

South Pryor street, a large crowd cheered the solicitor, crying, "Hurrah for Dorsey."

Fourth, on Saturday, August 23, 1913, when the jury was only 100 feet away from the courthouse, in the German cafe, a crowd in front of the courthouse loudly cheered the solicitor as he came out, and afterward a portion of the crowd moved up in front of the cafe and repeated their cheers.

Fifth, that on the last day of the trial, namely Monday, a large crowd of women had assembled in the courtroom and taken their seats before court opened; that as Mr. Dorsey entered the courthouse he was loudly cheered; and that the jury in rooms not more than twenty feet away must have heard the demonstration plainly.

Sixth, that these demonstrations tended to coerce and intimidate the jury and influence their verdict in the case.

Your Honor, in the event you do not take cognizance of these facts yourself and certify to them, we stand ready to prove them all. The behavior of the spectators throughout this trial has been disgraceful. This man has had anything in the world but a fair trial. I am not afraid of this crowd, and I hope no one else is, but their demonstrations tend to intimidate the jury.

*Mr. Dorsey.* We deny there were any shouts of "Hurrah for Dorsey!" And we contend that it is ridiculous to claim they amounted to anything even if they were. You have the right to charge the jury that if they heard any of these cheers, to pay no attention to them, just as you charged the jury to pay no attention to that newspaper headline which you inadvertently allowed them to see.

JUDGE ROAN. Of course I heard the cheers this morning, and the cheers Saturday afternoon. But I do not know what was said.

*Mr. Arnold.* Do you deny, Mr. Solicitor, that there were cheers of "Hurrah for Dorsey?"

*Mr. Dorsey.* I heard the noise, but I heard no such cheers as that.

*Mr. Arnold.* We want an opportunity, your Honor, to prove these facts unless you are willing to certify to them yourself.

JUDGE ROAN. Whether the jury was influenced this morning, I don't know. What was said Saturday, I don't know. As to the jury being in the German cafe Saturday afternoon, and as to a portion of the crowd moving up in front of the cafe, and continuing the demonstration, I don't know.

*Mr. Arnold.* Then we have to prove our facts. Where are these men that had charge of the jury? I understand the solicitor demurs to this action.

JUDGE ROAN. No, I don't understand that he demurs.

*Mr. Dorsey.* Your Honor I deny and demur, too.

*R. V. Davers.* Am a deputy sheriff; was not in charge of the jury on Friday, but was one of the men in charge on Saturday; the jury was near the German cafe when the applause began and I heard the applause; did not hear cries of "Hurrah for Dorsey;" the jury could have heard the applause and cheers;