

4th. Because the State's Attorney for Anne Arundel County, in his closing argument to the jury, told the jury that Snowden had pulled down the stocking of Mrs. Brandon where she carried her money and had taken therefrom a dollar bill, when in point of fact there was no evidence whatsoever in the case that Mrs. Brandon so carried her money or that Snowden pulled down her stocking or took any money from her stocking whatsoever.

5th. Because the evidence adduced on the part of the State was not legally sufficient to establish the guilt of the traverser beyond a reasonable doubt.

6th. Because from all the evidence in the case the proof of the guilt of the traverser was not established beyond a reasonable doubt.

7th. Because of statements made by the State's Attorney of Anne Arundel County during the trial not warranted by law of material injury to the traverser.

8th. Because of newly discovered evidence.

A. THEODORE BRADY,

C. GUS GRASON,

Attorneys for Traverser.

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AFFIDAVIT OF ELLA RUST MURRAY AND A. THEODORE BRADY.

(Filed February 13th, 1918.)

*State of Maryland,*

*Baltimore County, to wit:—*

I hereby certify on this 13th day of February, 1918, before me, the subscriber, the Clerk of the Circuit Court for Baltimore County, personally appeared A. Theodore Brady, counsel for John Snowden, traverser in the above case, and made oath in due form of law on his own behalf as well as on behalf of both

other counsel for traverser, and also on behalf of traverser, that the foregoing statement of Ella Rusk Murray, under oath was not known by him or other counsel in the case for traverser or the traverser at the time said case was called for trial in the Circuit Court for Baltimore County, nor at any time during the presentation of the State's evidence, up until Sunday before the State closed its case in chief nor was said statement known by any of the aforesaid in time to lay proper foundations to contradict State's witness.

Febry. 13, 1918, sworn to before me this 13th day of Febry., 1918.

Wm. P. Cole, Clerk.

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STATEMENT:—E. R. MURRAY.

(1)

On Monday, Aug. 13, 1917, about two-thirty in the afternoon, I was in my kitchen talking to the cook and the waitress, when Edith Credit, my laundress' daughter accompanied by another young woman whom I had never seen before, entered the kitchen, such a marked silence fell upon my servants at their entrance, that I was struck by the general air of constraint, and I left the kitchen presuming that there had been some kind of trouble among them, and in order that they might be relieved of my presence. My laundress, Margaret Queen, shortly followed me into the pantry and told me, that the other young woman with Edith was her daughter Mary (I subsequently found out that her last name was Perkins), and that she was in great trouble, for fear some of her own people would injure her, as she knew the man who had committed the "Brandon Murder." I asked Margaret why Mary had come to me, and she replied, that Mary had wished for my advice. I therefore sent for Mary, and took her into the library where she told me the following story:

That she got up rather late on the morning of August 8th last; that she got downstairs about nine o'clock, to find an oil stove smoking in the kitchen. That it took her, with Edith's assistance, some time to clean up the smoke, have their breakfast and wash the dishes. That she, Mary, then went into the front room to write some letters. That it was then about eleven