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JFK Slay Weapon Suit Hits New Snag

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Rocky Mountain News Federal Reporter

The U.S. Justice Department Tuesday tossed another legal block in the path of an Englewood gun fancier seeking possession of the Kennedy assassination rifle.

John J. King of 27 Sunset dr., an oil company executive, filed suit against U.S. Atty. Gen. Nicholas Katzenbach in May asking for the weapon.

Since then, the Government has been fighting a delaying action. Tuesday the Justice Department asked U.S. District Court in Denver to dismiss King's suit or, failing that, to put off consideration of the suit until federal action to confiscate the weapon has been completed in Dallas.

King, who owns an extensive collection of guns, claims the mur-

der weapon is his because he paid Mrs. Marina Oswald a \$10,000 deposit for the gun in January.

Beside the 6.5-mm Mannlicher-Carcano rifle and telescopic sight used by Lee Harvey Oswald to kill the late President, the .38-caliber pistol with which Oswald shot Dallas Patrolman J. D. Tippit after the assassination is included in the sale.

King reportedly agreed to pay Mrs. Oswald another \$40,000 on delivery of the two guns.

The Government's motion Tuesday revealed for the first time some of the recent history of the two guns.

The weapons have been in the possession of the supervisor of the Alcohol and Tobacco Tax Division

of the Internal Revenue Service (IRS) in Dallas since August when the division decided to begin forfeiture proceedings against the guns.

On Aug. 16, three appraisers set the value of the guns at \$2500 and a notice of the impending seizure was published in Dallas newspapers.

Tuesday's motion argues that the Government's title to the rifle and pistol were automatic with the alleged National Firearms Act violations. Therefore, gun-fancier King must seek possession of the weapons as a claimant in the Dallas forfeiture action.

The motion asks King's Denver lawsuit be dismissed because of lack of jurisdiction.

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