

tion, which had been unanimously adopted by the Board on motion of Dr. Harbin, seconded by Dr. Brown:---the resolution having been drawn by a committee appointed by the Board, consisting of Drs. Benedict, Taylor and Doughty."

" That the committee appointed to frame a resolution expressing the opinion of the Board with regard to the charges preferred against the Secretary by the President of the Board in a report to the Governor, and upon which they are called upon to act., beg to report as follows:

" Resolved: That the members of the Board present after carefully considering the charges and all evidence in its possession, unanimously agree that while there have been ^{had visited} certain slight irregularities in the conduct of some departments of the laboratories of the State Board of Health, which should be corrected, these irregularities have not been so important in character or result as to call for or warrant the discontinuance of Dr. Harris as Secretary and director of laboratories as demanded by the President. The Board further directs that a copy of this resolution be transmitted to the Governor.

Following the reading of this resolution, Dr. Westmoreland tendered his resignation as President of the Board, a copy of which follows:

Atlanta, Ga. Sept., 25th, 1911.

To the Members of the Georgia State Board of Health: Atlanta, Ga., Gentlemen:- I hereby tender you my resignation to take effect at this meeting. Thanking you for the courtesies extended me, and for the honor conferred on me in the past, I am, Very sincerely yours. W. F. Westmoreland, President."

"Now on page 164 and 165: that is the letter to the Governor, adopted by the Board, and sent to his Excellency, John M. Slaton Governor, Atlanta, Ga. "

The Court admitted these extracts from the minutes over the objections of defendant, as above stated, and in so doing committed error for said reasons.

This was prejudicial to the defendant and took the minds of the jury from the issues on the trial and centered them upon a medical row had between Dr. Westmoreland who had once been