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the hair so taken from the body of Mary Phagan and the hair so claimed to have been found by the witness Barrett, and, as a result of said microscopic examination, said Harris discovered that the hair bore no resemblance to the hair taken from the body of Mary Phagan, either in color, texture, shape, or other particular. Defendant further shows that it has come to his knowledge since the original motion for new trial was denied, and is a fact, that the said Harris, before the original trial, reported said finding of fact to the Solicitor-General and told the Solicitor-General that the said hair claimed to have been found by said Barrett was not the hair of Mary Phagan. The Solicitor General then told the said Harris that he would let the investigation as to the hair end there, and the said Harris, thereupon, returned to the Solicitor-General some of the strands of hair so claimed to have been found by Barrett. On and during the trial, said Harris was asked what parts of Mary Phagan's body he had examined, and he concealed the fact that he had examined and compared her hair with the hair found in the factory.

This defendant alleges that it is a scientific fact that a careful microscopic examination of human hair is the only positive and certain way of identifying the same as the hair of any particular person, and that an examination by the eye, and especially from memory, is of practically no value.

This defendant shows that the witness Harris offered to permit the brother of the Solicitor-General, Dr. R. T. Dorsey, who was present at the original trial, assisting the Solicitor-General in his examination of expert witnesses, to make an examination of said Hair after Harris reported that it was not Mary Phagan's hair, but that Dr. Dorsey declined to do so.

Defendant further shows that, after the hair was delivered back to the Solicitor General, he claimed to have lost it, and did not produce it at the trial, and neither this defendant, nor any of his counsel, had any opportunity of seeing it or having a microscopic examination made of it to compare it with that taken from Mary Phagan's head, and neither the defendant nor his counsel had any knowledge what soever at the time of the original trial.

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