

Q. Was there or not any unusual noises or sounds coming from the Brandon home on that night, August 7th, between the hours of 11:30 and 12:30 o'clock.

(Mr. Brady): We propose to prove in answer to this question, that Mrs. Williams heard noises as if some one was being thrown or hit against the wall, and there was talking as if some one was quarreling.

(Both the question and offer were objected to, the objection to both was sustained; and Mr. Brady noted an exception.)

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

FRANK I. DUNCAN. (Seal)

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Witness MARY J. PERKINS, continuing, says:

Q. Who lived next door to the Brandons on the night of August 8th? A. I don't know the people.

Q. You don't know the people? A. I do not.

(No cross-examination.)

(Examination concluded.)

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MOLLIE ASKEW, a witness of lawful age, being produced on behalf of the defense and duly sworn, testified as follows:

#### DIRECT EXAMINATION.

Q. (By Mr. Brady): What is your name? A. Mollie Askew.

Q. Where do you live? A. No. 34 Second street.

Q. Where did you live on August 8th last? A. No. 34 Second street.

Q. How long have you lived there? A. Since July 4th, 1917.

Q. Who do you live with? A. Mrs. Ella Carroll.

Q. What is the position of your house, the house in which you live, as to that of Mrs. Brandon? A. In front of No. 34 Second street is the lot next to the parsonage, and next is No. 29.

Q. What is the position of your home with reference to that of Mary Perkins? A. It is across Morris street, on the same side of the street.

Q. Across Morris street, but on the same side of Second street? A. Yes, sir.

Q. Mary Perkins is on one corner? A. Yes, sir, and we are on the other side.

Q. Where were you on August 8th? A. Sitting on the front porch.

Q. What time did you get up that day? A. I got up about quarter to eight o'clock, cleaned up my room, had breakfast, went down the steps and out on the porch about half past nine o'clock. I sat there until about half past twelve or quarter to one o'clock.

Q. What did you see there during that time? A. I didn't notice anything special during that time, everything seemed as usual in the neighborhood. People were passing to and fro, and some were sitting on their porches.

Q. Whom did you see out on the porch? A. Several of the white neighbors, and Rev. Williams was out on his porch with some other minister.

Q. Did you see anyone between eleven and twelve o'clock other than Rev. Williams and Rev. Hughes? A. Not that I recall; no, sir.

Q. Do you recall anyone else who was sitting on the porch on that street on that day? A. Someone was sitting next door on the porch, and someone was sitting on the porch with me.

Q. Someone was sitting on the porch with you and someone on the porch next door? A. Yes, sir.

Q. Did you look up and down the street to see who was sitting on the porch? A. I glanced around and saw, as usual, some on their porches. I didn't pay special attention to who they were.

Q. Are you sure that you were there,, Mollie, between eleven and twelve o'clock? A. Yes, sir; I am positive of it. I went there about half past nine o'clock and was there until half past twelve or quarter to one o'clock. I was there all that time and didn't go inside at all.

(No cross-examination.)

(Examination concluded.)

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MARY MACKALL, a witness of lawful age, being produced on behalf of the defense and duly sworn, testified as follows:

#### DIRECT EXAMINATION.

Q. (By Mr. Brady): Your name is Mary Mackall? A. Yes, sir.

Q. You live in Annapolis? A. Yes, sir.

Q. Where? A. No, 103 Clay street.

Q. Are you married? A. Yes, sir.

Q. Do you live with your husband? A. Yes, sir.

Q. Do you know Mary Perkins? A. Yes, sir.

(Mr. Green): I object to this witness being recalled to the stand. She was on the stand and they had an opportunity to examine her. I don't think this witness should be allowed to testify now.