

IN THE UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF CALIFORNIA,
SOUTHERN DIVISION.

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THE UNITED STATES OF AMERICA,)
)
) Plaintiff,)
)
) vs)
)
) SAKHARAM GANESH PANDIT,)
)
) Defendant.)

No. G-111-T

---O---

DEPOSITION of DOCTOR GRAFTON ELLIOTT SMITH,
a witness on behalf of the defendant, taken
July 24, 1924, before ROY McREYNOLDS, a Notary
Public in and for the county of Los Angeles,
state of California.

---O---

PRESENT:

J. E. Simpson, Assistant United States Attorney for
plaintiff.

William Fleet Palmer, Esq., for defendant.

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FILED
NOV 5 1924

CHAS. N. WILLIAMS, Clerk
By *[Signature]*

ELMER L. KINCAID
SHORTHAND REPORTER AND NOTARY
621 WASHINGTON BUILDING LOS ANGELES, CAL.
VANDIKE 5241

Reported by Roy McReynolds.

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DEPOSITION of DOCTOR GRAFTON ELLIOTT SMITH, a witness
in the above-entitled cause produced on behalf of the de-
fendant, taken on July 24, 1924, at the hour of 3:00 P. M.,
in Suite 1108 Washington Building, in the City of Los
Angeles, County of Los Angeles, State of California, before
ROY McREYNOLDS, Notary Public in and for said Los Angeles
County, California.

PRESENT:

J. E. Simpson, Assistant United States Attorney, for
plaintiff.

William Fleet Palmer, Esq., for defendant.

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1 It is hereby stipulated and agreed by and between the
2 respective parties to the above-entitled action, that the
3 testimony of Dr. Crafton Elliott Smith, a witness produced
4 in behalf of defendant in said cause, be taken before Roy
5 McReynolds, a Notary Public in and for the County of Los
6 Angeles, State of California, duly commissioned and sworn,
7 on Thursday, the 24th day of July, A. D. 1924, at the hour
8 of 3:00 o'clock P. M. thereof, and if not completed on said
9 day it will be continued from day to day thereafter until
10 completed. That the testimony may be written down in
11 shorthand by said Roy McReynolds and thereafter reduced to
12 typewriting; but the signature of the said witness to his
13 deposition is hereby duly and expressly waived. That said
14 deposition and testimony when so reduced to writing may be
15 read and used in evidence in said cause on any trial thereof
16 or proceeding therein, subject to the same objections and
17 exceptions as if the said witness were personally present on
18 the stand in court, but without objection or exception to
19 the time, place or manner of taking the same and the form
20 of the question, unless noted at the time.

21 Dated this _____ day of _____, 1924.

22
23 _____
Attorney for Plaintiff.

24
25 _____
Attorney for Defendant.
26

1 DR. GRAFTON ELLIOTT SMITH,
2 a witness produced for and on behalf of the defendant herein
3 having been first duly sworn, was examined and testified as
4 follows:

5 DIRECT EXAMINATION

6 BY MR. PALMER:

7 Q State your name, age and place of residence, please.

8 A My name is Grafton Elliott Smith; 52 years of age;
9 and my residence is London, England.

10 Q What is your occupation?

11 A I am professor of anatomy in the University of London.

12 Q Have you ever made any study of the subject of
13 Ethnology?

14 A Yes, I have spent a good part of my life in the study
15 of it. I have been studying it for 20 years.

16 Q And have you given any courses in any colleges in
17 regard to that?

18 A I was invited to give the courses in the University
19 of California.

20 Q That is what you are here for?

21 A That is what I am here for.

22 Q In the summer school?

23 A Yes, in the summer school.

24 Q Have you any degrees conferred upon you by any
25 colleges or universities?

26 A Yes, I have got degrees from five universities.

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1 Q Tell what they are.

2 A I am a Doctor of Medicine in the University of
3 Sydney, Australia, and of Adelaide, Australia. I am a
4 Master of Arts of the University of Cambridge, England.
5 I am a Doctor of Science of the University of Liverpool,
6 and a Doctor of Literature of the University of Manchester;
7 and I am also an honorary member of the Anthropological
8 Societies of Paris, Munich and Rome.

9 Q Are you the author of any works on Ethnology?

10 A Well, I wrote the article on ethnology for the last
11 edition of the Encyclopedia Britannica; and I have written
12 several others.

13 Q You say the last edition; now, what one is that?

14 A That is the supplemental volumes published in 1922,
15 which they call the twelfth edition.

16 Q Have you written any article in regard to Migrations of
17 Mankind or something of that kind?

18 A Yes, I have several books on that subject.

19 Q That you have written?

20 A Yes. I have written a book on the Migrations of
21 Peoples in 1915 which was published by the University of
22 Manchester; and I wrote a book on the Ancient Egyptians, the
23 second edition of which was published in 1923, and which deals
24 mainly with the subject of anthropology, and I have three or
25 four other books on the subject.

26 Q In the course of your studies, Doctor, have you paid

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1 particular attention to the subject of race?

2 A Yes. That is the chief subject of my work, especially
3 during the last five years.

4 Q What is the meaning of the word "race"?

5 A We interpret race in the sense of groups of men who
6 present similar, physical characters and whom we believe to
7 have been separated up into groups at a very remote period
8 of time; that is, we divide existing men into six races.

9 Q What are they?

10 A There is the Australian Aborigine; the Negro; the
11 Mongol; and then the three races which are often grouped
12 together as Caucasian, and which we regard as strict races:
13 the Mediterranean, the Nordic and the Alpine,-- the three
14 ingredients of the population of Europe; and we believe
15 that these represent distinct groups which, at a very remote
16 time were separated one from the other, and developed dis-
17 tinctive characters.

18 Q What, if anything, does the question of color have to
19 do with the races?

20 MR. SIMPSON: Now, at this time, the Government interposes
21 an objection to the testimony of this witness on the question
22 of color and race and ethnological status of a high-caste
23 Hindu on the grounds that any question and answer which
24 might be given by the witness would be incompetent, irrele-
25 vant and immaterial, under the ruling of the United States
26 Supreme Court in the case of the United States vs Thind.

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1 And may it be understood now without delaying the taking of
2 the testimony, that this objection will go to all of these
3 questions the same as if the objection was specifically
4 made in each instance so that we will save time.

5

6

7

8 That is all right. I will stipulate to that.

9 (Question read.)

10 MR. PALMER: Perhaps, the question ought to be changed.

11 Q Does the color of the skin of the various men indicate
12 the race to which they belong?

13 MR. PALMER: I will stipulate that the objection made will
14 go to this question.

15 A Well, skin color is, of course, a distinctive feature,
16 one of the important distinctive features in the case of the
17 Australian Aborigine and the Negro; but, among the other
18 races you get a great variety and many gradations of skin
19 color. Of the three European races; that is, the Alpine,
20 the Nordic and the Mediterranean, the Nordic alone has what
21 we call a pure white skin. In the Mediterranean, which is
22 represented chiefly in Spain and Portugal and Italy, you get
23 various shades of olive complexion, and of course these
24 people are members of what is commonly called the white or
25 Caucasian race.

26 Q Well, the other or third European race-- the Alpine?

1 A The Alpine has a darker skin than the Nordic; but it
2 occupies, as regards color, a position intermediate between
3 the other two races.

4 Q Are all three of the European races that you speak of--
5 the Alpine, Nordic and Mediterranean-- generally understood to
6 be white people?

7 A Yes, they are all included. Yes, they are invariably
8 called as of the white race, as all three are included in
9 what is commonly known, in popular language, as the
10 Caucasian race.

11 Q Are there peoples outside of Europe, in Asia, that are
12 known generally as white people?

13 A There are representatives of all three of those races
14 in Asia and in North Africa.

15 Q Are there white people or people that are generally
16 known or generally called white people, who reside in India?

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17 A From the anthropological point of view, the chief
18 ingredient in the population of India belongs to the same
19 race as we call the Mediterranean in Europe; that is, they
20 present the same physical structure; and in teaching anthro-
21 pology, we always include them in the Mediterranean race.

22 Q As a white people?

23 A Well, they belong to the same race as the Mediterraneans
24 and, if the Mediterraneans are white people, the majority or
25 chief element in India is white, also.

26 Q Have you made a study of the portion of India known as

1 the Punjab, so far as it relates to its inhabitants?

2 A Yes, I have examined collections in the museum in the
3 Royal College of Surgeons and in Cambridge University; and
4 there is no doubt that in the Punjab, you get this Mediterran-
5 ean element mixed with a very considerable element of the
6 Alpine race and that is one of the constituents of the so-
7 called Caucasian group.

8 Q Then are those peoples in the Punjab, would you say
9 they are white people and known as white people or white
10 persons?

11 A Yes, the race is certainly the same. They are of the
12 same race as the people of the major element of the popula-
13 tion of Russia; that is, they belong to the Alpine race.

14 Q You have made a study of the culture of these ancient
15 peoples and of their present inhabitants; I will ask you
16 whether the culture of the Hindu is the same as the culture
17 of the European races that you speak of?

18 MR. SIMPSON: The prior objection will also go to this
19 line of questions as to culture.

20 MR. PALMER: Yes, all right.

21 A In the study of culture, I have submitted evidence to
22 suggest that the culture of India was derived from the
23 West, from the same source from which the culture of Europe
24 is derived; which, of course, is going back to ancient times;
25 but the true culture was developed along somewhat different
26 lines; but their inspiration is the same.

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1 Q It has the same foundation?

2 A Yes.

3 Q Now, the testimony that you have given-- I have asked
4 you specifically in regard to the Punjab; now, I will ask
5 you whether the same testimony would apply to the portion of
6 India known as Bombay?

7 A In the Punjab, there is a much larger element of
8 people of the Alpine race, mixed, of course, with the
9 original population, which is mainly Mediterranean; but in
10 Bombay and in the south, the Alpine element is not so obtru-
11 sive.

12 Q They have more of the Mediterranean?

13 A Yes.

14 Q But those peoples, as you say, were of the white race?

15 A Well, they are the same race as the Mediterraneans.
16 If we call Mediterraneans white, these people were necessarily
17 of a white race also.

18 Q In your classification, or in the classification of
19 these races, would you say that the culture of the inhabitants
20 of India, Bombay, is the culture of the white race?

21 A Yes, I have no hesitation in saying that.

22 Q I will ask you whether or not in your opinion the
23 inhabitants of India are so much of the white race that they
24 would be assimilable by European races?

25 A That, of course, is a difficult question to express an
26 opinion upon. Racially, there is no reason at all why they

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1 should not intermingle. The only question that comes up
2 there is with regard to culture. The wide separation of
3 people through long centuries brings about what we call a
4 social heritage which is a very important factor in inter-
5 mingling. Upon the pure ground of race, of course, there is
6 no reason why intermingling should not take place.

7 Q There is no physiological barrier?

8 A No.

9 Q Or impediment?

10 A No.

11 Q Are there differences among ethnologists in regard to
12 the classification of the Hindu?

13 A Yes, there are differences. What I have been express-
14 ing are the conclusions to which I have arrived, from my
15 own work.

16 Q I will ask you if all the ethnologists who go into the
17 matter, classify the Hindus as of the Mediterranean or
18 Caucasian race?

19 A Most ethnologists use the term "Caucasian"; which, of
20 course, is less exact, scientifically, than the terms I have
21 used. I think all ethnologists so far as I can remember at
22 the moment, agree in calling them Caucasian; but the Caucasian
23 consisting of these three races as I have tried to impress
24 in my scientific work, is stated more accurately by saying it
25 includes two out of three European races.

26 Q There is no diversity of opinion, then, in, at least,

1 saying that they are the same.

2 A I think all modern ethnologists would admit that.

3 Q Are there differences of opinion among ethnologists in
4 regard to some other peoples, as to their origin or race?

5 A Well, of course, anthropologists vary about the
6 subject very largely, in which racial prejudice enters. We
7 will find that most people have views and bias to a certain
8 extent, based on the nationality, although they are claiming
9 to be scientific men.

10 Q Where were you born?

11 A I was born in Australia; so I have the impartiality
12 of a mongrel.

13 Q Were your progenitors English?

14 A Yes, I have got English, Scotch, Irish and Welsh blood.

15 Q Now, again, referring to your degrees and so on, are
16 you a fellow of the Royal Society?

17 A Yes, I am.

18 Q And also of the Royal Society of Surgeons?

19 A No; I am a Fellow of the Royal College of Physicians
20 of London.

21 MR. PALMER: I think that is all. You may cross examine.

22 CROSS EXAMINATION

23 BY MR. SIMPSON:

24 Q Dr. Smith, when you use the term "white peoples" or
25 "white race", do you use it in the common understanding of
26 the term as it is used among members of your profession?

1 A No. I was using it in the strictly technical sense
2 in which we speak as anthropologists.

3 Q That is what I mean.

4 A That the chief element in the population of India
5 consists of members of the same race that in Europe we call
6 white races.

7 Q Then when you were using the term, you were using it
8 as you use it in your science or profession?

9 A Yes, in the strictly technical sense.

10 Q And you were not using it in the same sense that the
11 judges of the United States Supreme Court might have used
12 it?

13 A Well, of course, I cannot express an opinion upon that
14 matter.

15 Q In other words, you were not using it in the legal
16 sense?

17 A Well, I was using it in the sense that I used in
18 teaching students anthropology.

19 Q And that is the technical, scientific sense?

20 A Yes.

21 Q And when you were referring to the peoples of the
22 Punjab district of India you were giving your opinion on
23 those people from your scientific viewpoint?

24 A Yes.

25 Q And when you were giving your opinion on the culture
26 of the Hindu of the Punjab or Bombay, you were also using, or,

1 rather, expressing your opinion based upon the scientific
2 studies that you have made as an anthropologist?

3 A Yes.

4 Q And it is quite true, is it not, that, as you stated,
5 although there may be no scientific reason why members of
6 different races should not assimilate, there may at the same
7 time be a reason which has grown up from social heritage
8 which would prevent the assimilation of those peoples?

9 MR. PALMER: The question we object to because it uses
10 the term "people of different races"; and I understood the
11 testimony to be, "people of the same races".

12 A What I meant to imply was that in the question of
13 intermingling, the social factor comes in as well as the
14 strictly physical one.

15 Q I understood you to classify Mediterranean, Alpine and
16 Nordic as three, different, distinctive races?

17 A Three distinctive races.

18 Q Commonly called among your profession Caucasian?

19 A Well, that is the more or less popular term-- Caucasian
20 It is used in this country by scientific anthropologists.

21 Q Yes. That is, the term "Caucasian" is used by them?

22 A Yes; but that has grown up here to provide a useful
23 term to contrast with the Negro. But in Europe, this term
24 is going out of use altogether, because we recognize three
25 distinctive races, which are included under the term Caucas-
26 ian.

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1 Q Then there might be social reasons why members of
2 the Mediterranean race might not assimilate with members of
3 the Nordic race, might there not?

4 A I don't know of any such.

5 Q And yet no racial reason why they should not assimi-
6 late?

7 A No.

8 Q There might be reasons, social reasons, why the Negro
9 might not assimilate with the members of the Alpine race and
10 yet there might be no scientific, racial reason, why they
11 should not; isn't that true?

12 A Yes, that is possible.

13 Q Just as there might be social or historical reasons
14 why Filipinos might not assimilate with members of the Alpine
15 race?

16 A Yes, that is true.

17 Q Just as there might be social or other reasons, not
18 based upon the scientific study of the races, why Japanese
19 or Chinese might not assimilate in the Caucasian race; is
20 that true?

21 A Yes.

22 Q So your answer to the question of assimilation of
23 these races was based upon your scientific viewpoint that
24 there is nothing racially inherent about these people which
25 would prevent their assimilation?

26 A Yes. My point is that I don't pretend to speak with

1 any authority on the social problem, although I admit that
2 it is a factor; but what I can claim to express an opinion
3 on, is the question of race, the physiological question of
4 race.

5 Q And I believe that you did state, however, in your
6 opinion, that this social heritage is a very important fac-
7 tor in the assimilation of races?

8 A Yes, it is obvious that it is an important factor, I
9 think.

10 Q Now, I believe you used the term "Modern ethnologists"

11 A Yes.

12 Q Just what do you mean by that, Doctor?

13 A I meant the group of experts who deal with these
14 questions at the present time.

15 Q And how long a period of years do you mean by "the
16 present time"?

17 A Well, there has been a profound change within the last
18 15 years in the attitude of most people who deal in these
19 subjects towards the question of race. That is, the dis-
20 tinctive characters of race have been more clearly defined
21 and recognized within that time. That was all that I meant
22 by the use of that term.

23 Q The term "modern ethnologists" extended to the group
24 of scientists who have been devoting much time to the study
25 of this during the last 15 years?

26 A Yes.

1 Q And you did say, I believe, that there is a difference
2 of opinion among ethnologists as to the status of Hindus?

3 A Not so much a difference of opinion as a difference
4 in the use of terms. It is common in books of ethnology
5 to refer to the chief element in the Hindu population as
6 Caucasian and what I have been trying to do is to define
7 that more technically by saying that it is two of the three
8 and, mainly, one of the three elements in the Caucasian
9 which is represented.

10 Q And you, as I understand it, classify the Hindu in
11 which of those three?

12 A In the Mediterranean race.

13 Q In the Mediterranean race?

14 A Yes.

15 Q And you place all three of those as parts of the
16 Caucasian races, as you use the term?

17 A Yes.

18 Q And some other ethnologists do not classify them under
19 the meaning of the term "Caucasian"; is that correct?

20 A No. Most ethnologists simply use the term "Caucasian"
21 without defining what they mean by it; but we in Europe are
22 giving up the term "Caucasian" altogether and using these
23 three special names for the three different ingredients of
24 the European population.

25 Q And I suppose that there is also a difference of
26 opinion among anthropologists on this question, is there?

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1 A On which question do you refer to?

2 Q On the question of the classification of Hindus as
3 members of a particular race?

4 A Well, there is a misunderstanding; there is an uncer-
5 tainty, only because of the use of this term "Caucasian".

6 Q I see.

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7 A It is only recently that the point has been clearly
8 made that the chief element of India is essentially
9 Mediterranean in type.

10 Q And that determination is of recent date, you say?

11 A Yes, it goes back-- it has been made practically
12 within the last 15 years.

13 Q I see. And you would not state that in your opinion
14 in 1780, in the United States, that the use of the term
15 "Free white persons" included Hindus, would you?

16 A Of course, at that time there was no science of
17 anthropology at all and I would not like to attempt to
18 interpret what the framers of the Constitution meant to imply

19 MR. PALMER: 1789.

20 MR. SIMPSON: I was within nine years. I knew it was back
21 there some place.

22 Q So that in all of these answers which you have given,
23 you have not pretended to classify and define these differ-
24 ent races as they were classified and defined in 1789?

25 A No. Of course, there was no definition of races at
26 that time at all.

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1 Q Your answers to these questions were based upon the
2 principles of modern ethnology?

3 A Yes.

4 Q And scientific study?

5 A Yes.

6 MR. SIMPSON: That is all.

7 REDIRECT EXAMINATION

8 BY MR. PALMER:

9 Q Doctor, at the time of the adoption of the Constitution
10 of the United States in 1789 you say that there were not the
11 divisions; or, the study of ethnology had not reached the stage
12 that it has now?

13 A No, there was no real science of ethnology at that
14 time.

15 Q I will ask you whether the distinction known at that
16 time was between the Negro race, who were made slaves, and
17 white men who were made slaves, and white men who were free?

18 MR. SIMPSON: Well, that is objected to as calling for a
19 conclusion of the witness upon something he is not qualified
20 to state. That is political more than ethnological, I
21 should think.

22 A Well, I think the answer to that question is purely
23 a political one.

24 Q A political question?

25 A Yes. It depends on the political condition under
26 which the Constitution was drawn up.

1 Q Well, I will put the question to you in another way.
2 Was the division at that time and for a time after that, a
3 distinction between the Caucasian race and the Negro race,
4 meaning by "Caucasian" white, and by "Negro", black?

5 A Yes, I think there is no doubt but that is the distinc-
6 tion which prompted the use of the word "white"; although
7 there was no real science of ethnology then. People spoke
8 of the white, black, red and the yellow races.

9 Q Those were the races that were known at that time?

10 A Those were the terms which were commonly used at that
11 time.

12 Q Yes. And by the white race, what was then understood,
13 if you know?

14 A Well, it was used to apply to most of the people of
15 Europe and Asia, excluding the Mongol race which was put
16 into a separate category as the yellow race.

17 Q Then at that time there was the Negro race, which was
18 black?

19 A Yes.

20 Q The Mongol race which was yellow?

21 A Yes.

22 Q The Indian race which was red?

23 A Yes, the American Indian.

24 Q The American Indian race which was red?

25 A Yes.

26 Q And the white or Caucasian race?

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1 A Yes.

2 Q That was the classification at that time, was it?

3 A Yes.

4 Q Was the Hindu race at that time or since at any time
5 that you know of included with the yellow or red or the black
6 races?

7 MR. SIMPSON: That is objected to on the ground that it
8 calls for the opinion or conclusion of the witness and a
9 matter upon which, by his own testimony, he has shown that
10 he is not qualified; the situation being that he has testified
11 that at the time-- which was 1789 as I take it from this
12 question-- there was no science of ethnology, and the witness'
13 answers to these questions are based upon a scientific study.
14 The question would, therefore, call for an answer based upon
15 historical or political questions.

16 A The question is, frankly, not a simple one. It is
17 complicated by the fact that you get in the mountains of
18 Southern India a real black race, and these people have
19 always been put into a separate category and as a group of
20 Negroes; but, apart from them there is the bulk of the
21 population which has become known in recent times as included
22 in the Caucasian group; and then, until quite recently, the
23 people of the northwest of India were included definitely
24 with Europeans because they spoke the same language; that is,
25 the Sanscrit; so that the answer to that question, on that,
26 of course, that state of affairs goes back a very consider-

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1 able time; so it is impossible to answer that question with
2 a simple statement. Q. What portion of India was occupied by
3 the race that was known as the black race?

4 A Well, we know there are at present in India certain
5 so-called jungle types which are definitely primitive;
6 that is, at present it is very restricted, but it was more
7 present in ancient times.

8 Q But that is not the portion of the inhabitants of
9 India that are known as Hindus?

10 A No. These are the people who are simply known as the
11 hill peoples or the jungle peoples, rather.

12 MR. PALMER: I think there is no further examination.

13

14

RECROSS EXAMINATION

15

BY MR. SIMPSON:

16

17 Q Dr. Smith, your answer to the last question is based
18 upon the results of your study of modern ethnology, is it?

18

A Yes sir.

19

20 Q And that study is the result of the study of specimens
21 of people who have come ^{from} those different places and whom
22 you have seen there yourself?

22

23 A My own knowledge is based on the examination of the
24 remains, the skeletal remains in museums in England; and,
25 also, certain material which has been sent me from India
26 for examination; and, also, from the study of the scientific
reports which have been issued by the Indian Government in

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1 connection with the ethnologic survey of the different
2 territories.

3 Q And it is based solely upon your own study of remains?

4 A Yes.

5 Q And upon reports that have been made through other
6 sources?

7 A Yes. And, of course, one has very considerable
8 familiarity with Indians, actual Indians, from all the
9 provinces of India, who are studying in the universities in
10 England.

11 Q That is, personal observation?

12 A Yes, from personal observation.

13 Q Did I understand you to state that from your knowledge
14 of politics or history in 1789 there was not so much of a
15 distinction between the races of people as there is now,
16 of the three races which are now included as Caucasian?

17 A No; that distinction is a modern one. There was no
18 clear demarcation made until recent years of the three
19 members of the Caucasian race.

20 Q The primary distinction at that time then was between
21 Negroes, whites, yellow and red races?

22 A Yes.

23 Q And the use of the term "Caucasian" was practically
24 unknown at that time?

25 A The term "Caucasian", I think, came into use in 1811.
26 I think that was the year.

1 Q Where, if you know?

2 A I forget the man's name at present; but in my
3 writings I have been accustomed to refer to the year 1811
4 as the beginning of scientific study of anthropology by a
5 German anthropologist, whose name for the moment escapes me.

6 THE DEFENDANT PANDIT: Blumenbach?

7 A Blumenbach, in 1811. It was Blumenbach, I think,
8 that introduced this term "Caucasian".

9 Q BY MR. SIMPSON: And he was a scientific man?

10 A He was a scientific man; and that I have always regarded
11 as the beginning of the scientific study of anthropology,
12 in 1811.

13 Q And you say he was a German?

14 A German.

15 MR. SIMPSON: That is all.

16 MR. PALMER: That is all, Doctor. I want to thank you
17 for your kindness and courtesy.

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SIGNATURE WAIVED.

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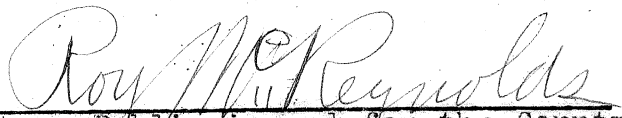
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ELMER L. KINCAID, SHORTHAND REPORTER

1 UNITED STATES OF AMERICA,)
2 State and Southern District)
of California,)
3 County of Los Angeles.)
4

5 I, ROY McREYNOLDS, a Notary Public in and for said
6 Los Angeles County, do hereby certify that the witness in
7 the foregoing deposition named was by me duly sworn to tes-
8 tify the truth, the whole truth, and nothing but the truth;
9 that said deposition was taken at the time and place men-
10 tioned in the said stipulation, to-wit: at Room 1108
11 Washington Building, in the city of Los Angeles, county of
12 Los Angeles, State of California, on the 24th of July, 1924,
13 at the hour of 3:00 P. M., and that said deposition was
14 completed on said day; that said deposition was written
15 down in shorthand by me and thereafter written out in type-
16 writing under and by my direction, and, when completed, was not
17 read over by said witness and was not corrected by him and
18 was not subscribed, in pursuance with stipulation herein
19 contained.

20 IN WITNESS WHEREOF, I have hereunto subscribed my name and
21 affixed my seal of office this 18th day of ^{AUGUST,} ~~July~~ 1924.
22

23 
24 Notary Public in and for the County
of Los Angeles, State of California.
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