

EB106DN

DX (190)

DALLAS, TEX., JAN. 27 (AP)-U.S. JUDGE JOE E. ESTES SET FEB. 21 TO HEAR THE GOVERNMENT'S CLAIM ON THE WEAPONS USED BY PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

THE JUDGE ALSO DENIED TODAY A MOTION BY A DENVER, COLO., OILMAN, 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?

2. DOES THE GOVERNMENT CONFISCATION DENY KING DUE PROCESS OF LAW?

THE GOVERNMENT CONTENDS THE 6.5 ITALIAN RIFLE USED TO KILL PRESIDENT JOHN F. KENNEDY NOV. 22, 1963, AND THE .38-CALIBER REVOLVER WHICH KILLED OFFICER J.D. TIPPIT WERE PURCHASED BY OSWALD IN VIOLATION OF FEDERAL FIREARMS LAWS.

KING SUED THE JUSTICE DEPARTMENT IN MAY TO GAIN POSSESSION OF THE WEAPONS. HE CONTENDED OSWALD'S WIDOW SIGNED A CONTRACT AGREEING TO SELL HIM THE GUNS. OSWALD WAS SLAIN BY JACK RUBY TWO DAYS AFTER KENNEDY WAS KILLED.

THE COLORADO MAN CLAIMS HE HAS PAID \$10,00 AND IS OBLIGATED TO PAY ANOTHER \$35,000 WHEN THE WEAPONS ARE DELIVERED.

UH136PCS NM