

such hearsay statement was or not the truth.

I did not see the hair that was claimed to be found on the lathe by one Barrett. I understood that Barrett had found certain hair upon the lathe, but I never had the opportunity of examination or to see it, or did ⁹ he ever have any opportunity to see and know whether it was or was not similar to the hair of Mary Phagan. I did not know until after my trial and after my case had been affirmed by the Supreme Court, that Dr. Harris had in fact taken hair from the head of Mary Phagan and examined it in connection and in comparison with the hair claimed to have been found upon the lathe by Barrett. Nor did I, until after the trial know that Dr. Harris had examined any of the organs of Mary Phagan, except upon hearsay, as stated above. I did not know until my case had been affirmed by the Supreme Court that Dr. Harris had ever made any microscopic examination, or any other examination of Mary Phagan's hair in comparison with the hair claimed to have been found upon the lathe. I heard Dr. Harris's examination before the jury, and his cross-examination by my counsel, but I never understood from the examination of Dr. Harris, or any other source, that Dr. Harris had ever examined the hair of Mary Phagan. Nor did I then, or did I ever know until my case had been affirmed by the Supreme Court that Dr. Harris had told the Solicitor that the hair upon the lathe was different from the hair of Mary Phagan in color, shape and texture, and thereupon Dorsey said, "we'll let the hair matter rest." I understood, from inquiry, made during the trial, that the Solicitor General claimed that the hair found upon the lathe was lost. I remember distinctly inquiry was made as to where the hair was, and my recollection is that the statement was made that it was lost. I did not know that anyone had made a comparison of the hair claimed to have been found by Barrett on the lathe with the hair of Mary Phagan, or that the hair had been submitted to anyone as to whether or not the found hair looked like the hair of Mary Phagan. The first intimation I had that there had been any comparison of the two hair was obtained while one of the witnesses for the State was on the stand, when she swore that the hair claimed to have been found upon the lathe by Barrett looked like the hair of Mary Phagan. I did not then know, nor until my