

Q. Did anyone in your presence put a pistol to his head and tell him that he was going to be shot? A. No, sir.

Q. Did you or anyone else, in your presence, hit him on the head? A. No, sir.

Q. Did you or anyone else, in your presence, pull the chair from under him and cause him to fall to the floor? A. They did not; no, sir.

Q. Did anyone, in your presence, bring whiskey into that room and give him whiskey to drink? A. No, sir; they did not.

Q. Did anyone bring any whiskey in that room while Snowden was there? A. No, sir.

Q. Did Snowden drink any whiskey when he was in that room that day? A. He did not.

Q. Snowden has testified that he was brought back again the next day and the same things were done to him with the exception of giving him the whiskey, is that true? A. It is not true.

Q. Was he threatened to be shot the second day? A. He was not.

Q. Was the chair pulled from under him so that he fell on the floor? A. No, sir.

Q. I mean on the second day? A. No, sir.

Q. Was he hit on the head the second day? A. No, sir.

Q. Who else was in the room, Marshal? A. Deputy Marshal House, Officer Pease and myself at that time principally. Those are all that I could mention at that time.

CROSS-EXAMINATION.

Q. (By Mr. Grason): Who was there? A. Deputy Marshal House, Officer Pease and myself.

Q. Only these two men on these two days? A. There might have been some one passing through the office, as the door was open the best part of the time.

Q. Will you swear to the jury that Detectives Pohler, Kratz and Doherty or either of them were not in there?

(This question 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-seventh bill of exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

Witness, continuing, says:

Q. What time was the prisoner there on those two days, Tuesday and Wednesday? A. He was there two or three times.

Q. Was it twice or three times? A. I would say twice.

Q. Why do you say it was twice? A. Because he was taken out of the office and then brought back again.

Q. He was taken to the office on Monday, was he not? A. When he was first brought to the office in the evening, he was taken from the office and sent to the police station.

Q. I am talking about Tuesday and Wednesday? A. The next day he was brought to the office, and he was taken from there to the Bureau of Identification.

Q. Kindly answer my question. How many times did you see him on Tuesday? A. I saw him twice.

Q. How many times did you see him on Wednesday? A. I know that I saw him once.

Q. Then you saw him three times, didn't you? A. On Tuesday?

Q. I am asking you how many times you saw him on these two days, two or three times?

(The Court): The Marshal has said that he saw him twice on Tuesday and he knows that he saw him once on Wednesday? A. I said that on Tuesday he was brought in and then taken out, and then he was brought back again, that was twice; and I said that he was brought there once on Wednesday.

Q. What time on Wednesday did you see him? A. Probably between ten and eleven o'clock. Something like that.

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

Q. That was on Tuesday, wasn't it? A. You said it was Wednesday.

Q. So that it was on Wednesday you saw him between ten and eleven o'clock? A. I think so.

Q. Are you sure about that, Marshal? A. I am not positive about it.

Q. Are you positive that you saw him at all on Wednesday morning? A. I am positive that I saw him on Wednesday, but what time I will not say.

Q. I am asking you, Marshal, if you are positive that you saw him on Wednesday morning? A. I said no.

Q. Are you positive that you saw him on Wednesday evening? A. I am positive that I saw him on Wednesday, but what time I cannot say.

Q. My question is: Are you positive that you saw him Wednesday evening?

(The Court): He said, Mr. Grason, that he would not say that he saw him in the morning, but he knows that he saw him once that day.

A. I think, but I am not positive, that it was Wednesday evening. I know that he was kept there until the woman he lived with was brought in.

Q. Were you there when that woman was brought in? A. I was.

Q. It was on Wednesday that the Wallace woman was brought in, and that is the reason why you know or think it was in the afternoon? A. I think it was.

Q. Marshal, did you question the prisoner at all during any of the interviews at which you were present? A. I asked him several questions through Deputy Marshal House, who was questioning him.

Q. Marshal, did you question the prisoner at all during any of the interviews at which you were present? A. No, sir.

(Examination concluded.)

TRAVERSER'S FIFTY-EIGHTH 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, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third, fifty-fourth, fifty-fifth, fifty-sixth and fifty-seventh bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness MAURICE E. PEASE, produced in rebuttal on behalf of the State, says:

MAURICE E. PEASE, a witness of lawful age, being produced in rebuttal on behalf of the State and duly sworn, testified as follows:

THE DIRECT EXAMINATION BY MR. GREEN.

Q. Sergeant, were you present in company with the Marshal, Deputy Marshal House, at any of the interviews on Tuesday