

Weapon, Sale

- 3/22/65** Dallas - Mrs. Lee Harvey Oswald has asked a court to name her administrator of her husband's estate, it was disclosed today. ... The application appeared to be chiefly a legal maneuver. Oswald owned no real estate and had little money. *New York Times* [UPI]
- 3/26/65** Dallas - The rifle used to assassinate President Kennedy and the pistol with which police officer J. D. Tippit was slain have been valued officially at \$10,000 ... by three appraisers appointed by county probate court. At the same time Mrs. Marina Oswald was named by Probate Judge F. W. Bartlett Jr. as community administrator for the property. Harry McKay, administrative assistant to Judge Bartlett, and one of three appraisers, said Mrs. Oswald's attorney indicated that a \$10,000 bid for the two weapons had been made by a gun collector." AP 805 pcs rfl
- 3/27/65** Dallas, Mar. 26 - Mrs. Oswald's attorney, William Blaylock, said his client was anxious to sell the items to provide for her security. Blaylock said Mrs. Oswald had received a \$10,000 bid for the pistol and rifle from a gun collector. *San Francisco Chronicle, UPI*
- 5/9/65** Washington - The rifle that killed President Kennedy would remain in Government hands forever if Congress approves a bill to be proposed by the Justice Department. ... It also will include the 38-caliber pistol ... the [authoritative Federal source] said.
- ... Under the bill being drafted by the Justice Department, persons whose property is claimed by the Government could sue in Federal Court for compensation.
- The Justice Department will base its proposal solely on the argument that because the assassination will be burned in the memories of Americans for generations to come, the key physical evidence should be made absolutely secure so that no doubts can be raised about it in the near or distant future.
- "We want it always to be in hands responsible to the Government, so that no questions as to its authenticity can be raised if, for instance, the investigation is ever reopened," the Government informant said.
- The bill resulted from a request [when?] by the now-disbanded Warren Commission that the Justice Department solve the problem of what to do with the evidence it examined ...
- ... The Department has determined that it has no power to claim forfeiture of the property by its owners, he added.
- "People are entitled to be paid for it," he said. "The courts will determine how much ... " AP 118 ped, Joseph E. Mohbat
- 5/24/65** Denver - A Denver area oilman and gun collector, claiming to be the lawful owner of the 6.5 mm. Mannlicher-Carcano rifle with which President John F. Kennel was assassinated, filed suit today in U.S. District Court to get the gun from the Justice

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Department.

John J. King, of Englewood, CO, alleges in the suit that he purchased the rifle [and pistol, telescopic sight, cartridge clip] from the estate of Lee Harvey Oswald last New Year's Eve.

King said sale negotiations were carried out through an unidentified agent in Dallas, TX, "in order to keep my [King's] name out of it as long as possible."

The action alleges the U.S. attorney-general ... has the firearms in custody and refuses to give them up.

The Justice Department "has been using the euphemism that 'the matter is under study,'" King said.

He said the weapons, valued in the lawsuit at more than \$10,000, were purchased strictly for his private collection and were not intended to be put on public exhibit. *AP* 846 pmd

7/5/65

Washington - Senator George Murphy [Rep-CA] said last week that the Justice Department assures him it would not voluntarily surrender the rifle used to assassinate President John F. Kennedy.

Murphy asked the Department about the rifle after receiving complaints from constituents over a Texas [sic] man's claim that the rifle belongs to him.

... He urged that the rifle be placed in the hands of the Federal Bureau of Investigation for permanent safekeeping.

The Texan who claims he owns the rifle said he bought it from the widow of the late Lee Harvey Oswald ... after the assassination in Dallas. *San Francisco Chronicle, Copley News Service*

8/17/65

The rifle and pistol owned by ... Oswald have been shipped to Dallas for official "seizure" by an agency of the federal government, the *Times Herald* learned Tuesday afternoon [8/17].

... The government's intentions to confiscate the weapons were confirmed by Assistant U.S. Attorney Tim Timmons late Tuesday in a statement authorized by the Department of Justice.

"The weapons are being proceeded against by the government, giving notice of summary forfeiture of the firearms under appropriate federal statutes," Mr. Timmons said.

This procedure will be to advertise three times on three consecutive weeks, giving notice to all claimants having interest in the

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weapons.

He said that in addition actual notice to the parties with apparent interest had been served Tuesday. Any claimant has 30 days to file a claim and cost bond, and if they do so the government will file a liability in federal court.

If no claimant comes forward, the treasury will claim the weapons in 30 days.

... It was learned that a newspaper legal notice is being prepared to run Wednesday informing the public of the administrative seizure. ... [If some owner steps forward to protest] the government is required to take steps to file a liability in federal court, where a hearing will determine if the guns can be seized. *Dallas Times Herald*, Jerry Richmond

8/17/65 A special congressional bill which would permit the government to permanently seize the weapons is ... pending and a federal civil suit is now on file in Denver.

In that suit, a Colorado oilman filed for possession of the weapons, which he claimed were sold to him by the widow of the assassin for \$10,000.

John J. King of Inglewood, CO, filed the suit against the Justice Department, but Mrs. Marina Oswald did not join in the action.

In addition to the reported sale price, another payment was to be made if the guns were recovered from the government. *Dallas Times Herald*, Jerry Richmond

8/17/65 Dallas - Attorney General Nicholas Katzenbach, in proposing the congressional action, said, "Retention of these items would permit an accurate and complete reassessment of the conclusions of the President's Commission ... if at any time in the future this was considered desirable."

Katzenbach also said, "We should securely preserve the physical evidence to eliminate questions and doubt." *AP* 404 pcs

8/17/65 Washington - A Justice Department spokesman said the Internal Revenue Service will place advertisements in Dallas newspapers tomorrow announcing its intention to seize the rifle and a pistol ...

... A spokesman said the Alcohol and Tobacco tax unit of the Internal Revenue Service is seeking administrative forfeiture of the guns on the ground that Oswald falsified documents in purchasing them. This, the spokesman said, will give the Justice Department's civil division a basis for objecting to turning the weapons over to King - at least until the bill is passed by Congress.

The spokesman said the law providing for the administrative forfeiture proceeding applies to items valued at less than: \$2,500.

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The original cost of the rifle with its sniperscope was \$19.95, and the pistol cost \$29.95. The spokesman said these are the figures the IRS is basing its action on, regardless of the fact that King paid \$10,000 because of their historical value. *AP* 831 ped

8/18 –9/5/65 Did not find advertisement or legal notice of seizure of weapons in either Dallas newspaper in the first few days following publication of story, nor any news story in these papers, or other available source, that advertisement did not appear.

The eight consecutive days [8/29 –9/5] of the *Dallas Times Herald* which were checked, and which fell within the three-week period subsequent to the announcement, also failed to show the advertisement, although other legal notices of seizure placed by the Treasury Department appeared at one time or another during the period covered. This type of notice apparently is repeated on the same day of the week; see issue of 9/2. No legal notices of any kind found in Sunday issues of *Dallas Times Herald*.

Have no story originating in Dallas which says legal notice would appear, or did appear, in Dallas papers. Stories with Washington or Denver dateline say or imply that notice published in Dallas papers.

8/17/65 Notice of seizure of weapons sent to "parties with apparent interest".

8/18/65 Legal notice to appear in newspapers.

8/18/65 Dallas - [Paraphrase.] Marina had husband, Kenneth J. Porter, arrested; affidavit said he slapped her, "frightened her with a gun" and threatened to kill himself. Time and date of quarrel not given. "After stormy overnight row" [8/17?] She signed affidavit "late this afternoon" [8/18]. *AP*, 725 pcs, Tom Johnson; *AP*, [8/19] 502 pcs, Tom Johnson

8/27/65 A lot of people were watching television around 11:20 a.m. on Sunday, 11/24/63. John J. King of Denver was among them.

... From long working acquaintanceships with lawyers, King had become moderately well versed in the law. Watching TV, he began to think like an attorney. "I had been subconsciously under the impression that Oswald would be convicted and that the weapon would therefore revert to the state," he recalls. "I was reading this in the context of Colorado law ... But when Ruby shot Oswald, it ... struck me ... that under American jurisprudence, Lee Harvey Oswald is forever innocent. He has not been convicted and you are not guilty until you've been tried and there's no way to try him. "This led me to the conclusion that Oswald might still own the Kennedy gun - or his estate might. So I called up my good friend Bill Garrett, who was a lawyer in Dallas.

Bill put an associate on it and he briefed the hell out of it and came up in two days and said - no question about it, that gun belongs to Lee Harvey Oswald."

Over the next year King learned a lot more about Texas law - and the law in general: 1. Under Texas law the weapon would not have reverted to the state even had Oswald lived to be convicted. 2. Texas is a community-property state, and since Oswald died

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without making a will, community property acquired during marriage would revert to the spouse. 3. The administrator of a community-property estate has a right to dispose of the estate's assets in order to meet the estate's obligations, without referral to probate court. *Life: Cursed Gun*, Keith Wheeler, p. 64

8/27/65

On 12/4/63 ... [John J.] King wrote Mrs. Marina Oswald in care of the U.S. Secret Service in Dallas. ... But making actual contact with [her] took time. At first all negotiations were arms-length between King's representatives and Marina's, but the process was complicated by frequent changes in Marina's spokesmen; they kept getting fired. Finally in 7/64 King sent his own representative.

"He walked up and pressed the doorbell and got her out of bed at 10 o'clock in the morning and said he wanted to chat with her," King remembers. "She tried to close the door but he said he'd come all the way from Denver to talk to her, so she let him in and turned on the hi-fi and made him some coffee. He got her signature."

It was not all that simple, however. Negotiations dragged on for months. There was a question of total future validity of Marina's title to her husband's estate. Her lawyers arranged for Marina to file a formal intention to become a U.S. citizen. That done, it was arranged for her to be formally appointed administratrix of the community property by the Probate Court in Dallas. As such she had the right to dispose of the estate.

But Marina was unwilling to kick up her heels and demand her rights in a strange country. "She was very reluctant about pressing these things," King remembers. "Me tried to get it done in her name but she wouldn't stand hitched for that. She was afraid they would cut her off at the pass someplace. Her desire all the time was to become a citizen of the U.S. and she was afraid to get too tough with any of these bureaucrats for fear they might, just whoosh, send her back off to Minsk." *Life: Cursed Gun*, Keith Wheeler, p. 66

9/5/65

A Denver oilman has officially claimed ownership of weapons used to assassinate President John F. Kennedy and kill Dallas policeman J. D. Tippit.

John J. King, president of *Cortez Oil Co.*, filed the claim Friday [9/3] under terms of an advertisement by the internal Revenue Service, wire services reported.

The IRS advertised last month that anyone claiming the weapons must file a claim ... before 9/17.

... Mr. King said that Oswald's widow, Marina ... signed a contract agreeing to sell him the guns. Under terms of the contract, he has paid [her] \$10,000 with another \$35 000 to be paid when the guns are delivered.

... The government has obtained two postponements in the suit filed by Mr. King. Justice Department attorneys are presently

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required to file an answer by 9/23. *Dallas Times Herald*

9/7/65 H.R. 9545 - Preserving evidence pertaining to the assassination of President Kennedy.

Provisions of the bill., *Congressional Record, House*

9/7/65 Excerpts from discussion. The [Warren] Commission recommended [no date give] that a substantial number of these items of evidence ... remain in the possession of the Government. ... The committee ... concurs in the view of the Attorney General that in years ahead allegations and theories concerning [the] assassination may abound. To eliminate questions and doubts the physical evidence should be securely preserved. A failure to do so could lead to loss, destruction or alteration of such exhibits and in time may serve to encourage irresponsible rumors undermining the public confidence in the work of the Warren Commission.

The bill would authorize the Attorney General to designate, by publication in the Federal Register, which items ... are required by the national interest to be acquired and preserved by the United States. ... This acquisition authority would expire 1 year after date of enactment. Under the bill, claims for just compensation must be filed within 1 year of the date of the filing of the Attorney General's designation. As originally drafted, the bill granted exclusive jurisdiction to the Court of Claims ... The committee, however, amended the bill to provide concurrent jurisdiction in the Federal district court in the district wherein the claimant resides and also to permit the claimant in the district court to request a trial by jury.

Q: Are we to understand that with the passage of this bill the Federal Government would pay out \$10,000 for permanent possession?

A: No. ... Whatever arrangement [Mr. King] may have made with Mrs. Oswald is not the question of what is just compensation. The bill leaves that issue for the courts. If we try to restrict, limit or specify the amount of just compensation, there is some question as to whether or not the legislation itself would be constitutional. ... If any individual claims that his property rights have been taken away from him the bill gives him a cause to action, so that he may go into court and assert his rights. The Government would retain the property and the claimant would get just compensation.

... In this instance there was no conviction and no trial and the matter of trying to confiscate in such circumstances is not available to us.

... Some question has been raised here today about the possible cost to the Government. Of course, it is impossible to estimate what that cost might be. ... But I would say whatever cost might be incurred would represent cost which must be met by the country and a cost which the country would want to meet. ... [The items] must be acquired without question. H.R. 9545 - *Preserving evidence pertaining to the assassination of President Kennedy, Congressional Record, House*

9/7/65 The Speaker pro tempore. The question is on the motion of the gentleman from Colorado that the rules be suspended and the bill

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be passed.

The question was taken; and [two-thirds having voted in favor thereof] the rules were suspended and the bill was passed. *Congressional Record, House, H.R. 9545 - Preserving evidence pertaining to the assassination of President Kennedy,*

9/21/65 Denver - The Justice Department asked U.S. District Court today to dismiss the lawsuit of a Colorado man seeking to gain possession of the rifle that killed President John F. Kennedy.

If the motion is denied, the Government asked the court to delay consideration of the suit until Congress acts on a bill allowing the Government to take permanent possession of the weapon. *AP 952 pcs*

9/21/65 Denver - ... The Justice Department motion [to dismiss King suit] revealed that the weapons have been in possession of the Alcohol and Tobacco tax division of the Internal Revenue Service in Dallas since August.

The division took possession on grounds that record-keeping provisions of the National Firearms Act were violated in their purchase. It claims Oswald gave a false name when he bought them from a Chicago mail order house. *AP 952 pcs*

10/1/65 Washington - The Senate Judiciary Committee approved today without change a House-passed bill authorizing the government to acquire and preserve the rifle that killed President John F. Kennedy, and other items of evidence relating to the assassination. *AP 648 ped*

10/9/65 Dallas - Federal Judge Joe Estes of Dallas will probably have to decide who is to have custody of the rifle which killed President John F. Kennedy and the pistol which killed Dallas police officer J. D. Tippit.

Assistant U.S. District Atty. Tim Timmins made this prediction after John J. King filed an answer to a suit filed earlier by the government to legally take title to the weapons.

10/15/65 Bills passed over.

The bill [H.R. 9545] providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy, was announced as next in order.

Mr. Mansfield. Over, Mr. President.

The Acting President pro tempore. The bill will be passed over. *Congressional Record, Senate*

10/18/65 H.R. 9545 - Acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of

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President John F. Kennedy.

Purpose of the bill, analysis, and statement. *Congressional Record, Senate*

10/18/65 No discussion. Excerpt from statement of Mr. Simpson:

"I wish to call the attention of the Senate to the fact that no hearings were held on this bill in the Senate Judiciary Committee. The House Judiciary Committee refused and denied an opportunity to Mr. King ... to appear before that committee. It is my belief that the matter needs more careful study than it has been given. At this time, I ask unanimous consent that there be printed in the Record at this point a statement from Mr. King ..." *H.R. 9545 - Acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy.*

10/18/65 Excerpts from statement of John J. King, to have been made before Senate Judiciary Committee. Committee held no hearing on this bill.

I wish to express my thanks to your chairman and to all of you for having granted me the privilege of appearing before you in opposition to H.R. 9545 ... a privilege once promised me but subsequently denied by the House subcommittee to which it was referred.

H.R. 9545, while it appears to be a routine bill, is really a most extraordinary piece of proposed legislation; one which merits a most careful analysis and consideration by this distinguished committee.

First, inasmuch as it is a clear and unmistakable effort on the part of the Federal Government to override the statutory provisions of the State of Texas .. this bill poses a serious challenge to States rights in all areas.

Second, ... this bill would extend the right of eminent domain to personal property, and ... if enacted, it would invite future confiscatory legislation directed at personal property ... selected at the whim of the executive branch.

Third, it is unusually nonspecific. It does not identify the items which it seeks to condemn, nor does it define the ultimate disposition of these items.

Fourth, it is an attempt retroactively to correct, at the expense of private citizens, certain past executive oversights. House Report No. 813, which accompanies this bill, includes a letter from the Attorney General ... to the effect that, prior to the completion of its work, the Warren Commission requested the Justice Department to take the necessary steps to provide for Federal retention of certain items of evidence. This is substantiated by a letter from J. Lee Rankin ... on leftover Warren Commission stationery, dated a month and a half after the Warren Commission had completed its work. This bill was requested by the Justice Department over

7 months after the receipt of Mr. Rankin's letter.

Public pronouncements by spokesmen of the Justice Department have suggested the possibility of a future reexamination of the evidence. The weapons ... have been subjected to every known ... test ... No further tests ... are needed ... Sulfur casts have already been made of the rifle chamber. [King names other casts and impressions which could be made.] These things, combined with the various cartridge cases and related bullets are all that the Government would ever need for any future ballistic reexamination. Further, no request has ever been made of me or of the Oswald estate regarding our attitudes toward the gift, loan, or sale to the Government of any of our property ... I would ... be ... willing to allow Federal authorities to examine the weapons from time to time and to conduct further tests ...

The Attorney General's ... letter ... alludes to the fact that allegations and theories contrary to the conclusions of the Warren Commission feed on secrecy and uncertainty ... It is ... of interest ... that the present governmental custody of the ... rifle has been characterized by the utmost secrecy.

During the discussion on the floor of the House - it cannot properly be called a debate since only the pro side participated - some consideration was given ... to the eventual cost to the taxpayer of this bill. The figure of \$10,000 was bandied about as an approximate value of the two weapons ... From a collector's point of view, they are to the field of firearms what the Mona Lisa is to the field of painting ... In short, they are invaluable ... They are worth greatly in excess of a million dollars ... Consideration must also be given to the value of some of the other items ... owned ... by the Oswald estate. For example ... a miscellaneous Oswald letter ... brought \$3,000 at a recent auction. It would appear that the Oswald papers alone have a value of something over \$100,000. If the proposed legislation is passed and its constitutionality confirmed, the ... guarantee of just compensation will result in an expenditure of a staggering amount of taxpayers' dollars for the acquisition of materials for which the Government honestly has no further conceivable need.

This proposed legislation is in the nature of a private bill, specifically designed to reverse the inevitable outcome of a civil action now properly before a U.S. district court. This bill was proposed by the defendant in that action after the complaint had been properly filed ... It is noteworthy that defendant's counsel was privileged to appear before the House subcommittee in support of this bill ... and that plaintiff's counsel was not privileged to appear in opposition thereto ... You are here concerned with a clear attempt ... to shift the venue in a civil action from a U.S. district court ... to the very halls of Congress. To my view, this is an outrageous attempt to circumvent the operation of - yes, even a direct insult to - the system of checks and balances between the three branches of our Government.

10/18/65 The bill was ordered to a third reading, read the third time, and passed. *H.R. 9545 - Acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy. Congressional Record, Senate*

10/18/65 Washington - Senate passage sent to President Johnson today a bill authorizing the government to acquire and preserve the rifle

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used to kill President John F. Kennedy, and other items of evidence in the assassination.

The Commission headed by Chief Justice Earl Warren ... recommended that a large number of items of physical evidence remain in the possession of the government.

10/20/65 Denver - The U.S. Treasury ... is seeking to confiscate the weapons on the grounds they were never registered as required by the National Firearms Act. *AP* 951 amd

10/20/65 Denver - John J. King ... asked President Johnson to veto a bill that would make them Federal property.

In a telegram, [he] said the bill passed by the Senate and the House was an attempt to transfer a civil action from the U.S. District Court to Congress and called this a "direct insult to the system of checks and balances." *AP* 651 amd

10/28/65 Stockholm – [Reuters story on cannon salvaged from Swedish man-o-war, which sank in the 17th century in Stockholm harbor and was raised from seabed in 1961.]

... Museum officials said that many inquiries had been received from museums, institutions and individuals interested in purchasing the cannon. So far, the highest bidders are two private collectors - each of whom has offered \$1,000,000. *New York Times*

10/31/65 Message to Washington [and Dallas] from Denver: Need know whether Johnson has signed H.R. 9445 [sic] bill that would let Attorney General take possession for Government. of weapons used in JFK assassination. Need by Monday A.M. [Nov. 1.] *AP* 658 pmd

11/1/65 Message to Denver from Washington: Texas White House says JFK weapons bill not signed yet. Trying check when's deadline. *AP* 1037 aes

11/3/65 Johnson City, Tex., Nov. 2 - President Johnson signed today legislation authorizing the Federal government to take ownership of the mail-order rifle used to murder President Kennedy. *New York Times* [UPI]

1/27/66 Dallas - U.S. Judge Joe E. Estes set 2/21 to hear the Government's claim on the weapons used by ... Oswald.

The judge also denied today a motion by ... John J. King to dismiss the case.

Judge Estes said among the contested issues of law are:

1. Does the Federal Firearms Act permit the Government to confiscate the weapons?

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2. Does the Government confiscation deny King due process of law? *AP*, 136 pcs

2/21/66 A federal judge in Dallas Monday ruled - in effect - that the U.S. government owned a 6.5 Mannlicher-Carcano rifle at the time it was used to kill President John F. Kennedy.

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

... Judge [Joe E.] Estes' ruling ended - at least temporarily - a claim of ownership by ... John J. King. ... The ruling declared ... the guns were owned by the government, in effect, from the time Oswald ordered them. They never belonged to Oswald; they never belonged to his wife; and they never belonged to Mr. King.

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

Mr. Garrett [King's attorney] said, "... The real nature of this action is that the government wants these guns ..."

2/21/66 One source has said that if the government wins the suit now, it can keep the guns without having to pay King so much as a dime.

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

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

2/21/66 [Government] lawyers asserted that ... King ... has no right to government compensation. *AP*, 113 pcs

2/21/66 King's attorney, William C. Garrett of Dallas, states in his brief that, "the fundamental defect in the government's position is that there is simply no law providing for the forfeiture of weapons ordered under an assumed name." *Dallas Morning News*

2/21/66 Mr. Garrett had claimed no violation was involved when Oswald used the assumed name, and said it was difficult for the government to say a firearm was involved in violation when it "only has a record of what it says was a false name." *Dallas Times Herald*

2/21/66 Dallas - Government lawyers contended today that ... Oswald illegally bought the weapons ... and thus the guns could not be a part of his estate.

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They also asserted that ... John J. King, who has paid \$10,000 to Oswald's widow for the guns, has no right to government compensation. *AP* 113 pcs

2/21/66 The Federal lawyers said that Oswald's use of a fictitious name in ordering the guns ... resulted in improper records being kept and thus the law was violated.

King's attorney argued that Oswald was using an assumed name as he had done in other matters, and no fraud was intended. *AP* 113 pcs

2/21/66 [Judge] Estes agreed with Government lawyers ... that since ... Oswald ordered the weapons ... under a fictitious name, he [Oswald] never legally owned them.

... The Government has said it wants the weapons permanently lodged in the National Archives in Washington. *AP* 741 pcs

2/22/66 [Assistant U.S. Attorney] Timmins declared that "forfeiture of the rifle and the revolver took effect immediately upon their involvement in the violation of the Federal Firearms Act in March, 1963 when they were purchased."

The judge ruled the name A. Hidell which Oswald used in ordering the weapons was purely fictitious and "contrived by Oswald for the purpose of deceiving the dealers."

... The guns, the judge held, belonged to Oswald, never to his widow or to King. *Dallas Morning News*

2/22/66 Dallas, [2/21] - The use of the fictitious names caused false records to be kept by the two mail order houses, and this constituted a clear violation of the Firearms Act passed by Congress in 1939, Judge Estes said. A 1950 amendment to that act provided that weapons found in violation of the law could be forfeited to the Government.

This is the first time the Government has sought to confiscate any weapons under the 1950 amendment, [Assistant U.S. Attorney] Timmins said.

... He added that one effect of the judge's ruling today was that Oswald had shot President Kennedy with a weapon owned by the Government. *New York Times*, Martin Waldron

2/22/66 Dallas, [2/21] - Oswald's widow apparently will get to keep the \$10,000 paid her by Mr. King regardless of today's ruling. Mr. King said his contract with her did not provide for a return of the money. *New York Times*, Martin Waldron

2/28/66 Atlanta, Ga. - [John J. King] and the Federal Government go into Federal court tomorrow to present arguments over possession of

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the weapon used in the assassination of President John F. Kennedy.

... Under a law which goes into effect 11/1/66, King would be allowed to sue the Government for keeping the items of evidence which he claims were seized under the Federal Firearms Act on the grounds that Oswald used an alias in purchasing them ...

King's appeal for possession includes the contention that he should not be penalized for Oswald's using an alias. *AP* 740 pcs

6/29/66

Atlanta, GA - ... Attorney William C. Garrett ... argued that King is being punished for Oswald's use of an assumed name. He questioned whether Oswald was actually guilty of a crime, since the broken law involved the gun dealer's records - not the alias.

Presiding Judge Elbert P. Tuttle indicated the case may be settled on this point, and asked if Oswald could have been charged with aiding and abetting a crime by causing a false name to be entered. *AP* 641 pcs

6/29/66

Atlanta, Ga. - The question of possession of ... Oswald's guns was taken under advisement today by a three judge Federal panel.

... [Asst. U.S. Attorney B.H. Timmons] said that King knew at the time he bought the guns that they were in possession of the Government. "We feel he just paid \$10,000 for the right to litigate," he said.

The Government, he said, should be allowed to keep the weapons without paging King.

King's attorney ... argued on the other hand, that Congress has passed a specific piece of legislation condemning these weapons along with some 3,000 other pieces of evidence. The legislation states that the Government will pay for the property after 11/1/66, but its value will be in question because of the condemnation, Barrett said.

... No indication was given on when a decision would be reached. The Government has asked that the case be settled before the law goes into effect in November which would allow King to sue for payment. *AP* 1257 pcs

6/30/66

A new law goes into effect in November which would allow anyone who claims ownership of evidence seized after the assassination of a President to sue the Government for just compensation. *AP* 636 pcs

11/1/66

Washington - The federal government took legal title today to the great mass of evidence considered by the Warren Commission ...

It ordered that the evidence be preserved for the ages in the National Archives.

This includes what the commission ... designated as the death weapon - "one 6.5 mm. Mannlicher-Carcano rifle, with telescopic

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sight, serial number C2766, including sling and cartridge clip."

It also includes a .38 Special Smith and Wesson revolver which, the commission found, was used by ... Oswald to kill ... Tippit ...

A Colorado gun collector, John J. King, has gone to court in a fight for possession of the two guns, now in FBI hands. ... However, Congress in a statute passed last year, empowered the Attorney General to take legal title to all the evidence, leaving questions of compensation to be determined later.

Accordingly, Acting Attorney General Ramsey Clark, in an order published in today's Federal Register, said:

"I hereby determine that all of the items of evidence not owned by the United States which were considered by the Commission, and were not returned by the Commission to the person who furnished them, should be acquired by the United States and be preserved together with all of the items of evidence already owned by the United States."

Explaining the reference to items returned by the Commission to persons who furnished them, officials said that in some cases copies of documents were made; the copies were retained by the Commission and the originals returned. 1248 pes