

The COURT. I know; go on.

*Mr. Dorsey.* They see the force of it.

*Mr. Rosser.* Is that a fair comment, Your Honor, if I make a reasonable objection, to say that we see the force of it?

The COURT. I don't think that, in reply to your objection, is a fair statement.

*Mr. Dorsey.* Now, may it please Your Honor, if they don't see the force of it, you do—

*Mr. Rosser.* I want to know, is Your Honor's ruling to be absolutely disregarded like that?

The COURT. Mr. Dorsey, stay inside of the record, and quit commenting on what they say and do.

*Mr. Dorsey.* I am inside of the record, and Your Honor knows that's an entirely proper comment.

*Mr. Rosser.* Your Honor rules—he says one thing and then says Your Honor knows better—

*Mr. Dorsey.* Your Honor knows I have got a right to comment on the conduct of this defendant.

The COURT. Of course, you have, but when they get up, I don't think you have any right to comment on their objections as they are making them to the Court.

*Mr. Dorsey.* I don't.

The COURT. No, I don't think so.

*Mr. Dorsey.* Isn't everything that occurs in the presence of the Court the subject matter for comment?

The COURT. No, I don't think you can comment on these things. You can comment on any conduct within the province of this trial, but if he makes an objection that's sustained, why, then, you can't comment on that.

*Mr. Dorsey.* Does Your Honor say I'm outside of the record?

The COURT. No, I don't, but I say this, you can comment on the fact that Frank refused to meet this man, if that's in the record, you have a right to do that.

This man Frank, a graduate of Cornell, the superintendent of the pencil factory, so anxious to ferret out this murder that he had phoned Schiff three times on Monday, April 28th, to employ the Pinkerton Detective Agency, this white man refused to meet this ignorant negro, Jim Conley. He refused upon the flimsy pretext that his counsel was out of town, but when his counsel returned, when he had the opportunity to know at least something of the accusations that Conley brought against this man, he dared not let him meet him. It is unnecessary to take up time discussing that. You tell me that the weakest among you, if you were innocent and a man of black skin charges you with an infamous