

December 19, 1996

## MEMORANDUM

To:               Jeremy Gunn  
From: Joseph Masih  
Subject:       Palm print

As part of the investigation of President Kennedy's assassination, forensic evidence played a critical role in linking the alleged assassination weapon, a Mannlicher-Carcano, to Lee Harvey Oswald.

According to the Warren Commission Final Report (pages 122-124) the discovery of a palm print by Lt. J.C. Day of the Dallas Police Department on the barrel of the Mannlicher-Carcano rifle, which was confirmed by the FBI to be the print of Lee Harvey Oswald, was sufficient proof linking the alleged assassin to the alleged assassination weapon.

However, Lt. Day's discovery of the palm print on the underside of the barrel, which was covered by the wooden stock, on the evening of November 22, was not corroborated by the FBI fingerprint expert, Sebastian Latona.

Lt. Day in his testimony before the Warren Commission (4 WH pages 260-262) said that he had photographed two prints around the magazine of the weapon, but that he did not attempt to lift them. He believed that these prints were not sufficient to make a proper identification. He then noticed, he told the Commission, a print originating on the underside of the barrel just before the wooden stock. He disassembled the rifle and found a palm print which he subsequently lifted. He did not photograph the palm print. Lt. Day states that the print remained on the barrel and said it was their (FBI's) "best bet." He turned the weapon over to Special Agent Vincent Drain of the FBI at 11:45 pm on November 22.

There is no contemporaneous evidence, however, that Lt. Day informed anyone of the print, including the FBI of the existence of the print. Sebastian Latona of the FBI, who examined the Mannlicher-Carcano for prints, states in his testimony before the Warren Commission (4 WH pages 20-24) that he received the rifle on November 23, and that along with the rifle came the photographs of the two prints around the trigger guard/magazine area. These two prints were covered with cellophane for protection. During his examination of the rifle he discovered no palm print nor any evidence that one had been lifted.

The FBI returned the weapon to the Dallas Police on November 24, and requested the rifle, a second time, with all of the accompanying material on November 26. Sebastian Latona of the FBI received the lifted print from the Dallas Police Department on November 29th and subsequently identified it as the right palm print of Lee Harvey Oswald.

The problems surrounding the palm print are that there is no contemporaneous evidence of the palm print such as a photograph or written record on the date of discovery by Lt. Day. Furthermore, the FBI found no print on the weapon nor any evidence that one had been lifted. Day photographed the other prints and protected them with cellophane yet did not do the same for the palm print. He testified to the Warren Commission under oath that the print was still on the barrel after he made the lift.

Day was never questioned under oath about the circumstances surrounding his discovery of the palm print and the lifting of this print. Should he now be questioned under oath?