

(The Court): Now, you are going to offer those pictures now?

(Mr. Green): I am going to offer them. If my brother insists on objecting, we have the photographer here who took them.

(The Court): Do you object to the introduction of the pictures?

(Mr. Brady): I have always understood that when you offer evidence such as this, in order to have it to be good evidence, that the party, the photographer in a case of this kind, would have some authority—that is my idea—from the Court or from the jurisdiction where the crime is committed. Not every Tom, Dick and Harry can come forth and get some picture and then have it introduced in evidence.

(The Court): A picture is a picture. You say you have the photographer here who made it?

(Mr. Green): Yes.

(The Court): Who is he?

(Mr. Green): The official photographer of the Police Department of Baltimore.

(The Court): I was going to say there were certain scratches on the face, when arrested, and the officer said this is a good picture of him at the time he was arrested.

(Mr. Green): Yes, sir.

(The Court): Now, you offer the pictures, and let it go at that.

#### CROSS-EXAMINATION.

Q. (By Mr. Brady): Mr. Pohler, you are identifying this picture as being the picture of Snowden the evening you made the arrest? A. He appeared that way; that is the first time I saw the picture just now.

Q. When you said you had Snowden in the Sheriff's office in the City of Annapolis, and you found scratches on his face; two scratches, I believe? A. Yes.

Q. You said they were here (indicating) and the other one was over there (indicating)? A. I could not tell the exact place where they were. I would not like to say. But they were on there, and I asked him about them, and he said, Edna Wallace put them on his face.

Q. Then you don't identify this picture of the man as the night you made the arrest? A. No; that is the first time I saw the picture. I didn't know anything about that picture at all.

Q. Then when you said you saw the scratches on his face in Annapolis, you said one scratch over here and over there (indicating)? A. It was some part of his face, and I asked him about them, and he said Edna Wallace done them.

Q. You can't identify this as being the same picture of the man the evening you made the arrest? A. Well, I don't think I could.

(The Court): The pictures were admitted that the officer identified them as good pictures of him at the time he made the arrest, with a further understanding that the photographer would prove them up.

(Witness): I could not say he had the same clothing on, but it is the same face.

(Motion to strike it out.)

(The Court): With the offer of the photographer to follow him up, let it remain in.

(Exception noted.)

To which ruling of the Court the traverser by his counsel excepted and prays the Court to sign and seal this his Twenty-fourth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

Q. You say you can't testify as to the length of time that Snowden was in the Sheriff's office before Mr. Green came? A. No, sir; not exactly, I could not.

Q. And you further say there was nothing said by either you or Snowden during the time you were there, out of the presence of Mr. Green? A. Not in reference to this matter, no; we were waiting until Mr. Green came.

Q. When did you first notify him of what he was charged with? A. When Mr. Green came.

Q. Not before that? A. No, sir.

Q. And he asked you nothing? A. No, sir.

Q. You seem to be very particular in the detailing of every little conversation and everything that was said by Snowden during that interview, but there are numerous other things that you can't remember; how is that?

(Objected to: objection sustained.)

(The Court): Just direct his attention to something that you think he ought to remember and ask him why?

Q. You are able to detail everything and every word by Snowden whilst in the presence of Mr. Green and yet you can't say as to the length of time you were there alone with Snowden, can you? A. I could not exactly say the time.

Q. Nor who was there? A. Who was there?

Q. With you and Snowden, before Mr. Green came? A. Detective Kratz, Detective Dougherty, Deputy Sheriff Lee, and I am pretty positive that Sheriff Sullivan was there also.

Q. Didn't I understand you to say that they were in the other room and you were in the back room and the door was closed between you? A. Mr. Sullivan has three rooms there.

Q. Two doors? A. Two or three and they went from one room to the other, the other man on the wagon with Snowden was kept in the other room, he didn't come in the room with Snowden at all.

Q. Who was with him? A. I think Detective Kratz was with him.

Q. Well? A. I don't know of anybody else in the adjoining room.

Q. Then Detective Kratz was not in the room with you and Snowden? A. Occasionally he came in there.

Q. Occasionally were you in the next room? A. What?

Q. Were you in the adjoining room? A. I was in the back office, the Sheriff's office.

Q. You say that when you made the arrest, that you were the one that pulled him off the wagon? A. Yes, I took him off the wagon.

Q. And he made no complaint at all? A. None whatever, and when I got down on the street, I told him that we were officers and he was under arrest and we were going to take him to the Court House.

Q. Didn't you also say to him there if he was not the one that took you a load of ice? A. Yes, I wanted to find out whether or not he was John Snowden or not.

Q. Was Mr. Lee with you? A. He was somewhere around there.

Q. Was he not in the crowd? A. I didn't notice; you don't notice everything around you.

Q. You didn't notice everything that Snowden said? A. No, you won't let me tell everything that he did tell.

Q. I am going to let you tell everything; didn't you take a Mr. Lee down there for the purpose of identifying Snowden?  
A. Down where?

Q. Down to where you made the arrest? A. I didn't take anybody down; as soon as I got information I went down there.

Q. Didn't you go all together? A. He went down but I didn't take him down, he is old enough to take himself down.

Q. Was Mr. Lee not there for the purpose of pointing out Snowden? A. Not that I know of.

Q. Why didn't you ask him instead of going there and asking about ice—why didn't you ask Lee? A. I didn't see Lee at the time, at the wagon.

Q. You know where he was? A. He was down the street.

Q. Did he go with you? A. He went down with us, but we were some distance apart.

Q. How far? A. Probably a quarter of a block.

Q. Who was with him? A. He was at the corner and this fountain was up the street.

Q. Who was with him? A. Detective Dougherty.

Q. Were there not two women down there with him? A. Not that I seen.

Q. Didn't two women go down there? A. None that I saw.

Q. To help you to identify him? A. Not with us, no.

Q. They did not? A. No, there were not women that went down with us whatever.

Q. Not with you, but you knew they were down there? A. They were not down there.

Q. They were not down there? A. Not with us, they might have been down there, but I have no recollection of it whatever.

Q. I mean concerning this case? A. No, sir.

(Examination concluded.)

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#### TRAVERSER'S TWENTY-FIFTH BILL OF EXCEPTIONS.

After the occurrence of the matter set out in the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth,