

Q. Where are you from? A. Washington.

Q. A very short while, what do you mean by a short while?  
A. About ten days I should judge.

Q. How long had you been living next door to the Brandon's?  
A. About three weeks, not quite.

Q. And only visited them once? A. Yes, sir.

Q. When did you introduce your wife to Mrs. Brandon?  
A. Monday night.

Q. What time did she arrive from Washington? A. Something past six.

Q. What time did you introduce her to Mrs. Brandon? A. Around about a little after 8, I should judge.

Q. Call on them? A. No, sir.

Q. How did you introduce her, from where? A. From the porch.

Q. Mr. Brandon there? A. Yes, sir.

Q. You say you saw Mrs. Brandon that morning? A. Yes.

Q. Where was she sitting? A. In the kitchen window.

Q. Where were you? A. I was in my kitchen.

Q. Did you speak to her? A. Yes.

(Examination concluded.)

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### TRAVERSER'S THIRD BILL OF EXCEPTIONS.

After the occurrences of the matters set out in the First and Second Bills of Exceptions, and after the evidence had been introduced as therein stated, all of which is hereby made a part hereof as fully as if the same were herein repeated at large.

DOCTOR JOSEPH C. JOYCE, a witness of lawful age, called and on behalf of the State, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Green): You are a resident of the City of Annapolis? A. Yes, sir.

Q. Practicing physician there? A. Yes, sir.

Q. How long have you been practicing physician? A. About seven years.

Q. What school are you a graduate of? A. University of Maryland.

Q. Doctor, do you recall the afternoon of the 8th of August past, 1917? A. Yes, sir.

Q. Were you called to 29 Second street on that afternoon? A. Yes, sir.

Q. About what time? A. After five, between five and 5:30 as far as I can remember.

Q. Did you go to the house? A. Yes, sir.

Q. Who were you told lived there? A. Why, Brandons lived there.

Q. What did you find when you got there, Doctor, what did you do? A. I found some people in the room as I went in.

Q. In the front room? A. In the front room and I went through to the middle room, and there were one or two people in there and I found the bed covered over with a sheet and upon removing the sheet I found this body.

Q. What position was the body in? A. On the left side, lying upon the left side at the foot of the bed with head to the foot.

Q. Did you make any examination at all? A. Yes.

Q. What did you find, as to the condition of the body? A. The first thing that I saw was the cut on her forehead and the blood.

Q. Where was that wound? A. Over the center of the forehead, and upon further examination I found the neck bruised and scratched and her knees scratched, bruised and the hands and bruises over the body.

Q. When you got there was Mrs. Brandon alive or dead? A. Dead.

Q. From your examination, how long had she been dead? A. I would say that she was dead five hours and how long before I didn't know; dead at least that long.

Q. That was about between five and half past five? A. Yes, sir.

Q. How long did you stay there, Doctor? A. I stayed there about half an hour at that time and then I left.

Q. Who did you leave there, who was there when you left? A. You mean who was in charge?

Q. Yes? A. I left you there and I also left Officer Kerr, I think is his name, he was the proper man in charge at that time.

Q. When you got back who was there? A. When I got back the detectives were there and also you were there.

Q. What time was that? A. That was about, around about ten o'clock as far as I can remember.

Q. Was the body turned over to you for autopsy? A. Yes, sir.

Q. Did you perform the autopsy alone? A. Not alone, no, sir.

Q. Who was with you? A. Doctor Hopkins.

Q. When you made the examination of the body for the autopsy, can you tell the Court and jury what wounds you found on or about the body?

(The Court): Where was the autopsy held?

(Witness): Emergency Hospital at Annapolis.

(Mr. Brady): The same night?

(Witness): Yes. Do you want me to tell what the conditions were, the scratches and things?

(Mr. Green): Yes.

A. We found bruises——

(Interrupting): Objected to any testimony in reference to autopsy unless show the authority.

(The Court): What do you mean?

(Mr. Brady): I mean he must have had some prior authority to perform an autopsy.

(Mr. Hartman): Don't have to have any.

(Mr. Green): Who authorized you to perform the autopsy?

A. You did.

Q. Now, Doctor, tell what you found, the bruises, the condition of the body? A. We found a bruise over the back of the left hand, we found a bruise between the first and second knuckle, found a bruise in the center of the forearm, anterior surface of the left arm, found a bruise on her right arm, above the elbow, a corresponding one on the left elbow, found bruises, several bruises over the neck, scratches on the sides of the neck and a large bruise——

Q. (Interrupting): What did these bruises on the neck, what did they resemble, the appearance of them? A. The scratches resembled the appearance of nails.

Q. Finger nails? A. Finger nails; found a large depression in the center of the forehead, the skin broken. You want me to tell what we found when we went in?

Q. One minute: were those the same bruises you noticed, Doctor, when you first went to the house and looked at the body? A. Yes, also two large bruises over the knee, right and left legs.

Q. Can you identify those photographs, Doctor, as representations of the bruises and the marks you found as far as they show? A. Yes, sir.

Q. You found those there when you examined the body first? A. Yes.

Q. They were there when you performed the autopsy? A. Yes, sir.

(Mr. Green): Now, sir, we offer these in evidence again.

(Objected to; objection overruled; exception noted.)

The traverser having excepted to the Court's ruling prays the Court to sign and seal this his Third Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

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#### TRAVERSER'S FOURTH BILL OF EXCEPTION.

After the occurrence of the matters set out in the first, second and third bills of exceptions, and after the evidence had been introduced as therein stated, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, the witness JOYCE further testified as follows:

Q. These marks on the neck that looked like finger nails did they give an indication as to whether the position of the party having made them, whether behind the woman or in front of her? A. Yes, it would have to be done from behind.

Q. Why so? A. Because it could not have well caught a person from the front and take the skin off would have to be caught this way (indicating).

Q. Were they curved back? A. Yes.

Q. We will go back a little way, when you reached there, you described how she was lying on the bed, did you notice anything that had been the result of this wound in the head on the bed? A. You mean what it was done with?

Q. No, what was on the bed that came from the wound? A. Hemorrhage, lots of blood.

Q. How did that blood flow on the bed from the wound? A. Directly down.

Q. Directly down? A. Directly to the side down on the bed.

Q. You mean by that, there was no flow of blood on the right of the head? A. No, no blood on the face at all, except a stain down the side.

Q. Would a wound there bleed very profusely? A. Yes, it would.

Q. How much blood did you notice come from there, you notice it on the bed and anywhere else? A. Yes, the bed was saturated.

Q. How big a spot? A. Well, I would say about to correspond to nearly a foot and a half square.

Q. Had the blood gone anywhere else except on the bed, did you notice? A. I didn't notice, no.

Q. From the position of that body and the flow of that blood, would you say or not, that Mrs. Brandon, whether she had moved or not after receiving that knock or wound? A. She had not, no; she could not have moved after receiving that knock.

Q. You spoke of the shape of the blood spot in the bed, did you notice blood anywhere else on the bed or anywhere else in the room? A. No.

Q. Doctor, when you started to make the autopsy, was your attention drawn to any particular condition, what did you find? A. You mean that she was seven months pregnant?

Q. You found that but before you made any incision in the body, did you notice anything on or about the body, or about her person?

(Objected to.)

A. Oh, yes; we found some mucous discharge over the labia majora between the legs.

Q. You mean the genitals? A. Over the genital organs.

Q. What did you do with that, take any specimen of that? A. We took some slides, we took some specimens.

Q. Do you know what was done with those specimens? A. They were stained, personally I don't know.

Q. You found, you say, she was seven months pregnant? A. About seven months pregnant.

Q. Did you remove the child? A. Yes, sir.

Q. Was it a male child? A. Male child.

Q. In good condition? A. Yes.

Q. Any evidence of premature birth, anything to indicate that? A. No, sir.

Q. The autopsy revealed what in your opinion, was the cause of the death? A. The cause of death was the result of the blow delivered on the forehead, strangulation and shock.

#### CROSS-EXAMINATION.

(Mr. Brady): You say when you went in the house you found the body covered over with a sheet? A. Yes.