

(Mr. Hartman) : The State has closed.

(The Court) : Counsel spoke to me before the State closed and they didn't know you were going to close. I don't think they ought to be kept from calling the State's witnesses for the purpose of contradiction.

(Mr. Hartman) : We object.

(The Court) : Objection overruled.

(Exception noted.)

TRAVERSER'S TWENTY-SEVENTH 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, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth and twenty-sixth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, DEPUTY MARSHAL SAMUEL W. HOUSE, being recalled, testified as follows:

Q. You have testified that on the 14th day of August, 1917, that Edna Wallace was present in your office with John Snowden, in the presence of other people and Green, what did Snowden say there at that time about the scratches on his face, how he got them?

(Objected to.)

(Objection overruled.)

(Exception noted.)

A. She was brought into my office by the Sheriff, two detectives, brought Green in the presence of Snowden, and I asked if she had scratched—

(Objected to.)

(Objection overruled.) *

(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-seventh Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

SAMUEL W. HOUSE, continuing, says:

A. I asked her if she had scratched Snowden and she said no, she did not remember of ever scratching him. I said to her, when did you first notice the scratches on his face, she said after twelve on Wednesday.

Q. Did Snowden make any statement as to when she had scratched him in her presence? A. In her presence he said, yes; you scratched me on Sunday and he gave the names of two women that were present and she said they were not there.

Q. Do you know whether they were? A. I do not, but I think the detectives can give you their statement.

Q. What was her reply to that? A. She said she didn't scratch it, that she never saw them, that she called his attention to it on twelve o'clock on Wednesday and he laughed about it.

Q. What did he say about John Green?

(The Court): He testified to that.

Q. What did John Green say to that in Snowden's presence?

(Objected to, as Green was on the stand and could have testified to it.)

(Mr. Green): He did testify to it.

(Mr. Brady): Not a bit, he never said he did.

(Mr. Green): He testified he didn't see Snowden that day.

(The Court): You have the version of the prisoner that he did see him and Green said he didn't, now what is it now?

(Mr. Green): What Green said in Snowden's presence at the time; Snowden said this was the man he saw there; we had Green there and the Wallace woman.

(Mr. Brady): We object for the same reason to the Wallace woman, and we object to Green, the same, as to what statement was made by the Marshal and the objection was sustained; now he comes up and has Edna Wallace on the stand and she gives her testimony and also has Green on the stand, now why could not the State have asked Green when he was in Baltimore as to what he said when brought face to face with him; it is secondary evidence and not the best.

(The Court): The Marshal testified that he brought Green in the office with Edna Wallace and he asked him if he knew Green and he said yes, then he said, I think so, and he said do you know him or don't you, and he said, yes, I know him and went on to tell about his father, and told about having seen him at a certain corner and spoke to him, now you have put Green on the stand and he said he was working somewhere else that day and was not in Annapolis, so that ought to close that.

(The objection will be sustained.)

(No cross-examination.)

(Examination concluded.)