

(Objection was here made by the defendant that the answer sought would be immaterial.)

The Court: Well, I don't know what it is, ask him the question.

Q. Didn't you tell Gantt the reason why Frank said he was going to turn you off?

A. No, sir.

Q. Didn't Frank tell you he was going to turn you off unless you would permit him to do with you what he wanted to do?

A. No, sir.

Q. No such conversation ever occurred?

A. No, sir.

Q. With J. M. Gantt, the man who was bookkeeper and was turned off there?

A. No, sir, I never told him any such thing.

Q. No such thing ever happened?

A. No, sir.

Mr. Arnold: Before the examination progresses any further, I want to ~~move to~~ rule out the witness said there wasn't any truth in it, but I want to move to rule out the questions and answers in relation to what he said Frank proposed to do to him—right now. I think it is grossly improper and grossly immaterial; the witness says there is no truth in it, but I move to rule it out.

Mr. Dorsey: We are entitled to show the relations existing between this witness and the defendant, your Honor.

Mr. Arnold: We move to rule out as immaterial, illegal and grossly prejudicial and as grossly improper, and the gentleman knows it, or ought to know it, the testimony that I have called your Honor's attention to.

The Court: Well, what do you say to that, Mr. Dorsey? How is this relevant at all over objection?

Mr. Dorsey: We are always entitled to show the connection, the association, the friendship or lack of friendship, the prejudice, bias, or lack of prejudice and bias, of the witness, your Honor. You permitted them, with Conley, to go into all kinds of proposals to test his memory and to test his disposition to tell the truth, etc. Now I want to lay the foundation for the impeachment of this witness by this man Gantt to whom he did make these complaints.

The Court: Well, I rule it all out.

Mr. Arnold: It is the most unfair thing I have ever heard of, to try to inject in here in this illegal way, this kind-of evidence; any man ought to know that it is illegal. It has no probative value, and has been brought in here by this miserable negro and I don't think any sane man on earth could believe it. It is vile slander and fatigues the indignation to sit here and hear things like this suggested, things that your Honor and everybody knows are incompetent.

The Court: Well, I sustain your objection.

Mr. Arnold: If the effort is made again, your Honor, I am going to move for a mistrial. No man can get a fair trial with such inuendoes and insinuations as these made against him.

The Court: Have you any further questions, Mr. Dorsey?

Mr. Dorsey: That is all I wanted to ask him. I will bring Gantt in to impeach him.

The Court: Well, I have ruled that all out.

Mr. Dorsey: Well, we will let your Honor rule on Gantt, too.

The assertion by the solicitor that this witness did make the suggested complaints to Gantt, the insinuations involved in the questions of the solicitor