

DAY CHAPTER/ WORK UP

I NEED A SNAPPY TITLE FOR MY DAY CHAPTER/EVIDENCE MANIPULATION

This chapter is almost ready to stand as written . . . But I will need to add more on the manipulation of the evidence. Most obvious is to draw in Day's (Dallas police) manufacturing of the evidence on the rifle from the dead Oswald. . .

*** Note I believe that this Day Chpt. stands as it is. . .None of this appears in "Breach."

1. Hoover to Dallas, SAC 10/6/'64. 62-109060-NR (Section 91 EBF) What is reflected here is Hoover's animus toward Truly for his criticism (implied or not) re: FBI's failure to protect the alleged crime scene (6th floor). I have this in the Day Chpt.

1A . Notes from DiEugenio on the lifting of LHO's palm print from the dead Oswald.. .on 11/24 at Miller's funeral home. . .He makes 2 points (Drain picked up K1 on 11/22 at 3:30 P.M. . . . a nd K1 returned to Dallas on 11/24 (I had it at 11/23) I think it had to be 11/24 after news of Oswald's death. . .DiEnotes on p. 15 of piece on

Day Material/ Folder 15

1. Dallas Police Report from Hal's files (most of source is obliterated) Vol. 6 of Dallas Police Reports ***Key doc. Day to Curry 1/8/'64 Day gives his movements on 11/22 Note. Fritz's splashy ejection of live round from K1 . . .and Day notes no prints found on the round. . . itinery: Day took K1 to Id Bureau about 2:00. . .Then went back to TSBD at about 2:45 and took lots of pixs. . .Returned to ID Bureau about 7:00 P.M. and dusted for prints. . .found prints.. .then K1 released to FBI. . .No time given in this doc. Is conflict w/ Drain account. . .Need to check . . All evidence according to Day released to FBI at 11:45 P.M. . . .attached is report from Crime Lab that paraffin test on Oswald cheek came up negative. . . .but positive on both hands. .

2. Ponder to Trotter 11/29/'63 62-109060-989 (section 13) Notes that Bureau received on 11/29 a print developed by Day of Oswald's right palm

And sent to Bureau on 11/26. . . and it bore the date 11/22/'63 the alleged date Day lifted the print.. . (all BS of course).

3. See original note. . . 19 prints found on the cartons one of which held Oswald's prints (or alleged to be his).. .The date of this memo was 3/30/'64 100-10461-4850
4. As stated. . .searching for owners of latent prints found on the 4 rolling cartons on 6th floor. . .
5. As stated
6. Latona to Trotter 4/2/'64 105-82555-3025 (section 24) Latona reports on his appearance before the WC. . . Key testimony that WC was glad to hear wellcomed news) that Oswald's right palm print was lifted from underside of K1. . . (placed their by Day from the palm of the dead Oswald). . .
7. SAC, Dallas to Director, 6/12/'64 105-82555-1118 (section 175) Notes that Truly was very helpful w/ FBI request. . .
8. Sac, Dallas to Director 11/30/'63 62-109060-1018(section 13) . . . Day says he lifted a palm print fromK1 at about 8 to 8:30 on 11/22. . . before the rifle was turned over to Drain . . . Question: What time did Drain pick up K1??? Is there a conflict here???
9. Hoover to Rowley via Liaison 12/5/'63 62-109060-1478 (section 19) No Oswald latents prints found on Q 177 and Q178 cartridges from Oswald's revolver and no firing pin impressions found on the same
10. As stated. . .No prints found on K1 cartridge . . .same w/ round in the chamber.
11. Note on p. 2 as of this date 11/26/'63 105-82555-NR (Section 21) on p. 2 where FBI failed to raise latent prints of LHO the rifle., revolver,

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cartridge cases, the unfired cartridge (K1), the clip in the rifle (was there ever a clip in the rifle?), or inner parts of the rifle.

12. Jevons to Conrad, 11/23/'63 62-109060-266 FBI has nothing on Oswald. . . the bullet extracted from Tippit was so deformed that BuLab could it could not be identified from the gun it came from. . See addendum: latent prints—nothing developed of value from Oswald's revolver, cartridge cases, rifle clip, inner parts of rifle or u
 - 13.
 - 14.
 15. fired cartridge (K1).
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DRAIN AND THE CONNECTION WITH Lt. Day

(FOLDER ONE, BOX 2 *Key Material RE Lt. Day's file*)

Drain document /105-82555-505 (section 21). . . He notes on p. 160 that after he arrived in Dallas on 11/24/'63 where all the mentioned items of evidence were deposited in a locked vault. . .He notes on p. 163 of this doc. that the one bullet extracted from Tippit was "so badly mutilated that there are not sufficient individual microscopic characteristics present for identification purposes." He goes on to note on page 165 that the photos of the prints on "the rifle K1" are so fragmentary and indistinct to be of any value for identification purposes." He notes also that "No latent prints of value were developed on Oswald's revolver, the cartridge cases, the unfired cartridge, the clip in the rifle or the inner parts of the rifle."

Note: Not here but somewhere in docs Dr. Rose reported that one of the bullets he removed from Tippit had sufficient characteristics for identification purposes. . .Is that why the FBI ignored Dr. Rose and the results of his PM on Tippit and forensics on the bullets??? The bullet Q13 removed from Tippit by the Dr. at the Hospital (I forget the name) was so mutilated it could not be identified. .

Drain notes at bottom of p. 165 that K1 (the rifle) Along with K2, K3, and Q 13 were also being returned to Dallas PD. . . 105-82555-505 (Section 21).

Now we move to document 105-82555-505 (section 22) date **11/29/'63** Drain notes the following items he mentions were delivered by me to the FBI lab on

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(FOLDER ONE, BOX 2)

11/26/'63, p. 181. . .doc goes on to note that “following items were released by Lt. Carl Day to the FBI. These items already examined by FBI on 11/24/'63 . . . Item 9 is one bolt-action rifle. . . .Oswald’s alleged murder weapon. . . (p. 182)

1. 105-82555-(sect. 21), pp. 159-161 p. 160 Drain gives flight schedule on 11/23 He left Dallas at 3:10 A.M. EST for WDC FBI Hq (p. 160) on US AF C-135 Tanker. . . Arrived WDC at 6:30 A.M. EST. He was accompanied on flight by SS Agent Winston Lawson. But no body from the Dallas PD. . .

Evidence was examined by BuLab. . .

Drain then returned evidence to Dallas w/ evidence (as noted above. One can assume he did not return the 4 to 500 items that Cadigan noted). . .The items were deposited at FBI Office in Dallas. . .in a locked vault. (So the evidence in question is what is listed above in doc. on p. 160.

On 11/24 Drain contacted Curry. . .and he took control of the listed evidence. . . . Key here for me was item 10. The 6.5 mm bolt action rifle p. 160). He notes that upon arrival at Dallas PD he learned that Oswald had been shot. . .He notes he turned the evidence over to Chief Curry at 3:40 p.m. (CST)

See copy of this same doc. which has attached additional pages to this 105-82555-(sect. 217).

2. Nnnnn
3. Drain report 11/29/'63 105-82555-505, pp. 181-182 Notes following items received by Drain from Lt. Day on 11/27/'63. . . **** Items of interest 9. Is the alleged assassination rifle. (I will argue it will now have Oswald’s clear

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prints on it after Day took them off Oswald's dead hands. . .***** Also four cardboard boxes. Not previously examined says the pen additional information on 11/24 but were examined by FBI lab after they were returned to Dallas. . . . Same as above. Returned to Dallas where Oswald's prints were lift from his dead body. . . .

4. FBI lab report 11/23/'63 JFK/Dallas Police Department Records of City of Dallas, Municipal Archives, Box 3, folder 22. . . P. 134 Notes that Notes that "No fibers were found on K1 that could be associated with Q12 blanket and no fibers were found on the Q10 paper bag that could be associated with the Q 11 shirt. Notes that Q10 (wrapping paper) did not disclose identifiable with the rifle, K1. Finally, the latent prints in photo of rifle by DPD "are too fragmentary and indistinct to be of any value for id purposes. 4A. . . . repeat of 3
 5. See p. 3 of ghis doc. fo0r Cadigan's 4/30/'64 WC testimony where (7H 434-435) where he reveals that 40 to 500 items made up the evidence package that Drain brought back to WDC FBI HQers. . .
 6. Drain's account of pressure from Washington to Dallas re: where was the evidence. . . to be transported to BuLab
 7. Confirmation that there was no Dallas PD representative who accompanied Drain w/ evidence back to BuLab and WDC. . . Want to review carefully. . .
- 7A More on same above. . .Cadigan spills info. To Eisenberg. . .that was suppressed. . .7B. Effort made by Dulles in Q & A with Cadigan on 4/3/'64 to make case that the paper from TSBD and the paper making up the paper sack holding K1 were "similar" and could have come from a common source. . .This was a touring obfuscation. . .
8. Cadigan exchange with Eisenberg, 4/30/'64 7H 434/435. . . immense amount of evidence FBI received from Dallas on 11/23. . 400 to 500 items. .
 9. Items the Dallas Police Dept. collected from Oswald's room, 1126 No. Beckley.

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10. Hoover to LBJ, 11/23/'63 LBJ Library . . .Hoover notes to LBJ that evidence FBI has at present time is "not very, very strong."
11. Rosen to Belmont, 11/23/'63 62-109060-106 (section 1) . . .He notes that Drain w/ evidence (see list) is taking from Dallas to SOG. . .See list including the rifle. . . .Shanklin assures he will "insure continuity of evidence . . ."
Followed by list of 7 items. . .Including K1.
12. 105-82555-505 (section 21) Notes on 11/26/'63 3 negatives of a palm-. print were handed over to Drain from Lt. Day. These negatives were believed to be a fingerprint or palm print from trigger guard assembly of rifle believed to be the weapon Oswald used to kill JFK. . . (serial # C2766). This was just 2 days after Oswald's own murder.. . Carl Day was the source of this evidence. . .
13. May want to review doc. 13. . .0