

Judge Goddard has exclusive control of the order of the trial and the law. It would be presumptuous on my part or Mr. Cross's part to interfere with that job. I am not going to talk about the law at all. I think if you will listen to Judge Goddard's explanation it will surpass anything that we lawyers could do. He has had so much more experience to start with, but in the final analysis it is he who tells you what the law is and how you apply that law to the facts.

Now what facts are we concerned with? We are concerned with the facts that have arisen because [4672] of this indictment. I told you in the beginning that the facts would be proved by the immutable documents, and there, ladies and gentlemen, are the documents (indicating). They do not change. They are there and have been there for 11 or 12 years. Nobody's memory is concerned with those at all. Nobody has altered them. They cannot be altered. They are immutable. They do not change, and I tell you, ladies and gentlemen, you will always come back to the documents in applying reason to this case.

It reminds me of a story from the Bible. If you recall how Moses had gone up to the mountain to pray. There was dissension amongst his people, and while he was there they became dissatisfied with his theory of God and they got together their gold and they made a golden calf and they continued to worship the golden calf in his absence. He came down and he noticed that there was something wrong; there was a change. He could not put his finger on it, and then he asked, he said, "Have you been worshipping false gods perhaps?" "No, no, we have not; no. We deny that we have. You were in the mountain. You did not see us."

And then he saw the golden calf. Despite their denial, despite their protestations there was the calf, the immutable evidence that they were lying.

[4673] And there (indicating), ladies and gentlemen, are the immutable evidences of the lying in this case. There is the golden calf.

Now Mr. Cross said this is not an ordinary case, this is not an ordinary case. Ladies and gentlemen, it is an