

as Mr. Dorsey, the Solicitor General, was leaving the court room a large crowd assembled in front of the court-house, and, in the hearing of the jury, cheered and shouted "Hurrah for Dorsey".

(e) That during the trial, on Saturday, August 23, 1913, when Court adjourned and Mr. Dorsey emerged from the court room, a large crowd, standing on the street, applauded and cheered him, shouting "Hurrah for Dorsey". At that time the jury was between the court house and what is known as the German Cafe, and near enough to the crowd to hear the cheering and shouting. A portion of the crowd moved up in front of the cafe, at which the jury were at lunch, and, in the hearing of the jury, shouted "Hurrah for Dorsey."

(f) On the last day of the trial, Monday, August 25, 1913, a large crowd, including many women, had assembled in the court room before court had opened, taking up every seat in the court room. The jury were in their room about twenty feet from the court room and as Mr. Dorsey entered the room, the crowd applauded loudly by clapping of hands and stamping of feet, which the jury perhaps could have heard. The court did nothing but admonish the people that if the applause was repeated, he would clear the court room.

(g) On Monday, the last day of the trial, after the argument of counsel had been had and the charge of the court had been given, and the case was in the hands of the jury, when Solicitor Dorsey left the court room a very large crowd awaited him in front of the court house and shouted and applauded by clapping their hands and shouting "Hurrah for Dorsey".

(h) When it was announced that the jury had agreed upon a verdict, the Judge of the Superior Court, his Honor, L.S. Roan, went to the court house, which was a comparatively small room on the second floor, at the junction of Hunter and Pryor Streets, and found the court room packed with spectators. Fearful of misconduct among the spectators in the court room, the Court of his own ~~verdict~~ motion, cleared the room before the jury announced their verdict. When the verdict of guilty was rendered, the fact of the rendition of such verdict was signalled to the crowd on the outside, which consisted of a large concourse and crowd of people standing upon Hunter and Pryor Streets. Immediately upon receiving such signal, and while the court was engaged in polling the jury, and before the polling ended, great shouts arose from the people on the outside, expressing gratification. Great applauding, shouting and halloing was heard on the streets, and, so great became the noise on the streets, that the court had difficulty in hearing the responses of the jurors as he polled them. These incidents showed as the defendant contends, that the defendant did not have a fair and impartial jury trial, and that the demonstrations of the crowd attending court was such as to inevitably affect the jury.

Ground 66. The court room wherein this trial was had was situated at the corner of Hunter and Pryor Streets. There are a number of windows on the Pryor Street side looking out upon the street and furnishing easy access to any noises that would occur upon the street. The court room itself is situated on Hunter St. 15 or 20 feet from Pryor Street. There is an open alleyway running from Pryor Street along by the side of the court house and there are windows from the court room looking onto this alley, and any noise in the alley can easily be heard in the court room. When Solicitor Dorsey left the court room on the last day of the trial, after the case had been submitted to the jury, a large and boisterous crowd of several hundred people was standing in the street in front of the court house and as he came out greeted him with loud and boisterous applause, taking him upon their shoulders and carrying him across the street into the Kiser Building, wherein he had his office. This crowd did not wholly disperse during the interval between the giving of the case to the jury and the time when the jury reached its verdict, but during the whole of such time a large crowd was gathered at the junction of Pryor and Hunter Streets. When it was announced that the jury had reached its verdict, his Honor, Judge L.S. Roan, went to the court room and found it crowded with spectators to such an extent as to interfere with the court's orderly procedure, and fearing misconduct in the court room, his Honor cleared it of spectators. The jury was then brought in for the purpose of delivering their verdict. When the verdict of guilty was announced, a signal was given to the crowd to that effect. The large crowd of people standing on the outside cheered and shouted and hurrahed at the outset of the poll of the