

HAROLD WEISBERG

7627 Old Receiver Rd.
Frederick, MD 21702

1/27/94

Ms. Cindy Smolovik, Archivist Manager
Office of the City Secretary
City Hall
Dallas, TX 75201

Dear Ms. Smolovik,

In responding to my inquiry you told me that your "collection does have photographs of a rifle behind boxes on the sixth floor of the Texas School Book Depository. However, without a visual reference I cannot determine whether this is the specific photograph" I want. I tried without success to find someone with the time to go look for me. I think I have a means by which you can identify the pictures I want to be able to include in a book.

The Warren Commission testimony is confusing about the number of pictures of that rifle as found the police took. I take the testimony to mean that Lt. Carl Day and Detective Studebaker each took two pictures of the rifle as it was when they first saw it. But in his testimony, Day referred to only two. He gave for them the police numbers 22 and 23. Yet there are two different pictures taken by Studebaker alone. And to make it a bit more confusing, Day made a negative from a print of one of his pictures that he and the Commission said is not as clear as the original negative. The original is Commission Exhibit 718. The one of his that is a copy and I do not want is Exhibit 514.

Also, I would like to know if you have other pictures of the rifle as found ^{or by} other than these two officers took. For example, Tom Alyea, then a WFAA-TV photographer, exposed five rolls of 16 mm film. An officer shot some pictures of the rifle in place for him before Day and Studebaker got there. If you have those pictures or any other like it I would like to know and would want the clearest possible print of a frame.

Gary Savage's book includes pictures identified as those with the police numbers 22 and 23. I enclose copies of them from that book. I will want prints of both. It seems like 22 is Exhibit 718, of which I also enclose a copy from the Commission volume.

Studebaker Exhibit C in the Commission's volumes shows his knee as he took pictures. I enclose a copy of that. He also took a picture without his knee in it. I've forgotten the identification of it. In reproducing a copy from the Commission's volumes in my first book I failed to include its exhibit number. (My artist added the arrows.) I will also want prints of both of these Studebaker pictures. As well as of Exhibit 719, copy enclosed.

I would like 8x10 prints made from the police negatives, full negative, no cropping, and probably your Grade B. If you will let me know the cost for three prints each I'll send you a check. Thanks.

Sincerely, *Harold Weisberg*

Harold Weisberg

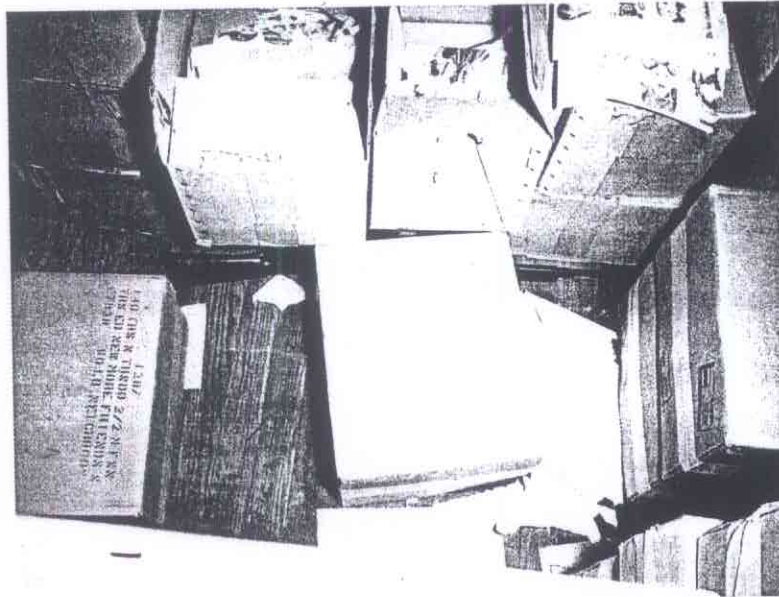
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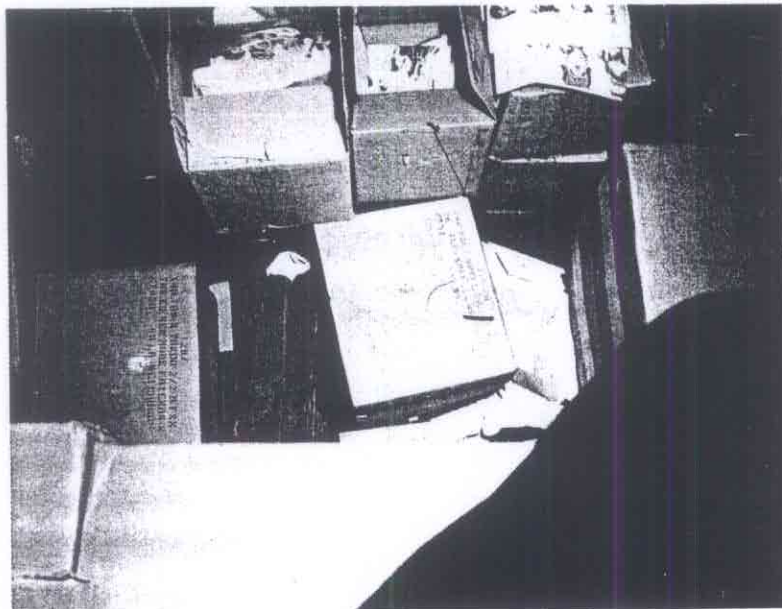


52. (DP #22) Dallas Police Crime Lab photo taken by Day/Studebaker showing the rifle as it was found on the floor.

being a Mauser occurred AFTER the rifle was pulled out. Remember this action is on tape showing Lieutenant Day and Captain Fritz. The gun shown on the tape is the 6.5 mm Mannlicher Carcano. It was not stamped 7.65 Mauser, and Seymour Weitzman never claimed that he READ 7.65 Mauser off of the rifle, only that he speculated that it was a Mauser BEFORE the rifle was unwedged from between the boxes. The most important point Craig could make to the Warren Commission about the rifle found on the sixth floor being stamped 7.65 Mauser on the side seems to have slipped his mind while he was under oath.

One other fact debunking the Mauser myth was brought to light in a recent interview with Detective Studebaker. Rusty and I asked if he ever heard the term *Mauser* used to describe the rifle. Studebaker told us bluntly that he never heard the term *Mauser* used to describe the rifle found on the sixth floor, and he had

JFK FIRST DAY EVIDENCE



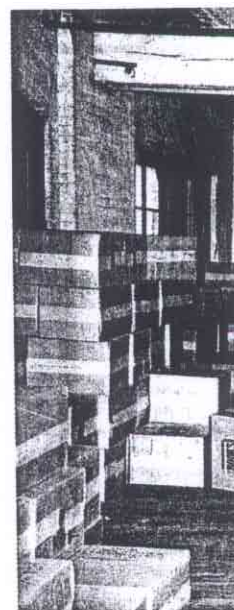
53. (DP #23) Dallas Police Crime Lab photo taken by Day/Studebaker showing the rifle. Studebaker's knee appears in the lower right of the photo as he braced himself on boxes above the rifle looking down.

remained on the sixth floor until 1 a.m. the following morning making the map and documenting the crime scene (except for a brief time during the evening when he went back down to the office to develop a few of his photographs and then returned to the Depository).

Detective Studebaker was photographing the hulls at the time the rifle was found. He had made his way across the large room to photograph the rifle in place. He then witnessed Lieutenant Day and Captain Fritz pick up and examine the rifle. Remembering that Studebaker did not hear mention of a Mauser during the entire day, note that this is the point at which Roger Craig stated that Weitzman saw 7.65 Mauser stamped on the rifle as Studebaker stood by. Craig had heard the term *Mauser* speculated only before the rifle was lifted from the boxes from Captain Fritz and Deputy

Weitzman, but later principle reason for the other men later Roger Craig.

DP #22 AND DP rifle taken as it was in the northwest corner of the room. The photographs were taken at about 11:30 a.m. as per memorandum later Studebaker's knee appears in the lower right of the photo which was entered Exhibit C.

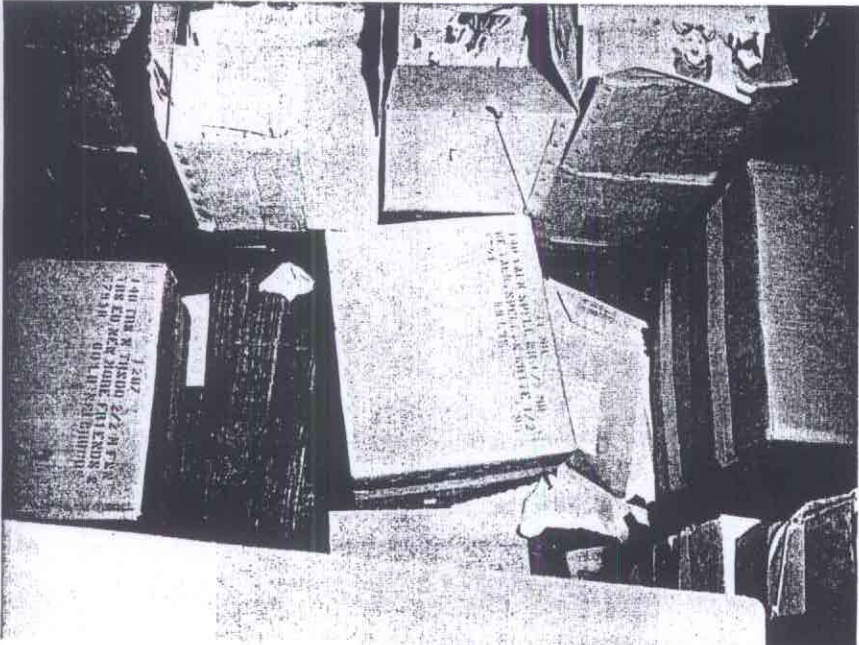


54. (DP #1) Dallas Police Crime Lab photo taken by Day/Studebaker showing the rifle. Studebaker's knee appears in the lower right of the photo as he braced himself on boxes above the rifle looking down.

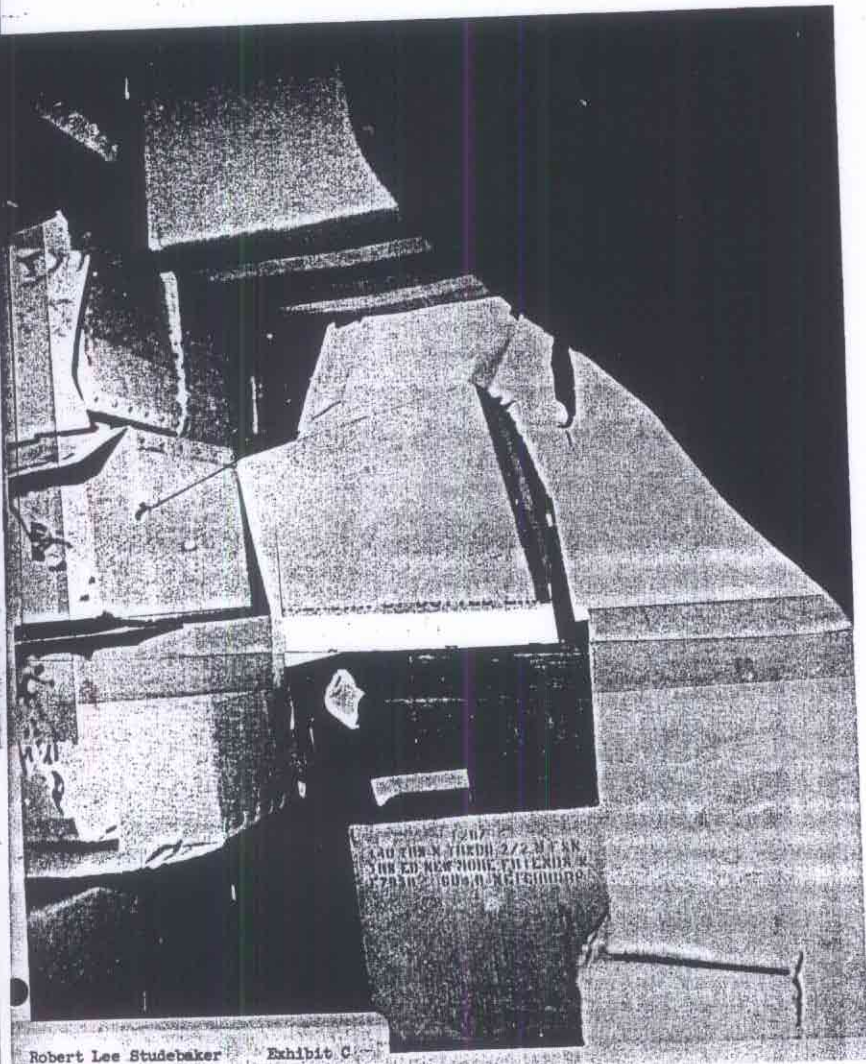
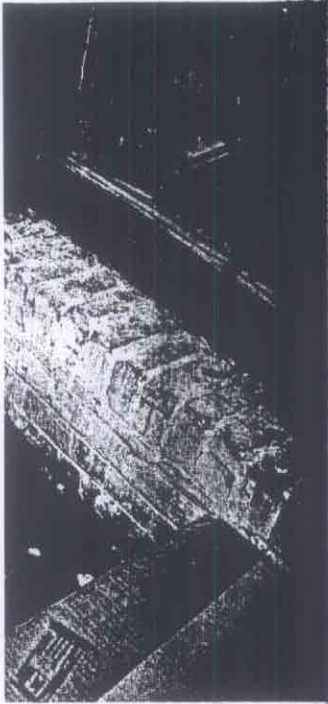
Commission Exhibit No. 717

Handwritten notes:
2nd floor B
agent built under
beams on 2nd floor
under pipe approx 1/2 ft
at Kelly
Keller PD
11-2-20

COMMISSION EXHIBIT 717



COMMISSION EXHIBIT 718

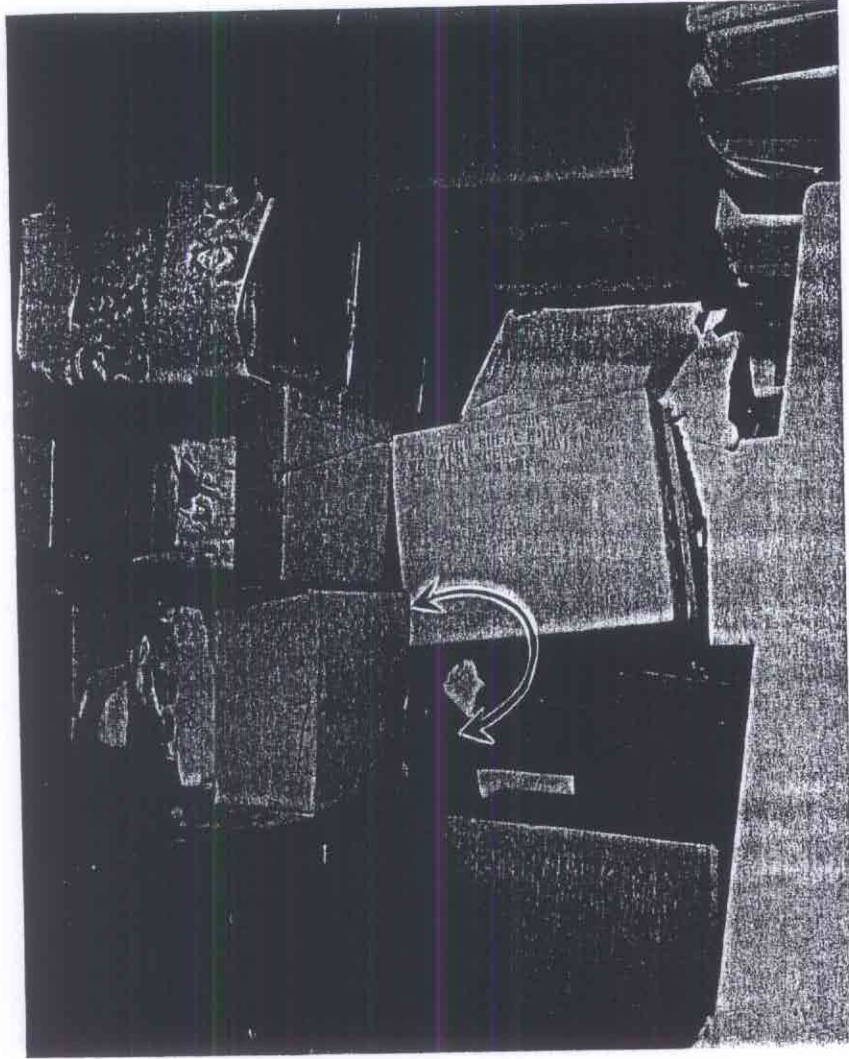


Robert Lee Studebaker Exhibit C

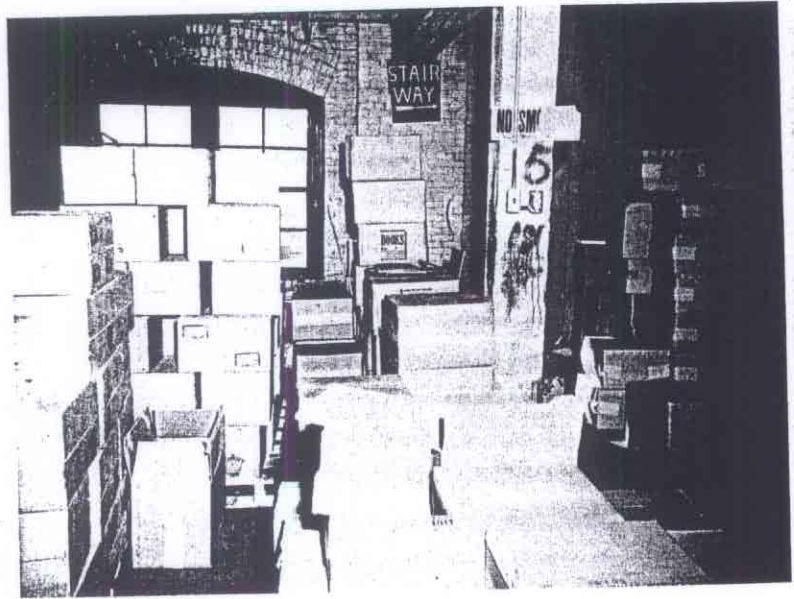
STUDEBAKER EXHIBIT C



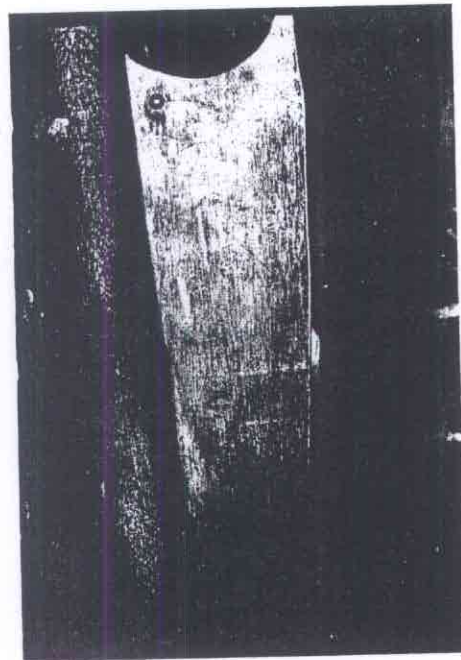
scene the Com-
an artist
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was standing
64 (16H949).



The rifle, according to this Dallas Police Department photo, was not casually deposited by the fleeing assassin but was carefully placed under two touching boxes, behind the barricade of boxes. Discussion on pages 32 and 35-6.



COMMISSION EXHIBIT 719



COMMISSION EXHIBIT 720