

degree methods of the police and detectives in words that burned.

Well, they used those methods with Jim Conley. My friend, Hooper, said nothing held Conley to the witness chair here but the truth, but I tell you that the fear of a broken neck held him there. I think this decision about the third degree was handed down with Conley's case in mind. I'm going to show this Conley business up before I get through. I'm going to show that this entire case is the greatest frame-up in the history of the state.

My friend Hooper remarked something about circumstantial evidence, and how powerful it frequently was. He forgot to say that the circumstances, in every case, must invariably be proved by witnesses. History contains a long record of circumstantial evidence, and I once had a book on the subject which dwelt on such cases, most all of which sickens the man who reads them. Horrible mistakes have been made by circumstantial evidence—more so than by any other kind.¹

Hooper says, "Suppose Frank didn't kill the girl, and Jim Conley did, wasn't it Frank's duty to protect her?" He was taking the position that if Jim went back there and killed her, Frank could not help but know about the murder. Which position, I think, is quite absurd. Take this hypothesis, then, of Mr. Hooper's. If Jim saw the girl go up and went back and killed her, would he have taken the body down the elevator at that time? Wouldn't he have waited until Frank and White and Denham, and Mrs. White and all others were out of the building? I think so. But there's not a possibility of the girl having been killed on the second floor. Hooper smells a plot, and says Frank has his eye on the little girl who was killed. The crime isn't an act of a civilized

¹ Here Mr. Arnold cited the Durant case in San Francisco, the Hampton case in England, and the Dreyfus case in France as instances of mistakes of circumstantial evidence. In the Dreyfus case he declared it was purely persecution of the Jew. The hideousness of the murder itself was not as savage, he asserted, as the feeling to convict this man. But the savagery and venom is there just the same, and it is a case very much on the order of Dreyfus.