

Q. Was the Marshal present at these interviews? A. Yes, sir.

Q. The other gentleman he spoke of, who was that? A. That was Sergeant Pease. He was present, but not all the time. He went in and out of the room on different occasions. He was not present all the time.

Q. (The Court): What position has Sergeant Pease? A. He is now headquarter's sergeant.

Q. What was he at that time? A. He was an officer detailed at headquarters as a clerk.

CROSS-EXAMINATION.

Q. (By Mr. Grason): Deputy Marshal House, the first of these interviews took place on the 14th, did it? A. Yes, sir; in the morning about nine o'clock.

Q. The morning of the fourteenth? A. It was the night he was brought into headquarters, and then the next morning.

Q. It was on Monday, August 13th, that he was arrested? A. If that is the case, it would be the fourteenth.

Q. He was brought to headquarters from the police station about nine o'clock, wasn't he? A. Around nine o'clock. I would say about nine o'clock.

Q. How long did he remain there on the 14th? A. He remained there until about fifteen or twenty minutes after the detectives left for Annapolis.

Q. What time was he taken back to the police station that day? A. He was taken from our office, and sent over to the office next to the Bertillon System by Sergeant Pease.

Q. What time was that? A. Shortly after the detectives left for Annapolis.

Q. Can you give us any idea about what time it was? A. I will say that it was about ten or half past ten o'clock something like that.

Q. Was he brought back into your office again that day?
A. He was, when Detectives Kratz and Pohler, Mr. Lee, the boy named Green and Edna Wallace came up from Annapolis.

Q. What time was that? A. Sometime between four and five o'clock.

Q. Was he in your office at any time between half past ten o'clock and between four and five o'clock? A. No, sir.

Q. You don't know whether or not he was brought back there without your knowledge, do you? A. I will say that he was not brought back, as he was in my charge.

Q. Detectives Kratz and Pohler did not go to Annapolis that day, did they? A. They went to Annapolis the first day that he was brought in there.

Q. That was the thirteenth? A. They came up from Annapolis, Sheriff Sullivan, Detectives Pohler and Kratz and Snowden; and the next morning at nine or half past nine o'clock, he was brought into the office.

Q. You told me that once before. My question is: Do you know whether or not Detectives Pohler and Kratz went to Annapolis or were in Annapolis on August 14th? A. They left my office to go to Annapolis that morning.

Q. Where was Detective Doherty? A. I think Detective Doherty was in Annapolis, but I am not sure of that.

Q. Did you have on the usual police equipment that day?
A. No, sir; only I carried patrol-box keys and badge.

Q. Did you see Snowden between half-past 10 and half-past 4 that day? A. I did not.

Q. You don't know where he was, do you? A. Yes, sir; he was in charge of Officer Pease.

Q. You don't know of your own knowledge where he was, do you? A. I know that I had him put back of a door and locked in, and the key was in my office.

Q. What time the next morning did you see him? A. Along about the same time.

Q. That was Wednesday, wasn't it, Marshal? A. Yes, sir.

Q. What time did you see him that morning? A. Along about the same time.

Q. About 9 o'clock? A. Yes, sir.

Q. You had him brought to your office? A. Yes, sir.

Q. He was brought there at your direction? A. Yes, sir.

Q. How long did you talk to him on that occasion?

(Mr. Hartman): I think that was gone into before on cross-examination.

(The Court): I think he did.

A. I judge until around about 11 o'clock; about half-past ten or eleven o'clock.

Q. He got there about nine o'clock, and he was there until about eleven o'clock? A. Yes, sir.

Q. Did you see him Wednesday again? A. Yes, sir.

Q. What time? A. I have told you the time.

Q. You saw him Wednesday morning between nine and eleven o'clock? A. Yes, sir.

Q. Did you see him again on Wednesday? A. Then he was taken to the Bertillon system.

Q. I want you to tell me if you saw him again Wednesday after you had seen him between nine and eleven o'clock? A. Yes, sir.

Q. What time did you see him? A. Along about four o'clock.

Q. And he was there from four o'clock until how long? A. Until about half-past five.

Q. Between nine and eleven o'clock were Detectives Pabler and Kratz there, or any other detectives? A. I cannot say as to Detective Doherty, but I can say about the other two men.

Q. What time were they there, between nine and eleven o'clock? A. They were there in the morning or afternoon, I don't know which.

Q. Can't you tell us, Marshal House, just exactly who was present between nine and eleven o'clock on Wednesday? A. On Wednesday I can.

(The Court): I want to give you all the latitude that you wish, but this is rebuttal of certain testimony brought out by the prisoner when he was on the stand, circumstances of the way he was treated and who was present when he was so treated. You should confine your cross-examination to his testimony. He said that Marshal Carter, Deputy Marshal House and Sergeant Pease were the only ones that were present on these occasions, and I don't expect you to refer to or ask him about any other occasions.

(Mr. Grason): If your Honor will permit me to say, according to my recollection, the record simply shows that Marshal House saw him on the 14th and the 15th, but it don't say what time he saw him on either of these days.

(The Court): Confine your rebuttal cross-examination to the time that the prisoner says that he was there. He says that he was in the presence of these three officers at certain places and certain times. Confine your cross-examination to those times and places.

(Mr. Grason): I think that I am confining myself to the prisoner's statement. He says that he was there on the 14th and 15th, Tuesday and Wednesday following his arrest, and he says that he was there all day long.

(The Court): In the presence of these three men. Your cross-examination should be confined to the time he has placed.

Q. Go ahead, Marshal House? A. The Marshal was there, also Officer Pease and myself. Probably Detective Doherty was there. I don't know whether Doherty was there or not, but I know that the other two men were there.

Q. Will you swear to this jury that Detective Pabler and Kratz were not there? A. I am under oath and don't have to swear to anything. I will not say whether or not they were in there; but if they were in there I will say that no one questioned this man Snowden but myself.

Q. Who was present on Wednesday between four o'clock and half-past five o'clock?

(Mr. Hartman): I object.

(The Court): You are limited to the statement made by the prisoner himself. The objection is sustained.

(Mr. Grason): I will note an exception and make this offer: We offer to prove by the witness that in his office on Wednesday, August 15th, between the hours of four o'clock and half-past five o'clock, there were present during the entire time Detectives Doherty, Kratz, Pohler, also the witness, Sergeant Pease and Marshal Carter.

(This offer was objected to by Mr. Green, the objection was sustained and Mr. Grason 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 Fifty-fifth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FIFTY-SIXTH 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,