

CROSS-EXAMINATION.

(Mr. Brady): When did you make these inquiries of Mr. Raley, Mr. Dougherty? A. The next day after Snowden was taken. We took Snowden into Baltimore on the night of the 13th. The next day I stayed in Annapolis to make this investigation, and it was during the day of the 14th or the 15th of August, which day I will not be positive.

Q. Did you make a note of what Mr. Raley told you? A. Yes. I have the notes in my pocket, I think.

Q. When did you make the notes? A. At the time he made the statement.

(Examination concluded.)

TRAVERSER'S FOURTEENTH BILL OF EXCEPTIONS.

After the occurrence of the matter set out in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth Bill of Exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, DR. WILLIAM B. CARR was called as a witness on behalf of the State.

DR. WILLIAM B. CARR, a witness of lawful age, called on behalf of the State, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Green): Your name is William B. Carr? A. Yes.

Q. You are a resident of Washington, D. C.

Q. What is your profession? A. I am a physician and surgeon.

Q. How long have you been practicing? A. I graduated from the George Washington Medical School in 1907, June.

Q. What has been your experience in autopsy work; tell that, please, first? A. I have done in the neighborhood of eighteen hundred to two thousand autopsies, in the neighborhood of one thousand to fifteen hundred legal autopsies for the District of Columbia as Deputy Coroner of the District.

Q. What has been your experience in accident cases? A. I was house surgeon for the Emergency Hospital from 1907 to, well, in 1908, a period of about fourteen months; then went in private practice for a year, and then entered the Medical Corps of the United States as a student officer for eight months, remaining in Regular Army until I left the army in 1913, and entered private practice; assistant surgeon for the Emergency Hospital since 1914, and I suppose I have treated, I don't know how many, but several thousand cases of serious accidents and ten or fifteen thousand of minor accident cases.

Q. Have you had experience in bacteriology? A. I have been assistant bacteriologist and pathologist at George Washington University before entering the army, and while I was a student I took what I believed at the time and still believe to be, one of the best courses under Major Russell, of the Medical Corps of the Army, now Lieutenant-Colonel Russell, and the instruction extending over eight months, with three hours a day for six days in a week, which consisted of experiments in bacteriology and pathology, and I have done a lot of my own research.

Q. Does that include the microscope? A. Most all of that work, with the exception of gross pathology, is done by the use of the microscope.

Q. Your experience has been with the microscope? A. Both with and without. I am present instructor of morbid anatomy and surgical pathology at the George Washington University.

Q. Did you perform an autopsy on the body of Lottie May Brandon on or about the 14th of August, 1917, at the Emergency Hospital, Washington, in company with Dr. Walton H. Hopkins, who just left the stand? A. I did, about 8.30 P. M. that evening.

Q. Give to the Court and jury a detailed description of your findings at the autopsy? A. First, an inspection of the body was made. At the time I found evidence of the wounds and abrasions that have been described in my presence. The ones more noticeable at sight were on the throat, two bruises on the right knee, one right about an inch and a half below the right kneecap and one inch on the outside, and bruises or abrasions about an inch and a half below the left kneecap; slight bruise on the left wrist, a wound on the head about half an inch long, above the root of the nose and a half inch to the left of the middle line; it had pretty well cut through the skin and down to or was down to the skull. There were bruises up and down both sides of the neck, contusions there, also slight abrasions; the skin was torn to some extent, but more bruises than there were abrasions. On the two sides, one went further forward than the other, and lower on one side; it was a convex curve; the curve would be forward. They were the main evidences of external injury. The brain was examined thoroughly and found normal with slight area of softening under this wound in the forehead, which I think was tissue decomposition due probably to some minute hemorrhage. The heart and lungs were normal. The heart normal in size and shape and position and structure; the intestines and spleen and all of the organs were normal, with the exception of the uterus, which contained a fetus of about 7½ months. The urine was not examined, as the body had been embalmed and examination would have been of no value. After making the inspection of the body, it had been suggested to me that possibly—

(Objected to.)

(The Court): Tell what you did?

(Witness): Due to suggestion, I examined this woman's hands, particularly the finger-nails, and found a good deal of dirt under the first three on the right hand and two on the left. I very carefully took off those finger-nails, and then proceeded with the autopsy that I have described, after which I took the finger-nails to the laboratory, placed them in distilled and sterile water, and made slides of the same and examined them, and on that slide I found—

(Objected to.)

(The Court): The objection is that it was done out of the presence of the prisoner and his representatives?

(Mr. Brady): Yes, sir; and from the testimony of the undertaker of Annapolis, what he said he did.

(Objection overruled.)

(Exception noted.)

To which ruling of the Court the traverser by his counsel excepted, and prays the Court to sign and seal this, his Fourteenth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FIFTEENTH BILL OF EXCEPTIONS.

After the occurrence of the matter set out in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth and Fourteenth Bill of Exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness DR. WILLIAM B. CARR, called on behalf of the State, continuing, says:

DR. WILLIAM B. CARR, continuing, says:

A. Examining that showed some epithelium, which is the kind of epithelium which composes the outer layers of the skin, which was very heavily pigmented, pigment being coloring matter in the skin; and I made some slides at that time from my own skin, and thus showing a decided difference, as much difference almost as black and white: but I may state positively that what I took from those nails indicated the same character that you would get from a member of the colored race. I also found several short hairs, the ends or roots of the hair were there, and it was cut off at an angle like a cornstalk would be, cut off you could positively say from the beard of a person's face or somewhere where there has been shaving, if they

had not been cut off with a sharp knife the hair would dwindle down to the point; these were cut off at an angle. Those were the findings.

Q. You don't think there could be any possible doubt about the difference in pigmented epithelium coming from a white man and that shown in this case from a member of the colored race?

(Objected to.)

(Objection overruled.)

(Exception noted.)

To which ruling of the Court the traverser by his counsel excepted, and prays the Court to sign and seal this his Fifteenth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

A. Not at all an absolutely demonstrated experiment I have examined it a great many times. If I had a microscope here I could take it and show you with your own eyes that the difference is very decided where you have a dark skinned person and a fair skin face, as to whether a negro or South American Indian I would not say.

Q. Explain, Doctor, what you mean by epithelium? A. Well, the skin is composed of various layers, the outer layer is composed of horny epithelium, squamous epithelium, the reviv maligii or layer containing the pigment and under this the papillary layer. The outside skin is known as the epidermis, that is the part of the skin that has the pigment or coloring of the skin.

Q. From your examination of those wounds and the autopsy, what in your opinion was the cause of the death? A. The cause of death was shock induced by I believe a series of injuries, I would not presume to say which condition was the cause. You have got to take into consideration the fact that

a seven months and a half pregnant woman more susceptible to shock than a normal woman and that an injury such as she received might not injure a normal woman, but would undoubtedly injure her, she had the blow on the head and had evidently been choked and those other conditions and I think she died from shock caused by an accumulation of injuries.

CROSS-EXAMINATION.

Q. What layer did you say pigment was found? A. I said it was found in the reti malpighii.

Q. How many layers of skin are there? A. A flat horny layer, the reti malpighii and under the squamous layer, the epithelial cells have a tendency to round out more and under the three or four layers and under that the papillary layer, in which you find the small blood vessels and you get down to the muscle layers, and so forth.

Q. Now, Doctor, you say that pigment or the same as you found could be found in a dark complexioned person? A. Well, it depends of course in what you call a dark complexioned person.

Q. I would say a white person of the Caucasian race with very dark complexion? A. No, sir.

Q. It would not be found there? A. Not to that degree, every one has some pigment or they would have perfectly dead white color.

Q. From the outer surface to the place where you found that pigment what would be the thickness? A. Several millimeters.

Q. What is that? A. About one sixty-fourth of an inch.

Q. You say about sixty-fourth of an inch? A. It depends a good deal on the texture of the different skins, it is a very short distance.

Q. Did I understand you to say that you could indicate the difference between the beard of a white man and that of a black man? A. You did not.