

(The Court): You have finished with him on every other line, but that second autopsy? Anything to save time.

(Mr. Hartman): We don't want to be understood that we have finished with him.

(The Court): Did you want to examine him on any other feature of the case?

(Mr. Green): No, but we want to understand that we will have the right to bring the Doctor back for the second autopsy if we satisfy the Court it is admissible.

(The Court): Yes. Now, it strikes me that it would be better that the Doctor be withdrawn for the present or you can go ahead, just as you wish, it does not make any difference.

(Mr. Green): You want to cross-examine him now?

(Mr. Brady): No, I think we would rather wait. We don't wish to cross-examine him until we examine him on the whole case. Of course, your Honor with the understanding that if the State can't put him on the stand for the second autopsy, we expect under those circumstances to be able to cross-examine him on what he has said.

(The Court): Doctor, we will excuse you for the present.

(Examination suspended.)

---

MRS. MARY PERKINS (Colored), a witness of lawful age, called on behalf of the State, after having been duly sworn, testified as follows:

#### DIRECT EXAMINATION.

Q. (By Mr. Green): Where are you living now? A. Washington, D. C.

Q. Where were you living on the 8th of last August? A. On Second street, 30 Second street.

Q. Thirty Second street? A. Yes.

Q. How was that situated with No. 29 Second street? A. Directly across the street.

Q. Who lived in 29? A. Mrs. Brandon.

Q. Where were you in the morning about eleven o'clock, on Wednesday, August 8th? A. About eleven o'clock, or a few minutes after eleven, I was sitting in the parlor at my window writing a few letters, I wrote one and started on the second.

Q. Now tell what you saw and heard? A. As I started on the second letter I was attracted by some noise, I heard a noise across the street, and then I stopped and I looked and I heard this awful noise as though it was a rushing sound towards the door.

Q. Rushing sound towards the door? A. Yes, sir; foot steps and then I heard this knock up against the door as though something fell up against the door and then all of a sudden I saw this chair——

Q. (Interrupting): What house was this in you heard the noise? A. In 29.

Q. Mrs. Brandon's house? A. Yes, sir; across the street, and then I looked and I saw this chair when it was knocked in front of the window, and I kept a looking to see if any one would move the chair or if any one would come out and I didn't see any one come out then, so I continued to write and later on while I was looking and looking, my sister came in and then I told her of this awful noise I heard across the street, and I said to her it was an awful noise, and I said, suppose that man would not be beating his wife in her condition and she said No——

(Objected to.)

(The Court): Don't give the conversation; tell what you saw without any conversation from your sister.

Q. Go on from that point, Mary, after you had this conversation with your sister, then what? A. And then I was at the

window and kept looking. I waited and in about fifteen or twenty minutes I saw the door open.

Q. The front door? A. The front door opened and I saw this man when he peeped his head out and he looked towards Murray's Hill first and then towards West street that was before he brought his whole body out of the door and in coming out the door, when he closed the door, he closed the door from behind with his right hand, he never turned his back and he walked off the porch and when he got near the second porch he then began to fool with something that he took out of his pocket; I took it to be a bottle or flask, I mean it was reddish and looked as though it either had whiskey in it or it was a red flask and he took it from his hip pocket and put it in front in some of his pockets and he walked up the street and in looking behind my sister saw his face before he got far and I kept asking her who this man was and she said—

(Objected to.)

Q. (Mr. Hartman): Don't tell what your sister said, what did you do after that?

Q. (By Mr. Green): You asked your sister if she knew his name? A. Yes.

Q. Do you see that man now? A. Yes, that is the man sitting over there.

Q. Where did you see him after that, when was the first time you saw him after that day, where did you see him the next time? A. I saw him on Main street.

Q. On Main street? A. On Monday, the following Monday.

Q. What was he doing? A. He was on an ice wagon.

Q. Are you positive that was the man? A. I am positive that is the man I saw come out the door.

Q. You saw him open the door and then he came out? A. I saw him when he opened the door and came out, I didn't know what the man did in there.

Q. When you speak of his looking towards Murray's Hill, that was one way up Second street? A. Yes, sir.

Q. And when you speak of towards West street, that was? A. This way.

Q. He looked first one way and then the other? A. Yes, sir.

Q. And then came out? A. Yes.

Q. How far had he gotten when your sister saw him? A. Between Mrs. King's apartment and the other. Mrs. Taylor I think lived in that house.

Q. How far is your house where you were living, Mary, at that time, from this door of Mrs. Brandon's house, how far across the street, in this room? A. The street is very narrow, I don't think it is much further than between this space in here (indicating).

Q. Between you and where the men are sitting there? (Jury.) A. It is wider than that, I judge it is about from over here to the wall altogether.

Q. Did you know the man before that day? A. Yes, I knew him by sight, but didn't know him by name.

Q. You knew him by sight, but didn't know him by name? A. Yes, sir.

Q. Ever talk with him, ever visit him or he ever visit you? A. No, sir; he never was an associate of mine.

Q. You never had any social intercourse with him? A. I have never had any talk or conversation with him at all.

Q. Never had any trouble with him in your life? A. No, sir.

Q. Did you have any difficulty in picking him out in the Court House among all the other men? A. No, sir; I did not.

Q. Now, at the time you were looking across the street the time of this disturbance, did you notice anybody going up the

street or coming down the street? A. Yes, sir; I saw a little boy; he was right in front of the house at the time of the noise and he stopped there and stood there until this noise ceased.

Q. What did he have? A. He had a little sack of flour on his shoulder, a little paper sack and he was going toward Murray Hill.

Q. Did you know that little boy? A. No, sir; I did not.

#### CROSS-EXAMINATION.

Q. (Mr. Brady) :—What time did you say you were sitting at the window writing those letters? A. I said I went in the parlor about eleven o'clock or a few minutes after.

Q. Eleven or a few minutes after? A. A few minutes after eleven.

Q. You were sitting at the window? A. At the window.

Q. How were the blinds? A. I had my shutters closed, and the blinds were partly open.

Q. You heard noise? A. I heard this noise.

Q. You say it sounded somewhat like a chair dropping? A. I said it sounded as though somebody was wrestling in there.

Q. I thought you said like somebody fell up against the door? A. Yes, after this rushing noise towards the door and this bump against the door and the chair against the window.

Q. Very much of a racket there? A. Yes, sir; it was so, because I told my sister about it.

Q. When was your sister? A. My sister was not in there at the time the noise was going on, she came in afterwards, she was in the kitchen.

Q. Where was she? A. She was in the kitchen.

Q. How long after that was it that she came in there? A. Well, I guess she came in about five minutes after that as near as I can judge it.