

Title:Dr Leroy Childs Sworn In For The Defendant, 121st To Testify
Category:LEO FRANK TRIAL BRIEF OF EVIDENCE

DR. LEROY CHILDS, sworn for the Defendant.

I am a surgeon. If a person dies and the body found three o'clock in the morning, rigor mortis not quite complete, embalmed the next day about ten o'clock, the body disinterred nine days later and a post-mortem made, and a wound is found on the back of the head behind the ear, almost two and a quarter inches long going through the skull, there was perhaps a drop of blood under the wound, no pressure on the brain, no fracture of the skull, it would be impossible to determine absolutely at that time whether or not that wound produced unconsciousness. You might hazard a guess. The presence of the blood on the skull would have no effect. It is the force that produced the drop of blood that is material. It would be purely a guess to say whether that produced unconsciousness or not. The wound would bleed if inflicted within an hour after death and would have the same appearance as if inflicted just before death. With such a wound it would be a guess for a doctor to say whether it was inflicted just immediately before death, or within an hour or two after death. Such a wound could be inflicted and a person remain perfectly unconscious. Fractured skull does not necessarily produce unconsciousness.

Cabbage is a carbohydrate. It is considered the hardest food to digest among carbohydrates, because it has so much cellulose which is a woody fibre. The older the cabbage is the more cellulose it has. Cabbage gets its digestion in the mouth. That cabbage (State's Exhibit G) has not been masticated thoroughly. They have been swallowed almost whole. Raw cabbage is easier digested than cooked cabbage. Cooked cabbage is the most indigestible form of it. It is the ptyaline in the saliva that acts on the cabbage in the mouth. It acts on the carbohydrate part of the cabbage. The carbohydrate digestion ceases after it leaves the mouth until it reaches the small intestines. The only thing that the stomach does is the churning movement by muscular action. As soon as gastric juice of the stomach strikes the cabbage it neutralizes the ptyaline and renders it inactive. It stops any further digestion of the carbohydrate. The balance of the digestion of the cabbage takes place in the small intestines by the pancreatic juices. The shortest time for boiled cabbage to pass into the small intestines is four and a half hours after it is eaten. The stomach does not digest the cabbage. A person may swallow cabbage and it will come out of him whole completely undigested, and it will appear less changed than that appears (State's Exhibit G). Psychic influences will retard digestion as excitement, fear, anger, also physical or mental exercise. Substances may be in the stomach quite a while and show very little evidences of digestion. Each stomach has its own peculiarities. If a human body is disinterred at the end of nine days and the stomach is taken out and among the contents you find cabbage like that (State's Exhibit G) and fragments of wheat bread slightly digested, you could not by looking at the cabbage hazard an opinion as to how long before death that had been taken into the stomach. I don't think it is possible to state within a period of hours how long that cabbage had been in the stomach. I have seen cabbage less changed than that cabbage you exhibited to me (State's Exhibit G) that has remained in the stomach 12 hours. Bread and cabbage will not begin to pass out of the stomach until 2 1-2 to three hours.

A blow on the back of the head could blacken the eye. It would be perfectly possible for the epithelium of the vagina to be ruptured by the fingers in making a digital examination it would be more liable to rupture it ten hours after this than immediately before this. Decomposition destroys the epithelium. It is a very delicate membrane. Decomposition develops very rapidly on such epithelium. In cases of death by strangulation all the mucous membranes throughout the body are congested by blood. It is not unusual to find those blood vessels congested where death is by strangulation. In such a case I would expect to find congestion in the vagina, especially if a person had just had her monthly periods. Menses may be brought back by excitement. Violence would not be necessary to produce the conditions of congestion of the blood vessels that you have stated. The digital examination would be sufficient violence to produce the changes in the epithelium that you have stated. The congestion of the blood vessels could be entirely accounted for by natural causes, or from death by strangulation. If the epithelium stripped in some places and the blood vessels are found congested under the microscope, there is no possible way to determine if violence had caused it instead of natural causes, unless there is a sign of bacterial inflammation. It would be impossible to tell how long violence was inflicted before death, where the body is disinterred nine days after death. I could not hazard a guess within two days of the time. I think I might in two weeks.

CROSS EXAMINATION.

The amount of digestion in the mouth depends on the amount of mastication in the mouth. If the food is bolted there is no digestion. I am not familiar with Dr. Crittendon's table. If he states that boiled cabbage is as easy to digest as raw cabbage he is at issue with the generally accepted authorities. Normal stomachs have certain idiosyncracies. In normal stomachs is supposed to go along certain stipulated rules. You find free hydrochloric acid in any stomach that has food at any stage of digestion. As to whether you could ever find free hydrochloric acid in the stomach immediately after taking Ewald's test breakfast, would depend entirely on the state of the glands, and how long previous digestion had been in the stomach. As to the total acidity in a stomach after such a test, that is for a laboratory man. If you take cabbage out of a stomach like that (State's Exhibit G), the size of the stomach is normal, no obstruction to the flow of the stomach, and you find hydrochloric acid combined to about 32 degrees, no free hydrochloric acid, that the starch of the wheat bread is slightly digested, and the state of the starch corresponds exactly to the state of the cabbage, I don't think you could tell inside of two hours or an hour and a half as to how long these things have been in a normal stomach. I have taken cabbage from a stomach by forced emesis twelve hours after-ward and it did not show as much digestion as this cabbage (State's Exhibit G). The patient had a normal stomach, but the cabbage produced indigestion. That is the only experiment I have ever made with cabbage. If the little girl was found 16 to 20 hours after she was murdered, and there is a wound on the back of the head, with a small blood clot nine days after the thing happened, and 16 to 20 hours after her death the blood underneath the hair is still moist and there is a deep indentation in the neck, showing where a cord had been put around the throat and the tongue is out and the face livid and the nails blue and

the lips blue and an injury to the wind pipe, I would say that the blow on the head did not cause death.