

Mr. Arnold: I got it out of the public prints, at the time, Mr. Dorsey, published all over the country, I read it in the newspapers, that's where I got it.

Mr. Dorsey (resuming): On April 15, 1913, Mr. C. M. Pickett, the district attorney of the City of San Francisco, wrote a letter—

Mr. Arnold: I want to object to any communication between Mr. Pickett and Mr. Dorsey—it's just a personal letter from this man, and I could write to some other person there and get information satisfactory to me, no doubt, just as Mr. Dorsey has done, and I object to his reading any letters or communications from anybody out there.

Mr. Dorsey: This is a matter of public notoriety. Here's his reply to a telegram I sent him, and in view of his statement, I have got a right to read it to the jury.

Mr. Arnold: You can argue a matter of public notoriety, you can argue a matter that appears in the public prints—my friend can, but as to his writing particular letters to particular men, why that's introducing evidence, and I must object to it; he has got a right to state simply his recollection of the occurrence, or his general information on the subject, but he can't read any letters or telegrams from any particular people on the subject.

Mr. Dorsey: Mr. Arnold brought this in, and I telegraphed to San Francisco, and I want to read this telegram to the jury; can't I do it?

Mr. Arnold: If the Court please I want to object to any particular letter or telegram,—I can telegraph and get my information as well as he can, I don't know whether the information is true, I don't know who he telegraphed about it; I have got a right to argue a matter that appears in the public prints, and that's all I argued,—what appears in the papers,—it may be right or wrong, but if my friend has a friend he knows there, and writes and gets some information, that's introducing evidence, and I want to put him on notice that I object to it. I have got the same right to telegraph there and get my own information. And besides, my friend seems to know about that case pretty well, he's writing four months ago. Why did he do it?

Mr. Dorsey (resuming): Because I anticipated some such claim would be made in this presence.

Mr. Arnold: You anticipated it, then, I presume, because you knew it was published; that's what I went on.

Mr. Dorsey (resuming): I anticipated it, and I know the truth about that case.

Mr. Arnold: I object to his reading any communication unless I have the right to investigate it also; I am going only on what I read in the public press. April 15th is nearly two weeks before the crime is alleged to have been committed. I want to record an objection right now to my friend doing any such thing as that, reading a telegram from anybody picked out by my friend Dorsey, to give him the kind of information he wants for his speech, and I claim the right to communicate out there myself and get such information as I can, if he's given the right to do it.

The Court: I'll either have to expunge from the jury what you told the jury, in your argument, or—

Mr. Arnold: I don't want it expunged. I stand on it.

The Court: I have either got to do one of the two—

Mr. Dorsey: No, sir, can't I state to this jury what I know about it, as well as he can state what he knows?

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