

"Mr. Arnold: Certainly he can, as a matter of public notoriety, but not as a matter of individual information or opinion".

"The Court: You can state, Mr. Dorsey, to the jury, your information about the Durant case, just like he did, but you can't read anything, - don't introduce any evidence".

Mr. Dorsey (resuming) "My information is that nobody has ever confessed the murder of Blanche Lamont and Minnie Williams

But, gentlemen of the jury, as I'll show you by reading this book, it was proved at the trial, and there can be no question upon the fact, Theodore Durant was guilty, the body of one of these girls having been found in the belfry of the church in question; and the other in the basement, Here's the book containing an account of that case, reported in the 48 Pacific Reporter, and this showed, gentlemen of the jury, that the body of that girl, stripped stark naked, was found in the belfry of Emanuel church, in San Francisco, after she had been missing for two weeks, It shows that Durant was a medical student of high standing, and a prominent member of the church, with superb character, a better character than is shown by this man Leo M. Frank, because not a soul came in to say that he didn't enjoy the confidence and respect of every member of that large congregation, and all the medical students with whom he associated. Another thing, this book shows that the crime was committed on 1895, and this man Durant never mounted the gallows until 1898, and the facts are that his mother took the remains of her son and cremated them, because she didn't want them to fall into the hands of the medical students, as they would have done in the State of California, had she not made the demand and received the body. Hence, that's all poppy-cock he was telling you about. There never was a guiltier man, there never was a man of higher character, there never was a more courageous jury or better satisfied community, than Theodore Durant, the jury that tried him, and the people of San Francisco, where he lived and committed his crime and died."

Movant says that a new trial should be granted, because of the fact that the Court did not squarely and unequivocally rule that the jury should not consider the statement Mr. Dorsey made as to the letter, G. W. Pickett, the District Attorney, had