, Babushka Lady, Ron Reiland, Darnell, Atkins, Stoughton, Burrows, Grant, Beck, Powell, McCammon, Beers, Allen, Cabluck, Shulke, Herron, Sanderson, Jackson, Laird, Beal, Davis, Smith and several unidentified men and women appearing in other photos with cameras.

E. CHARTS:

Several other types of charts are being prepared. Exhibit 1A is a chart showing the times and frame numbers of photographs and movies used as timing references for all pictures. Times are expressed in seconds, negative for times prior to the first shot (Z189) and positive for times after the first shot.

Exhibit B shows all of the movies, still photographs and TV footage with the photographers' name, sequence or photo number, position, what the picture shows, and the time of the picture or sequence in seconds and in reference frame numbers.

Exhibit C shows the times of the pictures as above, except in graphical form.

Exhibit D will show the location of each of the men, two through six, (plus any other who may develop) from the first time they appear in any photo to the last time they can be seen. The photos or movie frames showing these positions will be listed thus providing a trail for following photographically each of the potential assassins.

Exhibit E & F will be a chart and map showing the locations of the cars and buses in the motorcade at all times during their passage through Dealey Plaza.

F. MAP - EXHIBIT G

It is difficult, if not impossible, to analyze the photographic evidence without use of an accurate map. The map, Exhibit G, is a reduced version of the map prepared for the FBI and the Commission by Robert West, Dallas County Surveyor. On Exhibit G, the scale is 1" = 20'. The position of all the photographers and their lines of sight have been placed on the map. Also, the postulated trajectory of the curb shot has been drawn, and can be seen to pass through the second floor window of the Dal Tex Building. The positions of men #2-5 and the puff of smoke as they appear in the photos of Moorman, Nix, Willis, Martin and others, are shown on the map. Other selected people and objects are also shown.

October 15, 1967
Edition #2

EXHIBIT 1

ANALYSIS OF PHOTOGRAPHS OF KENNEDY ASSASSINATION USED AND NOT USED BY THE WARREN COMMISSION

GENERAL

Exhibit 1 shows all known photographers and photographs as of October 15, 1967 taken at the Kennedy assassination site on November 22, 1963. A few photos are included in the list which were taken at other locations on November 22 or at the site at times other than on the day of the assassination. These are included only because of their importance in determining what happened during the assassination.

Exhibit 1 shows in table form a list of all photographers, the type of photographs they took, and what each one shows. In the case of still cameras each photo of importance taken by the same photographer is listed separately. In the case of movies or television footage, each sequence of importance taken by the same photographer is listed separately. A sequence is defined as a continuous series of frames unbroken by stopping and starting the movie camera. In a few cases, where only a short break occurs (less than a few seconds) with the camera pointed in the same direction, it is considered to be one sequence.

TOTAL NUMBER OF PHOTOGRAPHS

As of October 15, 1967 the author has found evidence of a total 327 photographs taken by a total of 73 photographers.

Of the 73 photographers, all but 20 can be identified by name. In some of these cases, the photographs are available even though the photographer remains unknown.

WHAT THE PHOTOGRAPHS SHOW

As stated before, nearly all of the 327 photographs were taken in Dealey Plaza on November 22, 1963 prior to 5 PM. Thirty photographs were taken at the time of the shots or within a few seconds before the first shot or after the last shot. Fifty photographs show the grassy knoll area all within minutes of the time the shots were fired. Forty photographs show the TSBD Building within minutes of the shots. One shows the building the morning of November 22.

EXHIBIT 1 (CONT'D.)

WARREN COMMISSION USAGE

The Warren Commission used 21 of the 327 photographs; about 6%. They were taken by seven of the 73 photographers; about 10%. In addition, the Commission looked at four more photographers' pictures which were published in sources other than the 26 volumes.

The FBI saw less than half of those unseen or unused by the Commission. About 50-60% of the photographs were never examined by any official investigating body including the Commission, the FBI, the Secret Service, or the Dallas Police.

October 31, 1968

ELW, Jr:IG:rnk
129-11

Air Mail

Mr. Edward W. Wadsworth
Clerk, United States Court of Appeals
Fifth Circuit
Room 408 - 400 Royal Street
New Orleans, Louisiana 70130

Re: No. 26620 - U.S.A. v. One 6.5 mm.
Mannlicher-Carcano Military Rifle,
Model 91038, etc.

Dear Sir:

Enclosed is a motion by the United States for an extension of time in which to file its brief. Please submit it to the Court and advise us when it is acted upon.

Yours very truly,

EDWIN L. WEISL, JR.
Assistant Attorney General
Civil Division

By:
Morton Hollander
Chief, Appellate Section

Enclosure

cc: William C. Garrett, Esq.
Kilgore & Kilgore
1900 First National Bank
Building
Dallas, Texas 75202

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

UNITED STATES OF AMERICA,)
)
 Plaintiff-Appellee,)
)
 v.) No. 26620
)
 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,)
)
 Defendant-Appellant.)
)

NOTION OF APPELLEE FOR A FIFTEEN-DAY EXTENSION OF BRIEFING TIME

Now comes appellee, the United States of America, by its undersigned attorneys, and moves this Court for a fifteen-day extension of time in which to file its brief in the above-captioned case, to and including November 15, 1968. Counsel for the appellee has been involved with a number of urgent matters, including the preparation for a trial scheduled for November 4, 1968 in the Tax Court. As a result, counsel for the appellee has been unable to prepare appellee's brief in time for filing on its due date, October 31, 1968.

Counsel for the appellant has authorized appellee to state that appellant has no objection to the granting of the extension of time requested.

Therefore, appellee requests this Court to grant its motion to extend the time for filing to and including November 15, 1968.

/s/ Morton Hollander

MORTON HOLLANDER

/s/ Irwin Goldbloom

IRWIN GOLDBLOOM

Attorneys,
Department of Justice,
Washington, D. C. 20530

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

UNITED STATES OF AMERICA,)
)
Plaintiff-Appellee,)
)
v.)
)
ONE 6.5 mm. MAHLICHER-CARCANO)
MILITARY RIFLE, MODEL 91-38,)
SERIAL NO. C2786, with appur-)
tenances, and ONE .38 SPECIAL)
SAW VICTORY MODEL REVOLVER,)
SERIAL NO. V510210, with)
appurtenances,)
)
Defendant-Appellant.)

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Motion of Appellee for a Fifteen-Day Extension of Briefing Time upon opposing counsel this 31st day of October, 1968, by mailing a copy, postage prepaid as follows:

William C. Garrett, Esq.
Kilgore & Kilgore
1800 First National Bank
Building
Dallas, Texas 75202

/s/ Irwin Goldbloom

IRWIN GOLDBLOOM

Attorney,
Department of Justice,
Washington, D. C. 20530


UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Fred M. Vinson, Jr.
Assistant Attorney General
Criminal Division
Attn: Nathaniel E. Kossack

DATE: October 30, 1967

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

SUBJECT: CORRESPONDENCE FROM MR. VALENTINE ASHWORTH

The attached letter to the Attorney General from Mr. Valentine Ashworth was referred to this Division. On October 16, 1967, we replied to a letter to the Attorney General dated September 27, 1967, in which Ashworth stated that he had information which he wished to furnish to the CIA. We advised him that we had forwarded his letter to the CIA.

We have since been informed by CIA that Ashworth is currently incarcerated in the Calcasieu Parish jail in Lake Charles, Louisiana. CIA does not know when he will be released.

In the attached letter Ashworth states that he has been interviewed by Jim Garrison's office regarding the assassination of President Kennedy. Since this is a matter within the jurisdiction of your Division, we are forwarding the attached letter for your information and any action you deem appropriate.

Attachment

DEPARTMENT OF JUSTICE

ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	Mr. Belcher			
2.	<i>Key Truman</i>			<i>2117</i>
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

I don't think he should be interviewed at this time. I am puzzled by CIA's response. It sounds like they intend to do something after this man is released from jail. Why? -- We are not being told everything by CIA I'm afraid. Can he renounce his citizenship (ask Harold Shapiro) -- *NO* anything in his INS file which helps us.

Let's send a ³copy of letter to CIA and ask for their comments. ⁴Send a copy to FBI for their information.

What is your reaction. — *agp*

WJS
11/8

FROM:	NAME	BUILDING & ROOM	EXT.	DATE
	N. E. Kossack	2107	2621	11/8

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	<i>Carl Belcher</i>			
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:

Do we know anything about this fellow, or CIA connections, or what he's in jail for, etc.

FV

*10/31/63
to 157-11 (file)
143-17521
Greaney*

FROM:	NAME	BUILDING, ROOM, EXT.	DATE
	ASSISTANT ATTORNEY GENERAL Criminal Division		
			10/31

DEPARTMENT OF JUSTICE

ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	<i>Carl Belcher</i>			
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

Do we know anything about this fellow, or CIA connection, or what he's in jail for, etc.

EV

FROM:	NAME	BUILDING, ROOM, EXT.	DATE
	ASSISTANT ATTORNEY GENERAL Criminal Division		
			<i>10/31</i>

DEPARTMENT OF JUSTICE

ROUTINE SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	<i>Mr. Kossack</i>			<i>2107</i>
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

Seems to me that fellow is just too hot to ask any investigative agency to interview and just too hot for expenses to use for much mileage - in view of the long lap sheet. -

Same for Gen'l in Am. Activities Comm.

Did suggest a routing letter to the Dept. of Justice.

FROM:	NAME	BUILDING & ROOM	EXT.	DATE
	<i>not handle resumption of</i>			
	<i>delegation, denied</i>		<i>Call</i>	
				<i>1/17</i>



CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D. C. 20505

OFFICE OF THE DIRECTOR

25 October 1967

MEMORANDUM FOR: Mr. J. Walter Yeagley
Assistant Attorney General

ATTENTION: Mr. John H. Davitt

SUBJECT: Mr. Valentine Ashworth

1. This will acknowledge your letter of October 16 with reference to correspondence from Mr. Valentine Ashworth.

2. When we followed up on this matter, we learned that Mr. Ashworth is in the "Calcasieu Parish jail in Lake Charles, Louisiana". It is not clear when he will be released. In light of this, we are leaving the matter in abeyance.

A handwritten signature in cursive script, appearing to read "Richard Helms".

Richard Helms
Director

T. 11/3/67

10/30

FMV:KT:ls
129-11

November 6, 1967

Honorable Edward J. Gurney
House of Representatives
Washington, D. C.

Dear Congressman:

This responds to your letter dated October 30, 1967, concerning the letter of your constituent about the investigation being conducted in New Orleans into the assassination of the late President Kennedy.

The authors who have criticized the conclusions of the Warren Commission do not claim to have any significant new evidence, so far as we are aware. Rather, their criticisms and demands for a new inquiry are based upon different conclusions they have drawn from parts of the same body of evidence that was examined by the Commission. The Commission made a thorough inquiry and detailed analysis of the facts concerning the assassination. The evidence amply supports the basic conclusions of the Commission. In these circumstances, we see no basis for a new inquiry.

With respect to the New Orleans matter, we can only point out that Mr. Garrison has not discussed his proceedings with Federal authorities. It would not be proper for us to comment on the evidence in a case pending before a state court or on the public statements of the prosecutor in that case.

It is a pleasure to serve you in this matter.

Sincerely,

FRED M. VINSON, Jr.
Assistant Attorney General

Records ✓
Chrono.
Miss Thurman
Mr. Vinson
DAG

NOV 6 1967

OK
10/6
BFT
11/3
11/6
OK
1/3

EDWARD J. GURNEY
5TH DISTRICT, FLORIDA

WASHINGTON OFFICE:
459 HOUSE OFFICE BUILDING

COUNTIES:
BREVARD ORANGE

Congress of the United States
House of Representatives
Washington, D.C.

COMMITTEES:
SCIENCE AND ASTRONAUTICS
EDUCATION AND LABOR

DISTRICT OFFICE:
CHERRY PLAZA HOTEL
ORLANDO, FLORIDA

DISTRICT REPRESENTATIVE:
CHARLES L. MARTIN, JR.

October 30, 1967

Ramsey Clark, Attorney General of the United States
DEPARTMENT OF JUSTICE
Constitution Avenue between 9th and 10th Streets
Washington, D. C. 20530

Dear Mr. Attorney General:

I have been receiving a great deal of correspondence from constituents regarding the recent interview in Playboy magazine with James Garrison on the Assassination of President Kennedy.

Enclosed is a sample of the type mail I have been receiving.

I would appreciate having your comments on this and any further information you might be able to provide which would be helpful.

Thank you for your cooperation.

Sincerely,

Edward J. Gurney

EJG:pkc

129-11

10	OCT	31	1967	M. F.
ATTORNEY GENERAL				
DEPARTMENT OF JUSTICE				
CRIMINAL-GEN. CRIME SEC/				

assign-ctg
11/1/67
B. A. K

Honorable Edward J. Gurney
U.S. House of Representatives
Washington, D.C.

Dear Mr. Gurney:

In a recent national magazine article (Playboy, October 1967) New Orleans District Attorney James Garrison has stated that four days before the assassination of President Kennedy, on November 18, 1963, a young woman named Rene Cheramie was admitted to the hospital in Jackson, Louisiana after having been thrown from a moving automobile. The next day she charged that she had been thrown from the automobile by herchmen of Jack Ruby because she had been investigating the plot to assassinate the president on November 22. Miss Cheramie was killed after the assassination by a hit and run driver outside Dallas.

If this statement by Mr. Garrison is true, then the Warren Report is completely invalid and its conclusions utterly untrue. This story should be thoroughly investigated, and immediately, by the appropriate agencies. For months now, Mr. Garrison's charges have been greeted by many people, including members of Congress, with complete indifference. Now Mr. Garrison has come up with specific information, which if true, vitiates the conclusions of the Warren Report. This information should be investigated now, at once. Mr. Garrison is not just some crackpot, but a duly and legally constituted law enforcement official, and as such deserves much better than the indifference that he has received.

I believe that the investigation into the assassination of President John F. Kennedy should be officially re-opened.

FMW:BCS:em
File: 129-11

D. A. K.

10/26

cc: Files ✓
Schmidt
Copeland

Honorable Charles W. Sandman, Jr.,
U. S. House of Representatives,
Washington, D. C. 20515

ack 11/24/67

Dear Mr. Sandman:

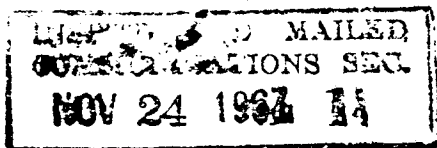
7C You have requested our consideration of the attached letter from [REDACTED] asks why some of the material gathered by the Warren Commission in connection with its investigation of the assassination of President Kennedy has been withheld from the public.

BER
7C
The Warren Commission gathered a vast amount of material, much of it having only remote connection with the assassination. The bulk of the material that was before the Commission either was published in its 26-volume Hearings or is available to researchers at the National Archives. The relatively small portion which is not now available to the public consists primarily of national security intelligence or investigative reports -- dealing largely with activities far removed from the assassination itself -- which if disclosed might compromise confidential sources or techniques, or in some cases jeopardize the lives of individuals abroad. Public availability of other information had been delayed pending completion of the prosecution of Jack Ruby, but this information has now been released. All of the Commission material which has not yet been released will be reviewed periodically until all of it has been made available to the public.

I hope this information will be of interest to [REDACTED] 7C

Sincerely,

Frank M. Wozencraft
Assistant Attorney General
Office of Legal Counsel



CHARLES W. SANDMAN, JR.
2D DISTRICT, NEW JERSEY

OFFICE ADDRESS:
1610 LONGWORTH BUILDING
WASHINGTON, D.C. 20515

COMMITTEE:
JUDICIARY

SUBCOMMITTEE:
CLAIMS

TELEPHONE: 202. 225-6572

Congress of the United States
House of Representatives
Washington, D.C.

October 26, 1967

Congressional Liaison Officer
Department of Justice
Constitution Avenue
Washington, D. C. 20530

Gentlemen:

I enclose a copy of a letter received from [redacted] in regard to the assassination of President Kennedy.

[redacted] has been answered in regard to the so-called "Garrison Investigation," and he has been advised that I disagree completely and absolutely with Mr. Garrison and others of his type who have involved themselves in the matter.

But there is one phase of [redacted] letter that I cannot answer with legal surety, and I would appreciate having you advise me on it. This involves the impounding of the documents and exhibits in the Kennedy case.

Thanking you for your consideration and with all best wishes, I am

Sincerely,

Charles W. Sandman, Jr.
Member of Congress

RECEIVED

OCT 30 1967

CRIMINAL DIVISION
CWS:jsr
Enclosure

129-11
DEPARTMENT OF JUSTICE
10 OCT 27 1967
R.A.O.
CRIMINAL DIVISION
DEPT. OF JUSTICE

accept by
10/30/67
D. A. K.

msm

[REDACTED]

Hon. Charles Sandman
House of Representatives
House Office Building
Washington, D. C.

Dear Congressman:

In recent months I have been listening to television and radio accounts of the "Garrison Investigation" into the Kennedy assassination and quite recently, I read the Playboy Magazine interview with the New Orleans District Attorney which covered the matter in depth.

Regardless of my opinion concerning his investigation there is one area that has raised certain questions in my mind. This concerns the area of documents relative to the assassination and Garrison's statements--and that of other writers--questioning the impounding of these documents. Although I do not recall the exact text, it appears many documents relative to the case have been relegated to the National Archives for a period of some 75 years...not for public consumption.

The article specified many FBI or CIA documents concerning Lee Harvey Oswald; other articles have mentioned records, autopsy reports, etc., that have been classified as secret and are unavailable for decades.

As my representative I would appreciate it if you would inform me about the laws covering this type of thing. I am not interested in the technical aspects of such laws--if there are such statutes--as much as I am in why these documents are closed.

In the Playboy article Garrison makes quite a convincing point concerning the case and the unavailability of documents. At least it has set this taxpayer to wondering.

If you care to I would also like to know your feelings concerning the Garrison investigation.

I look forward to hearing from you.

Cordially,
[REDACTED]

[REDACTED] dp
[REDACTED]

FMW:BCS:em
File: 129-11

D. A. K.

cc: Files ✓
Schmidt
Copeland

10/23

NOV 2 1967

10/25/67

Out 11/24/67

Honorable George Murphy,
United States Senate,
Washington, D. C. 20510

Dear Senator Murphy:

7C You have requested our consideration of the attached letter from [redacted] asks why some of the material gathered by the Warren Commission in connection with its investigation of the assassination of President Kennedy has been withheld from the public.

The Warren Commission gathered a vast amount of material, much of it having only remote connection with the assassination. The bulk of the material that was before the Commission either was published in its 26-volume Hearings or is available to researchers at the National Archives. The relatively small portion which is not now available to the public consists primarily of national security intelligence or investigative reports -- dealing largely with activities far removed from the assassination itself -- which if disclosed might compromise confidential sources or techniques, or in some cases jeopardize the lives of individuals abroad. Public availability of other information had been delayed pending completion of the prosecution of Jack Ruby, but this information has now been released. All of the Commission material which has not yet been released will be reviewed periodically until all of it has been made available to the public.

ser
mp
FD

I hope this information will be of interest to [redacted] 7C

Sincerely,

Frank M. Wozencraft
Assistant Attorney General
Office of Legal Counsel

Enclosure

RECEIVED MAIL
NOV 24 1967

10/11

October 11, 1968

ELW, Jr: IG:rnk
129-11

Mr. Edward W. Wadsworth
Clerk, United States Court of Appeals
Fifth Circuit
Room 408 - 400 Royal Street
New Orleans, Louisiana 70130

Re: No. 28620 - U.S.A. v. One 6.5 mm.
Mannlicher-Cargano Military Rifle,
Model 91038, etc.

Dear Sir:

With reference to the Motion of Appellant John J. King for Special Assignment for Hearing and Submission, you may advise the Court that Appellee has no objection to the granting of the Motion if the Court deems such action appropriate. However, the Appellee does not agree with the arguments set forth by Appellant in his Motion or that such arguments, if sound, would warrant the relief sought.

MIT
ask
JF

In connection with the above-referenced case, we enclose an executed Appearance Form for Morton Hollander and Irwin Goldbloom, who will be handling the defense of this appeal. Please send all future correspondence to Messrs. Hollander and Goldbloom at this address.

Yours very truly,

EDWIN L. WEISL, JR.
Assistant Attorney General
Civil Division

By:
Morton Hollander
Chief, Appellate Section

Enclosure

945

cc: William C. Garrett, Esq.
Kilgore & Kilgore
1809 First National Bank Building
Dallas, Texas 75202

United States Attorney
Dallas, Texas 75201
Attention: Mr. Kenneth J. Mighell
Assistant U.S. Attorney

United States Court of Appeals
FIFTH CIRCUIT

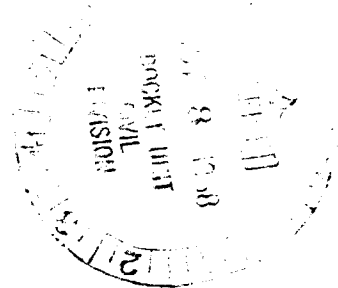
EDWARD W. WADSWORTH
CLERK

OFFICE OF THE CLERK

October 2, 1968

ROOM 408 - 400 ROYAL ST.
NEW ORLEANS, LA. 70130

Messrs. William C. Garrett
Charles F. Hawkins
Attorneys at Law
1800 First National Bank Bldg.
Dallas, Texas 75202



Re: No. 26620 - U. S. A. vs. One 6.5 mm. Mannlich
Carcano Military Rifle, Model 91038,
etc.

Dear Sir:

I am authorized by this court to advise that
your Motion for Special Assignment for Hearing and Submission,
was received and filed this 2nd day of October
1968, and under the rules and practice of this Court will be
presented for ruling without oral argument on or about October 14,*
1968, together with any response or opposition that
may be filed by opposing counsel by that date.

Very truly yours,

EDWARD W. WADSWORTH
Clerk

cc: Mr. Kenneth J. Mighell
Mr. William A. Gershuny

129-11	
DEPARTMENT OF JUSTICE	
3	OCT 7 1968
CIVIL DIV.	
Federal Litigation Sec.	

* This is only the date on which it is now expected that the matter will be forwarded for ruling, and does not mean that this office will be able to advise counsel of the Court's action by then. Counsel should allow at least ten days' time thereafter for advice as to the Court's ruling before making inquiry.

In the
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT
No. 26620

JOHN J. KING,

Appellant,

v.

UNITED STATES OF AMERICA,

Appellee.

MOTION OF APPELLANT JOHN J. KING
FOR SPECIAL ASSIGNMENT
FOR HEARING AND SUBMISSION

Now comes JOHN J. KING, Appellant in the above styled and numbered appeal, and respectfully moves the Court for an order setting this case by special assignment for an expedited hearing and submission on a date as soon after the filing of all briefs as is convenient to the Court, and in support of this Motion, Appellant would respectfully show the Court as follows:

1. This action and this appeal involve the issue of Appellant King's ownership of a rifle and revolver which the United States previously had attempted to forfeit under the provisions of the Federal Firearms Act. In dismissing

the libel action, after reversal by this Court, the Trial Court failed to fully adjudicate all of the issues presented, thereby necessitating this appeal.

2. Following the Attorney General's determination to acquire the subject weapons, under the provisions of Public Law 89-318, and his publication of that determination in the Federal Register on November 1, 1966, Appellant King filed his claim for compensation for the taking of such weapons, also as provided by Public Law 89-318. This claim for compensation is currently pending in the United States District Court for the District of Colorado in Cause No. 67-C-518, styled "John J. King, Plaintiff, v. United States of America, Defendant."

3. In the Denver compensation suit, the United States is attempting to deny Appellant King's claim based upon its assertion that the United States, and not King, owned title to the weapons at the time of the taking on November 1, 1966.

4. The Denver compensation suit has proceeded to the trial stage, and although the District Court still has under advisement its decision on the motion of the United States for a summary judgment, the District Court has indicated that an early trial setting, possibly before the end

of 1968, is in order. Since Appellant King's ownership of the weapons has been put in issue in the Denver suit, although already an issue in this prior action now on appeal, it is important that this appeal be heard and decided at the earliest possible date so that the Denver court will have the benefit of the determination of the ownership issue by this Court.

WHEREFORE, Appellant King respectfully moves the Court to enter its order providing for an advancement on the docket, setting his case for a special expedited hearing and submission at the earliest possible date.

Respectfully submitted,



William C. Garrett

KILGORE & KILGORE
1800 First National Bank Bldg.
Dallas, Texas 75202

Attorneys for Appellant
John J. King

CERTIFICATE OF SERVICE

It is hereby certified that service of one copy of this Motion has been made on opposing counsel Kenneth J. Mighell, Assistant U. S. Attorney, U. S. Courthouse, Dallas, Texas, and William A. Gershuny, Attorney, Department of Justice, Washington, D.C., by depositing in the United States mail in accordance with the Federal Rules of Appellate Procedure this 28th day of September, 1968.

William C. Garrett

William C. Garrett

T-10/5/67
FMV:KT:mep
129-11

D. A. K.

9/29

October 6, 1967

Honorable Fred R. Harris
United States Senate
Washington, D.C.

Dear Senator:

This responds to your correspondence of September 29, 1967, in which you requested that we furnish you with information with which to answer your constituent, [REDACTED]

We notice that [REDACTED] directly questions the credibility of the Warren Commission Report, based on his reading of the writings and press statements of Mark Lane, Jim Garrison and others. Those who have criticized the conclusions of the Warren Commission do not claim to have any significant new evidence, so far as we are aware. Rather, their criticisms are based upon different conclusions they have drawn from parts of the same body of evidence that was examined by the Commission. The Commission made a thorough inquiry and detailed analysis of the facts concerning the assassination. The evidence amply supports the basic conclusions of the Commission.

[REDACTED] also questions the non-disclosure of some of the Warren Commission files. The Commission gathered a vast amount of material, much of it having only remote connection with the assassination. The bulk of the material that was presented before the Commission either was published in its 26-volume Hearings or is available to researchers at the National Archives. The relatively small portion that is not now available to the public consists primarily of national security intelligence or investigative reports--dealing largely with activities far removed from the assassination itself--that if disclosed might compromise confidential sources or techniques, or in some cases jeopardize the lives of individuals abroad. All of the Commission material that has not yet been released will be reviewed periodically until all of it has been made available to the public.

It is a pleasure to serve you in this matter.

Sincerely,

FRED M. VINSON,
Assistant Attorney General

RECORDED AND MAILED
COMMUNICATIONS SEC.
General 6 1967 W.D.R.

cc: Records
Chrono
Thurman
Deputy Attorney General
Mr. Vinson

Ed
10/16

KT 10/15
CWB/BST
10/15/67

[Handwritten signature]

PG 1-1 Justice

[Redacted] -7C

September 29, 1967

Oct 2 12 11 PM '67

[Redacted] -7C
Box 4A-40
University of Hawaii
Honolulu, Hawaii

Dear [Redacted] -7C

I read your letter with interest.

I can appreciate that you might be confused in thinking about the Warren Report in view of the conflicting voices that have been heard since its publication. You raise questions that I am in no position to even try to answer, and so I am taking them up with the Department of Justice. When I have something to report, I will be back in touch with you.

With all best wishes.

Sincerely yours,

F.R.H.
FRED R. HARRIS
U.S. Senate

FRH:mms

129-11	
DEPARTMENT OF JUSTICE	
10	OCT 2 1967
P.A.C.	
OFFICE OF LEGAL COUNSEL	

*copy chg
10/3/67*

D. A. K.

CRIMINAL-GEN. DIVISION
PLEASE REPLY IN DUPLICATE TO
FRED R. HARRIS, U. S.

Senator Harris

NOV 13 1963

I am an Oklahoma citizen now attending the University of Hawaii. Having read many various criticisms of the Warren Report I am somewhat suspicious of the credibility of the Report. After reading these criticisms, particularly Mark Lane and Jim Garrison, it would seem to me that any intelligent person could see some fallacies in the Warren Reports theory of a single killer. I realize that both of these men may be exaggerating and might not have all the facts straight at times. But if even $\frac{1}{10}$ of the things they say are true then one would have to take a closer look at the report. I am particularly bothered by the accusation made by Garrison, supported by what seems to me substantiated facts.

that the C.I.A. was involved
in the assassination. If this
is true I think it should be
thoroughly investigated. Knowing
that the C.I.A. is not above
questionable activities and also
knowing that Mr. Garrison is
a respected attorney, I would
ask you to make some effort
to either clear the C.I.A.'s name
or help Mr. Garrison with his
investigation. There is one
question which I would very
much like you to answer for
me. Why are many pertinent
facts, which I feel the American
public and for that matter
the world are entitled to see,
being classified top secret and
kept in the National Archives
until 2038 A.D.? If there is
nothing to hide then why
can't the facts be seen. I can
think of no other reason for