

EA174KX

(200)

DENVER, COLO., SEPT. 21 (AP)-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.

JOHN J. KING, DENVER OIL COMPANY EXECUTIVE AND GUN COLLECTOR, FILED SUIT IN MAY AGAINST ATTY. GEN. NICHOLAS KATZENBACH. KING CLAIMS HE PAID MRS. MARINA OSWALD, WIDOW OF LEE HARVEY OSWALD, A \$10,000 DEPOSIT FOR THE RIFLE AND FOR THE .38 CALIBER PISTOL THAT KILLED DALLAS PATROLMAN J. D. TIPPIT. (OSWALD WAS SLAIN BY JACK RUBY IN DALLAS BEFORE HE COULD BE TRIED FOR EITHER SLAYING. RUBY'S DEATH SENTENCE IN THE OSWALD SHOOTING IS BEING APPEALED.)

THE JUSTICE DEPARTMENT MOTION REVEALED THAT THE WEAPONS HAVE BEEN IN POSSESSION OF THE SUPERVISOR 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 BROUGHT THEM FROM A CHICAGO MAIL ORDER HOUSE.

THE WARREN COMMISSION RECOMMENDED AFTER ITS INVESTIGATION OF THE ASSASSINATION THAT THE WEAPONS SHOULD BE SAVED FOR HISTORICAL PURPOSES. ✓

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Similar to B119, Sept. 21, 923 pmd, except for addition of last sentence in third paragraph.