

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.

Q. Will you come over here for a moment?

(Objected to.)

(Mr. Brady): We will offer it in evidence now.

(Mr. Green): We object to it because the picture that is already in evidence will show the plat is not accurate; it does not show what is there; this plat does not show any dividing fence in the back yards at all; it leaves an open space. Here is a photograph that has been offered that shows a fence that runs down there separating these two lines.

(The Court): Well, the plat is good for what it does show, the surveyor said he made the plat.

(Mr. Grason): Yes, sir.

(The Court): You can cross-examine him on that.

(Mr. Brady): Will you come over here, Mr. Bush, please, so that the jury can have an opportunity of getting an idea about the conditions and situation of the Brandon home and other houses near.

(Note.—Witness walks over to the jury.)

Q. Now, will you kindly point out Second street? A. This is Second street.

Q. Now, will you tell me what this indicates? A. That indicates a double house on Second street.

Q. What does this designate, a porch? A. That is a porch.

Q. That runs in front of the double house? A. Yes, sir.

Q. Will you kindly tell me whether or not the whole row of eight houses of Freeman's is constructed like this one represents?
A. I think so, each in a row.

Q. These are? A. Yes, sir.

Q. Do you know where the Brandon home was? A. I don't know of my own knowledge, only what I heard.

(Objected to.)

Q. Do you know where the Reverend Williams lives? A. Yes, sir.

Q. Where does he live? A. He lives here (indicating).

Q. It was said that Mrs. Brandon or rather Mr. Brandon lived next door to Reverend Williams, if that be true, where would be the Brandon home? A. This here (indicating).

Q. It is said that Mrs. King lives next door to the Brandon home, with an alley in between, which would be the King home? A. This here (indicating).

Q. Will you describe the distance between the Williams' home and the Brandon home? A. There is an alley way of three feet.

Q. What is the frontage of the Brandon according to your plat? A. Twelve feet, six inches.

Q. What is the distance, the width of the alley between the Brandon home and the King home? A. Two feet ten inches.

Q. What is the frontage of the King home? A. That is the same measurement, the plat does not show that.

Q. You will say it is the same distance? A. Yes, sir.

Q. Now, what openings are in the front of the Brandon home? A. One door and one window.

Q. Will you kindly locate the door and the window in the front? A. Here is the door and this is the window.

Q. This is the door and this is the window (indicating)? A. Yes, sir.

Q. What does that indicate, that square there? A. That indicates the front room.

Q. What are the dimensions of that room? A. Twelve feet six inches by sixteen.

Q. Did you give the dimensions of the bedroom or the room next that is here? A. That is nine feet six inches by fifteen feet.

Q. Now the kitchen? A. The kitchen is nine feet by four feet six inches.

Q. What does that indicate here? A. That indicates a kitchen or some kind of a pantry outside there.

Q. What is this? A. That is a bath.

Q. What is this? A. The porch.

Q. Now, are there any other windows in the front room other than the window you have designated on the plat? A. No, sir.

Q. Any other opening on the front? A. There is a door.

Q. Any other door in that room? A. One leading in the middle room.

Q. Where is that here? A. Right here (indicating).

Q. Then how do you get into the kitchen? A. There is a door here (indicating).

Q. What does this represent? A. That is a stairway.

Q. Going where? A. This door leads down the cellar and this one goes upstairs to the second floor.

Q. But this has no communication whatever with the upstairs? A. This door you mean?

Q. Yes, sir. Now that goes down the cellar? A. There is no communication between the Brandon apartment and the next apartment. I looked up the stairway and noticed a lot of boards over the stairway.

Q. That is on the outside? A. No, that is inside.

Q. Now what does this represent here? A. That represents the Williams' house and porch.

Q. Do you know what the construction of the walls were between the Brandon home and this alleyway? A. Why the ordinary frame construction, weather-boarding, that is the outside.

Q. Outside? A. Yes, sir.

Q. How about the inside? A. Lathe and plaster.

Q. How thick? A. Six inches.

Q. The walls were six inches? A. Yes, sir.

Q. Was the same width of the wall here between the King house six inches? A. Yes, sir.

Q. How about the walls here (indicating)? A. The same thickness.

Q. Six inches? A. Yes, sir.

Q. Lathed and plastered? A. Yes, sir.

Q. And weather-boarding on the outside? A. Yes, sir; four inches studding in there.

Q. Now, above this alleyway, that is used for the convenience of this house and that one, or the King's house and the Brandon house, what is above? A. It is an arched roof.

Q. How high is that arch? A. Looked to be about eight feet.

Q. Eight feet from the ground? A. Yes, sir.

Q. Do you know where the Perkins' woman and the Credit woman live? A. I don't know that of my own knowledge, only what I heard, I heard they lived at No. 31.

(Mr. Brady): I think they testified they lived across the street.

A. Which is number 30.

Q. What are the openings in the front of the Perkins-Credit home? A. One window and one door.

Q. Will you indicate where the window is? A. The window is here (indicating).

Q. The door? A. The door is there (indicating).

Q. What does this represent? A. A porch.

Q. What angle would you say that this window and that window was? A. It would not be over ten or fifteen per cent.

Q. Now, what is the difference, what is the dimension of Second street what is the width of Second street? A. It does not show, it is about thirty feet.

Q. The pavement is about what? A. About seven feet.

Q. And the porch? A. The porch is 8 feet.

Q. Now, tell me the distance from this window to that window (indicating)? A. Straight across would be fifty-eight feet.

Q. The point you have a "W" mark here, where does that face or look? A. That is a window in the middle room out in the back yard.

Q. How wide is that window? A. That is an ordinary window, the width was about two feet six inches.

(Adjourned for recess.)

(After recess.)

(Mr. Brady): That window looks out where?

A. Out in the back yard.

Q. What does this indicate, that little place there? A. That is the door leading from the middle room to the kitchen.

Q. This point here, what is the size of that kitchen? A. Eight by fourteen feet six inches.

Q. What does that indicate? A. That indicates a door leading out to the porch.

Q. You know the width of this porch? A. About three feet nine, possibly three feet and a half.

Q. What does that indicate? A. That indicates a window.

Q. Do you know whether or not there is a window directly across there to the King home? A. Yes, sir.

Q. What is this? A. That is a window.

Q. There are two windows then and two doors in the kitchen, both of the windows facing the yard? A. Yes, sir.

Q. What does this indicate here, that little arrow? A. That is a doorway leading down in the cellar.

Q. Then you can go from the room down to the cellar and go under and come out in the yard? A. Yes, sir.

Q. Did you go in the cellar? A. Yes, sir.

Q. What is the cellar, how is the flooring there? A. I think it is just the dirt flooring if I am not mistaken.

Q. Was it soft or hard clay? A. I really don't remember, it was dark in there.

Q. You know it to be a dirt floor? A. I think it was dirt.

Q. Something was said about a gate, do you know whether any gate there that leads out into this little alleyway or leads out here some way to go to this alleyway, you know where that is located? A. (No answer.)

Q. Is there a division fence between the Brandon home and the King home? A. There may be back of the yard, I never noticed back there, but here is a stairway that leads up to the second story.

Q. Second story of what? A. Of this house.

Q. That leads to what (indicating)? A. I imagine that is the way they go to the second story.

(Mr. Brady): As I understand, the second story had two apartments up there, Mr. Green?

(Mr. Green): Yes.

Q. That was the steps to these two apartments? A. Yes, sir.

Q. This is what street? A. Morris street.

Q. Where does that Morris street stop? A. It stops at Second street.

Q. Do you know who lives on this corner? A. I think his name is Fletcher, I am not positive of that.

Q. What is the frontage of the Williams' home? A. About thirty feet.

Q. This says 31 feet? A. No, that is number 31.

Q. What does that indicate? A. That indicates a porch, front and on the side, partly on the side.

CROSS-EXAMINATION.

(Mr. Green): Mr. Bush, you didn't mean to represent that as a continuous porch across these two houses?

A. There is a railing between them.

Q. Don't the porches break? A. Yes, there is a railing here and a railing here, an alleyway.

Q. That is not a continuous porch across there? A. No, sir.

Q. The porch of each house ends here? A. Yes, sir.

Q. And there is the entrance into the alleyway? A. Yes, sir.

(Mr. Brady): I did want to ask one question more.