

Dorsey Forces Childs to Admit Certain Portions of His Testimony Could Not Be Considered Expert

Dr. LeRoy W. Childs, who was the first witness placed upon the stand by the defense, underwent a rigorous cross-examination by Solicitor Dorsey.

The solicitor showed a keen knowledge of medicine and chemistry in the volley of questions he fired at the medical expert, and, upon one occasion, elicited the admission from the witness that he was not informed of a certain phase of laboratory work on which great stress had been laid by Dr. Roy Harris, who preceded Dr. Childs to the stand.

In concluding his testimony, Dr. Childs, when asked by the solicitor, who explained the condition in which Mary Phagan's body had been discovered, declared that it was his opinion death did not result from the blow upon the head.

Dr. Childs was on the stand at the opening of the afternoon session under direct examination of Attorney Arnold.

"State whether or not, doctor, a bruise upon an eye can be inflicted after death?"

"Such a bruise could be produced before the body is cold. Some bodies retain heat longer than others."

"Can a blow on the back of the head cause a black eye?"

"Such a blow could blacken both eyes."

Mr. Arnold then asked the witness a series of questions as to the effect of death on the organs of the body, with the purpose of indicating that the signs of violence referred to by Dr. Harris might have been from natural causes.

"Would strangulation cause congestion of blood vessels?"

"Yes."
"Hemorrhage of blood vessels could be produced by natural causes, couldn't it?"

"Yes."
"Is there any possible way for an expert examiner to determine at what time violence was committed?"

"I don't think so."
"Would you hazard an opinion of what time death had ensued, say, 15 minutes?"

"No."
"Within two days?"
"No."

Dorsey Cross-Examines.

At this point Solicitor Dorsey began the cross-examination.

"What kind of practitioner are you, doctor?" he asked.

"Surgery and general medicine."
"You have been speaking from a purely scientific standpoint, haven't you?"

"Yes."
"Do you mean to say that digestion begins in the mouth?"

"Yes."
"That is mastication, isn't it?"
"Yes."

"From a strictly scientific standpoint, as you say you speak, digestion begins in the mouth?"

"No, not exactly."
"Well, isn't it correct—you have just stated so?"

"Mastication is an essentially important part of digestion, but it is not literally a process of digestion. That was what I meant."

"What part do the salivary glands play in mastication?"

"I said that digestion begins in the mouth—or, that digestive process begins there. That latter question I cannot answer."

"Do you dispute the eminent authority of Dr. Crittenton?"

"I don't think Dr. Crittenton would be in issue with other authorities."

Differs With Authorities.

"Then, he is in issue with you?"

"Yes, on that point."

"Who is your authority?"

"Dr. Peterson."

"Dr. Peterson is a nerve specialist, isn't he?"

"Yes, and gynecologist."

"You say that every man's stomach is a study in itself?"

"Yes."

"But you do not mean to say there are not certain fundamental laws that control every normal stomach?"

"Yes, there are certain laws."

"You say you can find free hydrochloric acid in the stomach without the presence of food?"

"Yes."

"Is that your theory?"

"Yes, it all depends upon the glands."

"But I am talking of the ordinarily normal stomach?"

"Yes, I know that."

"Do you know the Ethwald test breakfast?"

"Yes."

"Of what does it consist?"

"A slice of apple, a slice of bread and six ounces of water."

"After this breakfast has been given, can any hydrochloric acid be found in the stomach?"

"It depends entirely upon the glands."

"I'm not talking of the glands. I'm talking of a perfectly normal stomach."

"The acidity would be about two-tenths of a dram."

Not Familiar With Chemistry.

"Give me the total acidity in degrees, doctor."

"You are getting out of my line and into the realm of chemistry or laboratory work. I am not familiar with the degrees."

"Then give to the jury the total acidity after this test breakfast."

"I prefer not to answer that question."

"Don't you know that any ordinary doctor knows how much hydrochloric acid could be found in a normal stomach after this breakfast?"

"Not necessarily so."

"Isn't it one primary teaching of every medical college in the country?"

"Not necessarily so."

"Can you tell the jury the functions of hydrochloric acid?"

"Yes. The two prime principles of the stomach are hydrochloric acid and pepsin. They act in co-operation in the digestion of food. They also are the two active principles of gastric juice."

"Suppose, doctor, that this cabbage I have here in this vial was taken from a normal stomach with no part of the cabbage in the smaller intestine, and, upon removal of the stomach, it was found that combined hydrochloric acid was present in 32 degrees, what would you say as to how long the substance had been in the stomach before death?"

Could Not Tell Time.

"I couldn't tell within an hour and a half of the time."

"Why couldn't you tell?"

"I recall an instance where I forced emesis on a patient where cabbage had caused indigestion and it was in a state similar to this cabbage removed from Mary Phagan's stomach."

"But that stomach was diseased, wasn't it?"

"To a certain extent."

"The structure of the stomach might have been normal, but how about the gastric juices?"

"Any normal stomach might suffer irritation."

Laughter Hilarious.

Here a ripple of laughter spread over the courtroom. Reuben Arnold jumped to his feet, protesting to the demonstration, and charging those who had laughed at the expert's statement with being a bunch of hoodlums who had no business in a trial room.

"What is a normal stomach, doctor?" Mr. Dorsey asked.

"One which will digest food in an expected length of time."

"Have you any more experience with cabbage tests than the lone instance in which you made the man vomit the food?"

"No. My experience was gained from that and casual observations."

"If you find a victim eight hours after death with a small hole in the back of her head, tongue protruding, eyes bulging, face livid, and with purple fingers and nails, with a deep indentation along the throat caused from a cord noose, how would you say she came by her death?"

"I would say not by the blow on the head."

"All right, you may come down."