

## Mary Phagan Was Strangled Declares Dr. H. F. Harris

Dr. Roy F. Harris, the pathologist, head of the state board of health, and the expert who exhumed and examined the body of Mary Phagan, went on the stand at the close of the argument over Judge Roan's reserved decision to continue the testimony from which he was interrupted Friday by a fainting spell in the courtroom.

He still suffered from weakness and was allowed to sit in a heavily-upholstered armchair.

He was questioned first by Solicitor Dorsey.

"Dr. Harris, what is your particular branch of medicine?"

"My usual line is pathology, chemistry and chemical work, as well as diagnosis."

"Can you indicate the signs of what you saw on Mary Phagan's body which showed strangulation?"

**Died by Strangulation.**

"It was out of the question that her death was caused by a blow on the head—it was not sufficient to even produce noticeable pressure. The only thing evident from which death could have resulted was the deep indentation along the throat, obviously inflicted during life. There were other signs as well—the protruding tongue, congested blood in the face and hands, all of which indicated that strangulation had caused death."

"Did you notice the larynx?"

"Yes; there seemed no damage done."

"Did you see the windpipe?"

"Yes."

"Did you take it out?"

"No; there seemed but little damage to it. I did not remove it because I did not want to mutilate the poor child any more than necessary."

"Did you see the lungs?"

"Yes, but the lungs were congested, due to the use of formaldehyde used in embalming."

The solicitor asked the defense for the bloody stick found by Plunkerton on May 10 in the pencil factory. It was produced and shown to the physician.

"Do you think the blow you found on the child's head could have been inflicted by a cudgel like this?"

"In my opinion, I would think not—the gash evidently was inflicted with some sharp instrument."

"Did you make a scientific examination of the female organs?"

**Violence Before Death.**

"Yes; I made a microscopic examination."

Dr. Harris at this point testified as to the condition of the organs of the girl to show that violence of some sort had been done her.

Following these questions Dr. Harris was asked regarding certain experiments he had made on digestive organs relative to their action upon cabbage. He had started to detail a test he had made twelve years ago, when Rossor objected to his personal experience being put before the jury.

"This witness is testifying to a science which directly concerns this case," said the solicitor, "and I submit that it is absolutely relevant and admissible."

"There is no doubt that if Dr. Harris was the only man in the world who had made this experiment there would be an objection to his stating it by the defense."

"You can give the results of your experiment or authority in the subject," ruled Judge Roan.

**Only One to Make Experiment.**

"I know of none other who have made this experiment," said the doctor, "and therefore I decided to make it myself. The stomach frees itself quickly of cabbage and bread. It frees itself as quickly of cabbage as it does of a mixture of the two."

"As soon as I saw the peculiar relation of cabbage to this case I know the girl had come to her death or to unconsciousness at the time digestion was stopped."

At this juncture the witness was stopped by Mr. Rossor, who declared that the expert must give, or detail, the science of his statement.

"If that cabbage had been on my stomach," said the attorney, "it would stay there until tomorrow."

The solicitor protested to the objection, saying that Dr. Harris had already stated he was the only man who had ever made such an experiment.

It was following this assertion that the first injection of the Grace case was made into the Frank trial. Attorney Hooper brought comparison by reminding Judge Roan of a decision he had made in the famous case following an experiment by two marksmen with revolvers at police headquarters during course of the trial.

"Two men, who were not experts," said Mr. Hooper, "went to police headquarters and, with pistols, determined the distance required to inflict powder marks upon a white cloth. There were no experts in the test, but there was an experiment, on which your honor ruled favorably."

"You can give the science of your experiment," Dr. Harris, ruled Judge Roan, "without disclosing the process by which your knowledge was gained."

**Girl's Stomach Normal.**

Following which came a declaration by Dr. Harris that the girl's stomach was normal.

The defense frequently asked Judge Roan for rulings on objections which they made. In each instance it was specifically requested that particular note be made of it in the records. It was obvious that foundation was being laid for appeal for new trial.

During the course of an argument which followed an objection to certain parts of the expert's testimony Attorney Rossor accused the witness of being intensely argumentative.

Dr. Harris continued:

"I recently experimented with four persons with cabbage cooked by Mrs. Coleman and in each case the effect upon them was the same, that is, pertaining to digestion. The results also were the same as found in Mary Phagan's body."

At this Dr. Harris attempted to display the vials of cabbage removed from the stomachs of the men on whom he had made the experiment. Attorney Rossor voiced objection.

"I want to show," argued the solicitor, "that the stomach of Mary Phagan was normal, and that the cabbage discovered in her body was undigested. It is possible that this expert cannot explain his experiment and to show comparisons revealing that this cabbage was cooked alike, swallowed alike and showed alike by the men on whom Dr. Harris made the experiment."

He was sustained.

Dr. Harris continued:

"Mary Phagan's stomach was normal in size, development and position—in fact, it was normal in every particular."

**Believes Doctors Are Guessing.**

At this, Mr. Rossor insisted that Dr. Harris tell his reasons for knowing those facts.

"I don't know what the doctor means about this and about that," he said, "for I think all these doctors are guessing most of the time."

Judge Roan cautioned the witness to tell purely all he found in his examination.

"I found in Mary Phagan's case," he said, "that even the particles finely chewed were not digested at all. Digestion had not gone on to any extent at the time of death or unconsciousness."

It was while he was attempting to explain one of his own theories relating to this condition Dr. Harris was interrupted by Mr. Rossor, who said:

"You should not give your opinion, doctor, nor make any stump speeches."

"It was clear that this cabbage had not entered the smaller intestines," continued the witness, "which showed that the contents of the stomach had not been pressed into the intestines at the time of death."

"Also the amount of gastric juice in this case was less than would have occurred in an hour in an ordinary case. Hydrochloric acid forms at certain periods of digestion, and had not formed in this case of Mary Phagan. There was no free hydrochloric acid, but there were 32 degrees of combined hydrochloric acid."

**Girl Dead in Forty Minutes.**

"In this case, the combined hydrochloric was about the amount one would suppose to exist within thirty or forty minutes. I have assumed that the girl, after she ate, was dead within that length of time—thirty or forty minutes."

"Another question is the pancreatic juice would make its appearance in the stomach and intestines within that period. It was absent in this case."

"Was failure to digest cabbage due to its condition?" asked the solicitor.

"No, the digestive fluid was there."

"Was there any obstruction in the flow of the stomach's contents?"

"None."

"Would a blow or struggle check the process of digestion?"

"Yes."

"Had digestion up the time of death progressed favorably?"

"Yes. Her digestion was normal."

"Dr. Harris, will you please give the jury some idea of the power of magnification your microscope projected upon the stomach in your examination?"

"My microscope is the finest made. It could have enlarged objects thousands of times."

"How did the state of bread correspond to the state of the cabbage?"

"Just the same."

"Suppose it had been chewed up entirely, would that have had any effect?"

"No; the effect would have been the same."

At this point Attorney Arnold took up the cross-examination.

"Where did Mr. Dorsey first talk to you about this matter?" he asked.

"I don't recall."

**Asked Him to Keep Silent.**

"Did Mr. Dorsey request you not to make the result of this examination public?"

"Yes, sir. I told him I would take the case and go into it thoroughly. There was some suggestion of poison, and I made an examination for poison, but none was found."

"Couldn't a man be dying and all the appearance in this case be produced by putting a cord around his throat?"

"I think not."

"A man might be dying from strangulation for an hour, mightn't he?"

"Yes."

"Having explained, doctor, that death by strangulation was more the result of the body retaining poisons than from the failure to get oxygen, you still state that is correct, eh?"

"Yes."

"If breath was cut off completely, how long before a man would die?"

"No one has ever been able to ascertain definitely."

"You say your first intention was to examine Mary Phagan's body for poison?"

"Yes."

"What kind of poison?"

"Alcaloid."

"What else?"

"Strychnine or morphine."

"Was there any arsenic in Gheesling's embalming formula?"

"Yes."

**Made the Opium Test.**

"What test did you make for poison?"

"The opium test."

"Did you test for mercury?"

"Not directly."

"For what mineral poisons did you test?"

"I did not test for mineral poisons."

"Did you make the poison tests before you made the others?"

"I made them all at the same time."

"In how many parts did you divide the contents of the stomach?"

"I divided them into all parts necessary; I do not recollect the exact number."

"How many tests did you make?"

"Six or eight in all, all of which were necessary."

"What was the first test?"

"To determine various quantities."

"What was the second?"

"For hydrochloric acid."

"How do you measure hydrochloric acid?"

"By degrees."

"How many drops would 32 degrees form?"

Dr. Harris figured for several minutes on his notebook, multiplying, dividing, saying finally:

"About a drop and a half."

**Only Chemical Acids.**

"What are the properties of free acid?"

"Chemical acid only."

"Hydrochloric acid is a powerful property, isn't it?"

"Very powerful."

"The average man has how many degrees?"

"Fifty-five or sixty degrees—three or four drops."

"What is the next juices of importance to the digestive organs?"

"Pepsin."

"How much pepsin should there be to correspond with 32 degrees hydrochloric acid?"

"Unfortunately we have no accurate way of determining the measurements of pepsin."

"Do different stomachs and glands produce various quantities of pepsin and hydrochloric acid?"

"Yes, there has been much argument on the subject."

"Where does the pepsin come from that we get at soda fountains?"

"From cows and animals."

"It is purely an animal substance, then?"

"Yes."

"What becomes of the juices in the body after death?"

"They evaporate gradually."

"Embalming removes most of the fluids, doesn't it?"

"Yes."

**Come From the Stomach.**

"Gastric juices all come from the stomach, don't they?"

"Yes."

"How long, doctor, is the small intestine of which you speak?"

"About twenty-five feet."

"Did you find any of the cabbage in Mary Phagan's body to have been mulsified?"

"Yes, I've already explained that."

"What were the proportionate parts in her stomach?"

"Ninety per cent water, 10 per cent solid."

"The important constituents, then, are in the solid, as the fluid amounts to but little?"

"Yes."

"Is cabbage nourishing?"

"About as much as any other vegetable. No vegetable has any great amount of nourishment."

"What gastric juice is created by the mouth?"

"Saliva."

"Is that a digestive property?"

"Yes."

"What chemical properties are in saliva?"

"It helps digest the starch that goes into the stomach."

Here Dr. Harris became slightly ill, and, at his request, was removed from the stand.