

blow was hard enough to have made the person unconscious, but not sufficient to have caused death; beyond question she came to her death from strangulation from this cord being wound around her neck. The bruise around the eye was caused by a soft instrument; the injury to the eye and scalp were caused before death; examined the contents of the stomach, finding 160 cubic centimeters of cabbage and biscuit, or wheaten bread; it had progressed very slightly towards digestion; impossible for one to say absolutely how long this cabbage had been in the stomach, but am confident she was either killed or received the blow on the back of the head within a half hour after she finished her meal; made an examination of the privates of Mary; found no spermatozoa. On the walls of the vagina there was evidences of violence; that injury had been made some little time before death; perhaps ten to fifteen minutes. It is my opinion that she lived from half to three-quarters of an hour after she ate her meal; that the child was strangled to death was indicated by the lividity, the blueness of the parts, the congestion of the tongue and mouth and the blueness of the hands and fingernails; the wound on the back of the head could not have been produced by this stick.

*Cross-examined.* It was impossible for any one to say absolutely how long the cabbage had been in the stomach of Mary Phagan before she met her death, not within a minute or five minutes, but I say it was somewhere between one-half an

hour and three-quarters; am certain it was somewhere between one-half an hour and three-quarters; am certain of that. The violence to the private parts might have been produced by the finger or by other means.

*C. B. Dalton.* Know Leo M. Frank, Daisy Hopkins, and Jim Conley; have been in the office of Frank two or three times; have been down in the basement; saw Conley there and the night watchman, and he was not Conley. There would be some ladies in Mr. Frank's office. Sometimes there would be two, and sometimes one. Maybe they didn't work in the mornings and they would be there in the evenings.

*Cross-examined.* Have been down there one time this year, one Saturday evening with Miss Daisy Hopkins. Every time I was in Mr. Frank's office was before Christmas. Miss Daisy Hopkins introduced me to him; saw Conley there one time this year and several times on Saturday evenings; Conley was sitting there at the front door; when I went down the ladder Miss Daisy went with me; we went back by the trash pile in the basement; gave Jim Conley a half dozen or more quarters; saw Mr. Frank in his office in the day time. Mr. Frank had Coca-Cola, lemon and lime and beer in the office; never saw the ladies in his office doing any writing; am the Dalton that went to the chain-gang for stealing in Walton County in 1894; stole a shop hammer. It has been 18 or 20 years since I have been in trouble.

*S. L. Rosser.* Am a city policeman. On Monday, April 28, went out to see Mrs. White; on