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Denver, May 24 (AP)- A denver area oilman and gun collector, claiming to be the lawful owner of the 6.5 millimeter Mannlicher-Carcano rifle with which President John F. Kennedy was assassinated, filed suit today in U.S. District Court to get the gun from the Justice Department.

John J. King, of Englewood, Colo, alleges in the suit that he purchased the rifle, along with a .38 caliber pistol used to slay Dallas Patrolman J.D. Tippitt, from the estate of Lee Harvey Oswald last New Year's Eve.

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

The action alleges the U.S. attorney-general -@ formerly Sen. Robert F. Kennedy and now Nicholas Katzenbach -- 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 purchases strictly for his private collection and were not intended to be put on public exhibit.

An attorney for Marina Oswald reportedly disclosed last March that a \$10,000 bid had been received for the two guns.

Also included in the purchase, according to the lawsuit, are the 4-power telescopic sight and cartridge clip identified in the Warren Commission's report as parts of the murder weapon used in the assassination.

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