

CD 1576

DL 100-10461

B. Investigation Establishing That Clip In
Mannlicher-Carcano Rifle, Serial Number
C2766, Was Empty When Located On Sixth
Floor Of Texas School Book Depository

1546/20

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RPG/cms/jtf

By letter dated September 7, 1964, the President's Commission requested that confirmation be obtained as to whether the clip found in Mannlicher-Carcano rifle, Serial Number C2766, was empty at the time it was found.

Date September 10, 19641

Mr. SEYMOUR WEITZMAN, Deputy Constable, Dallas County Deputy Constable's Office, Dallas, Texas, residence 2802 Oates Drive, Dallas, was interviewed on September 10, 1964.

Mr. WEITZMAN stated that he was on the sixth floor of the Texas School Book Depository immediately after the shots were fired at President JOHN FITZGERALD KENNEDY and Governor JOHN B. CONNALLY on November 22, 1963. Mr. WEITZMAN stated that after spotting a rifle on the sixth floor of the Texas School Book Depository building, he waited until Captain WILL FRITZ of the Homicide Bureau of the Dallas Police Department and Lieutenant J. CARL DAY of the Crime Laboratory of the Dallas Police Department arrived to assume possession of this rifle. He stated that the rifle was carefully picked up by Lieutenant J. CARL DAY, while Captain WILL FRITZ pulled the bolt back, at which time he observed a live round of ammunition that was ejected from the chamber. Mr. WEITZMAN stated that he did not observe this gun close enough to pay any particular attention to the clip of the rifle. He stated that he did not observe the inside of the rifle and did not know whether or not the clip was empty after the live round of ammunition was ejected from the gun by Captain WILL FRITZ. He stated that shortly thereafter, Lieutenant J. CARL DAY removed the rifle to the Crime Laboratory of the Dallas Police Department, Dallas, Texas.

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on 9/10/64 at Dallas, Texas File # DL 100-10461

by Special Agent VINCENT E. DRAIN /jtf Date dictated 9/10/64

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Date September 10, 19641

Captain WILL FRITZ, Homicide Bureau, Dallas Police Department, was interviewed on September 10, 1964.

Captain FRITZ advised that shortly after the shots were fired at President KENNEDY and Governor CONNALLY, a rifle was pointed out to him on the sixth floor of the Texas School Book Depository building, which was believed to have been used in the shooting of President KENNEDY and Governor CONNALLY. Captain FRITZ stated that Lieutenant J. CARL DAY, Crime Laboratory, Dallas Police Department, quickly dusted the rifle for latent fingerprints. According to Captain FRITZ, Lieutenant DAY carefully picked up this gun in order not to disturb any latent fingerprints which might be on the rifle, at which time Captain FRITZ pulled the bolt back ejecting a live round of ammunition from the chamber of this gun. Captain FRITZ stated that after observing the inside of the rifle barrel, as well as the rifle clip, he was satisfied that the chamber of the rifle, as well as the clip, was empty. He stated the clip was not removed from the gun, and that Lieutenant DAY removed this gun intact to the Crime Laboratory of the Dallas Police Department. He stated that as far as he knew no one removed the clip from the rifle after it was found and turned over to Lieutenant DAY. Captain FRITZ stated that he assumed Lieutenant DAY probably removed the clip after carrying the gun to the Crime Laboratory of the Dallas Police Department for further examination.

Captain FRITZ stated the rifle, as well as the live round of ammunition and the empty cartridge hulls, was recovered and taken into possession of Lieutenant J. CARL DAY of the Crime Laboratory of the Dallas Police Department.

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on 9/10/64 at Dallas, Texas File # DL 100-10461
 by Special Agent VINCENT E. DRAIN /jtf Date dictated 9/10/64

1546/23

Date September 10, 19641

Lieutenant J. CARL DAY, Crime Laboratory, Dallas Police Department, Dallas, Texas, was interviewed on September 10, 1964.

Lieutenant DAY related that he arrived at approximately 1:12 p.m., November 22, 1963, on the sixth floor of the Texas School Book Depository building. He stated that the rifle believed to have been used in the shooting of President JOHN FITZGERALD KENNEDY and Governor JOHN B. CONNALLY was found on the sixth floor of the Texas School Book Depository building. He stated he immediately dusted this rifle for latent fingerprints and after dusting same, he carefully picked it up in order not to obliterate any fingerprints which might still be on the rifle. He advised that Captain WILL FRITZ of the Homicide Bureau, Dallas Police Department, pulled the bolt back on the gun, ejecting a live round of ammunition from the chamber of this rifle. DAY stated that he observed both the chamber and the clip of the rifle to be empty. DAY stated he removed this rifle to the Crime Laboratory of the Dallas Police Department, at which time the clip was removed from the rifle. DAY related that he removed the clip from the rifle at the Crime Laboratory of the Dallas Police Department for further examination and for dusting for latent fingerprints. DAY stated that he placed his initials on the clip as well as the rifle. DAY related after he had been told by Chief of Police JESSE E. CURRY, of the Dallas Police Department, to release this gun to Special Agent VINCENT E. DRAIN of the Federal Bureau of Investigation, he placed the clip back in the rifle, as the clip appeared when he had first examined the rifle. DAY related that as far as he knew no one, with the exception of himself, removed the clip from the rifle after it was found on the sixth floor of the Texas School Book Depository building on November 22, 1963.

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on 9/10/64 at Dallas, Texas File # DL 100-10461
 by Special Agent VINCENT E. DRAIN /jtf Date dictated 9/10/64

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