

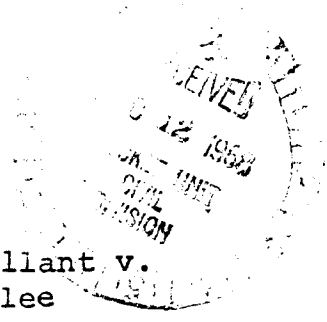
71A 5303
Box 71
LAW OFFICES

KILGORE & KILGORE
1800 FIRST NATIONAL BANK BUILDING
DALLAS, TEXAS 75202
December 9, 1968

Appellate

AREA CODE 214
RIVERSIDE 1-6764
CABLE ADDRESS: KILGORE

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



Re: No. 26620 -- John J. King, Appellant v.
United States of America, Appellee

Dear Mr. Wadsworth:

In connection with the above referenced appeal,
we enclose herewith for filing with the Court twenty-
five copies of the Reply Brief for Appellant John J.
King.

By copy of this letter, copies of the above referenced
Reply Brief are being forwarded to counsel for the United
States.

Very truly yours,

Eugene R. Lyerly

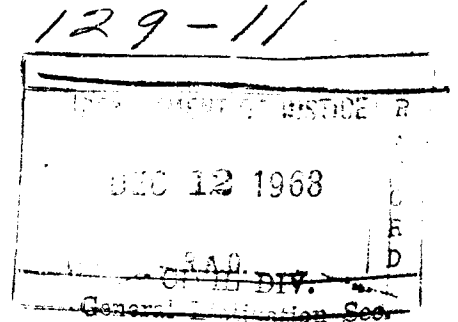
ERL

ERL:ap

cc: Eldon B. Mahon
United States Attorney

Irwin Goldbloom, Attorney
Department of Justice

Fred [unclear]



In the
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

NO. 26620

JOHN J. KING,
Appellant,

UNITED STATES OF AMERICA,
Appellee.

Appeal from the United States District Court for the
Northern District of Texas

REPLY BRIEF FOR APPELLANT
JOHN J. KING

William C. Garrett
Eugene R. Lyerly
KILGORE & KILGORE
1800 First National
Bank Building 75202
Dallas, Texas

Attorneys for Appellant
John J. King

T A B L E O F C O N T E N T S

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L I S T O F A U T H O R I T I E S

T A B L E O F C A S E S

<u>King v. United States</u> , 364 F.2d 235 (5th Cir. 1966) .	2
<u>United States v. The Antoinetta</u> , 153 F.2d 138 (3rd Cir. 1945)	4

S T A T U T E S

Public Law 89-318	2
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In the
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 26620

JOHN J. KING,

Appellant,

v.

UNITED STATES OF AMERICA,

Appellee.

*Appeal From the United States District Court for the
Northern District of Texas*

REPLY BRIEF FOR APPELLANT

JOHN J. KING

STATEMENT

Appellee's only argument in support of the Trial Court's action in dismissing this proceeding without fully adjudicating the issues before it appears to be based upon the fact that the United States has subsequently acquired title

to the weapons under the provisions of Public Law 89-318. However, this argument, like the Trial Court's order dismissing the libel, fails to dispose of the question of the ownership of the weapons at the time of such taking on November 1, 1966.

ARGUMENT

This Court reversed the Trial Court's original Order of Forfeiture with respect to the weapons on July 29, 1966, and subsequently issued its Mandate on August 22, 1966 (Appendix, p. 49). Contrary to the expression contained in the Court's opinion (King v. United States, 364 F.2d at p. 235), at the time of such reversal, the United States *had not acquired title to the weapons*. The vesting of title in the United States did not occur until the Attorney General published his determination in the Federal Register on November 1, 1966. Thus, following the mandate of this Court, the Trial Court should have completed the adjudication of the issues involved in this action based upon the *stipulated* record before it.

Ownership of the weapons at the date of taking is determinative of Appellant King's, or any claimant's, right to seek just compensation pursuant to Public Law 89-318. The

question of that ownership had long since been litigated in this action through the stipulations entered into between the parties, as follows:

(a) Oswald purchased the rifle (Appendix, pp. 32-34 and 38, Stips. 9, 10, 11, 18 and 27) and the revolver (Appendix, pp. 33, 34 and 38, Stips. 12, 13, 14, 19 and 27).

(b) The rifle and revolver were acquired by Oswald during his marriage to Marina N. Oswald (Appendix, p. 42, Stip. 41). They are therefore presumed to be community property. V.A.T.S. Art. 4619. There is no evidence in this regard to overcome this presumption (Appendix, p. 42, Stip. 42).

(c) Marina N. Oswald sold all interest in the rifle and revolver to Claimant (Appendix, pp. 38 and 39, Stips. 29-31) pursuant to the authority granted by Texas Probate Code, §§ 160 and 167.

The Trial Court, in its initial review of this proceeding, repeatedly and consistently stated that "(a)ll of the facts and exhibits are set forth in the stipulation by the parties filed herein. . . ." (Appendix, p. 43, Pretrial Order); that "(t)he case was heard on the 'Stipulation of Facts'" (Appendix, p. 45, Memorandum Opinion); and that the cause was "submitted to the Court upon . . . the Stipulation introduced herein," (Appendix, p. 47, Order of Forfeiture).

Consequently, when this Court reversed the order of forfeiture, all that remained to be done by the Trial Court was to adjudicate the issue of ownership based on the record

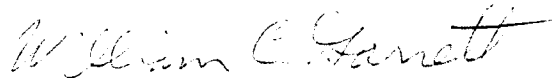
before it, and the failure to do so and the dismissal of the action without fully adjudicating the issue is directly contrary to the applicable statute and rules and constitutes a gross abuse of the Trial Court's discretion.

The case relied upon by Appellee, United States v. The Antoinetta, 153 F.2d 138 (3rd Cir. 1945), as analogous to this situation is clearly not in point. In that case, the Alien Property Custodian was successful in his petition to be substituted in place of the original claimants in a libel action previously filed by the United States, so that any relief would have inured to his benefit. To carry that analogy to its logical conclusion would result in the anomalous requirement that the United States prosecute a claim for compensation for the weapons here involved, as did the Custodian in The Antoinetta.

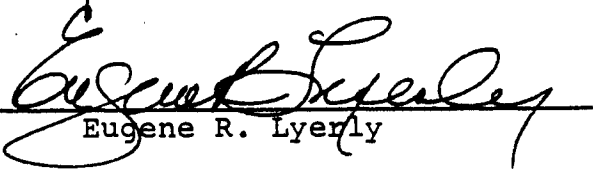
Appellant is not here asking this Court to adjudicate the question of 'just compensation' for the weapons taken, *only to give effect to the already litigated issue as to ownership* so that it is clear who owned the weapons, and had the right to make a claim for compensation, at the time of the taking of the weapons on November 1, 1966.

Therefore, Claimant King respectfully submits that this Court should vacate the order dismissing the libel and render its judgment determining that Claimant was the owner of the weapons in question prior to any taking by the United States pursuant to Public Law 89-318.

Respectfully submitted,



William C. Garrett



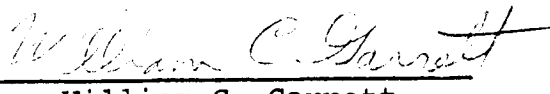
Eugene R. Lyerly

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 two copies of this Reply Brief of Appellant John J. King has been made on opposing counsel Eldon B. Mahon, U. S. Attorney, U. S. Courthouse, Dallas, Texas, and Irwin Goldbloom, Attorney, Department of Justice, Washington, D. C., by depositing in the United States mail, air mail, postage prepaid, in accordance with the Federal Rules of Appellate Procedure this 9th day of December, 1968.



William C. Garrett
William C. Garrett

Typed: 12/1/69
WW:RAH:ehd
129-11

December 3 1969

Honorable Robert Taft, Jr.
House of Representatives
Washington, D. C.

Dear Congressman:

Thank you for your memorandum of November 24, 1969 enclosing a copy of a letter concerning the materials relating to the assassination of President Kennedy which are presently in the Archives.

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. 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.

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.

I hope that this information will be of assistance.

Sincerely,

WILL WILSON
Assistant Attorney General

Records
Chrono
Hemagin
Mr. Wilson
Deputy AG

RAH
3/1
27

WW
by
HP
12/2

ROBERT TAFT, JR.
1ST DISTRICT, OHIO

COMMITTEE
FOREIGN AFFAIRS

Congress of the United States
House of Representatives
Washington, D.C. 20515

DISTRICT OFFICE
754 U.S. POST OFFICE AND COURT HOUSE
CINCINNATI, OHIO 45202
TELEPHONE: (513) 684-3284

WASHINGTON OFFICE:
TELEPHONE: (202) 225-3164

November 24, 1969

MEMO TO: DEPARTMENT OF JUSTICE
FROM: MISS SYDNEY DINE (CONGRESSMAN TAFT'S OFFICE)
315 CANNON BLDG.
RE: ENCLOSED *X*

COMMENTS WOULD BE APPRECIATED

RECEIVED

NOV 25 1969

CRIMINAL DIVISION

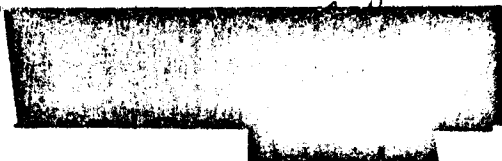
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NOV 25 1969

R. S. M.

CRIMINAL-GEN. CRIME SEC.

1. On 4.



7C

November 19, 1969

Senator Robert Taft Jr.
Senate Office Building
Washington D.C.



Dear Senator Taft,

I'm writing to you because both of the senators from my state are Democrats and I would like a Republican point of view; also you are from my hometown.

I would like to know why the information about the assassination of President John F. Kennedy will be locked up in the archives for so long. I have heard two conflicting opinions about this and would like to know which is closer to the truth. Some have said the truth threatens world peace. Others have said the truth would reflect badly upon the Kennedy family and I am confused as to what the truth is.

Thank you very much.

FROM
OFFICE OF LEGAL COUNSEL
TO

OFFICIAL INDICATED BELOW BY CHECK

- The Attorney General
- Executive Assistant
- Public Information
- The Solicitor General
- Deputy Attorney General
- Administrative Assistant Attorney General
- Assistant Attorney General, Antitrust
- Assistant Attorney General, Civil
- Assistant Attorney General, Civil Rights
- Assistant Attorney General, Criminal
- Assistant Attorney General, Internal Security
- Assistant Attorney General, Lands
- Assistant Attorney General, Tax
- Director, Federal Bureau of Investigation
- Commissioner, Immigration and Naturalization Service
- Board of Immigration Appeals
- Director, Bureau of Prisons
- Board of Parole
- Pardon Attorney

Memorandum

Mr. Devitt
The B. does not confirm copy is authentic & that presumably is from a WFO Report of 12/3/63
Mr. J. Magley
nor does B. list its dissemination of that report.

File
1/21

T. 7/11/69
WW:LTR:slt
129-11

July 15, 1969

Honorable Walter F. Mondale
United States Senate
Washington, D. C.

Dear Senator:

Your recent communication transmitting a letter of
June 25, 1969, from [redacted] has been referred
to us for reply.

[redacted] letter discusses the often expressed
doubts about the conclusions of the Warren Commission Report con-
cerning the death of former President John F. Kennedy.

The Department of Justice is not aware of any signifi-
cant new evidence which has been produced by authors criticizing
the conclusions of the Commission. 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.

Thank you for writing.

Sincerely,

WILL WILSON
Assistant Attorney General

Enclosure

cc: Records
Chron
Rigdon
Wilson
Deputy Attorney General

WFR
7/15

W
7/15/69

WW
BB
7/15/69

PLEASE EXPEDITE

THIS MAIL SHOULD BE

ANSWERED WITHIN 48 HOURS

Receipt was acknowledged 7-7-69

Correspondence Section
Records Administration Office
Administrative Division

DATE:

July 3, 1969

United States Senate

RE:



Respectfully referred to

Office of Congressional Liaison
Department of Justice

.....
For your consideration of the attached
letter, and for a report.

_____ To be forwarded directly to the
constituent, with a copy to me
for my information and records.

To me, in duplicate to accompany
return of enclosure.

_____ As requested below.

Additional comments.

RECEIVED
JUL 7 1969
CRIMINAL DIVISION

129-11		DEPARTMENT OF JUSTICE	RECORDED
27	JUL 7 1969	CRIMINAL-GEN. CRIME SECT.	

Please refer response to attention of

Mr. Jasper, of my staff,
on the outside of the envelope only.

Thank you.

WALTER F. MONDALE
U.S. SENATE

Walt

[REDACTED]

June 25, 1969

Senator Walter F. Mondale
United States Senate
Washington, D. C. 20510

Dear Senator Mondale:

pc

Thanks for your letter of May 22. Since you evidenced some interest in my comments on the report of the 1968 Justice Department panel, I am sending you, under separate cover, a summary of the pleadings introduced on January 31, 1969, which led to judge Charles Halleck's ruling that the Kennedy autopsy photos and X-rays would have to be produced for use in the New Orleans courtroom. This was a momentous decision, since on January 17, 1969, Judge Charles Halleck had indicated that he would not order such action until it had been shown that "there is substantial evidence that shots came from more than one direction" in the assassination of President John F. Kennedy.

There have been a number of other attempts to have these materials released so that they could be examined by the world's top experts, but until this year, all have failed. Former congressman Theodore Kupferman (R-NY) inserted documents pertaining to his attempts to have this done into the Congressional record several years ago, along with his resolution that the investigation be reopened. Currently, Dr. John Nichols, a forensic pathologist at the University of Kansas, is suing the federal government for the release of materials pertaining to the autopsy.

But what is scandalous is that these legal suits should not be necessary. As the Justice Department's 1968 Panel review --- a last ditch effort --- illustrated, the Warren Report's account of the crime cannot stand the test of the evidence and never could. When that report was released, many of us thought it a mistake to pursue the issue since the Panel report was so transparent that we assumed it to be some kind of a legal trap. It was inconceivable that the U.S. Justice Department, 5 years after the release of the Warren Report and with that much time in which to prepare for such a suit and challenge, could have released such a report --- a report which, in fact, showed the incompetence of the original autopsy to a greater degree than the critics of the Warren Commission had shown it, and in addition, proved that the autopsy surgeons had perjured themselves before the commission and that significant details concerning how the president died had been withheld from even the Warren Commission. Is there any



HEALTH SCIENCES CENTER
MEDICAL SCHOOL

Senator Walter F. Mondale

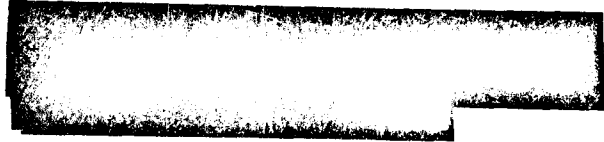
-2-

June 25, 1969

wonder that there is an ever-widening credibility gap? Prize-winning journalist and author, David Shoenbrun, remarked to me several months ago that the only thing which he can't understand about the Warren Report is how it could have been such a sloppy coverup. My answer was that from my investigations and those of my colleagues, it appeared that various government agencies had covered up various things (and sometimes even exposed each others' duplicity) and that the commission members had, through their own misfeasance, become victims of this misinformation. Ironically, of course, the report is largely accepted within the government based on the reputations of the men who signed it.

In your letter you state that you "intend to watch developments in this area," but it is from the Congress that any future developments must come. I hope that I will hear from you further on this topic. With warm regards.

Sincerely,



 if

Typed: 7/11/69
WW:LTR:ehd
129-11

July 15, 1969
July 1969



7C

Dear  7C

Your letter of June 17, 1969 to Senator Walter F. Mondale expressing doubt about the accuracy of the findings of the Warren Commission concerning the death of the late President John F. Kennedy has been referred to me for reply.

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.

ATP
7/12
P
7/15/69

Thank you for writing.

Sincerely,

WILL WILSON
Assistant Attorney General

7/15/69

Records
Chrono
H Rigdon
Mr. Wilson
Deputy AG
HONORABLE Walter F. Mondale, USS

PLEASE EXPEDITE

THIS MAIL SHOULD BE

ANSWERED WITHIN 48 HOURS

Receipt was acknowledged 6-30-69

Correspondence Section
Records Administration Office
Administrative Division

DATE:

June 26, 1969

United States Senate

RE:



7C

Respectfully referred to

Office of Congressional Liaison
Department of Justice

.....
For your consideration of the attached
letter, and for a report.

To be forwarded directly to the
constituent, with a copy to me
for my information and records.

To me, in duplicate to accompany
return of enclosure.

As requested below.

Additional comments:

RECEIVED

JUL 1 1969

CRIMINAL DIVISION

Please refer response to attention of

Mr. Avery, of my staff,

on the outside of the envelope only.

Thank you.

129-11
WALTER F. MONDRIER
U.S. SENATE
JUN 30 1969
M.M.F.
CRIMINAL GEN. CRIME-SEC

Encl

[REDACTED]

7C

June 17, 1969

Sen. Walter F. Mondall
Washington, D. C.

Dear Senator Mondall:

In recent weeks, information concerning the assassination of John F. Kennedy has been brought to my attention by a man by the name of Gary Shoener. Mr. Shoener has compiled evidence that completely contradicts the findings of the Warren Commission. Presently I have no doubts that the Warren Commission came to the wrong conclusion.

At this time it would not be of vital importance to know the identities of other men who were involved in the assassination, if these men were acting independently. However, if the men involved were part of a larger conspiracy, a conspiracy that can possibly be linked back to our government, then further investigation is needed.

Possibly, in the national interest, this is not the right time to reopen the investigation, but it must be reopened soon before everything is forgotten. The possibility of a conspiracy more powerful than the President of the United States is frightening!

Any reply on this matter will be appreciated.

Sincerely,

[REDACTED]

7C

7C

H.W.

Typed: 6/17/69

WW:RAH:ehd

05 51 0

June 18, 1969

129-11

11.0

Honorable Albert H. Quie
House of Representatives
Washington, D. C.

Dear Congressman:

This is in reference to your letter of June 4, 1969 transmitting a copy of a letter from [redacted] who questions the validity of the Warren report. 76

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.

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. 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 that this information will be of interest to your constituent.

Sincerely,

WILL WILSON
Assistant Attorney General

Records
Chrono
Hemagin
Mr. Wilson
Deputy AG
Mr. Hoffman

RAH
6/17
10/17

Congressional Mail
SPECIAL
GPO 16-19964

Form G-92
(Ed. 9-28-66)

DATE: June 9, 1969

To: H. D. Koffsky
Criminal

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

Subject: Correspondence from:
Cong. Quie re Warren Commission.

RECEIVED
JUN 10 1969
CRIMINAL DIVISION

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.:

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.

RECEIVED
JUN 11 1969
CORRES. MAJ

12-11
DEPARTMENT OF JUSTICE
27 JUN 10 1969
1. *Charles Lind*
2. CRIMINAL-GEN. CRIME SEC.
RECORD

ALBERT H. QUIE
1ST DISTRICT, MINNESOTA

COMMITTEE:
EDUCATION AND LABOR

Congress of the United States
House of Representatives
Washington, D.C. 20515

COUNTIES:
DAKOTA MOWER
DODGE OLMSTED
FILLMORE RICE
FREEBORN STEELE
GOODHUE WABASHA
HOUSTON WINONA

ROCHESTER OFFICE:
436 FIRST NATIONAL BANK BUILDING
507-288-2384

June 4, 1969

Mr. Herbert E. Hoffman
Chief, Legislative and Legal Section
Office of the Deputy Attorney General
Department of Justice
Washington, D. C. 20530

Dear Mr. Hoffman:

Enclosed is a copy of a letter from [REDACTED] in which he raises several questions concerning the Warren Commission. 7C

I have marked the pertinent paragraph of his letter.

Would you please transmit this to the proper person for information on the questions raised.

With every good wish, I am

Sincerely yours,

Albert H. Quie
ALBERT H. QUIE
Member of Congress

AHQ:cb
met

RECEIVED
JUN 11 1969
CONGRES. MAIL

129-11

DEPARTMENT OF JUSTICE	R
27 JUN 20 1969	0
CRIMINAL-GEN. CRIME SEC.	R

May 30, 1969

Congressman Al Quie
United States House of Representatives
Washington, D.C.

Dear Congressman:

I am writing in regards to three areas which I feel the integrity of our governmental institutions must be questioned on. First, the progress of the Paris Peace talks must be questioned on the basis of what the United States and South Viet Nam are offering to the North Vietnamese people. I feel that a free election of the members of both countries should be established, not under the present South Vietnamese Constitution, for to do so would mean not communist could vote in the election. While I abhor communism I feel that there are many human beings in that country who have a right to vote under democratic principles. I feel by allowing a clause that would enable all people of Viet Nam the right to vote for the officials of a coalition government, would enable a United States withdrawal of troops in the hideous, futile war going on in that country.

The second question I wish to raise is in regards to education in the poverty areas of the country. I am a member of the Teacher Corps in Minneapolis. I have been working with inner city youth for some time now and feel that the core of the problem lies in youth who cannot adjust to the classroom situation because of low reading ability. I feel a positive step that we must take is to better the relationship of the school to the teacher and in turn to the community. I positive step which we can take is funding of "At Home Reading Programs" which teachers and adults can work with and thus provide an opportunity for teachers to visit at home with parents and also develop needed attitudes on parents behalf toward reading habits. Also, I feel that funding to allow a dictionary in every home will include a further attitudinal uplift on behalf of parents. The Job Corps materials which I have reviewed quite thoroughly are the best possible means to develop attitudes of interest in life and reading. I hope you vote in opposition to a bill to drop funding to Job Corps. They do fantastic things with these youth.

The third issue I would like to mention is the absurdity of the Warren Commission Report. If the Senate and House fails to question that lie, our country is in great trouble. I saw films of the shooting of President Kennedy that indicated quite clearly to everyone in the room that his head was jerking backwards from a shot fired from in front of the car, coming from the grassy knoll. Also, to think that one bullet shot both President Kennedy and the Governor is absolutely insane.

I know for a fact that only one per cent of the evidence was presented to the Warren Commission. Why didn't they question the husband, wife and family that were watching the incident from the grassy knoll and fell to the ground in terror because the shots came from over their heads? Why does the Archives Building keep needed information away from the eyes of the public, including Oswald's income tax returns? Why were the men that worked for the CIA gorillas, that were arrested behind the grassy knoll, released from the police and never questioned by the Commission? These are questions that are distorting the truth and credibility of the United States Government. They must be answered in the name of truth, justice and other principles that our country was established under.

I have great confidence in you as the most truthful congressman in the United States, but we have to move in the areas of positive improvement of mankind in a troubled world. Distortion of the truth, as exemplified in the Paris Peace talks and the Warren Commission Report will not contribute to the betterment of man and the social problems of the world. We must advance toward an international state under God, where love and peace for all mankind flourishes. I also hope that the proposed "At Home Study Program" is given some consideration.

Thank you so much for you cooperation.

Most Sincerely,

[Redacted Signature]

7C

Permanent address:

[Redacted Address]

7C

A Challenge to Historians and Political Scientists

Announcing the Publication of a Major Historical Study of Outstanding
Importance

TRILOGY OF MURDER

An Analysis and Interpretation of the John F. Kennedy, Robert F. Kennedy
and Dr. Martin Luther King assassinations

by

JOACHIM JOESTEN

Author of more than 40 published books on current affairs, including
eight on the assassination of President Kennedy

In the past six years, America has witnessed three political assassinations of nationally and internationally prominent leaders - two of them within a few months of each other. The victims - President John F. Kennedy, Senator Robert F. Kennedy and Dr. Martin Luther King - all were fighting Liberals, champions of civil rights and social justice and men of peace.

Did it ever occur to you that there might be a hidden link between these three murders of so obviously kindred personalities? That there might be a meaning and significance in their successive elimination from the political scene? That there could be a pattern of assassination that has become an integral part of the political process in America?

No doubt these thoughts have occurred to you as to many other thoughtful, discerning people with a sense of history. You have felt uneasy, beset by doubts, deeply troubled. After a while, though, you have accepted, reluctantly perhaps, but nevertheless, what the authorities and the press kept hammering into your head - that there was no evidence of a conspiracy, that these murders were the handiwork of unbalanced, fanatical assassins, each operating entirely on his own - Lee Harvey Oswald, James Earl Ray, Sirhan B. Sirhan. When you were told to accept the relentless progress of the well-organized and well-financed backtracking operation to disprove, to undermine and to discredit the charges laid over your and your family's and his country's name.

Will you now think again. Use your intellect, your free and educated mind - exercise official government responsibility, to test what you read in the papers by the standards of sound logic and experience, to dismiss false pretenses and to search for the truth.

Politicians, journalists and the general public - not only in America, but on a world-wide scale - have been duped en masse about the assassinations by a machinery of deception unmatched in scope, power and resources. Historians and political scientists worth their salt will not be thus deluded! They will want to view events in perspective, probe for the true facts, explore hidden meanings and draw their own conclusions. If you are one of them, you cannot afford to miss this shocking opportunity.

TRILOGY OF MURDER
RECEIVED

MAY 12 1969

CRIMINAL DIVISION

FILE-J.R.R.

129-11	
DEPARTMENT OF JUSTICE	
31	MAY 12 1969
CRIMINAL-GEN. CRIME SEC.	

TRILOGY OF MURDER provides you with something you are not likely to find anywhere else, no matter how far and deep you range in your quest for information among published works: the uncensored facts about each of the three assassinations; the true background and associations of the real or presumed assassins; the whys and wherefores of seemingly implausible events - in a word, the basic research materials and tools of your trade as an independent historian or political scientist.

TRILOGY OF MURDER is not yet, and will not be for some time, a regularly published trade book like the other 40-odd works of Joachim Joesten. For, in the present climate of public opinion, it would be too hazardous for any commercial publisher to bring out a book which with such brutal frankness exposes the official falsehoods covering up the three great assassinations. For the time being, therefore, TRILOGY OF MURDER consists of three volumes and a supplement published by the author himself in mimeographed form. Due to various circumstances, publication of the three volumes cannot take place in strictly chronological order. Yet they all form a whole, with the emphasis throughout on the common denominators, the common pattern - and the common inspiration.

The first volume published is:

(I) The Greatest Police Fraud Ever

THE JAMES EARL RAY HOAX

Published even before the farcical 2-hour-trial at which James Earl Ray falsely pleaded guilty to the murder of Dr. King - he has since retracted this plea which had been forced upon him - this volume demonstrates in ample detail and on the strength of cogent evidence suppressed by the authorities, that Ray was not the killer of the famous Negro leader, but only a decoy used by the real murderer. In the course of a fantastic imbroglio - documented step by step in this report - Ray then was framed by his accomplices and thrown to the wolves, with the FBI callously conniving for "reasons of state".

The James Earl Ray Hoax consists of three parts, the first two of which were published in the spring of 1969; a third part, designed to bring the story up to date through the "trial" in Memphis and Ray's plea for a new trial, is due to be published in the summer of 1969.

(II) Coming in the summer of 1969

HIGHLIGHTS AND LESSONS OF THE

CLAY SHAW TRIAL

Contrary to the deliberately false impression created by the news media, and in spite of the defendant's acquittal, the trial of Clay Shaw in New Orleans in no way vindicated the Warren Report - far from it! As a matter of fact, the evidence presented at this trial has conclusively demonstrated the reality of a massive conspiracy which led to the crossfire ambush of President Kennedy on Nov. 22, 1963 in Dallas, even though District Attorney Jim Garrison failed in his attempt to connect Clay Shaw with it.

In this volume, the author painstakingly examines the complete transcript of the proceedings (of which only some fragments have been published so far in the daily and periodical press and these only in the most one-sided and biased manner possible) and draws thoroughly substantiated conclusions.

(III) Scheduled for publication in the fall of 1969

A Mockery of Justice - How the Sirhan Case Was Rigged

Sen. Robert Kennedy fell victim to the bullets of a paid assassin - one of several who were stationed that day in various parts of the Hotel Ambassador with orders to kill the frontrunning presidential candidate at all costs, no matter which way he went. Not only has the massive evidence to that effect been suppressed by the authorities and the news media, but they have also hushed up Sirhan's background as a veteran CIA agent and have falsified his motivation by introducing a totally fictitious "anti-Zionist" motive. The real reason for the murder was fear that Robert Kennedy, if elected president, might conduct a new investigation of his brother's death and punish the real assassins of President John F. Kennedy.

(IV) An indispensable supplement:

The Case Against J. Edgar Hoover (in the Assassinations of President John F. Kennedy, Sen. Robert Kennedy and Dr. Martin Luther King)

How the head of the FBI became the chief architect of three coverups and why he did his best to protect the guilty, instead of exposing them

There are three ways you can get TRILOGY OF MURDER :

One, by taking out a subscription to Joachim Joesten's TRUTH LETTER, the biweekly newsheet which carries all the news about the three assassinations and nothing but such news. Since TRUTH LETTER was started on Sept. 15, 1968, the last of its five pages in each issue has been devoted to the serialization of TRILOGY OF MURDER, beginning with the case of Sirhan; during the summer of 1969, Highlights and Lessons of the Clay Shaw Trial will run concurrently in TRUTH LETTER. "The James Earl Ray Hoax" will follow later. Subscription rates: one year, \$ 45.00; six months, \$ 25.00; three months' trial, \$ 15.00.

Two, by ordering each volume separately, as published. Now available: "The James Earl Ray Hoax," Parts I and II, about 45,000 words, \$ 30.00 for the two parts; Part III, about 15,000 words, will be priced separately at \$ 10.00. The set of three parts, if ordered together, costs \$ 36.50. The supplement, "The Case Against J. Edgar Hoover", is also immediately available. It runs to about 17,000 words and the price is \$ 20.00, if bought separately, but only \$ 10.00 if purchased in conjunction with the three parts of "The James Earl Ray Hoax."

Three, by subscribing to TRILOGY OF MURDER, or placing a standing order for all volumes as published. The overall price, in that case, is \$ 90.00, instead of \$ 116.50 if the three volumes and the supplement are bought separately ("A Mockery of Justice - How the Sirhan Case Was Rigged" and "Highlights and Lessons of the Clay Shaw Trial" are each priced individually at \$ 30.00).

Prices of Joachim Joesten's trade books on the assassination of President Kennedy (signed copies): "The Dark Side of Lyndon B. Johnson", 272 pp., cloth, London 1968, \$ 10.00; "Oswald: The Truth", 572 pp., cloth, London 1967, \$ 7.50; "Marina Oswald", 165 pp., cloth, London 1967, \$ 5.00; "The Garrison Enquiry", 158 pp., paperback, London 1967, \$ 3.00; "How Kennedy Was Killed", 192 pp., paperback, London, 1968, \$ 3.50; "Oswald: Assassin or Fall Guy?", 206 pp., cloth, New York, 1964, \$ 10.00; "Die Wahrheit über den Kennedy-Mord" (in German), 366 pp., cloth, Zurich, 1966, \$ 6.00; "La vérité sur le cas de Jack Ruby" (in French), 176 pp., paperback, Paris 1967, \$ 5.50. - All orders to: Joachim Joesten, 87-70 173rd Street, New York 11432, or Joachim Joesten, Munich 13, Griegstr. 13, c/o Rahm, Germany.

The Writings of JOACHIM JOESTEN

about the assassination of President John F. Kennedy

I Trade Books

- The Dark Side of Lyndon B. Johnson
(with a large section about his role in the murder of his predecessor)
272 pp., cloth, - Peter Dawney Ltd., London, September 1968 \$ 10.00
- How Kennedy Was Killed, 192 pp., paperback
Peter Dawney, Ltd., London, April 1968 \$ 3.50
- The Garrison Enquiry, 158 pp., paperback
Peter Dawney Ltd., London, October 1967 \$ 3.00
- Marina Oswald (Oswald of the CIA), 165 pp., cloth
Peter Dawney, Ltd., London, August 1967 \$ 5.00
- Oswald: The Truth, 372 pp., cloth \$ 7.50
Peter Dawney, Ltd., London, July 1967
- Oswald: Assassin or Fall Guy? (rare book - out of print) \$ 10.00
206 pp., documentary section, cloth, Merzani & Munsell, Inc.,
New York, June 1964 and The Merlin Press, London, January 1965
- Die Wahrheit über den Kennedy-Mord (in German) \$ 6.00
366 pp., cloth, Zurich, September 1966
- La vérité sur le cas de Jack Ruby (in French) \$ 5.50
176 pp., paperback (large format), Paris, May 1967

Note: Prices for the above trade books relate to signed copies which can be obtained only direct from the author.

II Minographed Publications issued by the author himself:

- The Case Against J. Edgar Hoover
(in the assassinations of President John F. Kennedy, Sen. Robert F. Kennedy and Dr. Martin Luther King), 17,000 words \$ 20.00
- The Case Against Lyndon B. Johnson
(in the assassination of President Kennedy), 2 vols., 1967 \$ 30.00
- The Case Against the Kennedy Clan, May 1968 \$ 15.00
- The Biggest Lie Ever Told (The Kennedy Murder Fraud - And How I Helped Expose It), four-part series, 1968-69, \$ 5.00 per vol. \$ 20.00
- TRUTH LETTER, biweekly, \$ 45.00 a year; \$ 25.00 six months;
three-months' trial, \$ 15.00 - Ask for free sample copy.

All prices in US dollars

And - on a related issue: The Biggest Police Fraud Ever - The James Earl Ray Hoax, 45,000 words, two parts, Spring 1969 \$ 30.00

All orders to: Joachim Joesten, 87-70 175th Street, New York 11452
or: Joachim Joesten, Munich 15, Griegstr. 15, c/o Rahin, Germany

If your order is not promptly acknowledged, please send follow-up letter to the other address.

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1-	Mr. Belcher			
2.				
3.				
4.				

Sorry this got lost in the shuffle.

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

REMARKS

Jarvis was 39 at the time. Nothing in our summary indicates the incident could not have occurred. Moom Gobel, FBI agrees. He said the incoming from N.Y. had a cover memo reflecting the SA's observation that the caller, [redacted] was somewhat incoherent, perhaps intoxicated. i.e., report looks substantive. Gene Palmieri checked 1947 specifically and neither Shaw or [redacted] were living in Queen that year and Shaw was never living in [redacted]

FROM:	NAME	BUILDING & ROOM	EXT.	DATE
	JAMES R. ROBINSON		2675	5/27

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO	NAME	DIVISION	BUILDING	ROOM
1.	<i>Jeri Robinson</i>			<i>2116</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

*Does current info
indic age and location
of Ferris in 1977 in
such manner as to
disprove this?*

*CMH
7/29*

FROM:	NAME	BUILDING & ROOM	EXT.	DATE

WHR:BCS:dp

cc: ✓ Files
Mr. Rehnq
Mr. Schmi
Mrs. Cope

APR 10 1969

Honorable Walter F. Mondale
United States Senate
Washington, D. C. 20510

out 4/10/69

Dear Senator Mondale:

7C You have requested our consideration of the attached letter of [redacted] concerning the conclusions of the Warren Commission Report. [redacted] argues that the evidence suggests that President Kennedy was shot from the rear.

The Warren Commission made a thorough analysis of the facts of the assassination and its conclusions based on this analysis are plainly set forth in its report. Every citizen is certainly free to form his own conclusions as to the facts as he understands them. The Department of Justice, however (as I am sure you will appreciate), is simply not in a position to enter the debating lists against every individual who takes issue with the Commission's conclusions.

bes
ish I regret that we cannot be more helpful in responding to [redacted] *7C*

Sincerely,

William H. Rehnquist
Assistant Attorney General
Office of Legal Counsel

File

DATE

March 24, 1969

United States Senate

RE:

[Redacted]

7C

Respectfully referred to

Office of Congressional Liaison
Department of Justice

.....
For your consideration of the attached
letter, and for a report.

_____ To be forwarded directly to the
constituent, with a copy to me
for my information and records.

To me, in duplicate to accompany
return of enclosure.

_____ As requested below.

Additional comments:

B. J. Hill
DEPARTMENT OF JUSTICE

10 MAR 25 1969

R.A.O.

OFFICE OF LEGAL COUNSEL

RECORDED
M.M.P.

RECEIVED

MAR 26 10 12 AM '69

OFFICE OF LEGAL COUNSEL

J. M. A.
Please refer response to attention of

Mr. Avery, of my staff,

on the outside of the envelope only.

Thank you.

WALTER F. MONDALE
U.S. SENATE

Typed: 4/29/69
WW:RCN:bjm
129-II

MAY 2, 1969

Honorable Samuel S. Stratton
House of Representatives
Washington, D. C.

Dear Congressman:

This is in response to your communication of April 1, 1969, transmitting a letter from [redacted] with reference to a recent edition of the "National Informer." 7C

As you know, Federal jurisdiction in the area of objectionable literature and films is predicated upon Congress' authority with respect to the mails, interstate commerce and the control of imports. While the postal statutes provide penalties for distributing obscene matter by that vehicle, in terms they do not, in light of First Amendment guarantees, apply to material which is simply objectionable or offensive to good taste. In addition, there are no Federal criminal libel laws applicable to material transmitted through the mails.

Sincerely,

WILL WILSON
Assistant Attorney General

Enclosure

Records
Chremo
Malley
Mr. Wilson
DAG

PLEASE EXPEDITE

THIS MAIL SHOULD BE

ANSWERED WITHIN 48 HOURS

Receipt was acknowledged 4-7-69

Correspondence Section
Records Administration Office
Administrative Division

Congress of the United States

House of Representatives

Washington, D.C.

April 1 1969

Sir:

The attached communication is sent for your consideration. Please investigate the statements contained therein and forward me the necessary information for re-

ply, return to the Department of Justice, Room 3700, 32nd Street, New York, New York. Correspondence with your answer.

129-11
DEPARTMENT OF JUSTICE
27 APR 7 1969
Yours truly,
M. J. P.

(1) ATTORNEY GENERAL
(2) CRIMINAL GEN. CRIME SEC.
32th District, New York

Honorable John N. Mitchell
Attorney General
Department of Justice
Washington, D.C. 20530

handwritten mark

March 25, 1969

MAR 27 1969

Honorable Samuel S. Stratton
House Office Building
Washington, D.C

Dear Congressman Stratton:

Yesterday, March 24 a scandal paper dated March 30 called "National Informer" appeared on the newstands in Auburn.

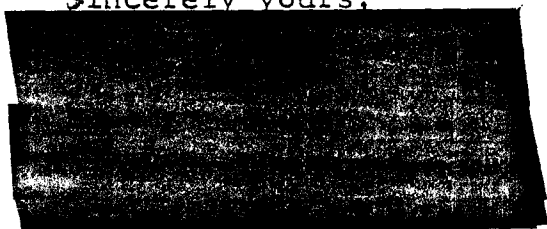
People who would ordinarily shun such trash bought the paper because of the front page headline reporting "John F. Kennedy still alive in guarded Dallas hospital room. Jackie visits hospital 340 times, shuns grave".

It is offensive to the thinking American public that a scandal sheet should be permitted to spew forth a sensational story about our late beloved president and it leaves one speechless at the power of obscenity in this country.

My first inclination was to write the publishers at 355 No. Lombard Street, Franklin Park, Illinois 60131, but I feared they might put me on their mailing list and scoff at my outrage.

I beg you to act with other members of the Congress to cripple the activities of these people who work so hard to degrade the minds and mentality of their fellow-man. If they are not stopped soon, we are in serious, devastating trouble in this country that many of us profess to love.

Sincerely yours,



7C

Letters sent to
Senator Javits
Att.Gen. Mitchell

WDR:JFAxelrad:bd
129-11

APR 23 1969

Honorable Lou Frey, Jr.
House of Representatives
Washington, D.C. 20513

Dear Congressman Frey:

With regard to the letter of [redacted] enclosed in your memorandum of March 26, 1969, the fact is that the Attorney General did appoint a board of nationally recognized forensic pathologists, and an eminent radiologist to examine and report concerning the conclusions which could be drawn from the autopsy x-rays and photographs. Their report was made public at the time the Government responded to the action by the District Attorney for the Parish of New Orleans.

The Government did appeal from the order of the Court of General Sessions directing that the aforesaid material be made available to the New Orleans Court, because in our judgment the production of the material would have been in violation of a statute, and an agreement made with the Kennedy estate. However, the Government did agree to expedite the appeal, so that the District Attorney would not suffer any prejudice by a delay; but the District Attorney elected to abandon his request for the material, and so notified the Court of General Sessions.

In the circumstances, we can add nothing further to the letter of March 5, 1969, and trust that this information will permit an adequate response to your constituent's letter.

We are returning herewith the letter from [redacted]

Sincerely yours,

Re: Frey for Mr. E. J. Kelly, Jr.
WILLIAM D. BICKELSHADE
Assistant Attorney General

From WILLIAM D. RUCKELSHAUS
Assistant Attorney General

Date 3/28/69

Receipt of this letter has been acknowledged. Please furnish complete response within ten to fourteen days.

Please acknowledge receipt of this letter within two days and furnish complete response within ten to fourteen days.

PLEASE PREPARE A REPLY FOR MY SIGNATURE AND
MARK A COPY FOR THE DEPUTY ATTORNEY GENERAL.

3/26/69 ltr fr Congressman Lou Frey Jr.
requesting comments on enclosed ltr from

~~_____~~ 7C
concerning release of autopsy report of
President Kennedy.

129-11
Civil Division
Mr. Leathers
General Litigation

Form CV-146
(Ed. 2-27-69)

ACKNOWLEDGED WITHIN 48 HOURS

LOUIS FREY, JR.
5TH DISTRICT, FLORIDA
COMMITTEES:
SCIENCE AND ASTRONAUTICS
MERCHANT MARINE AND
FISHERIES

Congress of the United States
House of Representatives
Washington, D.C. 20515

OFFICES:
1318 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C.
210 BREVARD AVENUE
COCOA, FLORIDA 32922
18 SOUTH MAGNOLIA AVENUE
ORLANDO, FLORIDA 32801

Apebrad

March 26, 1969

The Honorable William D. Ruckelshaus
Assistant Attorney General
Department of Justice
Washington, D.C. 20530

Dear Mr. Ruckelshaus:

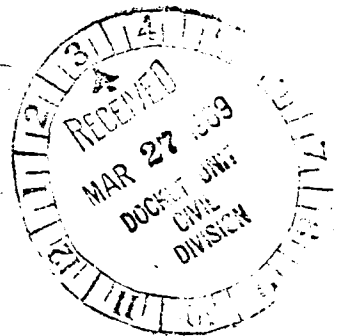
As a further follow-up to your reply to
me of March 6, I am enclosing a letter received
from [redacted] with further questions.

I should appreciate receiving your comments
to this.

With best wishes,

Most sincerely,

[Signature]
Lou Frey Jr.



[Signature]
✓ LFjr/eb
✓ Enclosure

Docketed - 30 32

129-11
R. S. D.
CIVIL DIV.
General Litigation Sec.

Apr 2 - 5 - 69

7C

MAR 24 1969

[Redacted]

7C

March 19, 1969

Honorable Lou Frey, Jr.
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Frey:

Thank you very much for the trouble that you have gone to in sending my recent letter to the Justice Department and sending me their reply of March 6, 1969.

The statute referred to in the letter from the Justice Department, 44 USC 397e, provides that memorabilia relating to presidents and ex-presidents may be deposited in the archives and retained therein for posterity. It is also true that by agreement with the Kennedy family, the archivist may not release them for examination without the approval of the family. However, the claim to ownership by the Kennedy family of the autopsy pictures of the late President is certainly dubious. Any claim to ownership of the ^{other} items, rifle, cartridge cases, bullet, etc. pertaining to the assassination is totally without foundation. A federal judge had ordered these items released to District Attorney Garrison. Therefore, in view of the foregoing, I still cannot completely understand the motives of the Justice Department in appealing the judge's decision. Certainly if all the items relating to the assassination had been permitted to be examined by independent and impartial forensic experts, as requested repeatedly by Congressman Kupferman of New York, there would have been an end, once and for all, to the speculation.

Sincerely yours,

[Redacted]

7C

[Redacted]

7C

P.S. I have learned that there is a suit pending in federal court to force the Government to allow a qualified forensic expert to examine the assassination items.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. Carl Eardley
Deputy Assistant Attorney General
Civil Division

DATE: April 10, 1969

FROM : Harland F. Leathers, Chief
General Litigation Section
Civil Division

HFL:mmo

129-11

SUBJECT: Letter to Congressman Lou Frey, Jr.

Attached is a reply to Congressman Frey which Mr. Axelrad drafted.

In my view, Mr. Axelrad's draft is too argumentative. I would prefer to respond somewhat as follows:

7C [redacted] inquiry of March 24, 1969, forwarded by your communication of March 28, 1969, has been examined.

*insert
eardley's
draft*

7C While, of course, we appreciate the points raised by [redacted] the position which we have taken in court is, we believe, the correct one. The action involving the request by Mr. Garrison was dismissed before the proceedings had been completed. The other action to which [redacted] 7C refers is, of course, being defended and no rulings have been made in that case.

In the circumstances, we can add nothing further to the letter of March 5, 1969, and trust that this information will permit an adequate response to your constituent's letter.

Attachment

WDR:JFAXelrad:bd
129-11

Honorable Les Fry, Jr.
House of Representatives
Washington, D.C. 20515

Dear Congressman Fry:

This replies to your March 28, 1969 communication referring
a letter mailed received March 24 from [redacted] 7C
regarding Court proceedings con-
cerning the autopsy x-rays and photographs of former President
Kennedy. [redacted] notes in his letter that you transmitted to
his our previous reply to you dated March 6, 1969, in response
to your transmittal of an earlier letter written by [redacted] to
us. 7C

As was noted in our March 6, 1969 letter to you, the autopsy
x-rays and photographs were obtained pursuant to the provisions
of a statute and agreement with the executors of the estate of
John F. Kennedy which requires that these autopsy x-rays and pho-
tographs be held subject to restrictions contained in the agree-
ment. [redacted] March 24, 1969 letter refers to a Court order
requiring release of the x-rays and photographs to the New Orleans,
Louisiana District Attorney and questions the Justice Department's
motives in appealing the Judge's decision. We chose to appeal
the decision rendered in the District of Columbia Court of General
Sessions because, in our opinion, the decision did not apply the
pertinent legal principles. Although the Justice Department re-
peatedly stated in open Court that it was prepared to argue the
case on appeal within such time as would satisfy the New Orleans
District Attorney's office, that office chose to discontinue the
proceedings.

[redacted] also refers to another federal suit, which according
to [redacted] letter, is an attempt by a forensic expert to ex-
amine the assassination items. This apparently refers to the case
entitled John Nichols v. United States, et al., Civ. No. T-4536,
pending in the United States District Court for the District of
Kansas. We are defending that action on behalf of the federal
officials named as defendants since we are of the opinion that the

plaintiff in that suit is not entitled under the law to the relief sought. However, we have transmitted materials not involved in that suit to the plaintiff therein and we understand other Government agencies have done likewise. Our concern is to act in accordance with applicable laws and regulations.

We hope that this information will assist you in responding to your constituent's letter.

We are returning herewith the letter from [redacted]

Sincerely yours,

TC

WILLIAM D. BURKHEARIS
Assistant Attorney General

WDR:JF Axelrad:bd
129-11

2/25

MAR 6 1969

Honorable Lou Frey, Jr.
House of Representatives
Washington, D.C. 20515

Dear Congressman Frey:

Your February 25, 1969 communication referring a letter dated February 20, 1969 from [redacted]

7C

[redacted] regarding the denial of certain evidence for the Clay Shaw trial has been referred to me for reply.

7C

4-66
WDR
CE

The Department of Justice has not taken any action to interfere improperly with the prosecution of Clay Shaw, and has cooperated with the District Attorney when he requested the presence in New Orleans of FBI agents, and a retired Secret Service agent as prosecution witnesses. The Department did defend an action brought by the District Attorney for the purpose of requiring the Archivist of the United States to produce the autopsy photographs and x-rays at the trial of Clay Shaw. These materials, by statute and by agreement with the Executors of the Estate of John F. Kennedy, are to remain in Archives, with access limited to official federal agencies or committees, and to technical experts provided that such access is approved by the authorized representative of the Kennedy family. There has been no such consent given, insofar as we are informed.

I hope that this information will be helpful to you.

Sincerely yours,

WILLIAM D. RUCKELSHAUS
Assistant Attorney General

SPECIAL

Date 3/4/69

Receipt of this letter has been acknowledged. Please furnish complete response within ten to fourteen days.

Please acknowledge receipt of this letter within two days and furnish complete response within ten to fourteen days.

PLEASE PREPARE A REPLY FOR MY SIGNATURE AND MARK A COPY FOR THE DEPUTY ATTORNEY GENERAL AND HERBERT E. HOFFMAN, ROOM 4117.

3/3/69 ref fr Mr. Hoffman w/attached ltr addressed to Mr. John Dean fr Congressman Lou Frey, Jr., enclosing correspondence fr [REDACTED] re Clay Shaw. 7C

129-11
Civil Division
Mr. Arnold
General Litigation Section

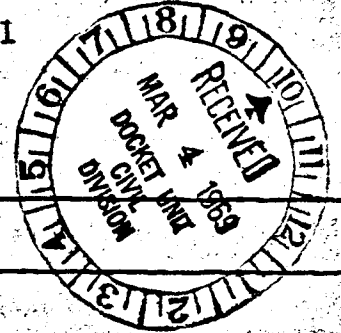
Afelrod

DATE: March 3, 1969

To: Stanley Rose
Civil Division

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

Subject: Correspondence from:
Cong. Frey re Clay Shaw Case.



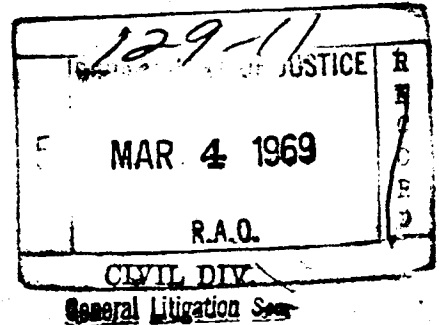
Responsibility

- 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.:

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.



Feb 20 - Recd

[REDACTED]

7C

February 20, 1969

Honorable Lou Frey
U.S. House of Representatives
Washington, D.C.

Dear Mr. Frey:

As you have no doubt read, Mr. Clay Shaw is now on trial in New Orleans for conspiring to murder the late President Kennedy. District Attorney Jim Garrison has requested that certain items connected with the assassination and now held in the National Archives be sent to New Orleans to be used as evidence in the trial. Judge Charles W. Halleck of the District of Columbia Court of General Sessions has granted the request and ordered the Archivist to take the items to New Orleans. Now the Justice Department has announced that it is going to appeal the order and thus has blocked the request of Mr. Garrison.

I wish to protest bitterly this action by the Federal Government. In the name of God, why is there this never ending effort to block the uncovering of the truth about the assassination of President Kennedy? [One witness at the trial has testified that he was ordered by the FBI to keep his mouth shut about seeing two men in the window of the School Book Depository.] Judge Halleck has even offered to allow the National Archives not to send the items to New Orleans if they would allow Dr. Cyril Wecht, a noted forensic pathologist, to examine the items. The Justice Department has refused to allow even this. I thought that certainly when a new administration took over in Washington there would be an end to this vicious obstructionism. Can nothing be done to let the truth come out?

In his recent book, "Six Seconds in Dallas", Professor Josiah Thompson has proved beyond any reasonable doubt that Oswald alone could not possibly have assassinated the President. And yet, Mr. Garrison alone is trying to see that justice is done. Can you do anything to get the Justice Department to withdraw its opposition to Mr. Garrison's getting the evidence he needs?

Sincerely yours,

[REDACTED]

M. K.

7C

7C

SECTION
Foreign Litigation _____
Frauds _____
General Claims _____
General Litigation X

CIVIL DIVISION
NOTICE TO CLOSE FILE

One 6.5 mm. MANNLICHER-CARCANO
MILITARY RIFLE MODEL 91-38, SERIAL NO
C2766, with appurtenances, and ONE
SPECIAL (Case File) SAW VICTORY
MODEL REVOLVER SERIAL NO. V510210
with appurtenances

(Docket File Number)
129-11

TO: (1) ~~SECTION CHIEF~~
(2) ~~DOCKET & STATISTICAL UNIT~~
(3) RECORDS ADMINISTRATION OFFICE

YOU ARE ADVISED THAT THE ABOVE-NUMBERED FILE HAS BEEN CLOSED AS OF THIS DATE



METHOD CLOSED: Closed without litigation or compromise _____

Closed as uncollectible _____

Compromised in favor of U. S. _____

Compromised in favor of Claimant _____

Judgment against U. S. _____ X Affirmed January 23, 1969

Judgment for U. S. _____

Judgment for U. S. under \$5,000 _____

Dismissed _____

Closed - Collected (Voluntary payment w/out
litigation or compromise) _____

Other - Explain _____

docketed - If closing is to be determined by Docket Unit check here _____

AMOUNT AWARDED BY JUDGMENT OR COMPROMISE \$ _____

TOTAL AMOUNT COLLECTED \$ _____

If Total Amount Collected is to be computed by Docket Unit check here _____

APPEAL PERIOD EXPIRES _____ See above

NO APPEAL BECAUSE _____

Irwin Goldstein
Irwin Goldstein (SIGNATURE)
April 20, 1969 (DATE)