UNITED STATES DEPARTMENT OF AGRICULTURE
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PROGRAM Chats by the Weather Man. RELEASE Nov. 10. 1926

ANNOUNCEMENT: --In his last five chats, the Weather Man has told you something about his work -- About the general importance of the weather -- A little about how forecasts are made -- And a few facts about how forecasts are used when made. To-night the Weather Man is going to cite a few instances of the importance of weather testimony in court actions. This feature comes to you from the U. S. Department of Agriculture through station_____.

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Were it a clear day, General Putnam was taking big chances when he cautioned his men, crouched atop Bunker Hill, not to fire until they could see the whites of the Redcoats' eyes. While a man with good eyesight can make out a persons' eyes at about 240 feet distance, he can't see the whites of them as a fule at more than 90 feet.

Even if you have keen eyesight, and the visibility is good, you can't ordinarily recognize a person you have seen but once before, at a greater distance than 80 feet. If you know him well, you may be able to recognize him at from 260 to 350 feet. If he is a member of your family, even at about 500 feet.

That may account for so many men being mistaken for game this time of year when hunting is in order.

The slightest movements of the head, arms, or legs, are visible at 300 feet. Larger movements may be seen at 1,000 feet. But, at 1,750 feet, a human being appears only as an indefinite form. And, at 2,300 feet, large body movements cannot be detected.

On a bright moonlit night, the illumination is about one-600,000th part of the light of high moon. But, when clean snow is on the ground, the illumination is considerably more. Snow reflects about 40 per cent of the light it receives. Because of its whiteness, there seems to be more light than there actually is. Even then, a bright moonlit night in winter is never "as light as day."

This question of the degree of light is often mighty important in court actions. Weather records are frequently introduced as evidence in that connection.

For instance, several years ago, a weather man testified before a United States Commissioner, in extradition proceedings, against a man accused of murder. The weather man was asked to testify in regard to the weather and moonlight in a certain city in Russia on such and such a night. The man accused of murder had escaped to this country. Well, the weather records were secured from Russia through the Weather Bureau in Washington. They showed that on the night of the alleged crime, there was bright moonlight and snow on the ground. Therefore, the visibility was very good. This evidence was brought in to determine if there was enough light on that night to permit the accusing witnesses to recognize the murderer. The decision of the Commissioner was against the prisoner.

The Weather Man appears in a great variety of lawsuits. Those involving personal injury, murder, robbery, arson, loss by fire, divorce, dalayed construction work, damage to perishable goods -- are some of the more common types.

He may be called in by the plaintiff or the defense to testify as to conditions of sunshine, moonlight, temperature, rainfall or snow fall, wind speed, humidity, wind direction, or any other of the weather factors. The Weather Man may be asked to testify concerning visibility, condition of the ground, the foliage of plants.

Nick Marzen, the butcher, killed a man for his money some years ago. Then he hid the body in a barn. It was winter. The State produced the weather records to show that the temperature during the period was frequently very low -- [illegible] -- and sufficient to preserve the body from decomposition. Nick Marzen, the butcher, was given a life sentence.

Following testimony, proving that there was sufficient light on the night of the crime for Luetgert to kill his wife and destroy her body in one of his vats, Luetgert was given a life sentence. He died in prison. In murder, arson, or robbery trials, the Weather Man's testimony regarding visibility is often an important factor. He consults his records for the day or night of the crime, and gives his findings to the court. Several years ago, in a robbery case where the verdict hung on testimony regarding the occurrence of a heavy rainfall. A home had been robbed one night during a thunderstorm. One of the family claimed he recognized their chauffeur in the dark, as the burglar. The chauffeur was arrested But at the trial it was brought out that there had been a heavy fall of rain at the time. It was shown that the chauffeur's shoes weren't muddy. His clothing was dry, also. The jury decided that it was a case of mistaken identity.

Several years ago, a man sued the City of Chicago for damage to goods in his basement. He claimed that the street was defective and allowed the water from a heavy rainfall to accumulate until it finally ran down into his basement. Records showed that for more than a week before the date of the alleged damage, there had been no rain or snow, and that the temperature had been far below zero. No water could have fallen on the street. Even if it had, it would have frozen quickly. The judge instructed the jury to give a verdict in favor of the City.

Two cases are recalled where it was charged the wind had carried sparks from a railroad locomotive and set fire to nearby property. In both instances the records showed that the wind -- at the time of the fire -- was blowing directly away <u>from</u> the property and that locomotive sparks couldn't possibly have been responsible. The judges ordered their juries to bring in verdicts in favor of the railroads.

Some years ago, one Captain George Wellington Streeter, laid claim to property on the northside lake front of Chicago. The property is worth more than $5,000,000. Well, the Captain declared that he was shipwrecked in a storm July 10, 1886, and that his boat, the "Reutan," had been tossed up on a sandbar at the foot of Oak Street, Chicago. In time, the watery gap between this island of sand and the mainland filled up with sand. Later, it extended to the north and south. The Captain laid claim to all this land, and named it "District of Lake Michigan." He insisted that it was no part of Illinois, but a separate commonwealth under the

jurisdiction of the United States. According to the weather records produced for that July day in 1886, there was no storm prevailing, but the day was fine with a gentle off-shore westerly wind. The Captain, who died just a few years ago, lost his case.

There is the curious case of the man with a frozen ear. He claimed that the frozen ear led to erysipelas. And, as he had accident insurance -- but no health insurance -- he claimed that the freezing of the ear was an "accident". He produced records to show that the weather was such as to have possibly caused it.

Then there is the man with the cinder in his eye. He said that on a certain day, a west wind blew a large cinder from a certain factory directly into his eye. This finally caused the loss of his sight. It was proved that the wind did actually blow from the west, as the man claimed.

In personal injury suits against street-car or railroad companies, all kinds of questions are asked about the weather. The attorneys may want to show that rain was falling -- or had fallen a short time previous to the accident -- making the rail slippery and preventing the motorman or engineer from stopping the car or train soon enough to avoid collision or other accident. Or else that the streets were icy, and the plaintiff fell on the ice in the street after alighting from the car.

Most of the claims by shippers against railroads for goods damaged by rain or cold are settled on the basis of weather records and without recourse to courts.

A prominent lawyer recently stated that during the past 20 years, he had repeatedly used the evidence of the weather records and that they had been important factors in winning at least 50 cases.

Weather has been an important factor in many trials but is equally important in nearly all life's activities. There is hardly a single act in the drama of life in which weather doesn't play a leading part.

ANNOUNCEMENT: This is the sixth of a series of chats with the Weather Man, a U. S. Department of Agriculture feature. If you are enjoying and profiting by these programs drop us a line which we shall gladly forward on to the U. S. Weather Bureau. If you have had any interesting experiences to relate, please mention them and also ask any practical questions on the subject of the weather that occurs to you.

National Oceanic and Atmospheric Administration

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