

Testimony of Dr. Harris Upheld By Noted Stomach Specialists

Dr. Clarence Johnson, when called to the stand Wednesday morning as the first witness, designated the deductions of Dr. H. T. Harris in regard to the time of Mary Phagan's death after eating as scientific statements based on scientific facts.

When recalled to the stand Dr. Johnson, who is a noted stomach specialist, and who testified on Tuesday afternoon, was asked the direct question about what he would conclude from conditions such as Dr. Harris had reported finding in Mary Phagan's body. He said he would say the girl had died within an hour after eating. It was not until Solicitor Hugh Dorsey had made a bitter fight that Judge L. S. Roan allowed him to ask Dr. Johnson the particular question which bolstered up Dr. Harris, and when the trial judge granted it he stated that it was not a right of the state's, but that the matter was at his discretion, and that he was giving the solicitor the benefit of it.

The defense claimed that to allow Dr. Johnson to tell what he thought of the Harris deductions would be to open the entire matter, and the solicitor declared that he had the right to reply to the attack the defense had made on Dr. Harris.

Mr. Dorsey's first question was an outline of what Dr. Harris had declared Mary Phagan's condition to be, and then asked him from that how long he would say it was from the time of eating until death overtook the girl.

Dr. Johnson replied that he would first have to know that the pathologist was thoroughly capable and employed the most scientific methods.

Digestion Stopped in An Hour.

Mr. Dorsey told him to assume that to be the case, and Dr. Johnson then declared that under the conditions, which he carefully repeated and had the court stenographer later read to him, that the digestion of the food had been stopped in an hour after it was eaten.

"Would that be a wild guess?" asked Mr. Dorsey.

"It would not," replied the physician.

"Is every stomach a law unto itself, doctor?"

"No."

Dr. Johnson was then turned over to the defense for cross-examination.

"What are the other possible factors that would affect the digestive process?" asked Attorney Reuben Arnold on cross-examination.

"The bruise on the head and the strangulation are two of them."

"How are they factors?"

"Well, anything that disturbs the circulation of the blood or hinders the action of the nerves toward the stomach, disturbs the action of the stomach."

"What are the mechanical factors?" asked Mr. Arnold.

"The size of the stomach and the thickness of its walls."

"Doctor, what is the best test for hydrochloric acid in the stomach?" asked Mr. Arnold.

"I consider the color test the best one," replied the expert.

"Is there any other test?"

"Yes, but I consider the color test best."

Calm Under Cross-Examination.

Dr. Johnson was then subjected to a thorough grilling, in which Mr. Arnold asked him technical questions to the amount of several hundred on the digestive processes in the stomach and intestines and on the effect of various things on the digestive processes.

It seemed as though the defense was trying to confuse the expert and thus discredit him before the jury, as the solicitor had succeeded in doing with one of the physicians introduced by the defense. Dr. Johnson, however, took his own time about every question, refusing to answer when the questions were hurled in lightning order at him, and gave a careful answer to each one of them, offering in every case to explain his reasons and show why he had answered that way.

Solicitor Dorsey and Attorney Frank Isooper were wreathed in smiles when Dr. Johnson left the stand, and Dr. Frank Eskridge and George Mizell, who have aided the solicitor, were also

gratified at the impression the expert had made.

Niles Also Upholds Harris.

Dr. George M. Niles, a practicing physician and one who teaches the treatment of intestinal diseases at the Atlanta Medical college and who has also written a textbook on the subject, went on the stand following Dr. Clarence Johnson, and practically corroborated what Dr. Johnson had said in regard to Dr. H. F. Harris.

"Is each stomach a law unto itself?" Solicitor Hugh Dorsey asked after he had established by questions who his witness was.

"Not exactly, every normal stomach follows certain general laws."

Mr. Dorsey then outlined to the witness the condition in which Dr. Harris had reported finding Mary Phagan's organs and asked him from that if he could give a scientific opinion or a wild guess.

Death Within an Hour.

"Assuming a healthy stomach and no excitement or extraordinary physical exercise to disturb it, I could give a scientific opinion that death had come in about an hour after the food was eaten," replied Dr. Niles.

On cross-examination Attorney Reuben Arnold went into great detail about the digestive processes of the stomach and intestines and drew from the witness the statement that the longest period he ever heard of cabbage remaining in the human stomach was four or five hours.

After a series of technical questions, which failed to confuse him, Dr. Niles was excused by the defense.

Solicitor Dorsey then asked him if there was any code of ethics among physicians which would prohibit a man from doing as Dr. Harris had done in regard to marking his autopsy by himself and then concealing his findings until it was brought out in court. Dr. Niles said there was no such code, and also that Dr. Harris did not have to bring samples of the organs into court with him.

Dr. Funke Put on Stand.

Dr. John Funke, director of the Carnegie Pathological Institute and a professor of pathology and bacteriology in the college of which Dr. Willis Westmoreland, attacker of Dr. H. F. Harris, is president, went on the stand following Dr. George M. Niles and upheld Dr. Harris' deductions.

He also upheld Dr. Harris' statement that some sort of violence had been done to the girl before death. He was positive that the violence to her had been done before death and cited so many authorities on cross-examination that at one time Attorney Arnold begged him to quit.

"Let the witness get through with his frog story and I'll go on," was Mr. Arnold's remark.

Dr. Funke went calmly on as though no fling had been taken at him and told of experiments first performed on the web of a frog's foot by which it had been discovered that the blood acts in certain particular ways before death when an injury is inflicted and then explained that the blood only flows from force of gravity after death.

Dr. Funke had been shown specimens of the organs taken from the dead girl and on cross-examination it was brought out that Dr. R. T. Dorsey, brother to the solicitor, had done this on last Saturday.

Attorney Arnold went into a number of detailed questions with the witness and then he was excused.