tially been produced by obstruction of air passing through the mouth, as well as by the great excitement and halloing. The muscular exertion required a larger amount of atmospheric air than is usually necessary to maintain life. That was the decision of the medical gentlemen. All other organs which we examined were in a normal and healthy condition, and could not have caused this sudden death. The brain was in a perfectly healthy condition and no supposition could even exist that there was disease of the brain causing insanity or aberration of the mind. Upon my examination before the investigation of the cause of death, I make a statement

that a man, where there was partial obstruction of the mouth, for the air to enter, with a great deal of muscular exertion, causing a large amount of effete matter which is carbonic acid, required an unusual amount of oxygen to keep up the circulation. Furthermore I state that the previous treatment, as I learned then, of gagging the man, would have the tendency to produce a hyper~~o~~emia condition of the lungs, distending the blood vessels, and it would require some time before they would come to a natural healthy condition: so that the second and third gagging would endanger the man more than usual. Under ordinary conditions, the gagging

which had been applied, and in the manner it had been applied, judging from the statement of the officer, Mr. Leauve, that he was able to articulate so as to speak names distinctly, would not ordinarily obstruct the air necessary for the maintenance of life, but both combinations, the exertion and the unruly conduct and hallooing, and the previous gagging might accomplish it. I consider that gagging, when a man is able to pronounce or articulate is not endangering the man's life except he should vomit or his nostrils were not in good condition, the vomiting would obstruct the entrance of the air through the air pipe to the lungs. In the post

mortem examination, I found that his nostrils were in a very healthy condition. I found furthermore that there was no appearance of vomiting or any mucus or anything thing else in the trachea that could have caused it, but that the process was a slower one. It might possibly have been caused in a half hour — to distend the blood vessels to such an extent that circulation ceases, and the carbonic acid poisoned him, and he could not breathe and he had to die. That is all I know about it. I further learned of Doctor Dripps, who visited him, according to his statement, about five o'clock, I think it was — he found him then healthy physically, and

to his opinion, mentally. She answered questions promptly, and made no remarks further than to be ~~fo~~ removed. She didn't see any danger to the man. I have learned, also, from Mr. Reed, that he had been whipped during the day, of which I was not aware, or had no information at all about. In the post mortem examination, by inspecting the body externally we found some bruises, some of which were ~~to~~ believed to be ~~and~~ ante-mortem. The others were post mortem; but none of those bruises or injuries externally could have caused any permanent injury much less death. That is all I know about that man. I think those marks and bruises, after the state-

ment has been made — have been made by strapping him, as they call it, that is, by whipping him with a leather strap. There was a bruise, and I can't recollect now whether it was on the left or the right temple; but there was a bruise on the head on one head with produced an effusion and contusion of the temporal muscle on either the right or left side, and I can't tell now which, which, in my opinion had been produced by the stroke of a fist in a fight. The opposite side was healthy and no injury to be seen there. I would notice such a thing if it had been remarkable. It was a bruise and on the inner part of the muscle was an

effusion of the blood, but not deep. This man, being a dark skinned man — he was, a negro — of course there was no bruise to be seen externally. I found a swelling. It was only detected by removing the scalp.

Warden McClaughry. Was that bruise on the temporal muscle, of which you speak, — could that, in your opinion, have been made by a club?

a I think not, no sir.

q Now, in your opinion, was it made?

a It was not made by a hard substance. The skin was not hurt. The bruise was deeper, and by the ~~co~~ concussion or by the resistance of the skull, made an effusion in the muscle. It was not made —