

OTTO SCHWAB, C. J. ASMUS and GEORGE A. TILLANDER, Sworn

for movant. They are personally acquainted with Oscar Pappenheimer; that some of his associates are T.A. Hammond, Dr. C.E. Buchanan, R.S. Wessells, C.E. Currier, John K. Ottley; that the said Pappenheimer is a person of good moral character and credibility and they would believe him on oath

DR. H. F. HARRIS, Sworn for Movant (Before a Commissioner)
I am State Health Officer/ I made two examinations of the body of Mary Phagan at the request of Solicitor Dorsey. He told me he would send some hair found on a machine in the factory, and a day or so later it was brought to me by one of his assistants. He asked me to compare this hair with that of Mary Phagan's. I examined the hair under a microscope. I did not make an exhaustive examination though it was sufficient to show that the hair given me by Mr. Dorsey was almost certainly that of a female and from the head of a Caucasian. The two specimens of hair resembled each other so much that it was impossible for me to say definitely that it was not Mary Phagan's hair. There appeared to be a slight difference in shade and shape, but no difference in texture. The determination of the color had to be made by the naked eye, as the thin sections used for microscopic work are not suitable for such determination and the amount of hair given me was not sufficiently ~~great~~ ^{examined} in amount for me to make an accurate estimate. I have recently ~~examined~~ ^{examined} hair taken from the head of several persons and have found that individual hairs from the same individual differ as much in shape as the hair given me by Mr. Dorsey's assistant and that of Mary Phagan. Mr. Dorsey did not appear to attach any particular importance to this examination, nor did I at that time think it was of any importance whatever. Some days after having made an examination, the subject was casually mentioned by Mr. Dorsey in a conversation with me, and I told him at that time that it was my impression that the two specimens of hair were different, though I was careful to say that there was no certainty as to this opinion and that I would not swear that they were different. This conversation took place between Mr. Dorsey and me in my office some days after the hair was given me. I made no further report. I told Mr. Dorsey that it was my impression that the two specimens of hair were different. I said to him that the two specimens appeared to differ slightly in shape and possibly in color. I told him that the specimen brought to me was not sufficient in amount to allow me to say very definitely as to its color. I was under the impression that the two specimens of hair were different. We were alone when I made my report to Mr. Dorsey. As to whether or not I suggested that Mr. R. T. Dorsey be allowed to make a test to satisfy himself, the only time that Dr. Dorsey discussed this matter with me was a few days before the trial, Solicitor Dorsey being present and two or three others. In a general sort of way my work was talked over and I may have at that time made some reference to the matter of the hair and may have possibly said to Dr. Dorsey he could examine it if he wished to do so. I have no recollection of what was specifically said by anyone and therefore can not answer as to what Mr. Dorsey said in case the hair was mentioned. I did not say specifically to Mr. Dorsey that the two specimens of hair were dissimilar. I merely informed him that I gained the impression that they were not the same. There was no question of proceeding further with the examination, as the only method likely to reveal anything had been employed, already. I returned the hair to Mr. Dorsey's assistant. I kept that part used for the microscopic examination. I have none left that I can find. I also returned to him the hair taken from Mary Phagan's head. There was not more than a dozen strands of hair delivered to me from Mr. Dorsey's office, if that many. I took several hundred strands of hair from Mary Phagan's head. I made examination of only about half of the total number of hairs given me by Mrs. Dorsey's assistant. The hairs used were cut into short pieces. Several sections of them made of both ends and the middle portions of the hair. I made similar microscopic sections from 8 or 10 hairs from Mary Phagan's head. Taking both specimens together, I made somewhere

7