

and other organs of Mary Phagan, but made no statement at all with reference to the taking of the hair of Mary Phagan from her head during the autopsy, and examining it in comparison with the hair found on the lathe in the metal room. Dr. Harris was upon the stand twice, an interval being had in his examination by reason of his sickness, and at neither time while on the stand did Dr. Harris intimate that he had made any examination of this hair. While on the stand he was asked what part of Mary Phagan's body he examined, and he answered in a way misleading to us.

Prior to the trial Dr. Harris had been approached by Mr. Oscar Pappenheimer, a friend of Leo Frank, and was asked what he, Dr. Harris, learned as a result of the examination of the body of Mary Phagan. At first Dr. Harris declined to state, but finally said "I may say this much to you, Mr. Pappenheimer, that what I found during the examination was of no importance whatsoever, and need give you no bother."

During the trial and before Dr. Harris had finished his testimony, L. Z. Rosser and R. R. Arnold, called upon Dr. Harris and urged him to tell just what he did discover from the autopsy of the body of Mary Phagan, and just what facts he knew about which he was willing to testify. Dr. Harris declined to give this information, stating that he had promised the Solicitor to keep the matter a secret. We urged him to frankly tell us all he knew, stating that he was a public official of the State, that he had been employed by the County and paid with the money of all the tax payers of the county, and that under the circumstances he could not afford to conceal anything. This argument had no influence with Dr. Harris. He declined to give us any information, but he did state that he would state fully and frankly all he knew when he was on the stand. Thereafter Dr. Harris went upon the stand again. He was asked just what part of Mary Phagan's body he examined. He evaded the answer leaving the impression upon us that he examined only the organs testified about. He never mentioned an examination of the hair, nor was there any intimation during the trial that any examination of the hair had been had. We had no information of any hair, or any of the facts herein stated until after the motion for a new