

# As the Very Wildest of Guessing Dr. Westmoreland Characterizes Testimony Given by Dr. Harris

Dr. Willis Westmoreland, former head of the state board of health, who resigned some time ago after the board gave a clean bill to Dr. H. F. Harris, the secretary, whom he had accused of "scientific dishonesty," followed Dr. Hancock on the stand.

He also made an examination of Leo Frank, stating in answer to Mr. Arnold's question that he had found the accused man to be normal.

He was questioned by Arnold.

"What is your calling?"

"I am a physician of twenty-eight years' experience."

"What is your main practice?"

"General medicine and surgery."

"Have you occupied any chairs of prominence during your career?"

**Former Head of State Board.**

"I formerly occupied the chair of surgery in the Atlanta College of Surgery and, at one time, was president of the state board of health."

A number of questions of the same nature of those put to Dr. Hancock pertaining to Dr. Harris' testimony of his opinion of the time of death and of his belief that violence had been inflicted were asked Dr. Westmoreland. His replies were substantiation of Dr. Hancock.

"Could you determine how long this wheatbread and cabbage had been in the girl's stomach?" he was asked.

"No, nor anyone else. It would be the wildest guessing I have ever heard of."

"Isn't there an ascending and descending scale of acidity in the stomach?"

"Yes."

"How long would cabbage like this specimen which is said to have been removed from the body remain in the stomach?"

"Until the process of digestion had completed."

"Doctor, couldn't one man eat another man's stomach and the acids that would digest the foreign stomach benefit the stomach in which it had been placed?"

"Yes."

"Have you ever known such stomach tests to have ever been made before on dead bodies?"

"No."

**Says Harris Destroyed Specimens.**

"Have you ever before known a chemist to make an analysis in a lawsuit of parts of a body then destroy the parts without showing them to the other side or produce them in courts?"

"No."

"Such conduct is unethical, isn't it?"

An objection was made by Dorsey, to this question.

Mr. Arnold, in argument, said:

"Here's a case of an 'alleged' chemist who is hired by Dorsey and who takes the specimens to his own back room and, after he has finished with them, destroys them. I want to show that it was unethical and unprecedented."

Solicitor Dorsey replied:

"It is irrelevant in every respect, and should not be permitted."

Judge Roan ruled, however, that the rules and ethics of the medical profession could be shown by the witness.

"What are your ideas of ethics?" Dr. Westmoreland was asked.

"In the case of a chemist destroying the specimens, I would first call in another expert or preserve the specimens of my test."

"If you take the case of the stripped epithellum after a digital examination

has been made, and the hemorrhage and the distended blood vessels in the female organs, is that any indication of violence?"

"The epithellum is easily separated and a digital examination could have detached it from the wall. Such conditions would not necessarily indicate violence."

**Opinion Would Be Rash.**

"In such a case, could a chemist give a scientific opinion on violence?"

"No. Such an opinion would be the rashest I ever heard."

"Did you examine Leo Frank?"

"Yes."

"Does he appear to be a normal man?"

"Yes."

The cross-examination was then begun by the solicitor.

"Aren't sexual inverts normal so far as physical structure is concerned?"

"Yes, unless they belong to certain classes."

"Aren't there about three classes?"

"Yes, about forty."

"If a corpse is hit on the eye with the fist, what's the effect?"

"Discoloration."

"If there is a blow on the back of the head with no fracture of the skull and no effect on the brain and but little blood, accompanied by a deep indentation in the throat, livid features, purple fingers and nails, bulging eyes and tongue, what would you say caused death?"

**Caused by Strangulation.**

"Strangulation under those conditions."

"Would the flick on the eye cause swelling if inflicted after death?"

"It is possible."

"It is possible for a digital examination to be made without impairing the blood vessels, walls or organs, isn't it?"

"Yes."

"How long does it take cabbage to digest?"

"About four hours."

"What is your personal feeling toward Dr. H. F. Harris, kindly or unkindly?"

"Neither one, way or the other."

"What has been your past connection?"

"I was the president of the state board of health and obtained him the position of secretary."

Direct examination was resumed by Mr. Arnold.

"What was your trouble with Dr. Harris?"

"I preferred charges against him for scientific dishonesty, and when the board found him guilty, but refused to drop him, I resigned."

"Do you consider him the same doctor he used to be?"

"I know he isn't."

"Whatever troubles you have had, it doesn't influence you in this case, does it?"

"I had no trouble with him."

**Blood Spots Likely.**

"There is a final question I will ask, doctor: If the girl who was killed had received the blow on the head at the lathing machine, wouldn't she have bled instantly, and wouldn't big blood spots have been on the machine and in the spot where they say her body had been laid?"

"Yes, more than likely."

Mr. Dorsey continued the cross-examination.

"Wouldn't water have eradicated fresh blood?"

"Blood is a difficult stain to remove."

He was then called from the stand.