

1 A Yes I was.

2 Q Did you receive any kind of material to take to
3 the F. B. I. Laboratory in connection with this
4 case?

5 A Yes I did.

6 Q When did you receive it?

7 A On June 25th, 1964.

8 Q And from whom did you receive it?

9 A Special Agent Jay Cochran.

10 Q And what was the condition did you receive this
11 material?

12 A It was in a sealed package.

13 Q Were you instructed what was in the sealed package

14 BY MR. BUCKLEY:

15 Your Honor if it please the Court, I object unless
16 he knows what was in the package.

17 BY THE COURT:

18 I'll let him tell what he knows.

19 BY MR. OWEN:

20 Q Did you inventory it anyway?

21 A Yes sir,

22 Q What did it purport to contain?

23 A Special Agent Cochran told me it contained a
24 wrist watch----

25 BY MR. ALFORD:

1 Your Honor, we object to what somebody told him.

2 BY THE COURT:

3 I'll sustain the objection.

4 BY MR. OWEN:

5 Q Where did you take the package?

6 A I carried the package to the F. B. I. Laboratory
7 in Washington, D. C., where I gave the package
8 to Joseph Gormley.

9 BY MR. ALFORD:

10 Your Honor, I didn't get that last name.

11 BY THE COURT:

12 Can't you hear over there?

13 BY MR. ALFORD:

14 I didn't hear the last name and I didn't get the
15 name of the witness exactly.

16 BY THE COURT:

17 You are Mr. Coyle?

18 BY THE WITNESS:

19 Yes sir.

20 BY MR. ALFORD:

21 The person he said he carried the package to.

22 BY MR. OWEN:

23 Joseph L. Gormly.

24 Q And who is he?

25 A Special Agent with the F. B. I.

1 Q And where was he?

2 A He was at the F. B. I. Laboratory in Washington,

3 D. C.

4 Q Can you say whether or not the package was in

5 the same condition when you receive it until

6 you handed it to Mr. Gormley?

7 A Yes ----

8 BY MR. ALFORD:

9 Your Honor, he's leading and we object to it.

10 BY THE COURT:

11 Overruled.

12 BY THE WITNESS:

13 A Yes it was in the same condition when I delivered

14 it to Mr. Gormley.

15 Q When did you deliver it?

16 A It was delivered on the morning of June 26, 1964.

17 Q That's all.

18 BY THE COURT:

19 Any cross examination?

20 You may stand aside.

21 (Whereupon witness excused)

22 JOSEPH LEO GORMLEY, called as a witness for and on

23 behalf of Plaintiff, was sworn and testified as

24 follows:

25 DIRECT EXAMINATION

1 BY MR. OWEN:

2 Q State your name please?

3 A Joseph Leo Gormley.

4 Q What is your occupation?

5 A I am a Special Agent with the Federal Bureau of
6 Investigation.

7 Q Where do you work?

8 A In the Laboratory at Washington, D. C.

9 Q In connection with this case, was certain evidence
10 handed over to you?

11 A Yes sir, I did.

12 Q From whom did you receive it?

13 A Special Agent Vincent Coyle.

14 Q Now, when did you receive it?

15 A On June 26, 1964?

16 Q What was the condition of it when you received it?

17 A It was in a sealed package.

18 Q And to whom, uh, did you open this package or
19 did you give it to someone?

20 A I opened the package, and I gave the, one item
21 to Special Agent Loroach.

22 Q What item did you give to Special Agent Loroach?

23 A It was a ----

24 BY MR. ALFORD:

25 If the Court please, we would like to interpose an

1 objection to any package given to him by Mr.
2 Coyle or anyone else until it is properly
3 authenticated or the proper predicate laid for
4 his testimony.

5 BY THE COURT:

6 I'll overrule your objection, go ahead.

7 BY MR. OWEN:

8 Q. What did you give Agent Lorocho?

9 A. A sealed package.

10 Q. And did you give anything else to anybody else?

11 A. I gave several packages to George Berley.

12 Q. When were these packages given to these agents?

13 A. On June 26th, 1964.

14 Q. What was the condition of the package when you
15 gave it to George Berly?

16 A. Those packages ~~were~~ opened in the presence of Berley.

17 Q. What was contained in them?

18 A. There was contained ----

19 BY MR. ALFORD:

20 Just a minute, Your Honor, may we have an objection
21 to this, a continuing objection?

22 BY THE COURT:

23 I'll overrule your objection to that question.

24 BY MR. OWEN:

25 Q. What was in these packages?

1 A. There was a gasoline cap, two door locks, two
2 automobile door locks, and a different lock and
3 five keys and a key ring.

4 Q. Who is George Berley?

5 A. He is a Special Agent with the Federal Bureau of
6 Investigation assigned to the Laboratory.

7 Q. Where?

8 A. In Washington, D. C.

9 Q. That's all.

10 BY THE COURT:

11 Any cross examination?

12 BY MR. ALFORD:

13 No sir.

14 (Whereupon witness excused)

15 FREDERICK A. COOK, called as a witness for and on
16 behalf of Plaintiff, was sworn and testified as
17 follows:

18 DIRECT EXAMINATION

19 BY MR. OWEN:

20 Q. State your name please?

21 A. Frederick A. Cook.

22 Q. What is your job?

23 A. Special Agent with the Federal Bureau of
24 Investigation.

25 Q. How long have you been with the F. B. I.

1 BY THE COURT:

2 What was the height of that second body?

3 BY THE WITNESS:

4 I didn't record the height of this particular body,

5 Your Honor.

6 BY MR. DOAR:

7 Q. Did you make an examination of body number 3?

8 A. Yes sir.

9 Q. Tell the Court and Jury what that examination was?

10 A. This body was that of a negro male, and again
11 there was marked decomposition. I did not record
12 the height of this individual but the clothing
13 was tan-knitted cotton shirt covering the upper
14 part of the body, the lower part had on blue jeans
15 The hands were wrapped in clear plastic. That is
16 roughly an idea as to the condition of the bodies.

17 Q. Doctor, what did you do then?

18 A. I examined these bodies in order to determine if
19 there were any puncture wounds or evidence if
20 some injury had been received?

21 Q. And taking body number 1 would you describe
22 what evidence you found with respect to puncture
23 wounds?

24 A. Approximately an eight millimeter puncture wound
25 was found at the level of the fourth rib just

1 below the breast bone.

2 Q Did you say an eight millimeter?

3 A Yes sir.

4 Q And could you translate that to inches?

5 A Yes sir, eight millimeters would be roughly
6 about 8/25ths of an inch, again in fractions
7 that would be about three-fourths of an inch.

8 BY THE COURT:

9 Did you find some object in this wound?

10 BY THE WITNESS:

11 A No sir.

12 BY MR. DOAR:

13 Q Doctor, did you examine body number 2 for puncture
14 wounds?

15 A Yes sir.

16 Q What did you find?

17 A I found a similar puncture wound, similar in
18 location on the right side of the rib line in
19 the same general area, right at the fourth rib.

20 Q Are you able to translate the level of the fourth
21 rib onto a layman's, uh, give a layman a picture
22 of where that would be?

23 A Yes sir. I can show you on my own chest if that
24 would be all right?

25 Q Would you locate it for us?

1 A. Certainly. The second rib is here, and down
2 is the fourth rib right here.

3 Q. Just slightly to the right of the midline, is
4 that right?

5 BY MR. HENDRICKS:

6 We object to Counsel testifying.

7 BY THE COURT:

8 Overruled.

9 BY MR. DOAR:

10 Q. And about how far down from your tie would you
11 say that was?

12 A. You mean to the right?

13 Q. No, down from the top of your tie, the knot of
14 your tie?

15 A. I would say roughly six inches

16 Q. Did you find any other wounds in the body of
17 number 2?

18 A. No sir.

19 Q. What was the diameter of the wound there?

20 A. This was about a half an inch, in terms of
21 metric measurement it was fourteen millimeters
22 in diameter, that would be about a half an inch.

23 Q. And did you then examine the body number 3?

24 A. Yes sir.

25 Q. And what did you find with respect to wounds?

1 A. The first wound that I located was located in the
2 upper abdominal region on the left. Now, this
3 particular wound, I did not measure its diameter.
4 That was the only wound of entry that I found.

5 Q. What did you do then, doctor?

6 A. Well then I tried to trace a track or line of
7 penetration from these wounds of entry to a
8 specific ----(witness lowered voice and reporter
9 did not get)

10 Q. Had you at that time examined the x-rays that you
11 took?

12 A. I examined the x-rays before I started to
13 examine the wounds or to locate these entries
14 of these wounds.

15 Q. Do you have those x-rays with you?

16 A. I do.

17 Q. And would you hand to the Clerk the four groups
18 of x-rays that I asked you to pull out and have
19 ready here this morning? Your Honor, I would like
20 to show these to defense Counsel, there is one
21 x-ray of body number 1; one x-ray of body number
22 2; and one x-ray of body number 3, in each of
23 the x-rays they show clearly and distinctly a
24 metallic object.

25 BY MR. BUCKLEY:

1 If it please the Court, I object to Counsel testifying
2 about----

3 BY THE COURT:

4 Yes, I'll sustain the objection. You may need to
5 authenticate these x-rays at this point and then you
6 may show them to Counsel.

7 BY MR. DOAR:

8 Q Doctor, these x-rays that you hold your hand, these
9 four x-rays, are they clear and accurate x-rays
10 of the bodies of the three bodies that you examine
11 on the morning of August the 5th, 1964?

12 A They are. I have had these x-rays in my possession
13 since the time they were taken until right now.
14 I can testify that these are the x-rays of the
15 three bodies that I examined.

16 Q And do they accurately reflect a x-ray picture
17 of the bodies on which you performed an autopsy
18 on?

19 A These served my purpose of the x-ray examination

20 BY THE COURT:

21 You are not answering his questions, listen to his
22 question, please.

23 BY MR. DOAR:

24 Q I said were they an accurate x-ray picture of the
25 bodies that you examined?

1 A. These are the x-rays of the bodies. Whether they
2 are accurate they represent x-rays of the three
3 bodies. They are true x-rays, they have to be
4 considered as distortions because they are not
5 made for any specific purpose other than to de-
6 monstrate the presence of a metallic object.

7 BY THE COURT:

8 He's not asking you an offending question at all,
9 you don't need to defend yourself nor your machine
10 but he would like to know whether those are true
11 and accurate and complete x-ray pictures of the
12 objects which the x-ray machine was taking the picture
13 of? That's all he's asking you.

14 BY THE WITNESS:

15 I would have to say yes, they are true and accurate
16 pictures.

17 BY MR. DOAR:

18 May I show them to Counsel?

19 BY THE COURT:

20 Yes, show them to Counsel.

21 BY MR. DDAR:

22 Your Honor, I have a cloth and an x-ray machine
23 here that would light up and be easy for the jury
24 to review it if the Court will permit it.

25 BY THE COURT:

1 BY THE COURT:

2 Well, let's see. Can that machine be put back where
3 Counsel can see it and the Jury can see it?

4 BY THE MARSHAL

5 Judge, I think if we could get a table to set it on
6 we could put it right here. I have some paper to
7 set it on and I think if we put it right here every-
8 body could see it.

9 BY THE COURT:

10 All right. I don't believe the lawyers will know
11 anymore about those x-rays after they get through
12 looking at them than they do right now, so let's
13 get going. How many pictures do you have there?

14 BY MR. DOAR:

15 Four, Your Honor.

16 BY THE COURT:

17 They may be entered and be marked and start talking
18 about them. Give her those pictures in the order
19 you want them to be marked.

20 BY MR. DOAR:

21 Doctor, would you arrange those as to body 1, 2,-----

22 BY MR. ALFORD:

23 Objection Your Honor, we would like to interpose
24 an objection here since the doctor has stated by
25 his own admission they are distorted.

1 BY THE COURT:

2 I didn't understand what you said about distorted?

3 BY MR. ALFORD:

4 The witness said is was a distortion.

5 BY THE COURT:

6 I don't think he said that, I'll overrule that.

7 BY MR. HENDRICKS:

8 May it please the Court, he said they were made
9 pictures of the bodies, and they are just pictures
10 of particular areas of bodies and he was in error
11 there, and we also say the x-rays were made of
12 the bodies before they were removed from the bag,
13 and these are just particular portions of the body.

14 BY THE COURT:

15 Yes, well you may ask him about that on cross-
16 examination.

17 BY THE ATTORNEY DOAR:

18 Q. Would you hand to the Clerk x-ray number three
19 and identify that x-ray.

20 (Whereupon exhibit entered into evidence and
21 marked P-50) (P-51) and P-52 and P-53)

22 BY THE COURT:

23 All right I will let the Clerk tell us for the
24 record what numbers she is putting on which particular
25 x-ray)

1 BY THE CLERK:

2 P-50 for body number 3;

3 BY MR. DOAR:

4 Now will you hand the Clerk x-ray number, uh for
5 the other x-ray for body number 3?

6 BY THE CLERK:

7 This one is numbered P-51.

8 BY MR. DOAR:

9 Will you hand the Clerk the x-ray for body number 2?

10 BY THE CLERK:

11 Numbered P-52.

12 BY MR. DOAR:

13 Will you hand the Clerk the x-ray for body number 1?

14 BY THE CLERK:

15 Numbered P-53.

16 BY THE COURT:

17 When we take a recess I want that exhibit number 29
18 or 19 or whatever the number of it removed unless
19 you have some further use for it. I don't see any
20 use leaving it up in the courtroom.

21 BY MR. DOAR:

22 Q Doctor, would you place P-50 in the xray machine---

23 BY THE COURT:

24 Counsel may get around where you may see it if you
25 want to.

1 BY THE WITNESS: (Showing X-rays)

2 This particular x-ray is the head view of body number
3 3, and it shows a metallic particle lying in the
4 center of the skull.

5 Q Did you, in the course of your examination, re-
6 cover that metallic object?

7 A Yes sir.

8 Q Do you have that with you?

9 A Yes sir.

10 Q Now, would you place exhibit number 51 in the
11 xray machine and read that x-ray.

12 A This x-ray shows two metallic particles, one
13 here and one here.

14 BY MR. HENDRICKS:

15 What body is that?

16 BY THE WITNESS:

17 This is still body number 3.

18 BY MR. DOAR:

19 Q You are pointing first to where?

20 A This is of the upper chest on the left side.

21 Q Could you identify there for the Court and Jury
22 the vertebra or backbone?

23 A Yes sir. This is the line of bones running up
24 and down here.

25 Q Could you identify the rib for the court and

1 Jury?

2 A. Yes sir. These bones here are running horizonital
3 down slightly, or the rib cage representing an
4 individual rib.

5 Q. What are the two bones appearing running diagonall
6 from the upper left down to the lower end of
7 the picture.

8 Q. This is the bones of the forearm.

9 Q. Could you again point out the two metallic objects

10 A. Here's one and here is the other.

11 Q. There appears to be in the picture a similar
12 mark or to the density of the two metallic objects
13 that you have described, you are now pointing to
14 those two marks?

15 A. Yes sir.

16 Q. Did you determine what they were?

17 A. No sir, I did not. They were not metallic and
18 I did not specifically analyze those, but I can
19 state that they were not of metallic origin.

20 Q. Now will you take government's exhibit 2, excuse
21 me, exhibit 52 and place that in the x-ray
22 machine and read that x-ray for the Court and
23 Jury.

24 Q. This is an x-ray taken of the chest of body number
25 2, and this shows a metallic particle located

1 over the backbone.

2 Q. About what rib would that be?

3 A. This would be about the sixth rib that attaches
4 to the vertebra.

5 BY THE COURT:

6 What is the size of that particle that you are talking
7 about?

8 BY THE WITNESS:

9 Sir, I have those metallic objects here.

10 BY THE COURT:

11 Would you give the jury some idea for the record
12 here, you see we are making a record here.

13 BY THE WITNESS:

14 Yes sir, it would be from about seven to eight
15 millimeters in diameter. I did not measure their
16 lengths.

17 BY THE COURT:

18 All right.

19 BY MR. DOAR:

20 Q. Now would you take exhibit number 53 and place
21 in the x-ray machine and explain that to the
22 Court and Jury?

23 A. This is a chest view of body number 1, and it
24 shows another metallic particle located here.

25 Q. When you say located here where do you mean on

1 the picture?

2 A This lies in an area which is superposed over
3 the ribs on the left side of the chest cage or
4 rib cage.

5 Q Where is it in relationship to the heart area?

6 A Well the heart would lie here in this general
7 area here.

8 Q Did you recover that metallic object?

9 A Yes sir.

10 Q And you have that object with you?

11 A Yes sir.

12 Q That's all the questions I have with regard to
13 the x-rays, Your Honor.

14 BY THE COURT:

15 All right.

16 BY MR. DOAR:

17 Now Dr. Featherstone, would you return to the
18 witness stand please?

19 (Witness returns to witness stand)

20 Q Would you hand to the Deputy Marshal the five
21 metallic objects that you recovered from the
22 bodies?

23 A Yes sir.

24 Q Would you hand those to the Clerk for marking,
25 handing the object that you recovered from body

1 number 1 first? Then the body you recoeved
2 from body number 2 next, and then the three objects
3 you recovered from body number 3 last.

4 (Objects handed to Clerk)

5 BY MR. ALFORD:

6 If it understand him, Your Honor please, is this
7 just for marking?

8 BY THE COURT:

9 That's all he'a asked for.

10 BY MR. DOAR:

11 I would like to----

12 BY THE COURT:

13 I don't see much point in marking something for
14 identification----

15 BY MR. DOAR:

16 I'm sorry, Your Honor, I would like to offer those
17 in evidence.

18 BY MR. ALFORD?

19 Your Honor please, we would object first on the grounds
20 they have not been properly authenicated nor where
21 they have been since they were removed.

22 BY THE COURT:

23 I'll let you ask the doctor about that.

24 BY MR. DOAR:

25 Q. Doctor, did you while these objects were in your

1 possession make any kind of identifying mark on
2 them?

3 A. Yes sir.

4 Q. What did you do with the objects after you removed
5 them?

6 A. I gave them to Mr. Jay Cochran.

7 Q. He's the Agent for the Federal Bureau of Investi-
8 gation?

9 Q. When did you next see these objects?

10 A. Yesterday afternoon.

11 Q. Did you or not examine the objects?

12 A. Yes sir.

13 Q. What did you find?

14 A. The original markings that I placed on them.

15 Q. And are those five objects the five objects that
16 you removed from the three bodies?

17 A. Yes sir.

18 Q. I would like to offer exhibit 54 through 58
19 into evidence.

20 BY MR. ALFORD:

21 We interpose and objection to the introduction of
22 these objects on the grounds that they have not been
23 in his possession, and on his statements he only
24 placed his markings on them is all.

25 BY THE COURT:

1 You may ask him about the time.

2 BY MR. DOAR:

3 Q Tell me whether or not they are in the same
4 condition as they were when you had them?

5 A N^o sir.

6 BY MR. ALFORD:

7 We object.

8 BY THE COURT:

9 Go along, he said they weren't in the same condition.

10 BY MR. DOAR:

11 Q I would like to have them remain marked for
12 identification.

13 BY THE COURT:

14 Doctor, what is the change that you notice?

15 BY THE WITNESS:

16 Of the five particles or bullets, four of them have
17 a little portion of them removed from the front part,
18 that's all.

19 BY THE COURT:

20 Do you recognize them being the same bullets that
21 you removed from these bodies?

22 BY THE WITNESS:

23 Yes sir.

24 BY THE COURT:

25 Is there any doubt in your mind about that?

1 BY THE WITNESS:

2 No sir.

3 BY THE COURT:

4 I'll let them be entered into evidence and be
5 marked.

6 BY MR. ALFORD:

7 May we have an objection Your Honor.

8 BY THE COURT:

9 Yes sir and I'll overrule your objection.

10 (Exhibits remained in evidence) (Marked P-54, P-55,
11 P-56, P-57 & p-59)

12 BY THE COURT:

13 Doctor, I notice when you were explaining these
14 x-rays you spoke repeatedly of particles and in
15 answer to my last question you referred to them as
16 bullets? Which are they?

17 BY THE WITNESS:

18 Sir, they are bullets. Until I have them in my hand
19 I would refer to them as objects, particles or
20 metallic substances.

21 BY THE COURT:

22 You recognize them as being bullets?

23 BY THE WITNESS:

24 Yes sir.

25 BY THE COURT:

1 Do you know what kind of bullets they were?

2 BY THE WITNESS:

3 No sir.

4 BY THE COURT:

5 You don't know where they are rifle bullets or
6 pistol bullets?

7 BY THE WITNESS:

8 No sir.

9 BY MR. DOAR:

10 Q Doctor in connection with your examination of
11 body number 1 what did you do then?

12 A The first thing that I did of course was to remove
13 a particle of skin and flesh around this puncture
14 wound that I have already described on the right
15 side of the chest at the level of the fourth rib,
16 then I made an incision in order to find out where
17 this puncture wound left or where it extended
18 and entereding the body I was able to find another
19 area where there was an opening through the
20 pericardial sack, the left chest cavity and went
21 out of the chest cavity on the back side on the
22 left side of the chest where it went through
23 the eighth rib on the back side of the left chest
24 about 120 Millimeters, that would be roughly
25 about six, five to six inches to the left

of the attachment of the rib to the backbone.

Q. About how far down from the shoulder would that be?

A. Well, it would be roughly in the region covering part of the shoulder blade, underneath the shoulder blade on the left. Well actually after I had found that there was a hole through the rib on the back side I followed an opening underneath the left arm pit from this hold on the left back side of the armpit and that's where I found the bullet that I have marked as number 1.

Q. Did you determine the cause of death of body number 1?

A. Not precisely. I couldn't do that before of the advanced decomposition and deterioration of the body.

Q. Were you able to see where the path of the bullet went?

A. By connecting the wound of entry with the wound of exit, I have a very good idea of the bullet, or pattern the bullet pursued across the soft tissues of the chest.

Q. What affect would a bullet that pursued that path have on the life of a human being?

BY MR. WEIR:

1 We object to that, if YOur Honor please, as to his
2 ideas, now if it is a medical opinion or something
3 it would be different.

4 BY THE COURT:

5 I understand that he's asking for his medical
6 opinion and I'll let him answer and give his
7 medical opinion.

8 BY ~~THE EXHIBIT~~ Mr. Weir:

9 May I have a continuing objection?

10 BY THE COURT:

11 Its not but one question.

12 BY MR. WEIR:

13 I took it that he might ask some additional
14 questions along the same line.

15 BY THE COURT:

16 Well let's see. I hesitate to grant a continuing
17 objection, I don't know what the course of his
18 examination will be, I'll wait and see and if so
19 I'll grant you a continuing objection.

20 BY MR. WEIR:

21 I'll wait and see, Your Honor.

22 BY THE WITNESS:

23 A It is my medical opinion that a bullet pursuing
24 this course would have had to penetrate the
25 heart and could have resulted in no outcome

1 other than death.

2 Q And is that medical opinion to a reasonable
3 medical certainty?

4 A Yes sir.

5 Q Did you then examine body number 2?

6 A Yes sir.

7 Q Let me withdraw that question. When you cut the
8 flesh around the puncture wound of body number
9 1 what did you do with that flesh?

10 A I put it in a small container which again was
11 given to the custody of Mr. Jay Cochran, the
12 F. B. I. Agent.

13 Q What would you describe as the dimension of that
14 flesh?

15 A Well the skin and tissues, it was roughly
16 one and one and a half to two inches in diameter.

17 BY THE COURT:

18 What did that skin show that you kept the evidence of?
19 Did you understand my question? Listen to me please.
20 My question is, what did that skin that you cut off
21 flesh that you cut off show that you sought to
22 preserve it for evidence?

23 BY THE WITNESS:

24 It showed only the puncture wound of entry.

25 BY MR. DOAR:

- 1 Q Did you examine it microscopically?
- 2 A No sir.
- 3 Q What was the thickness of that flesh?
- 4 A I'm sorry, I didn't measure the thickness.
- 5 Q Can you tell me approximately?
- 6 A About three-quarters of an inch.
- 7 Q What did you do in the course of your examination
- 8 of body number 2?
- 9 A I pursued essentially the same type of examination
- 10 first removing a square of skin containing the
- 11 puncture which I have described as approximately
- 12 one-half inch on the right side of the chest
- 13 and to the attachment of the fourth rib to the
- 14 breastbone.
- 15 Q What if anything did you do with that piece of
- 16 flesh that you removed?
- 17 A I put it in a container and put it in the custody
- 18 of Mr. Cochran.
- 19 Q And then what did you do?
- 20 A Following this I opened the chest and determined
- 21 the location of the second bullet. This was
- 22 located as I indicated on the x-ray sixth inter-
- 23 space line.
- 24 Q Doctor, for the record that would be exhibit
- 25 number 55, the second bullet?

1 A Yes sir.

2 Q And did you, could you describe the path of
3 that bullet through the body of number 2?

4 A Again that specific bullet number 2 which entered
5 on the fourth interspace and lodged in the
6 backbone would have had to cross the position
7 occupied by the heart.

8 Q And what affect would that bullet passing through
9 that path by the heart have on the life of a
10 mortal being?

11 A This particular bullet in my medical opinion could
12 have resulted in only one result, and that is
13 death of the person whose body it passed through.

14 Q Did you make any further examination of body
15 number 2?

16 A Only for the purpose of identification.

17 Q Then did you examine the body of number 3?

18 A Yes sir.

19 BY THE COURT:

20 Let me ask you this doctor about body number 2. I
21 notice that you said bullet could have resulted in
22 death, what would you say to the probabilities,
23 medical probabilities as to whether it would affect
24 the life of body number 2?

25 BY THE WITNESS:

1 The path that this bullet pursued could have resulted
2 only in death of the person whose body I examined.

3 BY MR. DOAR:

4 Q. Now, did you examine body number 3?

5 A. Yes sir.

6 Q. And what did you find there?

7 A. The first thing I discovered was the puncture
8 wound that I described as being located in the
9 left upper abdominal wall. By opening the body
10 incidentally, I took a square of skin and tissues
11 again, roughly the same size as that which I have
12 previously described on bodies 1 and 2, and after
13 doing that I opened the abdominal cavity and
14 the chest cavity and alook at a tract or an
15 opening which went through chest cavity on the
16 posterior rib cage on the left side, the region
17 where the eighth rib attaches to the backbone.
18 At this particular point I knew that the tract
19 extended between the eighth and ninth rib and I
20 had to cut these ribs away and after doing that I
21 could feel in the soft tissues of the back a
22 hard particle. Then I turned the body over and
23 made a. very superficial incision on the back
24 and recovered a bullet which I called number 3.

25 Q. Is that bullet number 3 the bullet that has been

1 marked exhibit number 56?

2 A. Yes sir.

3 Q. The third bullet.

4 A. Yes sir.

5 Q. What affect did a bullet have pursuing that course
6 which you have described?

7 A. I can't be sure because I was unable to demonstrate
8 that any vital organs lay in the path of this
9 bullet. It may have resulted in death but in
10 my medical opinion I can not state that would
11 have inevitable resulted in death.

12 Q. With respect to bodies number 1 and 2, what was
13 your opinion?

14 A. That death resulted in no other outcome than
15 death.

16 Q. Now, you located exhibit number 57 on body number
17 3?

18 A. Yes sir.

19 Q. Would you tell us about that bullet?

20 A. This particular bullet as you may recall from the
21 x-rays lay in the vicinity of these double bones
22 that you had ~~me~~ describe on the x-ray picture.
23 At first I thought the bullet might be located
24 in that bone but after a careful search I could
25 demonstrate no particle in the arm, and then

1 further search I was able to find it in the
2 anterior wall of the stomach on the right hand side
3 about 2 1/2 inches to the right of the midline.

4 Q. You are pointing to the front of the stomach, is
5 that the anterior?

6 A. Yes sir.

7 Q. And were you able to find a wound of entry for
8 that bullet?

9 A. No sir.

10 Q. Were you able to trace or identify the path of
11 that bullet through body number 3?

12 A. No sir.

13 Q. And did you recover that bullet?

14 A. Yes sir.

15 Q. And that's bullet number 4?

16 A. Yes sir.

17 Q. Now, what further examination did you make?

18 A. Well, then I proceeded to try to recover the
19 particle that I identified on the xpay. The
20 first thing that I did was to remove the soft
21 tissue on top of the skull, and as soon as I
22 did that I found that there was a large protruding
23 hilt, one that projected above the skull on the
24 right posterior aspect of the skull, and what
25 I call the oxcipitol tenproe region on the right.

1 Q That's the back of the head?

2 A Yes sir.

3 Q Protruding means what?

4 A Projecting up above the skin of the surrounding
5 bone.

6 Q And then what did you find?

7 A Then I had to remove the top of the skull in an
8 effort to get into the brain cavity. The brain
9 had degenerated to a, uh, just a mass of gray
10 massive material but my searching through this
11 I was able to find a metallic particle, which I
12 removed and this is particle number 5 or bullet
13 number 5.

14 Q And were you able to identify the course of that
15 bullet through the skull or through the head of
16 body number 3?

17 A I did not find the wound of entry, but from the
18 course and the location of the fracture it had
19 to enter from approximately the region of the left
20 eye or the spot that was occupied by the eyeball.
21 It then pursued a posterior course which hit the
22 intersurface of the skull and produced this
23 explosive type of fracture on the right back side
24 of the skull. Following that it bounced back
25 into the substance of the brain.

1 Q Now do you have a medical opinion as to the affect
2 of that bullet on the life or body?

3 A Yes sir.

4 Q What is that opinion?

5 A My medical opinion, this bullet would have resulted
6 in the death of the person.

7 BY THE COURT:

8 Body number 3, was that person of the white race or
9 colored race?

10 BY THE WITNESS:

11 A negro.

12 BY MR. DOAR:

13 Q Did you turn over any other particles of the
14 body to the Federal Bureau of Investigation?
15 To Mr. Cochran?

16 A Yes sir.

17 Q Could you identify those parts of the bodies?

18 A Yes sir.

19 Q Will you do so?

20 A All of the clothing that was removed was turned
21 over and the terminal fingers, all ten, were
22 removed for fingerprints purposes.

23 Q Are you referring to the first joints of the
24 fingers?

25 A Yes sir.

1 Q. Of each finger?

2 A. Yes sir.

3 Q. And thumbs?

4 A. And thumbs.

5 Q. And were those identified and marked individually
6 for each body?

7 A. Each finger was marked for the specific location
8 and on the body.

9 Q. And was the clothing marked for each body?

10 A. Yes sir.

11 Q. Excuse me just a moment, Your Honor. Thank
12 you, Your Honor.

13 BY THE COURT:

14 How long will your examination be?

15 BY MR. BUCKLEY:

16 Your Honor, I expect it'll take several minutes.

17 BY THE COURT:

18 I believe we'll take a fifteen minute recess here
19 and I'll let the jury go to their room and then we
20 will disburse.

21 (Whereupon the Court took a fifteen minute recess
22 at 10:00 o'clock A. M.)

23 AFTER RECESS:

24 CROSS EXAMINATION

25 BY MR. BUCKLEY:

1 May I proceed, Your Honor?

2 BY THE COURT:

3 Yes sir.

4 BYMR. BUCKLEY:

5 Q. Dr. Featherstone, I believe you said you examined
6 these bodies on August the 5th, 1964?

7 A. Yes sir.

8 Q. I notice the government's exhibits 50 through 53
9 I note on there a date of August the 6th, 1964
10 would you look at those x-rays for me and see if
11 I'm correct there?

12 A. No sir, they are dated August the 4th, I wanted
13 to confirm that as I had noticed that before
14 but it is August the 4th.

15 Q. And----

16 A. I would like to say again that these people that
17 were called to perform this examination were
18 called shortly before midnight, and they did not
19 change the date of these markers even though my
20 postmortem examination began at 1:30 A. M. August
21 5. Yes, these are all on the 4th of August.

22 Q. Then the dates on the x-rays are in error then?

23 BY MR. HAUBERG:

24 We object to that, Your Honor, he has explained that.

25 BY THE COURT:

1 I sustain the objection.

2 BY MR. BUCKLEY:

3 Q Dr. Featherstone, I believe you testified a while
4 ago that you had been practicing medicine since
5 1953? But you stated you had been performing
6 autopsies since 1949, was that correct?

7 A No sir, that's incorrect. I was licensed as a
8 physician and graduated in September of 1944,
9 I have been performing autopsies since 1947 but
10 I feel I have been qualified only since 1953 as
11 an independent practicing pathologist certified
12 by the National American Board of Pathology.

13 Q In other words you started performing autopsies
14 before you feel you were qualified to do so?

15 A That is right.

16 Q Dr. Featherstone, you have no independent know-
17 ledge other than what someone told you or other
18 than what you read in the new media of who
19 these bodies were?

20 A That is correct.

21 Q You can not testify to this court and jury as to
22 what caused the death of these parties can you?

23 A I can not testify as to absolute positive proof
24 as to what caused the death of these individuals.

25 Q Dr. Featherstone, tell me whether or not you made

1 of the heart and intestinal region of these
2 individuals?

3 A. I did not.

4 Q. Did you, or then you do not know for sure
5 whether or not any of these bullets actually
6 penetrated the hearts, do you?

7 A. No sir.

8 Q. And having made no detail examination you do not
9 know as a matter of fact whether or not sodium
10 cyanmide or some other similar alien which would
11 induce death by poisoning was present in those
12 tracts would you?

13 A. No sir.

14 Q. In other words, you do not know if these people
15 died of poisoning or not?

16 BY MR. HAUBERG:

17 We object to that, if the Court please.

18 BY THE COURT:

19 Overruled.

20 BY MR. BUCKLEY:

21 Q. You may answer.

22 A. No sir, I also don't know if they were hit by
23 lightning, hit by a rattlesnake or maybe by some
24 other cause of death.

25 Q. Thank you doctor. In fact doctor, I believe you

1 testified that the size of the wounds in the
2 bodies were approximately 7 millimeters in diameter.

3 A. No sir, I testified that on body number 1 that the
4 wound was approximately eight millimeters in
5 diameter.

6 Q. About eight?

7 A. On body number 2 it was fourteen millimeters in
8 diameter.

9 Q. All right sir, tell me Dr. Featherstone if those
10 bullets exhibit number 54 and introduced by the
11 prosecution, do you/^{know}what calibre they are?

12 A. No sir.

13 Q. You ~~don't~~ know what calibre bullets they are?

14 A. I do not.

15 Q. Dr. Featherstone you testified that one of the
16 bodies, I believe body number 2, was not fully
17 clothed?

18 A. That is correct.

19 Q. Body number 1 had all clothing on? I'm sorry.

20 Body Number 1 had a portion of his clothing on and
21 was thinly clad?

22 A. That is correct sir.

23 Q. And body number 3, what extent was he clothed?

24 A. There was an undershirt and a cotton knitted
25 garment covering the upper part of the body, and

1 blue jeans covering the lower portion of the
2 body.

3 Q. There was no red checkered shirt on either one
4 of them was it?

5 A. No sir.

6 Q. There was no suit of clothing on either one of
7 them, other than blue jeans, in other words,
8 dress suit or pants on either one of them?

9 A. No sir. I did state that body number 2 had on
10 black pants, I did not specify whether they were
11 dress pants or work pants.

12 Q. Can you say now if they were?

13 A. I can not, I do not remember

14 Q. Dr. Featherstone you testified a while ago as
15 I recall you testified that 8 millimeters equaled
16 approximately three quarters of an inch, what
17 you meant was that it is approximately one-fourth
18 of an inch isn't it?

19 A. No sir. It takes 25 millimeters to make one
20 inch. Eight twenty-fifths is roughly the fraction
21 of three fourths of an inch, eight times three
22 is twenty four, and three times 824 the ~~equivalent~~^{equivalent}
23 twenty-five still figures out three fourths of
24 an inch.

25 Q. Eight twenty-fifths is three fourths?

1 A Right.

2 Q I see. And this is just as much the truth as
3 everything else that you have told us?

4 BY MR. HAUBERG:

5 We object to that line of questioning, Your Honor.

6 BY THE COURT:

7 Sustained.

8 BY MR. BUCKLEY:

9 Q Dr. Featherstone, you testified that these
10 individuals were in a plastic bag and were in
11 a state of decomposition didn't you?

12 A Yes sir.

13 Q And would you describe what the state of de-
14 composition means insofar as the succateneous
15 area of the body is, what happens to that area
16 of the body?

17 BY MR. HAUBERG:

18 We object unless it is as to these three bodies,
19 if the Court please.

20 BY THE COURT:

21 Well I'll let him answer.

22 BY THE WITNESS:

23 A Decomposition to me indicates that there is
24 marked degeneration of all the self structures
25 to such a degree that histological examination

1 under microscope is unsuccessful, that it is
2 possible to still distinguish form and shape
3 but detail structure is impossible.

4 Q. Well doctor in advanced stages of decomposition
5 as in this case here , the skin would flake off
6 very readily wouldn't it?

7 A. I could very easily flake off.

8 Q. Would it mean that the skin was advanced to such
9 a state from decomposition that it would change
10 the form of a texture of the skin or the surface
11 to a considerable degree?

12 A. Very definitely sir.

13 Q. In fact it would be decomposed to the extent that
14 it would not be reasonably possible to extract
15 fingerprints in the normal mode or fashion we
16 are known to extract or use them would it?

17 A. You are correct sir.

18 Q. Dr. Featherstone, you can not tell us how these
19 bullets came to be in the bodies of these
20 three individuals?

21 A. No sir.

22 Q. I believe you testified that you do not know
23 the calibre of these bullets?

24 A. No sir.

25 Q. Could you tell us what the calibre appeared to be

1 A. Roughly a 38 calibre.

2 Q. Roughly a .38 calibre, which is approximately
3 what millimeter in diameter?

4 A. About seven to eight millimeters in diameter.

5 Q. Approximately seven to eight?

6 A. Yes sir.

7 Q. Dr. Featherstone, a nine millimeter bullet fired
8 out of a 9 millimeter luger is the same as a
9 38 bullet isn't it?

10 A. No sir.

11 Q. That's not right?

12 A. No sir. I would like to explain one thing if
13 I may. I am not nor do I pretend to be a
14 ballistic expert.

15 Q. That's all, Your Honor.

16 BY MR. PIGFORD:

17 May I cross examine, Your Honor?

18 BY THE COURT:

19 Yes sir.

20 FURTHER CROSS EXAMINATION

21 BY MR. PIGFORD:

22 Q. Dr. Featherstone, after examining body number 1
23 can you know say to any medical certainty as
24 to how long that body had been deceased?

25 A. No sir.

1 Q As to body number 2, Dr. Featherstone, can you
2 now state after your examination to any medical
3 certainty how long body number 2 had been deceased

4 A No.

5 Q The same question with reference to body number
6 3?

7 A No sir.

8 Q Thank you sir.

9 BY MR. WEIR:

10 May I question the witness your Honor briefly?

11 BY THE COURT:

12 Yes sir.

13 FURTHER CROSS EXAMINATION

14 Q Dr. Featherstone, I would like for the Marshal
15 if he would hand you those x-ray pictures for
16 you to look at them and then I would like to see
17 them myself when you finish looking at them. Dr.
18 Featherstone, did I understand your testimony to
19 be that the round objects that shows up in these
20 x-rays besides what you've testified are purported
21 to be bullets?

22 A Yes sir.

23 Q Do you know what those round objects are?

24 A Would you point out which one you specifically
25 have in mind, sir?

1 Q Well sir, I'm looking at, it looks like----
2 BY THE MARSHAL:

3 P-51.

4 Q P-51, what's that round object in there?

5 A If I remember correctly sir that is a rock.

6 Q What?

7 A A rock or a pebble or piece of stone.

8 Q Did you find any markings that you didn't know
9 what it was?

10 A No sir.

11 Q Now, did you say that these were somewhat distorted
12 or inaccurate in anyway?

13 A Yes sir.

14 Q They are inaccurate?

15 A Yes sir.

16 Q Thank you. If the Court please, I move to exclude
17 these.

18 BY THE COURT:

19 In what respect are the x-rays inaccurate?

20 BY THE WITNESS:

21 Just as a shadow is cast by a light it may show some
22 distortion, Your Honor, but these x-rays were taken
23 specifically for one purpose and I do not pretend
24 that they are accurate in every detail. These
25 x-rays were taken to demonstrate metallic particles

1 which could be bullets, and they greatly aided me
2 in my examination because if I know there are
3 bullets present I will proceed to examine and
4 continue to examine until I locate those bullets.

5 BY THE COURT:

6 Well a lawyer speaks of a distorted picture, and
7 he's speaking of one that somebody has tried to
8 deceive somebody with a picture, is that the
9 nature you are talking about?

10 BY THE WITNESS:

11 No sir. The distortion that I speak of is
12 the scientific distortion occurs when an x-ray
13 is taken from a position which does not allow
14 parallell x-rays to render a true shadow of the
15 part which is being photographed. This is not
16 intended to deceive or to be a false representation

17 BY THE COURT:

18 I'll overrule your motion Counsel.

19 BY MR. WEIR:

20 Q. Dr. Featherstone, what color of hair was it that
21 you said the first body had?

22 A. Brown.

23 Q. Brown hair?

24 A. That is correct.

25 Q. Light brown, dark brown, medium or what?

- 1 A. I only recorded that it was brown hair.
- 2 Q. And what color hair did the second body have?
- 3 A. Brown.
- 4 Q. Was it light brown, medium brown or dark brown?
- 5 A. I only recorded brown.
- 6 Q. It was plain to see that there was a distinction
- 7 between brown and black, it was plainly visible
- 8 that there was a distinction wasn't it?
- 9 A. Yes sir.
- 10 Q. So if one of the two that purported to be deceased
- 11 had black hair then it wasn't that person's body,
- 12 was it?
- 13 A. I don't think that is a reasonable conclusion, sir
- 14 Q. Why not?
- 15 A. Because death, or exposure to various chemicals
- 16 in the soil can change hair color.
- 17 Q. All right, what exposure to the soil might there
- 18 be?
- 19 A. Bacteria, chemicals.
- 20 Q. You don't know where there was any exposure there
- 21 or not?
- 22 A. You see, I don't know what color their hair was
- 23 originally, I had no way of knowing all I can
- 24 record are my findings that I have served at the
- 25 time of my examination.

1 Q You are positive of the color of the hair whenever
2 you made the autopsy?

3 A I was positive that it was brown otherwise I would
4 not have said brown.

5 Q Did you notice any chemical changes or deteriorati
6 that might have changed the hair color in your
7 examination?

8 A No sir.

9 Q So in your opinion/^{the hair}was the same color then as
10 it was on the day of their death?

11 A I did not so state. I said all I could record
12 was the color of the hair that I noted and recorded
13 in my report.

14 Q These chemicals that you mentioned that might
15 change the color of a person's hair or dye such
16 as colorback that changes the color of greyheaded
17 men to black or turns a lady's hair maybe to
18 a different color, is that some of the change
19 that you mention?

20 BY MR. HAUBERG:

21 We object to that, Your Honor.

22 BY THE WITNESS:

23 A There are many things that can change, bleaches,
24 dyes, chemicals of various sorts.

25 BY THE COURT: He's answered.

1 Q Soils don't generally change the color of a per-
2 son's hair does it?

3 A Well it depends upon the chemical composition,
4 now, I did not examine the chemical composition
5 and again I would like to state that I don't know
6 what the color of the hair was originally, all I
7 can state was that it was brown when I examined it

8 Q Now, let's talk about red clay dirt, you're
9 familiar with that, aren't you?

10 A Oh yes, there's a lot of it around Philadelphia
11 as I understand.

12 BY MR. HAUBERG:

13 If it please the Court, we object to this line of
14 questioning.

15 BY THE COURT:

16 I'll see what his question is, let's don't get off
17 on something that is completely foreign. We've
18 got to get rid of this case one of these days.

19 BY MR. WEIR:

20 Q Now, this red clay dirt that you are familiar
21 with in Neshoba County is not such dirt that
22 contains chemicals would it?

23 A I don't know.

24 BY THE COURT:

25 That disposes of that. Let's get back on this case

1 let's try this lawsuit for a little while.

2 BY MR. WEIR:

3 All right sir.

4 Q Now, did during the course of this autopsy, was
5 it necessary, during the autopsy it was stopped
6 until some official order was presented from
7 someone for the autopsy to proceed?

8 A Would you please ask that again, I did not quite
9 understand your question sir.

10 Q All right, I ask you if the county prosecuting
11 attorney of Neshoba County, Mississippi, Walter
12 Rayford Lamar Jones, was present when the autopsy
13 was made?

14 A Yes sir, he was.

15 Q Was he in the autopsy room?

16 A He was.

17 Q And was F. B. I. Agent Jay Cochran in the room?

18 A Yes sir.

19 Q And was Sheriff Rainey in the room?

20 A No sir.

21 Q But the County Attorney, Mr. Jones, of Neshoba
22 County was?

23 A Yes sir.

24 Q And Mr. Cochran knew he was in the room?

25 BY MR. HAUBERG: