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Oswald's Weapons Ruled Property of Government

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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 Dallas policeman J. D. Tippit.

Judge Joe E. Estes announced his ruling in a lengthy prepared statement about 12:30 p.m. Basically, the statement declared:

—That Lee Harvey Oswald, by ordering the guns in the fictitious name of Hidell, caused a false entry to be made in records of the gun dealer; and thus, under provisions of the Federal Firearms Act, ownership of the guns immediately was forfeited to the government.

—That the guns, in effect, were "owned by the government" from the time Oswald ordered them.

—That the name, "A. Hidell" was purely fictitious, and was used only for the purpose of deceiving the dealer and concealing Oswald's own identity.

Judge Estes' ruling ended—at least temporarily—a claim of ownership by Denver oilman John J. King. Mr. King said he paid \$10,000 and promised an additional \$35,000 to Mrs. Marina Oswald Porter for the guns.

Mr. King was not present in

the courtroom Monday. His attorney, William C. Garrett, said he didn't know if the case would be appealed until he contacted Mr. King by phone.

If an appeal is filed, the case would go before the 5th Circuit Court in New Orleans.

Judge Estes' ruling, believed to be the first of its kind, said Mr. King's claim was "without merit," and that Mr. King was "in no sense an innocent person."

This decision in no way denies Mr. King due process or just compensation, the ruling declared, but 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.

In fact, the ruling continues, Mr. King knew the guns were not in the seller's possession. They were in possession of agents of the U.S. government.

TO MUSEUM

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.

Asst. U.S. Atty. Tim Timmins and attorney Jim Gaulding of the Internal Revenue Service concentrated mainly on only two points

in presenting the government case Monday.

The points were:

1. That accused presidential assassin Lee Harvey Oswald used a fictitious name in ordering the two weapons and thus immediately forfeited ownership by violating the Federal Firearms Act.

2. That Denver oilman John J. King had no legal right to the guns or to governmental compensation for them because he became involved after the ownership already was forfeited under the firearms act.

Judge Estes' ruling upheld both points.

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."

"The government only uses this act if a person is very bad, or if it dearly wants a weapon," Mr. Garrett said.

"This section of the law does not require anyone to use his own name in ordering a weapon," Mr. Garrett continued. "These are not false records . . . these are true ones. The real nature of this action is that the government wants these guns, and it wants to deprive Mr. King of his property without compensation."