

(The Court): You will have to take chances on it either way and I will sustain the objection.

(Examination concluded.)

(Note): Mrs. Florence Baker called, Mrs. Mary Perkins called, Mrs. King called, and none of them answer.

(Mr. Grason): With the right to recall these witnesses, we will proceed with the case.

(The Court): Yes, you can recall them for the same purpose.

MRS. ELLA CARROLL, a witness of lawful age, called on behalf of the defence, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Brady): Ella Carroll is your name? A. Ella M. Carroll.

Q. Where do you live? A. 34 Second street, Annapolis, Maryland.

Q. About what position do you live or did you live on August 8th relative to Mr. Brandon's house? A. In front of my house, there is an open lot, next to that is where Preacher Williams lives and next to that house is where Brandon lived, kind of cata-cornered from my house.

Q. You live across the street? A. Across the street.

Q. Do you recall the day that Mrs. Brandon was found dead? A. I do.

Q. Where were you then when you first heard of it? A. I was sitting on my front porch.

Q. Did you go over? A. After being called.

Q. Who called you? A. Mrs. Burch.

Q. Mrs. Burch? A. Yes, sir.

Q. When you went over, who did you find in the house? A. There was not anyone in the house, Mrs. Burch, I met her at the door.

Q. She was the only one present? A. The only one, just as I got to the porch or the door, Mrs. Sarles and Mr. Brandon came up; in the meantime he touched me on the shoulder and asked me to go in, and do the best I could for her. I told him to go quickly for a doctor and then we three went in the house.

Q. What did you find when you went in the house? A. I found the dead body of Mrs. Brandon lying on the bed.

Q. What was its position on the bed? A. Its position was to the left side, the left side of the face being directly on the bed, the left side of the head being on the bed.

Q. You say she was lying on her left side?

(Objected to.)

A. I didn't say directly on the left side, it was a little inclined to the left side, she was not entirely to the side.

Q. Did you notice the condition of the body? A. I did.

Q. Please describe it as accurately as you possibly can? A. Well, the body was lying as I before said, with the left side of the head on the bed and there was blood around, around that side of the face of the head and this arm (indicating left arm) was up in this position, and the right one more across the chest like and her clothes partly up.

Q. About how far up? A. I suppose about up to the knees, as well as I can remember.

Q. Did you notice anything peculiar about the body that attracted your attention?

(Objected to.)

(The Court): Let her describe the body just as she saw it.

A. It was froth at the mouth, from the mouth, falling down to the side about four or five inches, there was a spread folded up lying on the foot of the bed off from her head. The bruises and scratches, I did not notice anything of that kind.

Q. Why didn't you see those? A. I didn't just notice them, being called in so suddenly and seeing her in such a condition, I didn't go further. I didn't notice any of them, there may have been, but I didn't notice them.

Q. Was there anything about the neck that prevented you from seeing them? A. Well, the finger marks that have been referred to around the neck were obscured by the hair being fallen around the neck and when the doctor came and made the examination he drew back this hair from her neck and that exposed those finger prints on the neck, on the right side of the neck.

Q. You saw them, did you? A. I did.

Q. Was the hair from the appearance of it, up or down, in other words dressed? A. I didn't notice, it could have been, but it was loose and laid around her neck.

Q. What was the condition of the bed, in other words, tell us what was on the bed, other than this spread you speak of? A. I can't recall anything else, it was sheeted, one sheet on it.

Q. What was the appearance of the sheet? A. It was blood-stained from the wound of the head.

Q. Was it apparently disturbed?

(Objected to.)

(Objection sustained.)

(The Court): Let her describe it.

A. The bed looked to me as though it had not been made up that morning.

Q. What else did you observe there? A. I don't know anything, that I can recall anything else.

Q. Was there anything else on the bed? A. I don't recall whether there was or not.

Q. What kind of a bed was it? A. I could not answer that question, whether brass bed or iron bed, I didn't notice the bed particularly.

Q. But do you know whether or not it was a metallic bed? A. It was of some kind.

Q. How long did you remain there? A. I didn't remain there any length of time, I went out and went across and told my folks at home of the condition of Mrs. Brandon and after that I went over again when Mrs. Sarles and Mrs. Burch were there and we talked about the condition of her that we found her and we looked around to see if we could find any blood stains, but we could not find any and we also observed the refrigerator door being open; the refrigerator door when open came out to the door that goes out in the kitchen and the door of the refrigerator was open. Then Mrs. Sarles and Mrs. Burch found a sheet somewhere, I don't know where they got it from and I helped them to spread it over Mrs. Brandon.

Q. Could you describe the refrigerator a little more minutely than you have and as to its condition when you found it? A. When I saw that refrigerator the door leading into the kitchen was open and the refrigerator set just inside of that door and the door of the refrigerator when it was open came into the doorway, not quite half way and the door of the refrigerator was open, what was in there I don't know.

Q. Did you notice anything else? A. When?

Q. At this time when looking around? A. The kitchen just simply looked as though things had not been straightened up that morning; some few things on the table, but what was there I don't know; then after the doctor came I went over again; when I went in and found Mrs. Brandon dead I tried to see if she had any pulse and I found the hand cold and I went to raise the arm up and found it stiff and I said to the ladies there that Mrs. Brandon had been dead a long time because she was cold and there was nothing that we could do; that it was a case for the coroner's inquest, coroner's jury.

Q. You made that remark? A. I did.

Q. Did you observe the front room? A. Not, particularly, passed right through.

Q. Did you look around the middle room, bed room? A. I did.

Q. What did you observe there? A. You mean the condition of the furniture?

Q. The condition of things? A. Well, the bed was sitting, the head towards the wall and the foot was out towards the other end of the wall as you come out from the front room and there was a chiffonier I will say to the right of the bed and to the left of the bed as it stood from the head was the cellar door and it was partly opened and there was a dresser that set off from the foot of the bed next to the window in the side yard and one or two chairs and on the chair there was some folded clothes.

Q. Some what? A. Some laundry done, some folded clothes.

Q. Where was this refrigerator? A. That was in the kitchen.

Q. Where was the refrigerator, in the middle room? A. No, in the kitchen.

Q. Was the bedstead nearest the kitchen than the parlor?
A. No.

Q. It was nearer the parlor? A. Nearer the parlor.

Q. Than it was the kitchen? A. The bedstead.

Q. Now, I want to ask you regarding the ice refrigerator, this apparently is the front room (indicating)? A. Yes, sir.

Q. This is the front porch? A. Yes, sir.

Q. This is the bath room? A. Yes, sir.

Q. This is Second street? A. Well, yes; that is Second street.

Q. Then what is right in front, what is the first you step to from Second street? A. The porch.

Q. Then where is the door, as to the porch? A. The door would be more in here (indicating).

Q. What would this indicate? A. That would indicate the window.

Q. Where is the door from the parlor to the bed room? A. The door from the parlor, the door coming there (indicating).

Q. Now where is the kitchen? A. The kitchen would be in there (indicating).

Q. Where is the ice box? A. This would be the door coming in there and this is the ice box (indicating).

Q. There is the door? A. Then the ice box would be inside the door.

Q. It would be inside the door between the kitchen and the other room? A. Between the kitchen and the other room.

Q. That would be the position of the cellar door? A. Yes, sir.

Q. Right between the head of the bed and the Williams home? A. Not between the head of the bed because the head of the bed was against the wall.

Q. Then that is not accurate, is it, this drawing? A. That is the door and that is the door and that is the stairs.

Q. Then the door was over there? A. The door was over here (indicating).

Q. After you got through the kitchen is there any door leading towards the yard? A. Well, now, I didn't look through there, of course, there would be.

Q. You don't know that? A. I didn't notice that.

Q. You don't know about that? A. No, sir; I didn't go any further.

Q. Is Second street very thickly populated? A. Well, that end is; going in from West street down to my house.

Q. Now could you tell me whether or not if all these houses have porches on them? A. If they all have porches? They all have porches, but not of the same width.

Q. They all have porches? A. They all have porches.

Q. You know what kind of a day that was? A. It was a very hot day.

Q. Where were you in the morning? A. In the back part of my house at my domestic work.

Q. You were not out on the porch that morning, were you? A. No, sir; not until after I had cleared up for dinner, just a little before the excitement.

Q. Could you describe the clothes that Mrs. Brandon had on? A. I could not because I didn't examine them.

Q. Did you notice anything about the dresser or bureau? A. I did not.

Q. Did you notice the window in the front room? A. I did.

Q. What was its condition? A. The blind, that is the shade, was about half way up; the shutters open and the screen in it.

Q. There was a screen in the window? A. Yes, sir.

Q. What kind of a screen was that? A. I don't know what you would call it, a wire screen.

Q. A wire screen? A. Yes, sir.

Q. Do you know, witness, whether you could see through from the street into the room.

(Objected to.)

(The Court): If she knows?

(Mr. Green): When?

(The Court): You mean that day?

(Mr. Brady): I will withdraw that question for the minute.

Q. Were there any other windows in that front room other than the front window? A. No, sir.

Q. Had you ever visited the house of Mrs. Brannon before that evening? A. No, sir.

Q. You had not? A. No, sir.

Q. I will ask the question if you know, can you see through that screen from the pavement into the room?

(Objected to; objection sustained.)

(Mr. Brady): If you know?

(Mr. Hartman): We object anyhow.

(The Court): There is a good deal entering into that; the condition of the blind, the condition of the screen, the weather and could you that morning see through it?

(Mr. Hartman): Whether she tried to see.

(The Court): What you want to find out, is as conditions were that morning.

Q. What was the condition of the screen when you went in there? A. I didn't notice particularly when I went in there whether it remained the same as it was when I first went over there.

Q. Did you see it the second time? A. Yes, sir; when I went in the second time I noticed the screen; the screen was in the window as I before said and the shade was drawn up about that distance probably (indicating).

Q. About a foot or fifteen inches?

Q. I understood you to say the curtain was that high (indicating)? A. Yes, sir.

Q. Could you give a measurement, a foot or a foot and a half?

(Objected to.)

(The Court): Could you give the measurement in feet and inches?

(Witness): I will say about fifteen inches high; it was over a foot.

Q. Now, witness when you left the house, who did you leave there? A. Mrs. Sarles and Mrs. Ida Burch and there were some others in there, but I didn't know who they were.

(No cross-examination.)

(Examination concluded.)

(Here follows Mrs. Rachel E. Stewart.)

J. CARSON BUSH, a witness of lawful age called on behalf of the defendant, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Brady): You live in Annapolis or near Annapolis? A. I live in Annapolis.

Q. What is your official position in Anne Arundel County? A. County Surveyor.

Q. Did you make a plat at my solicitation sometime ago, and request? A. Yes, sir.

Q. Is that the plat? A. Yes, sir.