

Court Orders Payment to Widow FEB 27 1973

## Oswald Effects Worth \$17,729

The personal effects of Lee Harvey Oswald are collector's items and the federal government must pay collector's prices for possessions seized from him, the U.S. 5th Circuit Court of Appeals has ruled.

The New Orleans-based court yesterday overruled a ruling from a U.S. District Court in Texas which had held the possessions were worth only \$3,000.

Instead, the appeals court said, the diary and other papers of the assassin of President Kennedy have great historic value for which the government must pay \$17,729 to his widow, Marina Oswald Porter.

"Oswald's personal effects would have had a very real

value, in excess of their intrinsic value, which might have been realized by his widow," said the appeals court.

**THE RULING** overturns the lower court, which said, "The nation and its people should not be required to pay a bounty for items of evidence upon which the Warren Commission based its report."

Mrs. Porter had been promised \$3,000 for letters, a diary, photographs, a marriage license and the contents of Oswald's wallet.

The appeals court opinion said, "The evidence is clear that, but for the enhancement in value created in the public mind with the assassination of

President Kennedy, the items in question would be practically worthless.

"We are nonetheless of the view that Oswald's widow should be compensated for precisely that which was taken—in this instance items of personal property having an historical significance, and therefore realizable value quite apart from intrinsic value."

**MRS. PORTER** — she has remarried — had asked for additional money on grounds the publication of the Warren Commission Report into the assassination had infringed on the copyright value of reproducing such items as his letters.

The circuit court turned her down, noting the Warren Commission was empowered to print the letters by Presidential executive order.

Another claim was for damages by the FBI which stained and discolored various papers, but the court said the agents were merely carrying out their functions properly.

Mrs. Porter's suit did not question the right of the government to seize and keep the items.

A federally appointed special master had determined the \$17,729 figure as a typical collector's price. The \$3,000 figure was settled on by Mrs. Porter's attorney and the Justice Department as the price of similar items of no value to collectors.