

Mr. GUINYARD. Oswald.
Mr. BALL. Where?
Mr. GUINYARD. Oak Cliff.
Mr. BALL. Tell me a little more about it.
Mr. GUINYARD. In Oak Cliff and down in the courtroom.
Mr. BALL. Where?
Mr. GUINYARD. Down in the examining room.
Mr. BALL. When this man came down Patton Street toward Jefferson with his gun, you have mentioned he had a shirt on?
Mr. GUINYARD. Yes, sir.
Mr. BALL. You described that shirt as a brown shirt?
Mr. GUINYARD. Yes.
Mr. BALL. Does this look anything like the shirt?
Mr. GUINYARD. It looks just like it does.
Mr. BALL. You saw that shirt before?
Mr. GUINYARD. Yes.
Mr. BALL. Where?
Mr. GUINYARD. Down at the city hall.
Mr. BALL. At the police station?
Mr. GUINYARD. Yes.
Mr. BALL. And what did you tell them when they showed you this shirt?
Mr. GUINYARD. I told them that that's the shirt he had on.
Mr. BALL. Now, the next exhibit here is Commission Exhibit No. 162; have you ever seen this before?
Mr. GUINYARD. That's the jacket.
Mr. BALL. This is a gray jacket?
Mr. GUINYARD. Yes; that's the gray jacket.
Mr. BALL. It has a zipper on it?
Mr. GUINYARD. Yes.
Mr. BALL. You say that's the jacket?
Mr. GUINYARD. Yes; that he had on in Oak Cliff when he passed the lot.
Mr. BALL. That the man with the pistol had on?
Mr. GUINYARD. Yes, sir.
Mr. BALL. I have no further questions for you, Sam, and I thank you for coming down, and you can go home now.
Mr. GUINYARD. Thank you.

AFFIDAVIT OF LT. J. C. DAY

The following affidavit was executed by Lt. J. C. Day on May 7, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

Before me, Mary Rattan, a Notary Public in and for said County, State of Texas, on this day personally appeared Lt. J. C. Day, Dallas Police Department, who, after being by me duly sworn, on oath deposes and says:

When testifying before the President's Commission, I stated I did not remember who returned the two spent 6.5 hulls and envelope to my possession on the night of November 22, 1963. Since returning to Dallas Detective C. N. Dhority has called my attention to the fact he brought the three hulls in the envelope to me and asked me to check them again for fingerprints even though I had checked them when they were picked up on the sixth floor of the Texas School Book Depository about 1:20 p.m. November 22, 1963 by Detective R. M. Sims and myself and placed in a manila envelope. Since talking to Dhority I re-

member now that he was the one who returned the shells to me about 10:00 p.m. and stated that his office wanted to retain one. He left me two shells and the envelope that Detective Sims and I had previously marked. It was then that I scratched my name on the two shells that were released at 11:45 p.m. to Agent Vince Drain along with the rifle and other evidence.

Signed this 7th day of May 1964.

(S) J. C. Day,
J. C. DAY.

AFFIDAVIT OF LT. J. C. DAY

The following affidavit was executed by Lt. J. C. Day on June 23, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

Before me, Mary Rattan, a Notary Public in and for said County, State of Texas, on this day personally appeared Lt. J. C. Day, Dallas Police Department, who, after being by me duly sworn, on oath deposes and says:

The following affidavit is made to clear up confusion regarding the three spent 6.5 hulls, commission numbers 543, 544, and 545, found by the 6th floor window of the Texas School Book Depository on November 22, 1963. The hulls were picked up by Detective R. M. Sims and Lieutenant J. C. Day and placed in an envelope. Detective R. L. Studebaker was also present. The envelope was marked and dated by Sims and Day. Detective Sims took the hulls after they were checked for fingerprints by Day. The third hull, commission number 545, was later released directly to the FBI by the Dallas Police Department Homicide Division. At 10:00 P.M. November 22, 1963, Detective C. N. Dhority brought the three hulls in the marked envelope back to Lieutenant Day in the Identification Bureau office to recheck for prints. Dhority retained one hull, commission number 545 and left the other two, commission numbers 543, 544 along with the envelope with me to be sent to the FBI. Vince Drain, FBI agent, took custody at 11:45 A.M. the same day. When I appeared before the commission April 22, 1964, I could not find my name on one of the hulls, identified as commission number 543, and thought this was the hull that had been retained by Dhority. On June 8, 1964, the three hulls, commission numbers 543, 544, and 545, were back in Dallas and were examined by Captain G. M. Doughty and myself at the local FBI office. Close examination with a magnifying glass under a good light disclosed that my name "Day" was on all three hulls, at the small end. Also GD for Captain George Doughty was on two of them. Commission numbers 543 and 544 were the first two sent to Washington on November 22, 1963. They have Doughty's initials where he marked the hulls as they were released to Vince Drain at 11:45 P.M. on November 22, 1963 by Doughty and Day. The third hull, commission number 545, does not have Doughty's mark, but is plainly marked "Day". In Washington, I had numbers 543 and 545 switched because I didn't find my name on number 543. I can identify commission numbers 543, 544, and 545 from my name on them, as the three hulls found on the sixth floor of the Texas School Book Depository on November 22, 1963. As to the time I scratched my name on the hulls, I do not remember whether it was at the window when picked up or at 10:00 P.M. November 22, 1963, when they were returned to me by Dhority in the marked envelope. It had to be one or the other, because this is the only time I had all three hulls in my possession. Both Detective R. L. Studebaker and Detective R. M. Sims, who were present at the window when the hulls were picked up, state I marked them as they were found under the window.

Signed this 23d day of June 1964.

(S) J. C. Day,
J. C. DAY.