

TRAVERSER'S TWENTY-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 and twenty-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 EDNA WALLACE, on behalf of the State, testified as follows:

EDNA WALLACE, a witness of lawful age, called on behalf of the State, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Green): What is your name? A. Edna Wallace.

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

Q. Are you living with your husband? A. No, sir.

Q. Where are you living now? A. 650 George St., Baltimore.

Q. Where were you living on the 8th of last August? A. 56 Acton lane, Annapolis.

(The Court): Where did you say you lived at that time?

A. 56 Acton lane, Annapolis.

Q. Did you know Mrs. Brandon? A. I did.

Q. Where did she live? A. I don't know her number, but she lived on Second street.

Q. Did you ever work for her? A. I did.

Q. What did you do? A. I washed for her.

Q. Who were you living with in August last? A. John Snowden.

Q. How long have you been living with him? A. I had been with him two years, but I don't remember the day and date, but with him two years before he was locked up.

Q. When did you first see the scratches on his face? A. I know that he stayed home in the morning——

Q. What morning? A. Wednesday morning.

Q. What time? A. I don't know what time it was, I saw them, it was after dinner I know, but I don't know what time.

Q. After dinner? A. Yes, sir.

Q. He had been out? A. I don't know.

Q. Was it after twelve o'clock? A. I suppose it was, I didn't look at the clock to see what time it was.

Q. Did you speak to him about them? A. I did.

Q. What did you ask him? A. I didn't ask him anything, I said kind of to him, your face is scratched, and he laughed and he said there was not scratches on his face.

Q. Was his face scratched? A. Just a couple of little scratches on his right cheek.

Q. Did you scratch him? A. I don't remember doing it.

Q. Did you do it the Sunday before? A. No, not the Sunday before, because not being with him, but about three Sundays before we had a fight and I could not say whether I scratched him then or not.

Q. Had you never noticed them until after twelve o'clock that day? A. I had not had anything to say to him before.

Q. He had been in the house? A. Yes, sir; but I was upstairs and he was down.

Q. Did he sleep upstairs? A. He certainly did, but not with me.

Q. He slept in the same room? A. He did.

Q. Did you get his meals for him? A. I did.

Q. Eat the meals in the kitchen with him? A. No, I had always eaten when he came home to eat.

Q. Where were you sitting when you saw the scratches on his face? A. On the steps in the back yard.

Q. You didn't know whether he had been out all that day?
A. I didn't, don't remember him being out of the house.

Q. What time did you get up that morning? A. Between half-past nine and ten.

Q. Did you make a statement, Edna, and sign it? A. I did.

Q. Can you read? A. I certainly can.

Q. Read that over and see if that is your statement that you made? A. This is my statement but I didn't say he got up at 1:30 P. M.

(Objected to.)

Q. Did you sign that? A. I signed it.

Q. Did you read it? A. No, sir; I didn't read it before I signed it, because it was written in the Marshal's office, but I didn't read it, but I know exactly what I said, I know I didn't say that.

Q. You didn't say that? A. No, sir.

Q. Didn't say what?

(Objected to.)

(The Court): She says she signed that paper?

(Mr. Green): Yes, sir.

(The Court): Let it go at that at the present.

Q. In whose presence did you sign the paper? A. I don't know any of the men, but I know them if I see them.

Q. Do you see any of them around here? A. There is one sitting there (indicating).

Q. Do you see any others? A. That one over there (indicating). I think he is one of them, and here is one, I saw them all so often, I don't know which.

Q. Did you see me too? A. I didn't see you there.

Q. Did you see me in Annapolis, make any statement to me? A. Only what you asked me.

Q. Did I ask you anything about scratches? A. You did.

Q. Do you know what you told me? A. I denied doing it that Sunday, because I didn't do it that Sunday.

(Objected to.)

(Mr. Green): I am trying to refresh her.

(Objected to.)

(Mr. Green): You understand the position of this woman that she occupied with this man?

(The Court): You have a right to ask her, not to impeach, but to contradict.

(Exception noted.)

To which ruling of the Court the traverser by his counsel excepted and prays the Court to sign and seal this his Twenty-eighth Bill of Exceptions, which is accordingly done this — day of April, 1918.

(Exception refused.)

F. I. D.

TRAVERSER'S TWENTY-NINTH 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 and twenty-eighth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness EDNA WALLACE, continuing, says:

EDNA WALLACE, continuing, says:

Q. What time did Snowden get up? A. He got up that morning while I was dressing, I don't know exactly what time, but it was between nine and ten when I got up.

Q. What time did he get home the night before? A. I don't know.

Q. What time was it the last that you knew anything about the night before? A. Well, it was five minutes of twelve, I guess, when the fellow brought me the beer there.

Q. Five minutes of twelve? A. Yes, sir.

Q. Snowden was not home then? A. No.

Q. You don't know what time he got in? A. No, I don't.

Q. Who got up first? A. I did.

Q. What time did you get up? A. Between nine and ten, half-past nine and ten.

Q. What time did he get up? A. He got up when I was dressing, I don't know what time it was.

Q. He had not been out of bed that morning before? A. He had not been out of bed?

Q. He had not been out before that morning? A. Not that morning, he was just getting up to dress.

Q. He had not been out? A. No.

Q. What time did you eat your dinner? A. I guess between half-past twelve and one; I ate dinner and breakfast together.

Q. Then what did you do after that? A. I sat around the house and straightened up and went back upstairs and went to bed.

Q. What time did you get up? A. I don't know what time it was; it was late in the afternoon.

Q. What did he do after that, on Wednesday? A. What did he do?

Q. Yes, where did he go? A. Not any place that I know of.

Q. You mean to say he didn't leave the house? A. I don't remember him being away from the house.

Q. What did he give you before he went out of the house on Wednesday morning? A. \$1.90.

Q. Where was he when he gave you that? A. Standing in the kitchen.

Q. Whereabouts in the kitchen? A. By the kitchen table between the two doors.

Q. When was that? A. Wednesday morning.

Q. What time? A. I don't know what time it was.

Q. What became of him after he gave you the \$1.90? A. I left him downstairs and went upstairs to do my work.

Q. How much had he been in the habit of giving you?

(Objected to; objection sustained.)

Q. How much had he been in the habit of giving you?

(Objected to; objection sustained.)

(Mr. Green): I didn't understand you?

(The Court): Confine it to this case.

(Mr. Green): If the Court please, we think that is very material in following it up for the reason why he didn't give her more than \$1.90. It is a question, the State thinks, a very material statement; this man, if the Court will remember, from his own statement, spent a dollar bill in the saloon of Martin's at five minutes of twelve.

(The Court): We will cut it short, I said it will be excluded to save time. I will change my ruling in that case.

(Exception noted.)

Q. How much money did he draw for you Tuesday night?

(Objected to.)

(Objection overruled.)

(Exception noted.)

A. I don't know.

Q. Did he say how much he drew for you?

(Objected to.)

(Objection overruled.)

(Exception noted.)

A. No, because I don't know how much he drew for me.

Q. Do you know why he didn't give you the \$2.00?

(Objected to.)

(Objection overruled.)

(Exception noted.)

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

FRANK I. DUNCAN. (Seal)

TRAVERSER'S THIRTIETH 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 and twenty-ninth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness EDNA WALLACE, continuing, says:

A. No.

Q. What time Wednesday did you hear of the death of Mrs. Brandon? A. It had gotten dark, I don't know what time it was.

Q. Where was Snowden then? A. Sitting in the front room.

Q. Did he go out? A. No, sir.

Q. Did he send out? A. No, sir; not that I know of.

Q. Did he get any money from you that evening? A. No.

Q. Did you give him ten cents to get the beer? A. I didn't give it to him, I gave it to the one that went after it.

Q. Did he ask you to give it to him? A. He did.

Q. Did you go around there with the crowd? A. Yes, sir.

Q. Did he go? A. No, sir.

Q. He stayed in the house all night?

(The Court): He stayed in the house all night?

(Witness): He never left the house.

Q. From twelve o'clock when he got home, little after twelve, you say—— A. I did not I didn't say anything about him going out, because I don't remember him going out.

Q. He never left the house from the time he was sitting in the room there at twelve o'clock until the next morning? A. No.

Q. That Sunday, the week ago from that, which you say you didn't scratch him that day? A. No, not the Sunday week before that.

Q. Where was he that day? A. Working in the morning.

Q. Where was he in the afternoon? A. Home in bed.

Q. About what time does he usually get home? A. I don't know, he has no particular time; he comes when he gets through, he never had any particular time.

Q. Did you tell me you didn't scratch his face at all? A. No, sir; I did not.

Q. Did you tell Mr. Lee that you didn't scratch his face at all? A. No, sir.

Q. Did you tell Mr. Dougherty that you didn't scratch his face? A. I didn't tell any one that I didn't do it at all; I told you I didn't do it the Sunday before and if I said I did it was the Sunday we were fighting.

Q. Did you know you scratched him? A. No, sir; I didn't.

Q. As far as you know you didn't? A. I don't know.

Q. You don't know that you did? A. I don't know if I did or didn't.

Q. You had not seen it? A. Not until that day, because I didn't say anything to him.

Q. You lived in the house with him? A. Yes, sir.

Q. Preparing his meals for him? A. Yes, sir.

Q. Sleeping in the same room? A. Yes, sir.

Q. And saw him every day? A. Yes, sir; I worked at home, but I didn't look to see if his face was scratched or not.

Q. What time did you eat your dinner and breakfast on that Wednesday? A. I don't know what time it was; it was after twelve o'clock I know.

Q. Now, Edna, did you tell me on the Wednesday night when I was talking to you in the presence of Mr. Lee here, the Wednesday night after Snowden was arrested, that you never scratched his face at all? A. No, sir.

(Objected to, what is that for?)

(The Court): That is for contradiction.

(Exception noted.)

To which ruling of the Court the traverser by his counsel excepted and prays the Court to sign and seal this his Thirtieth Bill of Exceptions, which is accordingly done this — day of April, 1918.

(Exception refused.)

FRANK I. DUNCAN. (Seal)

EDNA WALLACE, continuing, says:

Q. Did you, Edna? A. No, sir; I did not.

CROSS-EXAMINATION.

Q. You say you are living in Baltimore now? A. Yes, sir.

Q. How long have you been living in Baltimore? A. Since October.

Q. I think it has been said you were arrested or in the hands of the authorities shortly after this occurrence? A. Yes, sir; I was. They took me Monday night to the Court House.

Q. Took you Monday night to the Court House then where did you go? A. From the Court House to the jail.

Q. How long did they keep you in jail? A. Kept me there until Thursday.

Q. Didn't keep you in Annapolis jail all that while? A. Yes, sir.

Q. Send you to Baltimore? A. Brought me to Baltimore on Thursday evening in an automobile and carried me back Thursday night.

Q. Then did they turn you loose? A. Yes, sir.

RE-DIRECT EXAMINATION.

Q. Who did you see in Baltimore? A. I saw that gentleman sitting there (indicating) and another one, I know him if I see him; it was Deputy Marshal Carter and Mr. Lee, he went up with us.

Q. Did you see Snowden there that day? A. Yes, sir.

Q. Did you tell Mr. House, the gentleman there, in the presence of Snowden, that you didn't scratch his face? A. I didn't scratch it the Sunday he said I did.

Q. You didn't scratch it on the Sunday he said you did? A. No.

Q. Did you tell him that you didn't scratch his face? A. They didn't ask me if I did it at all, only asked me on that Sunday.

Q. What did Snowden say? A. He didn't say anything much, before he started to talk very much they carried him out.

Q. Did Snowden say you did scratch him on that day? A. He told me I scratched it, but didn't say whether on that day or not.

Q. What did he say? A. I never had no particular talk to find out when he did say I scratched it, only what they told me.

Q. He didn't say in your presence that you scratched his face? A. Said I scratched it, but didn't say when.

Q. What did you say? A. I said positively I didn't scratch it that Sunday; I am positive I didn't do it that day.

RE-CROSS EXAMINATION.

Q. Why do you say positively you didn't do it that day?
A. Because I had not been playing or had not been wrestling with him.

Q. Were you in the habit of wrestling or playing? A. Yes, sir; we often played.

Q. Do you know who was present the day you say you might have been, the second or third Sunday after this occurrence?
A. Yes sir; before.

Q. Before this occurrence, do you know of any one who was present at the time you had that little skylarking? A. I know the people next door knew that it happened.

Q. You say you may have scratched him that day, but don't recall it? A. I didn't know it.

Q. Is that right? A. Yes, sir.

RE-RE-DIRECT EXAMINATION.

Q. Have you been writing Snowden since he has been in jail? A. I have.

Q. Tell him you were going to stand by him? A. No, sir; I didn't tell him anything; I could not do any more than that if possible.

Q. Why? A. He stood by me before he got in trouble and I don't see why I should not stand by him.

(Examination concluded.)

JOHN GREEN, a witness of lawful age, called on behalf of the State, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Green): Where do you live? A. I live in Baltimore now.

Q. In Baltimore now? A. Yes, sir.

Q. Where were you living last August? A. I was in Baltimore, but was home to stay a week.

Q. Where were you working? A. Mr. Wagner's.

Q. Mr. Wagner's? A. Yes, sir.

Q. Where were you working on the 8th of August, the day this woman was found dead on Second street? A. Mr. Wagner's.

Q. What time did you go to work? A. Went up on the 7:20.

Q. What time did you come back? A. 6:20.

Q. Where is Mr. Wagner's place? A. In the country.

Q. Is that the Mr. Wagner you were working for? A. Yes, sir.

Q. Did you see Snowden on that day? A. No, sir.

Q. Were you in Second street? A. No, sir.

Q. Did you speak to Snowden at the corner of Second and West street at 12 o'clock? A. No sir.

Q. Were you in town twelve o'clock? A. No, sir.

Q. Where were you? A. In the country.

Q. At Mr. Wagner's? A. Yes, sir.

(No cross-examination.)

(Examination concluded.)

JEREMIAH H. WAGNER, a witness of lawful age, called on behalf of the State, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Green): Where do you live? A. Woytich Station, 4 miles on the Washington, Baltimore and Annapolis Railroad.

Q. That is on the Washington, Baltimore and Annapolis Railroad? A. Yes, sir.

Q. How far from Annapolis? A. Four miles.

Q. Did you have this man working for you last August? A. Yes, sir.

Q. Was he working for you on the 8th of August? A. Yes, sir.

Q. He had been? A. If his name is John, I don't know his last name.

Q. That is the man (indicating)? A. That is the man.

Q. He was working for you on the 8th of August? A. Yes, sir.

Q. Out at your farm? A. Yes, sir.

Q. What time did he go to work? A. I don't allow them later than half past seven; I don't exactly know but I don't allow them to start to work later than half past seven; my time is seven, but I give them half hour grace.

Q. What time did he leave? A. 6:20, catch the 630 car.

(Examination concluded.)

W. D. K. LEE, a witness of lawful age, called on behalf of the State, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

(Mr. Green): I want to submit this witness, not generally, because I expect to call him afterwards with the Court's permission, but just on the particular point as to my asking the

witness, Edna Wallace, on the stand, if she ever made a certain statement to me in the presence of Mr. Lee, on the night that Snowden was arrested.

(The Court): You only call him for that specific purpose at this time?

(Mr. Green): Yes, sir.

(The Court): You will call him later?

(Mr. Green): Yes, sir.

(Mr. Brady): For the purpose of impeaching him?

(The Court): No, this is for the purpose of contradiction.

(Objected to.)

(Objection overruled.)

(Exception noted.)

Q. What is your official position in Anne Arundel County?
A. Deputy Sheriff of Anne Arundel County.

Q. Were you present in the Court House on the night of August 13th with Edna Wallace? A. Yes, sir.

Q. When Edna Wallace made a statement to me? A. Yes, sir.

Q. What statement did she make in reference to the scratches on Snowden's face? A. She said she did not scratch Snowden; she did not scratch his face.

(No cross-examination.)

(Examination concluded.)

JOSEPH F. DOUGHERTY, a witness of lawful age, called on behalf of the State, after having been sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Green): What is your official position? A. I am a detective for Baltimore City, Lieutenant of Detectives.

Q. When did you come to Annapolis, and take part in the investigation of the death of Mrs. Lottie May Brandon? A. I was brought to Annapolis on Sunday, August 12th, by the Marshal of Police, Carter, to assist Detectives Kratz and Pohler in the investigation of the death of this Brandon woman.

Q. Were you present at the Court House in Annapolis on the night of the 13th? A. I was.

Q. When Snowden was there? A. Yes, sir.

Q. To whom did he make a statement that night? A. I came in with Pohler and Kratz and Snowden and a man named Chambers, and after we got there, we sent a messenger for you.

Q. Where did you send a messenger for me? A. To your office.

Q. How long did you wait? A. Probably ten minutes; long enough for a messenger to go two blocks and bring you there.

Q. Did Snowden make a statement there to me in your presence? A. After Snowden was identified by Edith Creditt and Mary Perkins, Snowden made a statement to you in my presence and in the presence of Detectives Kratz and Pohler and I think this man Deputy Sheriff Lee I will not be positive about that.

Q. Tell the Court and jury what that statement was? A. You asked him his name, his age, which he gave as 29 years; you asked him where he lived, he said he lived 56 Acton Lane and you asked him who he lived with and he said he lived with Edna Wallace; you asked him where he was at on Wednesday previous to this statement.

(Mr. Brady): I understand that it is a statement similar no doubt to this statement?

(Mr. Green): Yes.

(The Court): The same as given by Officer Pohler.

(Witness): He said he had gotten up at 7:20 in the morning, he had overslept himself, and he laid around the house and Edna came down later and at quarter of eleven he left his house, he went over a lot in the rear of his house, to Second street, and he was going down Second street and he saw a woman by the name of Baker, who said to him, what is the matter John, you are not working today, and he said, I overslept myself, and she said, Yes you boys have to work hard there, and he said, Yes, and he continued down on to Martin's saloon, where he arrived according to his statement around twelve o'clock; he met Pink Johnson and Tobe Spencer, and he bought himself a bottle of beer and a bottle of beer for each of those and gave the bartender a dollar note and received 85 cents change, and after having drank it, he came out on the street and a mule was down in front of Dobb's Livery Stable and that he assisted in getting the mule up, and after that, he went directly home, by the way of West street to Acton Lane and arrived there 20 minutes after twelve, and did not come out any more that day.

Q. Did he say anything about his movements the night before? A. You asked him about his movements the night before and he said at half-past six he drew three dollars from Mr. Morgan Parlett, who he was employed by and he came up and spent fifty cents out of this three dollars, he got into a crap game at the corner of Pleasant and Clay streets, in front of a paper establishment, and he won fifty cents in this game and that made him three dollars again, and he went home about quarter of eleven and he did not come out any more that night until the next morning, which he claimed was quarter of eleven when he went over the lot. You asked him if his woman was not employed by the Brandon woman, and he told you that she had been but she was not then.

Q. What did he say, did he make any statement as to the scratches on his face? A. The scratches on his face were first noticed by myself, and they were fresh and there was a small piece of skin still hanging; I asked him where did he get those scratches on his face, he said, they have been there for two years; I said, Oh, no, they are fresh; he said, Edna scratched me Sunday a week, we were skylarking; asked him who saw

the scratches and he said they were skylarking in the yard and a girl by the name of Mary Jennings who lives with Tobe Spencer saw him over the fence, and a woman by the name of Brown next door had also seen those scratches.

(Stenographer): Seen those scratches?

(Witness): Had seen Edna Wallace scratch his face; I was present at the identification.

Q. Where did that take place? A. That identification took place in a room opposite the Sheriff's office at the Court House in Annapolis; the room was probably 20 x 30 or 40 feet. The sheriff was ordered to go out and bring in five other colored men and they were brought in and along with this man, Chambers, these two colored girls and a Mrs. Murray, if I am not mistaken, sat in that room and these darkies, one ahead of the other were sent across that room from one end to the other and Snowden was the sixth that was sent across, and they both positively identified Snowden; they afterwards sat these men in a row and Snowden was the third man and they counted down to him and identified him as the man they saw come out of that house that day.

(Objected to.)

(Witness): That is the statement.

(The Court): Now, it has been going along, I heard no objection; what is the objection?

(Mr. Brady): Was Snowden there when anything was said about the house?

(Witness): He was present, he was identified there.

Q. You said something about coming out of the house? A. That was when he was sent across that floor.

Q. Was he present when anything was said about coming out of the house? A. They said that is the man that came out of the house.

(Mr. Brady): That is all right; in the presence of Snowden, that is all right.

(Witness): Sure.

Q. Did Snowden say anything when they said that? A. Not a word, and we kept Snowden there and the crowd had gotten so big outside of the Court House——

(Objected to.)

Q. Then Snowden was taken from there immediately to Baltimore that night? A. In the machine of the Mayor of Annapolis, Snowden was brought to Baltimore by the Sheriff, Pohler and Kratz and myself and the Mayor's son driving the machine.

Q. What time was that? A. I think we arrived in Baltimore somewhere close to nine o'clock, I didn't take the exact time.

Q. Were you present at the interview that Marshal House had with Snowden in the presence of Edna Wallace, in Baltimore? A. I was in Annapolis, running out his story, I was not there.

Q. Did Edna Wallace make a statement and sign it? A. From what I understood, it was not signed in my presence, it was not made in my presence.

Q. Edna Wallace, I mean? A. Edna Wallace, yes, sir; it was not made in my presence.

Q. Not referring to the statement that she made to the Marshal, but the statement that she made and gave you? A. Oh, she made a statement to me, yes.

Q. Look at it? A. That is about the statement she made to me.

Q. Did she sign it? A. Yes, she signed it.

Q. Did she read it? A. I wouldn't be positive she signed the statement she made to me or not, because she made this statement to me in the jail.

Q. What is that name there, is that your writing? A. Yes, but it was not to go on there, if it went on there, it was some

mistake. I was not present, I was in Annapolis; the only statement made by Edna Wallace to me, was made in Annapolis jail, the day after this fellow Snowden had been arrested.

CROSS-EXAMINATION.

Q. (By Mr. Brady): You say you signed that, but never saw it? A. How could I sign it unless I saw it?

Q. I mean to say, Edna Wallace didn't make that statement to you personally? A. I told you and I told the Court that I must have signed that in mistake.

Q. Who made the arrest of Snowden? A. Detective Pohler took him off the wagon and Kratz and I brought his pal off the wagon, and followed them up the street.

Q. His pal, you mean the man who was driving? A. A man named Chambers.

Q. You say you came down to investigate— A. That was what I was brought there for.

Q. What? A. To make an investigation of the Brandon murder.

Q. How long were you investigating it? A. Well, we arrested Snowden on Monday, I arrived on Sunday, that was the day after my arrival and I continued my investigation for ten days, running his story out and seeing if it was true.

Q. Was that the first time that you went on the case, that was twelve o'clock on Sunday, before the arrest of Snowden? A. The first time I touched the case was Sunday and I was put on that by the Marshal against my will.

Q. You are beginning to like Annapolis now, are you not? A. I am getting used to you.

(Mr. Hartman): The place needs a good deal of watching.

(Mr. Brady): It seems so, we are always there; don't talk about past history.

(Mr. Brady): Who did you talk to on Sunday, the first one, about this murder?

A. On Sunday I spoke to the Sheriff—

(Objected to; objection sustained.)

(Witness): I am willing to answer.

(The Court): No, we don't want to go into that, I sustain the objection to that.

Q. Well, then when you arrived in Annapolis, from information received, was there any one suspected; was Snowden suspected then of your knowledge?

(Objected to.)

(The Court): The object?

(Mr. Brady): Well, your Honor, they had been floundering about there for about a week until they found something.

(Mr. Green): You were not on the inside perhaps, we were not floundering as much as you think.

TRAVERSER'S THIRTY-FIRST 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 and thirtieth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness VALENTINE N. BRANDON, witness of lawful age, called on the behalf of the defense, testified as follows, after having been first duly sworn:

DEFENSE.

VALENTINE N. BRANDON, recalled (for the purpose of contradiction).

Q. (By Mr. Grason): In your testimony heretofore, you stated that you left a dollar bill and that you never found it, you said that, did you? A. I don't remember whether I said it or not, but it is a fact.

Q. Do you remember a Mr. Roman who was down there investigating that case?

(Mr. Green): He was not down there.

(Mr. Grason): I say he was.

(Objected to; objection overruled.)

(The Court): Let him answer the question whether he remembers Mr. Roman.

(Witness): I never heard of him.

Q. You never heard of him? A. I never heard of the man before.

Q. Do you know a Mr. Gibson, a reporter upon one of the papers in Baltimore? A. I think I met him.

Q. Now, don't you remember seeing a gentleman sitting back of me yesterday, a slight, tall, a small, slight man, sitting right back of me yesterday? A. I didn't notice him, no, sir.

Q. Was he not talking to you yesterday? A. Talking to me?

Q. Yes? A. Not that I know of, I don't know the man you are talking about, I may have been talking to him.

Q. Did you say to Roman or anybody else at Annapolis around about Monday or Tuesday, following the discovery of your wife's body, that you had found your dollar?

(Objected to; objection sustained.)

Q. Didn't you tell Mr. Munford, at Annapolis, after the discovery of your wife's body that you had found your dollar bill in question?

(Objected to; objection sustained.)

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

FRANK I. DUNCAN. (Seal)

Q. When he left your home the morning of the day that you discovered your wife's body upon your return, how did you leave your house, by what way?

(Objected to.)

(The Court): You had the opportunity of cross-examination on that.

(Objection sustained.)

(Exception noted.)

(Mr. Grason): We would like to dictate an offer.

(Note): (Dictating to stenographer): We offer to prove that the witness in his home in the City of Annapolis, either the second or third day after the discovery of the body, told Mr. Munford that he had found the dollar bill; we also offer to prove that in the City of Annapolis on the Tuesday following the discovery of the body, that the witness told a man by the name of Romans that he had found the dollar bill.

(The Court): The ruling is the same.

Q. Did you notice the ice box or refrigerator in your kitchen before you left home that morning?

(Objected to.)

(The Court): We might as well understand each other now; what you are asking him is evidence. If you choose to put him on the stand and make him your witness, it will be all right, but you had an opportunity of cross-examining him on all those things you are asking him now and that is not the sort of testimony that ought to be brought out at this time for the purpose of contradiction.

(Mr. Grason): If your Honor will permit me to say, there was no inquest in this case; we didn't know of those things; there were certain conditions in that house that we had no idea existed, and this house had never been described minutely or the furniture in it, the condition of the furniture in it; we knew nothing whatever of it, if your Honor please, and if we had, we would have done just as your Honor suggested, but the door has been closed to the defense; as I say there was no inquest, we could obtain no information; the information that we obtained last Saturday evening was by accident, after this witness had been put upon the stand; now if your Honor please, we are trying a man for his life, and we don't think that under those circumstances that we ought to be compelled to call the State's witness and put them on the stand as our witnesses and hence be bound by their answer; we would then be met by the proposition if we put them on the stand that we made them our witnesses and we could not contradict them, and the evidence we now have would be useless to us, yes, useless to us. As I say, what your Honor says is so and I appreciate what your Honor says, but I hope your Honor will appreciate the defence and the condition of the defence; that we have just discovered this information and we think the jury ought to have it and think we ought to be put in a position not of making the State's witnesses our witnesses, but of asking them so that we can refute the statement, if that statement is not in accordance with our information.

(The Court): Now, then, if I understand your proposition, it is this that this witness will testify to the furniture, or the arrangement of the house, the location of the furniture and of articles in it, and after he has done so minutely, then you propose to contradict him.

(Mr. Grason): I don't know, he may testify in accordance with the information we have.

(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.

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 Creditt 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-Creditt 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.

Q. Now, what did you say was the distance, the width of the porch? A. 8 feet.

Q. Now, what is the distance from this post to that post that you noticed? A. I would imagine it would be about three feet.

Q. You said the alley was what? A. It is about three feet, the alley is two feet ten.

Q. Where is the next post? A. The next post, this is the post in the rear of the Brandon home (indicating on photograph), this is the post that is the beginning of the King home.

Q. Now the next post? A. It would be about five feet.

Q. Now the next post? A. That would be here (indicating on map) about seven feet.

Q. Seven, five and three and eight? A. Yes, sir.

Q. Therefore, it would be the distance from this door to the pavement, eight feet, and three feet in the alley would be eleven feet and five feet to the third post would be how much? A. Sixteen.

Q. And to the other post? A. About seven and a half.

Q. That would be 23 feet? A. Yes sir.

(Mr. Green): How many posts on the porch?

A. Three.

Q. You say there are three posts on the porch? A. Yes, sir.

Q. Five feet between the first and second and seven between the second and third? A. About seven.

Q. How high is that porch from the step? A. Just one step.

Q. Now, look at that and see if that represents the division fence? A. I think so.

Q. That is not shown on your plat? A. No, sir.

Q. That is the back of the house? A. That is the rear.

Q. But it extends some distance from the end of your plat, does it not, this is the rear of the house? A. Yes, sir.

Q. This extends some distance up in there? A. Yes, sir; up under that stairway.

Q. This shows Mr. Brandon's; does that show it about as it is, here is the board fence and this is the steps leading up above? A. Yes, sir.

Q. That correctly represents it, when you come through this way you come to a space a little wider there with steps leading upstairs? A. Yes, sir.

Q. Don't you remember there is an entrance to this house and to the other from this side and then there is a fence that comes up to the stairway and divides the back yards, that is correct, is it not? A. Yes sir.

Q. That represents it there as to the cellar, there is the window and there is the entrance going downstairs and that looks to you just the same as you represented that with the exception of the fence and with the front porch, that is separated, it don't show a continuous line and the alley comes out to the curb line? A. Yes, sir.

RE-DIRECT EXAMINATION.

Q. You have spoken about the back yard, what is back of that yard? A. Back of it?

Q. Yes? A. Why, there is some small houses back over on Acton lane.

Q. Annapolis is back of it, too? A. Part of it.

Q. What is directly back of the back yard? A. Directly back of this particular yard?

Q. Yes? A. There is a fence for one thing.

Q. On the other side of the fence? A. There are some houses.

Q. How far away are the houses? A. From the fence?

Q. Yes? A. Not very far.

Q. About how far? A. Four, five or six feet, possibly; the ones I have reference to.

Q. I am afraid you have got the wrong idea, the wrong position, when I ask you this question, right back of the back of the Brandon home you mean to say there are houses four or five feet from there? A. No, not right back of the Brandon home, I mean the houses are four or five feet from this fence line, that is the houses sets off that far from the back line.

Q. That back fence? A. The houses face on a little street they call Van Sant street and then the yards run back to the back part of the Brandon home.

Q. How far are these houses away now?

(Mr. Green): They have not moved since.

Q. You mean to say they are only four or five feet away? A. I don't mean the houses are four or five feet away from the Brandon home, the lots, I mean, that is the line from this particular fence line; the houses face on Van Sant street.

Q. Is there not a large vacant lot back there? A. Part of it, yes, sir; part of it is a vacant lot.

Q. How much area would you say, how much back lot is there? A. You speak of the Brandon home?

Q. Back of the division of the back fence of the Brandon home? A. I suppose it was forty or fifty feet from the house to the rear of the fence.

Q. It is all vacant there, is it? A. In the yard, yes, sir; the houses on Van Sant street face one way and the houses in the rear are at a different angle and the houses on Van Sant street run back of the Brandon home, but the same line to the Bran-

don home continues where the vacant lot that faces on Second street.

Q. How far is it between the Brandon house and Acton lane?

A. About 200 feet.

Q. About 200 feet? A. Approximately.

Q. Now, is there not a vacant lot ground from the Brandon home to Acton lane? A. There is a vacant lot adjoining the Williams' home.

(Mr. Green): On Second street?

A. On Second street.

Q. Where does that vacant lot begin? A. It begins right at the Reverend Williams' home and goes down the street.

RE-CROSS-EXAMINATION.

Q. What street is the other side of Williams' home? A. On the same side?

Q. Yes? A. Shaw street.

Q. How do you go from Acton lane to Second street through Shaw street? A. I can't catch what you mean.

Q. Suppose a person is on Acton lane wanted to come out the back way and come over on Second street, could he get around that way? A. By coming through I think it is Price street and this little short street is Van Sant street and then come up to this vacant lot.

Q. Does that vacant lot touch Shaw street? A. No, not this one; but there are some vacant lots on Shaw street.

Q. Shaw street is how much the other side of Williams' house, how much beyond? A. Possibly 125 or 130 feet.

RE-DIRECT EXAMINATION.

(Mr. Brady): Now, let us straighten out this plat, of course we know we have not that whole section of the town there. Show Shaw street, now where is Second street?

(Mr. Green): We have gone over that.

(Mr. Brady): This is the Williams' house?

A. Yes, sir.

Q. Here is where the vacant lot begins? A. Yes, sir.

Q. It extends down about how far? A. About 75 feet probably.

Q. Action lane is back here? A. Yes (indicating).

Q. Now, if we want to get to Second street, was there not a common passage-way used generally for the occupants and so forth, across through the back of Packenback's property and up along here (indicating) and a little step right at this end of the house? A. I don't know about the steps, but I know I have seen people traveling back and forth through there.

Q. They make a short cut and over this side lot and come right through here (indicating)? A. Yes, sir.

(Examination concluded.)

(Here follows testimony of Rev. Williams.)

DR. W. A. C. HUGHES (colored), a witness of lawful age, called on behalf of the defense, after having been duly sworn testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Grason): State to his Honor and the gentlemen of the jury your full name? A. William A. C. Hughes.

Q. Where do you live? A. Washington.

Q. What is your business or profession if you have any? A. I am one of the secretaries of the Board of Home and Foreign Missions of the African Methodist Episcopal Church.

Q. You are a Methodist Minister? A. I am a Methodist Minister.

Q. Do you know the Rev. Williams who was just on the stand? A. Yes, I do.

Q. Did you see him on or about August 7th last? A. I did.

Q. Where? A. In Annapolis.

Q. Whereabouts in Annapolis? A. At the Short Line Depot, when first I saw him.

Q. Did you stay all night at Annapolis that night? A. I did.

Q. Where? A. At the residence of Dr. Williams.

Q. The previous witness? A. The previous witness.

Q. How long did you stay there, what time did you leave the next day, if you left the next day? A. What time did I leave his home?

Q. Yes, on the 8th? A. Something after one o'clock.

Q. Now, I wish you would tell the gentlemen of the jury what time you got up on the morning of the 8th and about how you fix the time you got up? A. I was called by the Rev. Williams, who called up the stairway to me, "Hughes, get up, it is after nine o'clock"; we had been up until about two o'clock the night before.

Q. Had you known Williams a long time? A. We joined the Conference together twenty years ago.

Q. Had you seen him for some time before that? A. Had I seen him?

Q. Yes? A. It had been some little while since I had seen him.

Q. Did you get up when he called you? A. Yes, sir.

Q. And how long was it before you came down stairs? A. Why I suppose 15 or 20 minutes.

Q. Now, what did you do after you came downstairs? A. There was an open parlor leading from the hallway, and I went in as I recall now, to the piano and struck up "Brighten the Corner Where You Are," and a plantation melody and Williams is a great singer and I always play for him and he sang a piece.

Q. What time did you have breakfast that morning? A. I judge about ten o'clock.

Q. Was that when you sat down to breakfast, about ten o'clock? A. Around about ten o'clock.

Q. How long were you at breakfast? A. I suppose we kept his wife waiting for some while and we got in there in a half hour or so, at least I was.

Q. So then you think you got that breakfast about half-past ten? A. About something like that.

Q. Then where did you go? A. I went out on the porch, and glanced over the morning papers.

Q. Out on Williams' porch? A. Yes.

Q. Now, who was out there with you, if anybody, on Williams' porch? A. Well, he was out there part of the time, and most of the time nobody else on the porch as I recall it.

Q. You say there was nobody else on the porch? A. Except Williams, he would be there.

Q. Where were you seated on the porch? A. In the swing.

Q. How does that swing face? A. To sit in the swing, one would look directly toward West street, towards the Brandon home, the porch.

Q. Could you see the window of the Brandon home from where you sat, the window on the porch? A. Yes, you would see it, I would be sitting at an angle, I would not see it directly

Q. From where you sat, did you see the window of the Brandon home? A. Well, no, I paid no particular attention to the window, it is not of much size, but you would see but a very small part of that window from the angle at which you would be sitting in the outer part of the swing.

Q. While you were at breakfast, do you recall whether or not someone came to see Rev. Williams? A. Yes, he did not finish with the others, he got up.

Q. He got up and went to see this person? A. Yes.

Q. Did you see that person? A. No, I didn't pay any attention to him.

Q. Now, from where you sat on the porch, could you see door of the Brandon home? A. Yes, I could.

Q. Now, did you have an appointment with anybody or not at the Williams' home that morning, if so, who was it and what time was the appointment made for? A. I had an appointment with Mr. Fletcher, he had passed early in the day and he said he wanted to see me and would be back on his way to the Navy Yard around about eleven o'clock.

Q. Around about eleven o'clock? A. Yes, sir.

Q. How was Fletcher travelling, driving or walking? A. He was driving.

Q. Did he come back to the Williams' home in response to that appointment? A. He did.

Q. Was he driving then? A. Yes.

Q. What time did he get back there? A. About eleven o'clock, I should say.

Q. Now, let me ask you, had you been on the porch from the time that you saw Fletcher go down and you made this appointment with him and the time he came back, during that time were you on the porch? A. No not when I first saw him; I had been in the house and I had eaten breakfast, after having made the appointment with Fletcher.

Q. You made the appointment before breakfast? A. Yes, sir.

Q. You were on the porch then, as I understand you, from along about half past ten, up until the time that Fletcher came back, is that right? A. Yes.

Q. What time did you say Fletcher got back? A. Well, judging without looking at one's watch, I should say it was about eleven o'clock, he was there about 11 o'clock.

Q. Did he get out of his wagon? A. No.

Q. He drove up to the curb—was it a horse and buggy? A. No, a wagon, as I recall it.

Q. Now, you had the conversation with Fletcher, did you? A. I did.

Q. Where were you when you had this conversation with Fletcher? A. Well, I started the conversation from the porch, he having driven up close to the sidewalk.

Q. Was he at all on the porch? A. After a while I walked over towards him and engaged in a conversation of a private nature.

Q. Did you come out on the pavement? A. Yes, that is what I said.

Q. Near to the curb, where his wagon was? A. Yes.

Q. Now, where was his wagon standing with reference to the Brandon home? A. Well, he was standing directly in front of our porch, no part of the horse or the vehicle as I recall was up as far as the Brandon home.

Q. He was in the wagon, was he? A. Yes.

Q. Now, from where you stood, talking to Fletcher, and Fletcher was in his wagon, did you have a clear view of the door to the Brandon home? A. Yes, I didn't have the view I have of you, I was not directly in front of the door, but I had a view sufficient to see any one pass in and out.

(Mr. Green): If you happened to be looking that way.

A. Yes.

(Mr. Greason): How long were you talking to Fletcher there?

A. I was talking to Fletcher the better part of an hour.

Q. And this conversation between you and Fletcher started about 11 o'clock? A. Yes.

Q. What? A. Yes, sir.

Q. You were talking about church affairs, were you? A. For the most part we did talk a little bit of Masonry.

Q. So you were talking lodge and church? A. Yes, sir; that is the most we talk about, you know.

Q. How old a man are you? A. Forty.

Q. Have you good hearing? A. Yes, sir.

Q. Your hearing is pretty keen, is it? A. Yes, sir.

Q. It has been testified to here that between eleven and half past eleven, there was a rushing sound from the Brandon home and a rambling noise over there, state whether or not you heard anything of that character while you were standing there talking to Fletcher, in the Brandon house? A. I heard no such thing.

Q. It has been stated that along about that time, there was a chair knocked over in the front room of the Brandon home and a door slammed. State whether or not you heard anything of that kind while you were standing there?

(Objected to.)

(The Court): I don't think it was said in that way; the testimony was, as I remember, there was a chair swung by the window.

(Mr. Grason): Yes, sir; and it was testified to that the woman's arm was pulled in and the door slammed along about that time. I want to contradict that, too.

Q. Did you hear a chair knocked over in that room while you were standing there? A. No, sir.

(Mr. Green): There is no testimony that it was knocked over.

Q. Did you hear a door slam while you were standing there? A. No, sir.

Q. What if any noise did you hear from the Brandon home whether while you were on Williams' porch that morning or while you were talking at the curb with Fletcher? A. I heard nothing to attract my attention.

Q. Did you hear anything? A. No, sir.

Q. Now, about what time was it when Fletcher left? A. I should say about ten minutes of twelve and I can tell you why I say so.

Q. You say about ten minutes of twelve? A. I say about ten minutes of twelve.

Q. How do you fix that time? A. Because Mr. Fletcher noted that he was late and I would state that my being in Annapolis, I wanted to go see Mr. Clark, who I knew personally and I wanted to go down to the store where he worked to see him, and I said to Mr. Williams come on, I want to go down to the store and he called my attention that it was so near twelve o'clock that Mr. Clark would be out and we had better wait until after his dinner hour; that incident fixed the time with me.

Q. Did you notice the house No. 30 Second street, across the street from the Williams' home, while you were standing there that morning? A. No, I could not locate that house by number.

Q. Now, this is (indicating on plat) Second street, Annapolis; West street is up here; this is the Williams' home at this

point; this is the Brandon home, a three-foot alley between; now over here is No. 30, right across the street, No. 30 Second street, did you notice that house 30 Second street, while you were standing there talking? A. I didn't pay any particular attention to it.

Q. Do you recall hearing any conversation of people in 30 Second street, while you were standing there talking to Fletcher? A. No, sir.

Q. Did you hear any? A. No, I don't remember any.

Q. Did you see anybody sitting at the window of the 30 Second street house? A. No.

Q. Now, while you were standing there, either while you were on the Williams' porch or while you were standing at the curb talking to Fletcher, did you see anyone go in the Brandon house? A. No.

Q. Did you see anybody come out of the Brandon house? A. No.

Q. Did you see the little colored boy that was on the stand the other day? A. I saw the little fellow here.

Q. Did you see him pass down that street, while you were talking to Fletcher, or while you were on Williams' porch? A. No, sir.

Q. Now, after you say Fletcher left, about ten minutes of twelve, what did you do after that, after he left where did you go? A. Well, I had not read—it was late when I went on the porch and I had not finished reading the morning paper, and after Fletcher went, I knew I had an hour before I would start down the street—

Q. In other words, you gave Mr. Clark an hour for lunch? A. Yes, and I read the paper and sat there with Williams and talked.

Q. What time did you leave to go down and talk with Mr. Clark? A. I was planning to give him a chance to get back from his lunch and I left shortly after one o'clock, I should say.

CROSS-EXAMINATION.

Q. (By Mr. Green): Didn't you have a discussion about the relative merits and chances of Ty Cobb, the baseball player with Rev. Williams? A. That would be sort of natural with me.

Q. Don't you remember whether you did or not? A. I think perhaps I did.

Q. Didn't you go in the house during that conversation and continue your discussion there; when you started to read the papers you read the baseball news and you and Rev. Williams got to talking about it? A. I may have glanced at it.

Q. Didn't you go in the house to discuss the baseball news? A. For that specific purpose?

Q. No, didn't you go in the house? A. Discussing it as we went in.

Q. Yes? A. I don't recall.

Q. Do you know whether you did or not? A. No, I won't say.

Q. Will you say you didn't? A. Go in the house discussing Ty Cobb?

Q. Yes? A. No I would not say either way.

Q. But you might have? A. I might have.

Q. If Williams said you and he went in the house discussing it, you would not question it? A. I have known him a long time, and he has always told the truth. I think if it was not clear in my mind, and Williams said I did, I did so.

Q. You might have left the porch after Fletcher left? A. I might have personally?

Q. Yes? A. Yes, I might have for a moment and only for a moment.

Q. Why do you say for a moment? A. Because I was concerned more with things on the porch than off the porch.

Q. Was not the sun getting around through there? A. Around about noon?

Q. Yes? A. Not enough to make any great impression on me.

Q. Where are you from? A. The same place you are from.

Q. Annapolis? A. Yes, my father was a Methodist minister there when you were young.

Q. I thought you were from New Orleans? A. I am not, I travel all around.

Q. I thought maybe that was why the sun didn't feel so hot to you? A. (No answer.)

Q. Did you hear what Mary Perkins and Edith Creditt said they saw and heard? A. No.

Q. You didn't hear it in the Court room here? A. Oh, I beg your pardon, yes, sir.

Q. You heard it? A. Yes, sir.

Q. Are you prepared to say at that time they didn't see that?

(Objected to; objection overruled.)

A. I am prepared to say——

Q. Answer the question yes or no: are you prepared to say they didn't see it, that they didn't see what they said they saw?
A. If my position were dependent upon it, I would say they could not have seen that without my having heard or seen something in the position I had.

Q. Just answer the question, are you prepared to say now, what they saw and heard, that they didn't see or hear? A. I simply reiterate what I said.

Q. Answer the question yes or no? A. Can I say they didn't see that?

Q. Yes or no? A. Well, I don't know what they saw.

Q. What? A. That is the only thing I could say.

Q. Answer the question? A. No, I could not say.

(Examination concluded.)

WILLIAM E. FLETCHER, a witness of lawful age, called on behalf of the defense, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Brady): How old are you? A. 52 years old, next January.

Q. Where do you work? A. United States Naval Academy.

Q. How long have you been working there? A. 38 years the 2nd of next October.

Q. What is your position there? A. I am a steward.

Q. Where do you live? A. 38 Second street.

Q. What is the position of your house to the late Mrs. Brandon? A. Well, my house is there and the Brandon is like this (indicating) approximately across the street 110 feet.

Q. You recall the day of the finding of Mrs. Brandon's body, dead? A. Yes, sir.

Q. When did you go to work that morning? A. Well, as a rule at 6:20 in the morning.

Q. What time did you come back? A. I left the yard a little after nine, nearly half-past nine.

Q. Just state what you did after you left the yard at half-past nine? A. Well, I left the yard at half-past nine, I was driving at that time, I could not walk very well, I had a bad

knee and used to drive to and from my work. I got uptown a little before ten, and Rev. Hughes was on Rev. Williams' porch and I told him that I wanted to see him, that I would be back at 11 o'clock, that I wanted to go over a matter with him; I went up in the back part of my yard, I went up Morris street, drove in back of my house, took the horse out and my boy and myself greased the wagon and hooked up again to another wagon and I had a call to make and I left and when the clock struck eleven o'clock I was hooked up ready to drive out to Morris street, that was right in front of the parsonage, when I drove out and was getting out to fasten the gate behind me, Rev. Williams went in the house off the porch, and I drove up to the side of the curb and Dr. Hughes came to the curb and we had a private conversation.

Q. How long did you talk there? A. Until twelve o'clock, the reason I know I was late getting back, I was not doing any duty, but I was used to getting there on time.

Q. Were you facing West street? A. Yes, sir.

Q. What was the position of the Brandon house when you were sitting in your carriage? A. I can look at the Brandon house just as you were sitting on this side of the table and I looked in your face.

Q. Could you see the window? A. Yes, sir; the window and the door, because I was in the street and the Brandon house sat a little back from the street, the porch.

Q. Did you hear any unusual noises at the Brandon house, between the time you got there about half-past eleven or 15 minutes after eleven until the time you left? A. I did not.

Q. About how far were you from the window of the Brandon home? A. Twenty feet, because my carriage was in front of the parsonage porch, my horse's head was about to the end of the parsonage, because there was a post there, right along side of that post, that parsonage is twenty-four feet wide.

Q. You heard no noise that would attract your attention there? A. No, sir.

Q. Did you see anyone go in that house? A. I did not.

Q. Did you see anyone come out of that house? A. I did not.

Q. If any one had gone in that house, were you in such a position that you would have seen them?

(Objected to.)

(The Court): Was he in a position to see?

(Mr. Brady): Yes.

(Witness): I was, sir.

Q. Were you in a position to see anyone coming out? A. I was, sir.

Q. When you left Preacher Williams', who did you leave on the porch? A. I left Mr. Williams and Mr. Hughes on the porch, in fact they were there when I came back, I don't know where they had been.

Q. When did you come back? A. Quarter past two, I came up and stopped at the ice house, and got some ice, the reason I know, he asked me why I didn't bring him some.

Q. What time? A. Quarter after two, it was after two, because I went right over to the Government Farm after that.

Q. Did you see whilst you were standing there or did you observe a little boy with a bag of flour on his shoulder? A. I don't recall but one lady that passed, there were lots passed up that side with kettles of beer, and go around that side, but I don't recall seeing anybody passing but one lady, because she never passes without speaking, and I recall her passing while I was there, twice.

Q. I want to ask you, you are familiar with that section of the town, this is the Brandon house and this is the Williams'? A. Yes.

Q. I want to know going toward Pakenback's bakery, what is between there? A. A vacant lot, one now, there was two there, a thirty-foot lot, there was sixty feet there.

Q. Was that, if you know, a common thoroughfare for persons coming from the back of the Brandon home? A. It was, everyone that came out of Acton lane, came out that way, it was a common thoroughfare.

Q. Came across there? A. Came across there, they came up on the parsonage back steps there, they run down there and you came up on Second street.

Q. There is a step right there next to the parsonage? A. There are six or seven steps that run down there.

CROSS-EXAMINATION.

Q. (By Mr. Green): You were not paying particular attention to anything that was going on, on the street? A. I would not have to, I was right there.

Q. I am not asking what you have to, were you? A. I was paying attention to what I was doing, no, not paying particular attention to what was going on.

Q. You were in a deep conversation with Rev. Hughes? A. No, they were on the porch and I had to talk from the side of the street to the porch.

Q. I thought you said he came out to the wagon and had a private conversation? A. About ten minutes, when Mr. Williams came out of the house, he went back on the porch.

Q. And that is the only person you recall passing? A. The only one that I can remember of.

Q. You didn't see Snowden? A. I did not.

Q. You didn't see the boy? A. I did not.

Q. Did you see any other wagon on the street while you were there? A. I did not.

Q. No other wagon on the street? A. I did not see any.

Q. Are you sure that you didn't leave there until twelve o'clock? A. I am sure I didn't leave there until twelve o'clock, because I was late getting down.

Q. How late? A. About ten minutes.

Q. Ten minutes? A. Or more.

Q. Well, was it ten minutes or more? A. Well, it was about ten minutes, the mustering was over when I got there.

Q. Do you remember telling the Rev. Hughes that it was getting late if you didn't hurry up you would be late? A. I do.

Q. How long did it take you to drive from there to the Naval Academy? A. It takes me as long to drive as to walk, it takes me about twenty minutes; from my home to the Navy Yard.

Q. Did you look at your watch before you left? A. I never had one.

Q. Why did you tell him you would be late? A. I heard the bells ringing.

Q. Where? A. The whistle blows at twelve and I was on the corner when it blew.

Q. You didn't hear the whistle? A. I heard the clock.

Q. What clock? A. The town clock.

Q. I thought you heard the bells? A. I did when I got to the corner of West and Second streets.

Q. Then you left before twelve o'clock? A. I did.

Q. I thought you said you left there positively after twelve?
A. It was twelve o'clock by the city clock and a few minutes after twelve by the yard time. You know there is a difference in those.

Q. Sometimes, one will be a little fast and sometimes a little slow? A. Yes.

(Examination concluded.)

MRS. MARY COLBY, 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): What is your first name? A. Mary.

Q. Where do you live? A. I live at Weems Creek.

Q. Annapolis? A. Yes.

Q. Do you recall the day Mrs. Brandon was found dead?
A. Yes.

Q. Where were you that morning? A. I was on my way over to Dr. Henkel's office.

Q. You were going over to Dr. Henkel's office? A. Yes, sir.

Q. How did you travel from West Annapolis to Annapolis?
A. I walked to West Annapolis and took the car from there to the Annapolis Station and walked from there over to Dr. Henkel's.

Q. What time did you arrive in Annapolis? A. I went in on the 10:20.

Q. You went directly from the Short Line train to Dr. Henkel's office? A. Yes.

Q. What time did you reach Dr. Henkel's office? A. Well, it was 25 minutes of eleven.

Q. What time did you leave Dr. Henkel's office? A. Ten minutes of eleven.

Q. What path did you follow coming from Dr. Henkel's office? A. I came up Murray's Hill and I turned and came up Second street, the same way I went.

Q. Did you pass the Brandon home? A. I did.

Q. What time did you pass the Brandon home? A. Well, it was about five minutes of eleven.

Q. Did you see anybody there? A. No, sir; I didn't.

Q. Did you see anybody on the street, on the porches? A. I saw one lady on her porch, but didn't know her, and I went up further and I stood there and talked to Mrs. Myers about ten or fifteen minutes.

Q. Did you see anyone else on the porches right below the Brandon home? A. I don't remember, not coming back but going down to Dr. Henkel's, as I remember seeing Rev. Williams sitting on his porch, but coming back I don't remember seeing him, I didn't take any particular notice.

Q. How long did you stay at Mrs. Myers? A. About ten or fifteen minutes talking to her.

Q. That would be then what time? A. Quarter after eleven.

Q. Where does Mrs. Myers live with reference to the Brandon home? A. She lives about seven doors above there in one of those little houses.

Q. It was the Green house? A. Towards West street.

CROSS-EXAMINATION.

Q. Was it Mrs. David Myers? A. Yes, I stood there talking to her.

Q. You saw the lady that was on the stand here? A. Yes.

(Examination concluded.)

MRS. MARY MAKEL, 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): Where do you live? A. 103 Clay street.

Q. Annapolis? A. Yes, sir.

Q. Do you recall the day that Mrs. Brandon was found dead on Second street? A. Yes, sir.

Q. Where were you that evening? A. I was out on Second street.

Q. Do you recall of having been present, when Mary Perkins was talking to Kate Brown or Rev. Williams? A. No, sir.

Q. Were you present, or out there while they were talking? A. No, sir.

Q. Who were you talking to there on the street were you talking with Mary Perkins? A. No, sir.

Q. Did you hear her talking to anyone? A. Yes, sir.

Q. Who was she talking to? A. She was talking to a crowd as I walked up.

Q. Was Rev. Williams there? A. No, sir; it was after that, I was there between half past seven and eight.

(Examination concluded.)

(Adjourned until tomorrow morning.)

SEVENTH DAY.

MARY BIAS, 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): Were you standing at the porch of Julia Carroll's on the Sunday after Mrs. Brandon's body was found dead, when Mary Perkins came by? A. I was not standing, I was sitting down on my porch and Julia Carroll was on her porch.

Q. How far were you from them? A. Arm to arm, we have adjoining porches together.

Q. Where is Julia Carroll's home? A. Next door to me.

Q. On what street? A. On North West street.

Q. Did you hear Mary Perkins and Julia Carroll talking together, on the subject of finding of Mrs. Brandon's body?

(Objected to.)

Q. Did you hear them talk about that? A. Yes.

(Objected to; no foundation with any talk with Julia Carroll.)

(Mr. Brady): There is.

(Mr. Green): Where is it?

(Mr. Brady): "On your way home from church, Sunday morning, did you stop and talk to Julia Carroll, about this unfortunate occurrence? Yes we stopped, but she began talking of the affair, but I never told her anything of what I had seen or heard. Who was present there? My sister, her sister? My sister and I think her daughter was on the porch. What is her daughter's name? I think Julia. Is it Clara Belle Roberts? Yes, that is right. Any one else? I don't remember. Was a woman there by the name of Mary Bias, a very elderly, old woman? I don't think on her porch, I think she was nearby. You talked about it with these people? No, I didn't talk about it; they were the ones that were talking. Did you make any comment at all? Nothing of what I had seen or heard to them." I think that foundation was laid.

Q. Did Mary Perkins say to Julia Carroll in your presence and in your hearing that she had seen no one come out of that house and about that house that day? A. Mary Perkins?

Q. Yes? A. She certainly did.

(Mr. Green): What day?

(The Court): It says on your way to church. I didn't write upon my notes whether it said Sunday.

(Mr. Grason): Yes, Sunday morning.

(The Court): I guess that is all right.

(Mr. Brady): When you were talking about the occurrence?

(Mr. Green): That was on Sunday morning, he didn't ask the witness whether she saw anyone coming out on Wednesday morning.

(Note): Testimony read.

(The Court): I think that is near enough. I will overrule the objection. "That Sunday morning coming home from church." Now she answered the question.

Q. Did Mary Perkins say in that same conversation that she had noticed that the blinds were down and remained that way all day? A. She certainly did, sir. It was on Sunday morning, too.

CROSS-EXAMINATION.

Q. (By Mr. Green): What day was it, Mary? A. On Sunday morning.

Q. What day of the month was it? A. Indeed, I could not tell you that, Mr. Green, because I really didn't take any notice of the day of the month. I know it was Sunday morning.

Q. Was it one week two weeks, three or four weeks after the murder? A. No, sir; it was not three weeks.

Q. When was it? A. It was the following Sunday.

Q. How do you place that? A. I mean that it was the next Sunday.

Q. How do you know it? A. Because I know it.

Q. How do you know, how do you fix it? A. I don't have no fixing to do to it, I know it was the following Sunday.

Q. How did you fix it in your mind? A. I didn't have no fixing to do with it.

Q. When was the first time you were asked about this conversation? A. How do you mean?

Q. Who did you tell about it? A. About what she said?

Q. Yes? A. I never told anyone.

Q. No one asked you about it? A. We had a talk about it.

Q. Who to? A. I could not tell you, I talked to somebody about it, I could not tell you.

Q. Did you talk to Rev. Williams about it? A. I may have.

Q. Did you talk to his brother, who is counsel here about it?

(Mr. Brady): There is no relation at all.

(Mr. Green): Well, I don't know, I understood so.

Q. Do you know the colored attorney that is here? A. No, I do not.

Q. You never had any talk with him? A. No, sir; the only one I had any talk with, he tried to get something out of me, was the detective.

Q. Who was that? A. I really don't know what it was, but one night we were sitting on our back room and a detective come in there and asked me if I knew anything about it, and I told him, no, I can't say that I did; he asked me what I thought of it and I told him I didn't think anything about it.

Q. Did you tell him what somebody told you? A. No, sir; I didn't tell him.

Q. Why didn't you? A. Because I didn't think I had a right to tell him.

Q. You don't recall how long after it occurred that you talked about it? A. No, sir.

Q. When was the last time that you had any talk about it? A. I could not say.

Q. Yesterday? A. No, sir; I have not had any talk about it yesterday with anybody.

Q. Since the case started? A. I don't know whether I have or not.

Q. How long before the case started, did you have any talk about it? A. I can't really say.

Q. Well, you can remember that conversation, but you can't remember a conversation you had with anybody else about it? A. I can't just now, I may have and may not, I would not say I have or have not.

Q. You don't recall any conversation you had with anybody else about it, who told you it or what you told them? A. No, sir.

Q. Where were you? A. When?

Q. That day? A. What day?

Q. The day you are talking about? A. What day are you talking about?

Q. What day were you talking about, that you had the conversation? A. With Mary Perkins?

Q. Yes? A. I was on my porch as I aforesaid.

Q. Where was she? A. Standing down on the pavement.

Q. In front of your porch? A. Yes—no, she was standing between my porch and Julia Carroll's porch.

Q. How did it start, who started it? A. I don't know, Julia Carroll will have to answer that.

Q. You were there? A. Yes, I was there.

Q. Who started it? A. I really don't know.

Q. You don't know who started the conversation? A. Indeed I don't and would not dare to say.

Q. Do you remember anything that was said before Mary Perkins said this? A. No, sir; I do not, because I was talking

to her sister, Edith Creditt, and Mrs. Julia Carroll was talking to Mary Perkins.

Q. You were talking to Edith Creditt? A. Yes, but both were standing on our porch.

Q. What did Edith Creditt say? A. She said she didn't like it on Second street, and was going to move just as soon as she could get a house.

Q. Was it during the time that you were talking to Edith Creditt, that Mary Perkins was talking to Julia Carroll? A. I could not remember that very much, because Edith stopped talking and I listened to Mary Perkins.

Q. You don't remember anything that Julia Carroll said? A. I can't remember what she said.

Q. You can't remember anything? A. No, sir.

Q. Do you remember her talking at all? A. Yes, sir; of course, I do.

Q. But you don't remember anything she said? A. No, sir; I do not.

Q. Is that all that Edith Creditt said? A. Well, I can't say that is all she said.

Q. Well, what else did she say? A. I really don't remember.

Q. You don't remember anything else she said to you, do you know she said something else? A. Yes, I had quite a conversation with Edith Creditt.

Q. You don't recall anything else? A. No, sir; I do not.

Q. How long were they there? A. Well, they were there quite a little while.

Q. Talking all the time? A. I think so.

RE-DIRECT EXAMINATION.

Q. What impressed you so as to remember these things that she did say was the fact that the next day she said she told about Snowden?

(Objected to; objection sustained.)

Q. What impressed these things on your mind so, as to what Mary Perkins said? A. Well, I heard so much talk about it and I certainly did hear her say, I certainly did hear her say it, but as I aforesaid, I didn't pay much attention to all she said, she was not talking to me, she was talking to Julia Carroll.

Q. Did Mary Perkins say anything the next day that caused these statements to be impressed on your mind?

(Objected to; objection sustained, re-examination of the witness.)

Q. Did Mary Perkins do anything the next day or say anything the next day that impressed this conversation on your mind?

(Objected to; objection sustained.)

Q. Not to you——

(Objected to; objection sustained.)

RE-CROSS-EXAMINATION.

Q. Where are you living now? A. Where do I live?

Q. Yes? A. I live at 39 North West street.

Q. Where were you living then? A. 39 North West street.

Q. The same house? A. Yes, sir; and I had been sick with inflammatory rheumatism and that is why I was not at work.

Q. Where does Julia Carroll live, right next door to you?

A. I really don't know her number but she lives right next door.

Q. The adjoining house to you? A. Yes, sir; I really never noticed her number.

Q. Don't she live catacornered across the street from you?
A. Who?

Q. Julia Carroll? A. No, sir; right adjoining house, I can hear her talking in her house and she can hear me talking in mine, the adjoining house to 39 North West street.

Q. What detective came to see you? A. Indeed I don't know, I could not say.

Q. Would you recognize him if you saw him? A. I don't know, I might and I might not; it was at night and I know he was a little short man.

Q. Was it this man (indicating)? A. Indeed I don't know.

(Examination concluded.)

MORGAN O. PARLETT, a witness of lawful age, called on behalf of the defense, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Brady): You are one of the firm of Parlett & Parlett? A. I am, sir.

Q. Do you know John Snowden? A. Yes, sir.

Q. How did you come to know him? A. He was employed by our firm.

Q. How long had he been working for your firm? A. About six years.

Q. What are his duties, what did he do? A. He drives a double team, one of our heavy deliveries, on Sundays, he is on the Sunday wagon at times.

Q. Heavy deliveries of what? A. Ice, coal and general merchandise.

Q. He does not go on the regular house to house wagon?
A. You mean the ice wagon?

Q. Yes? A. No, he does not, only on Sundays at times.

Q. On Sundays, who would he work with?

(Mr. Green): We don't see the purpose of this, it is an unnecessary consumption of time.

(The Court): Any object in it?

(Mr. Brady): Not at the present, I will withdraw it.

Q. Do you recall the night before he was arrested, or the day before he was arrested? A. Not the day before; no, sir.

Q. Do you remember when he was arrested? A. Yes, sir.

Q. Do you recall the evening before he was arrested? A. No, sir.

Q. Do you recall him having come to your office and having got some money? A. That was the day before the crime.

(Mr. Brady): I beg your pardon, I thought it was the day before the arrest.

Q. The day before the finding of Mrs. Brandon's body? A. Yes.

Q. What time was that? A. Well, he was in and out all day.

Q. What time did he come in there to get the money? A. That was about six o'clock.

Q. What did you pay him? A. Three dollars.

Q. Do you recall the denomination of the money you paid him? A. No, sir; I do not but it was paper money.

CROSS-EXAMINATION.

Q. Did he work on Wednesday, Mr. Parlett, the day after he got the three dollars? A. No, sir.

Q. Did you see him all that day? A. No, sir.

Q. When did he come to work again? A. Thursday morning.

Q. Did you say anything to him? A. Yes.

Q. What did you say to him? A. Jokingly, I accused him of the murder.

Q. What did he say? A. He say he didn't know the people.

(The Court): Didn't know what?

(Witness): Didn't know the people.

Q. Did you ever have any trouble with him down there?

(Objected to.)

(Objection sustained.)

Q. Is that all he said to you about it and all you said to him? A. Yes, sir.

Q. Do you know anything about his having been accused a short time before this of robbing an old man by the name of Henry Carman?

(Objected to.)

(Objection sustained.)

RE-DIRECT EXAMINATION.

Q. You say that you made that remark to him in a joking way? A. Yes.

Q. You had no reason to make that remark to him? A. Not one hit, sir.

Q. Did he show any effect, when you told him that? A. Well, no more than at any other time, when we teased him that way.

Q. You were in the habit of teasing him? A. Yes.

Q. When did he come to work Thursday morning? A. The usual time.

Q. How long did he work? A. Until that night.

Q. Did he come to work the next day? A. Yes.

Q. And worked until what time, when was the next time he stopped work?

(Objected to.)

(Objection sustained.)

Q. I will ask you whether he was working with you until the Monday when he was arrested? A. Yes.

Q. The last time that you saw him, what did he do, if you recall, the Monday of the arrest? A. He made the returns of what cash he had.

(Examination concluded.)

(Mr. Brady): I will now ask that Mary Perkins be called to the stand for the purpose of laying the foundation.

TRAVERSER'S THIRTY-SECOND 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 and thirty-first

bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness MARY PERKINS being recalled on behalf of the defence, testified as follows:

MARY PERKINS recalled.

(Mr. Hartman): Do you understand, before we go any further, that this is their witness, or is she still the State's witness?

(Mr. Brady): State's witness on cross-examination, something that came to our ears that we didn't know before and could not lay a foundation for impeachment.

(Mr. Hartman): We object to that; they are liable to keep on hearing something.

(The Court): I will hear the offer.

Q. (By Mr. Brady): Do you recall the Monday following the finding of Mrs. Brandon's body, dead? A. Yes, sir.

Q. Do you recall of having gone to the home of Mrs. Murray on Murray Hill or Franklin street, in the City of Annapolis? A. Yes, sir.

Q. Do you recall of having a conversation in the library of Mrs. Murray? A. Yes, sir.

Q. Now, I will ask the question direct, didn't you in that conversation with Mrs. Murray tell her that when you heard this noise across the street that there was not a soul or a person on the street, but there was a little before a vegetable wagon on the street from which persons were buying vegetables?

(Objected to.)

(The Court): I can't see—the Courts are always very much embarrassed in answering the question about reasons, I could give you the best reasons in the world for this ruling, but it is not proper for me to do it. A witness may be called back for the purpose of contradiction at any stage of the case, for the reason that you may get the most valuable information just before you close the case, the most valuable information

and it would be pretty hard if you could not have the benefit of it, because we know you can't say to a witness of the defense, "Didn't so and so say so and so," without first giving them the opportunity to say so. Now, I think in all cases full opportunity should be given when the counsel is actually surprised. In this question I can't see that it is of sufficient importance and I sustain the objection.

(Argument.)

(The Court): Let the jury retire for a few minutes.

(Note): Jury leaves Court room.

(Mr. Brady): Now, I want to make a statement, I won't say what Mrs. Murray had said to Mr. Green.

(The Court): I don't want to hear from either of you gentlemen what Mr. Murray said, because if you want to know what she said, one of you put her on the stand, because otherwise it would be hearsay. I tell you how I look at this. Of course, I don't know what you want to ask this witness. Now let me give you an illustration: Suppose that this witness made an altogether different statement to her from what she told the jury upon some point of value in reaching the death here. I think then you ought to have the opportunity to show it, but your question admits that she told Mrs. Murray that she heard a noise, admits that, and that is what she testified she did hear. Suppose she had told Mrs. Murray or that Mrs. Murray said she told her that she did not see anyone come out of that house—that she did not see any one come out of that house or that she heard no noise, or that she didn't see a little boy with a sack of flour on his back in the front of that house. You ought to have the fullest opportunity to contradict Mrs. Murray on questions of that kind. But I regard everything else included in your question in this case immaterial. Suppose she said what you say; I don't know what she meant by that; she might have meant she saw no one in the street proper, probably not have meant anybody on the sidewalk, it is too general; you ought to be more specific. I will have to sustain the objection.

(Question repeated.)

(Mr. Grason): We make the offer to show by Mrs. Murray that she did make the statement.

(The Court): The question with the offer, and objection to the offer will be sustained.

(Exception noted to both.)

To which ruling of the Court the traverser by his counsel excepted and prays the Court to sign and seal this his Thirty-second Bill of Exceptions, which is accordingly done this—

(Exception refused.)

F. I. D.

(Mr. Green): I would like to say this as long as the jury is not in. I want to make this statement; when Mrs. Murray was talking to me, was a request not to make her come back because her child had the pneumonia, and she was afraid to leave him any longer; she wanted to stay home to attend to that child, that is all Mrs. Murray talked to me about.

(Mr. Brady): Didn't she also tell you—

(Mr. Green, interrupting): No, she didn't tell me anything. She brought the information to me about the girls and I had not seen the girls.

(Note): Jury returns to court room.

(The Court): Any more questions you want to ask this witness?

(Mr. Brady): No.

(The Court): That will be all.

(Examination concluded.)

TRAVERSER'S THIRTY-THIRD 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 and thirty-second bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness JOHN M. TAYLOR, being recalled on behalf of the defense, testified as follows:

JOHN M. TAYLOR, recalled.

(Mr. Brady): My colleague tells me that you were asked the question on cross-examination that I intended to bring out.

(Mr. Green): Have I the right to ask him a question?

(The Court): He has not been asked anything.

(Mr. Grason): Can I bring him back and ask him a question now?

(The Court): Absolutely, if you tell me it is for something that you want to contradict or something you neglected to ask him?

(Mr. Grason): This is something about which there seems to be some confusion and I want to get it straightened out if I can.

(The Court): If there is any question that you omitted to ask him on cross-examination you may do it. He was the defendant's witness.

(Mr. Brady): No, sir; he was called by the State.

(The Court): You call him for the defense?

(Mr. Green): He was summoned by the defense and not the State, and when he had to trace the body we put him on the stand, and the defense has called him in their case.

(The Court): What did he testify about?

(Mr. Hartman): He is the undertaker from Annapolis.

(The Court): Oh, yes; let him ask the question.

(Mr. Grason): Mr. Taylor, how did you place the hands of the body, after it was placed in the casket?

(Objected to; objection sustained.)

(The Court): I can give you a picture of that myself.

(Mr. Grason): Suppose the witness now says that he didn't understand that or would like to explain it?

(The Court): You mean to say he didn't testify on the stand as he ought to testify.

(Mr. Grason): He didn't mean to give that impression, if that was the impression, that is not what he meant to say. He didn't understand that question in that way.

(The Court): Suppose you go back to Mr. Taylor's testimony and see what he said?

(Mr. Grason): Now, the question, the very last part of the question is ambiguous and we would like to have it straightened out, on page 74. The question was: "How was the hands of the body left, after you got through with it, across in front as they usually are? A. Yes, generally put them in, there is a slide that comes across and the hands put down at the side, and her hands, I remember, were down along the side, they were pretty rigid and were hard to bend and they were put down along the side, like this; one of them."

(The Court): Will you pass me the testimony?

(Note.—Testimony handed to the Court.)

(The Court): The answer I find upon investigation, is a little involved. I don't know whether the stenographer followed him or not; it is pretty clear, I understand it pretty well, but still there might be some ambiguity, and I think a question to the witness, repeating what he said, ask him what he means, will probably be all right.

Q. You can explain what you mean?

(Objected to; objection overruled; exception noted.)

To which ruling of the Court the traverser by his counsel excepted and prays the Court to sign and seal this his Thirty-third bill of exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

(Witness): I understand that to say that when I got the body how were the hands, and I said along the side. You called me back and I told you the hands were along the side, and blood had gotten on them and you asked me what I cleaned. I don't understand that question, of what it says about a slide. I remember saying there was a slide on there.

(The Court): What I want to get from you is when you put the body in the casket, how did you arrange the hands and arms?

A. The hands were down like this (indicating). There is a slide that comes over a casket that shows the bust and the hands were down like this (indicating). If you put a person in the casket with the hands up, the chances are the sides would force them up against the silk slide, that is, if you put them up like this; we do so when we put them in the casket, we fold them together, and we always put them in this position, so they won't come up the side, the side of the casket won't force them up above where they are supposed to lay.

Q. Why did you tell the Court when he asked you that question, Mr. Taylor, that the hands were on the side, you were speaking about the slide also at that time? A. Yes.

Q. What did you say, they were down at the side? A. Well, that is what I meant by the side, by being this way (indicating); I don't mean they were so that the casket would force the hands up against the slide. The usual position is not to leave them along the side, when I said along the side, I meant that position of her arm (indicating).

(Examination concluded.)

JOHN SNOWDEN (colored), a witness of lawful age, called on his own behalf, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Brady): How old are you? A. 28 years old.

Q. Where have you been living all your life? A. In Annapolis.

Q. Born there? A. Yes, sir.

Q. Ever go to school? A. Went to Standard School, I don't know how long. I don't know exactly how long, six months I guess.

Q. That is a public school? A. Yes, sir.

Q. After you left school what did you do? A. I went to work on an ice wagon.

Q. How old were you then? A. I guess about fifteen years old or sixteen.

Q. You have been working on an ice wagon ever since? A. Yes, sir.

Q. Off and on? A. Yes, sir.

Q. Who did you go to work for first? A. Mr. John Bazzell.

Q. How long did you work for Mr. Bazzell? A. I worked for Mr. Bazzell until about May.

Q. Why didn't you continue to work for Mr. Bazzell? A. Well, Mr. Parlett went into business and Mr. Flood went on Mr. Parlett's wagon and I left Mr. Bazzell's and went on wagon with Mr. Flood.

Q. Who have you been working for since you went on the wagon for Mr. Parlett? A. Who have I been working for?

Q. Yes? A. I worked with Mr. Flood.

Q. He was employed by Mr. Parlett? A. Yes, sir.

Q. Who employed you? A. Who employed me?

Q. Yes, you were working for Mr. Parlett? A. Yes, sir.

Q. How long did you work for Mr. Parlett? A. I worked for Mr. Parlett until these people arrested me.

Q. Up until the time you were arrested? A. Yes, sir.

Q. About how long was that? A. I don't know; five or six years.

Q. That is I understood you to say you have only worked for two persons, Mr. Bazzell and Mr. Parlett? A. Yes, sir; and I worked for Mr. Staley a little while.

Q. How long did you work for Mr. Staley? A. Not very long.

Q. How long? A. I went to work for Mr. Parlett and he laid me off, didn't have nothing for me to do and I worked for Mr. Staley until he was ready for me again.

Q. Work for anybody else in the meantime? A. I worked in a grocery store a little while, Mr. Anderson's.

Q. What time was that? A. I was a little boy.

Q. Before you went on the ice wagon? A. Yes, sir.

Q. Where did Mr. Anderson keep? A. On West street.

Q. How long did you work for Mr. Anderson? A. I don't know, not very long.

Q. What did you do in the store? A. I used to carry orders.

Q. Where were you living on Wednesday, August 8th last?
A. In Annapolis.

Q. Living in Annapolis? A. Yes, sir.

Q. On what street or place? A. In Acton lane.

Q. Where is Acton lane, in Annapolis? A. It is between Church Circle and the station.

Q. What street does it branch from? A. West street.

Q. Did you know Mr. or Mrs. Brandon before? A. No, sir.

Q. I was going to say before the 8th day of August, had you ever seen or known them, either of them? A. No, sir.

Q. Now, do you know where they lived? A. No, sir; I didn't.

Q. You don't know where they lived? A. No, sir.

Q. Have you heard since your arrest where they lived? A. I heard these people tell me they lived on Second street when I was in Baltimore.

Q. On Second street when you were up in Baltimore that they lived on Second street? A. Yes, sir.

Q. Was that the first time you knew they lived on Second street? A. Yes, sir.

Q. Now, tell me the location of where you lived on Acton lane as to Second street? A. It is two streets in between where I live and Second street.

Q. Now, I want you to try and recall to mind the day that Mrs. Brandon's body was found dead on Second street at her home? A. I didn't understand what you said.

Q. What time did you get up that morning? A. I got up, it was ten minutes after eleven when I got up.

Q. How do you recall the time? A. Because I have a clock sitting right at the washstand, right at the head of the bed and the clock was ten minutes fast and I judge myself from my own time, always keeping the clock ten minutes fast, it was eleven o'clock, the right time.

Q. After you got up what did you do? A. I put my clothes on, all except shoes.

Q. What kind of clothes did you have? A. I put these clothes on.

Q. The same clothes you got on now? A. The same pants and I had on a shirt something like this.

Q. Now, after you put on your clothes, what did you do? A. I brought my shoes in my hand and the clock downstairs and set the clock on the sink and sat down and put my shoes on and after I got through I washed my face, while I was wiping my face I called Edna and gave her \$1.90 and I kept \$1.10.

Q. You gave her \$1.90 and you kept \$1.10? A. Yes, sir.

Q. Where did you get that money from? A. I got three dollars from Mr. Parlett and spent fifty cents that night and was in a crap game and won fifty cents.

Q. Now, after you came down and gave that to Edna, what time was that as near as you can recall? A. What time I gave Edna the money?

Q. Yes? A. I don't know, I guess about twenty minutes past eleven.

Q. What did you do then? A. I sat down; I went in the kitchen safe and got a sandwich and sat down at the table and ate it.

Q. Then what did you do? A. Then I went out in the yard and after I came from out in the yard I come in the house again and fooled around the house a little while and then went and got my cap over top of the clock and put on my coat and cap and went around to my sister's and I saw Agnes on the steps.

Q. Who is Agnes? A. My sister's daughter, little girl.

Q. How large is she? A. About that tall (indicating), big enough to talk to you and tell you anything you want.

Q. Well, what time was that about? A. I don't know, about twenty minutes of twelve, I guess.

Q. Then what did you do, go ahead? A. I played around

the steps and then I went on up through the lot, across the lot out through Second street.

Q. How long were you playing with the child? A. Just about five minutes.

Q. Now, after you left there where did you go? A. I went across the lot.

Q. Across the lot, what lot? A. Right there by Preacher Williams' house.

Q. Is there a vacant lot there? A. Yes, sir; from Van Sant and you go around right to the lot and here is the lot on this side (indicating).

Q. Was there a common passage-way there for persons generally? A. Yes, sir.

Q. Then where did you go? A. I went out through Second street; when I got up there by Preacher Williams first I saw him on his porch, the back porch, stooping over, like he was picking up something, I don't know what he was doing and I bowed my head to him and when I got up on Second street there were two ladies across the street, one on her porch and one on the other and just before I got across the street Della calling Mutts Dorsey and I looked back and kept on up the street.

Q. Well, who did you see, any one? A. I saw a wagon out in the street, as I was going up past Preacher Williams', there was a wagon standing there.

Q. Anybody there? A. I didn't take notice who was on the wagon, I didn't see no one on the wagon.

Q. Then what did you do? A. I kept on up the street until I got to where Mrs. Baker was and she was standing on the porch and she spoke to me and she said to me, didn't you go to work this morning, and I said, no, I had overslept myself and she said, you fellows work right hard down to Parlett's and I kept on down the street.

Q. Did you know Mrs. Baker? A. I carried coal for her when working for Mr. Bazzell and carried soft drinks up there when I worked for Mr. Parlett.

Q. Do you know her otherwise, know any of her people? A. Mrs. Baker has a daughter that works down to the office as bookkeeper.

Q. What office? A. Mr. Parlett's office.

Q. Then you went where? A. Over to Mr. Martin's bar; I didn't go right in, I stood there and was talking to Joe Green on the outside.

Q. About what time was it when you reached there? A. When I got to the bar?

Q. When you talked to Joe Green? A. I don't know, we didn't stand there so very long; we stood there and talking.

Q. Tell me about the time? A. I guess about seven minutes of twelve or something like that.

Q. Then what did you do after you finished talking to Green? A. I went in the bar and Pink Johnson came in the back way from the railroad track and I asked him would he have a drink and he said yes, and he said what time is it and I said five minutes of twelve.

Q. Any one else in there you knew? A. Smoke Aston, but his right name is Frank Aston.

Q. Any one else? A. William Harry Ireland, I think was working for Mr. Martin then.

Q. See Tobe Spencer? A. Tobe came in afterwards.

Q. Treat him? A. Yes.

Q. What did you treat him to? A. A bottle of beer, all three of us had a bottle of beer.

Q. How long did you stay in Mr. Martin's after you got through drinking? A. We stood there a long while until the mule fell down on the outside and then went out and got the mule up.

Q. Where was the mule? A. Down by Tom Dove's.

Q. Where is Dove's place? A. Mr. Dove lives a little way from Washington street, between the Church and Washington street, right across the street from Washington street.

Q. He was below Martin's A. Yes, sir.

Q. Then what did you do then? A. After got the mule up went back to the bar again and before I went in the bar I stopped and lit a cigarette at the post; I had a cigarette stump in my mouth about that long (indicating); I lit the cigarette and a fellow came across—I took him to be Green, because I spoke to him for Green.

Q. Not Joe Green? A. No, sir; because he was in the bar.

Q. Was that the Green on the stand here? A. I took it to be him.

Q. You saw a man go across the street and thought it was Green? A. Yes, sir, and spoke to him and went on in the bar.

Q. About what time was that? A. I don't know, I didn't notice the time; I was not timing myself.

Q. How long did you stay in the bar there? A. I stayed in there until about one o'clock or half past one before I went on.

Q. What caused you to stay in there that length of time? A. Well, when I go in Mr. Martin's bar I generally hangs around there when on the street, when not working.

Q. What were they doing in there? A. Joe Green and another fellow were playing a game of pool and I was standing there looking at the pool game.

Q. Did you take anything to drink at that time? A. No, sir; I stood there and looked at the game.

Q. You stayed there until one or half-past one? A. Yes, sir; I guess about that time.

Q. Where did you go? A. I went home.

Q. You went home? A. Yes, sir.

Q. When you went home, what did you do? A. I asked Edna if she was going to eat with me and she said go ahead and eat and she was upstairs and I ate myself and went upstairs where she was at and she was sitting on the side of the bed.

Q. Go ahead? A. And she got up and sat in the chair and then I went over by the bureau and I don't know what I did over there and came back and asked her what was the matter with her and she said she was going to the hospital and I asked her what for and she has not told me what for yet.

Q. Then what did you do? A. Then I pulled my shoes off and laid across the bed and looked at books.

Q. How long did you stay there? A. I stayed home all evening until that night.

Q. Then what did you do that night? A. I went downstairs and got my supper.

Q. What time was it about? A. I don't know, it was dark, about seven or eight o'clock.

Q. When and where were you when you first heard that Mrs. Brandon had been found dead? A. I had been out on the street; I had been up to the bar to get ten cents worth of beer and was sitting down there drinking beer and went up stairs to get cigarette and heard Mrs. Rachel Hill telling Mrs. Alice Brown.

(Adjourned for recess.)

JOHN SNOWDEN, continuation of the direct examination of Snowden, taken at Towson, Maryland, on Wednesday, Jan. 30th, 1917. Examination of Snowden by Mr. Brady:

Q. When was it that you first heard of the death of Mrs. Brandon? A. I heard Rachel Hobbs calling to some one across the street about it.

Q. Where were you then? A. At home.

Q. Where? A. Upstairs.

Q. Whereabouts upstairs? A. At the front window.

Q. Did you hear Rachel Hobbs? A. Yes, sir.

Q. Now, tell us just what you did that night? A. You mean going out that evening?

Q. After you heard this woman tell some one across the street about Mrs. Brandon's death, I want to know what you did from that time, as far as you can recall? A. I called to Edna and told her. Edna came to the front door, and I looked out the front window. After looking out the front window for a while, I came down stairs and sat in the front door.

Q. Go ahead? A. I sat in the front door and went to sleep.

Q. Did you leave the house that evening? A. No, sir.

Q. What time did you go to bed? A. I don't know the exact time that I went to bed. I laid in the front door and slept a while.

Q. What time did you get up the next morning? A. I got up the next morning about half past six, and went to work.

Q. How long did you work? A. I worked all day.

Q. Until when did you work for Mr. Parlett? A. I worked for him up until Monday.

Q. Which one, which Monday? A. When these people arrested me.

Q. Where were you when they arrested you? A. I had been up town carrying some ice, and was in front of the ice house watering my horses. They came along, pulled me off the wagon and arrested me.

Q. Who was there? A. At the wagon?

Q. Yes? A. Mr. Lee, that man sitting in the middle there, and that man sitting over there (witness indicated two men sitting in the court room).

Q. When they took hold of you, what did they say? A. That man there wanted Chambers to carry some ice up to his house. Chambers wanted to know whereabouts his house was, and he asked him where it was. I asked him, too. That man there pulled me off the wagon, and I asked him what he wanted.

Q. Which one pulled you off the wagon? A. That man sitting there with his legs crossed (indicating), and he told me to come up the street with him. I had some money that belonged to Mr. Parlett, I carried it in to him, he counted it and saw that it was right, and then I went with these men. They carried me to the Court House.

Q. What time did they take you to the Court House? A. I don't know exactly what time it was. It was in the evening. I know that I had carried some ice up to the freight station, and I had to hurry to get it there before the station was closed. I had to hurry to get the ice there before five o'clock. I carried the ice there, the man signed the way bill and I paid him the freight. Then I took some ice down on Washington street, and stopped in Martin's saloon with Chambers and got a drink.

Q. What did you do after you got the drink? A. I came back to the fountain, and then these men arrested me.

Q. About what time was that? A. It was about five or ten minutes to six o'clock.

Q. When they carried you to the Court House, in what part did they take you? A. Down inside in the basement. Mr. Green can tell you where they brought me. That was the first time I was ever in there.

Q. That was the first time you ever were in the Court House?
A. Yes, sir.

Q. Did they take you to the Sheriff's office? A. I don't know.

Q. They carried you into a room? A. Yes, sir; and these two gentlemen were sitting at a table, and then one of them got up and went out.

Q. Who was in there when you first went there? A. That gentleman there (indicating); that gentleman sitting there (indicating); and that gentleman sitting back there in the corner (indicating) I think.

Q. Who else was there? A. Mr. Lee was in the other room with Chambers.

Q. How long did you remain there before you went anywhere else? A. I wasn't in there very long.

Q. How long were you in there before anyone else came in? A. Not so very long.

Q. Who came in then? A. Mr. Green.

Q. How long did you stay there? A. Not so long, but it was light when I went in there; and, when I went away it was dark.

Q. Where did you go after you left the Court House? A. I got into an automobile and went to Baltimore.

Q. Where did they carry you when they took you to Baltimore? A. Up into a big brick building, but I don't know the name of it.

Q. Was anything said there, did you stay there long? A. I stayed there and waited for some men to come. I stayed there with Mr. Sullivan.

Q. He was the sheriff of Anne Arundel County at that time? A. Yes, sir. After I had been in the room, I guess, about twenty or twenty-five minutes, the men came. After they came in the room, they talked to me. I was standing on my feet, and they were sitting side to side. After that they put me in the police wagon and carried me to the watch house, I guess.

Q. How long did you stay in the watch house? A. All that night.

Q. Until what time? A. The next morning.

Q. Tell us what they did the next morning? A. The next morning those gentlemen came and got me, and carried me back to a building. They took me down in the basement and gave me my breakfast. Then they carried me to an office where three men were. I was there with those three men all that day.

Q. Tell us what those men did. Describe, as near as you can, what was said and done to you during the time you were there?

(Mr. Green): I object.

(The Court): Was it after he came from Annapolis that it is said that he made a statement?

(Mr. Brady): Yes, sir.

(The Court): He can testify to anything that took place before he made that statement.

(Mr. Grason): The statement of the 15th.

(Mr. Green): He first made a statement on the 13th.

(Mr. Grason): He made a statement to Mr. Doherty on the 15th.

(Mr. Green): The statement to Mr. Doherty was given on the 13th; and to Kratz and Pohler on the 13th; and the one to Deputy Marshal on the 15th.

(The Court): He can testify to anything up to the time the statement was made.

Q. Do you know what time they carried you to this building and into this room? A. That morning.

Q. What time that morning? A. I don't know, I guess about nine o'clock.

Q. Tell us what was done with you in that room? A. When they carried me in the little room, they gave me my breakfast. There were three or four other men inside there too.

Q. How long did you stay in that room eating your breakfast? A. I was in there a right good while before they carried me in this other room.

Q. What was done to you or what was said to you in the room where you ate your breakfast? A. Nothing.

Q. What was done to you or said to you in that other room where they carried you? A. They carried me into the next room and sat me close to the table.

Q. Show us exactly how you sat at the table? A. I sat close to the table in a chair like this (indicating). The chair was here and the table here (indicating), and there were arms on the chair that went under the table like that (indicating).

Q. Come over to this table here and show us how you were seated? A. The chair I had had arms on it, and I was up against the table like this (indicating), the arms of the chair went under the table. I sat at this table and talked to the three men.

Q. Where were these men standing? A. I was at the corner of the table like this; one man was standing there at the side (indicating right side); one man was sitting on the other side of the table, and the other man was standing behind me.

Q. Now, tell us just what they did? A. They had me against the table, and they talked to me like this (indicating). They kept a talking and a talking to me, and I talked and talked to them. By and by they pulled the chair back and I fell on my knees like this (indicating); and the man there (indicating on right) shoved a gun against my head and the man back of me hit me on the top of the head; and then they would put me in the chair again, put me up to the table and do the same thing again. They did that all the evening. They made me take off my pants and sweater, my top shirt and my undershirt. Then one of the men went out and came back with a half a pint of whiskey. He sat it on the table, and told me

to take a drink. I asked him for a glass to drink out of, and he said I didn't need any, to drink out of the bottle. I drank a little bit, and he told me to drink some more, and I did. Then he carried it back and put it on a shelf. Then they commenced talking to me again in about five minutes. Then the man brought the whiskey back, and said that I had drank his whiskey. I said that I didn't drink it until he gave it to me. Then he said you take it and drink it, and laid the gun on the table. I looked at the table, I looked at them, and then I grabbed the whiskey and drank it.

Q. How long was that kept up, Snowden? A. About five or ten minutes they kept fooling like that.

Q. How long did they put you through that, Snowden? A. All day, except when they got the whiskey.

Q. What else did they do? A. They took me from there and carried me into another little room in another part of the building, and there they made me take off my shoes.

Q. Go ahead? A. They told me to take my shoes off; and, after I had taken my shoes off, they put a coat something like this on me, and told me to sit down in a chair. I sat down in the chair with a coat on something like this. Then they took me out of the chair, and put me on a little scales, then they made me put my heels against the side of a wall, like this; and, after I had put my heels against the wall, they made me stretch up like this (indicating). I don't know what they did to me when I was against the wall, and then a man measured my head with a little rule; then he told me to open my mouth and he measured my teeth; then he carried me in another little room about so long and told me to put my hand on a black stone, and he put that on a piece of paper. There were some other things, but I can't think of all of them.

Q. They did that after you were arrested? A. Yes, sir.

Q. What time did you leave that building? A. That evening.

Q. About what time, have you any idea? A. It was not dark, it was summer time and it was light.

Q. Where did they take you? A. Back to the watch house. I went over there in an automobile.

Q. Did you have any dinner that day? A. No, sir; not that day.

Q. They carried you back to the watch house? A. Yes, sir.

Q. Did you stay there all that night? A. Yes, sir; I stayed there all that night.

Q. The next morning what did you do? A. They came back the next morning and got me, this gentleman here.

Q. Where did they carry you? A. Back up to the same place.

Q. What did they do that day? A. They sat me at the table, and commenced talking to me and hitting me on the head like they had done before.

Q. What did they do to you there then? Don't say the same as the other day, but what did they do to you on the second day? A. They did the same things to me as the first time, except the whiskey.

Q. They didn't give you any whiskey that day? A. No, sir.

Q. Do you remember what they did to you? A. They sat me at the table and talked to me. While I was talking, they would pull the chair away from the table, and I would fall down, they would poke the gun back of my head and hit me over the head. They said they were going to shoot, and I was afraid of all three of them. They would put me back in the chair, and I would say: "Please don't shoot me, I haven't done anything."

Q. How long did that go on? A. Part of that day, not all day. Then they carried me back to a little cell inside the building. In there I waited until that evening.

Q. Then what did they do? A. They took me out of there, carried me back into the room again, and then Edna came up there.

Q. Edna Wallace? A. Yes, sir.

Q. What was done then, follow along as near as you can? What took place, tell us everything that was said and done to

you? A. This man with the bump on his face said: "We are going to bring some one into that room there; and, if you say anything to them, we are going to shoot you." Then I went in there, and Edna came in. He brought Edna in, and she sat down. Mr. Lee and that other gentleman was there. They told me to start, and I commenced telling them, as near as I could, about the truth. Then I was taken out of the room, and Edna was left in the room.

Q. Then where did you go? A. I sat outside.

Q. Outside where? A. In the other part of the building.

Q. Then what was done with you? A. That gentleman sitting there in the corner was with me.

Q. Was anything else done? A. That gentleman there was inside with Edna.

Q. Go ahead, what else took place? A. They carried me in again, and brought me out. Then they carried me back to the little cell, I stayed there for a little while, and then they carried me back to the watch house for the night.

Q. Now, when you were in the sheriff's office at Annapolis, whom did you talk to there? A. Mr. Green.

Q. Just describe, as near as possible, how Mr. Green talked to you, where Mr. Green was and how he talked to you? A. When I first went in there, Mr. Green was not there. He came in back of me in a little while. After Mr. Green came in, he sat down, and I was as close to him as I am to this gentleman here (indicating stenographer). Mr. Green asked me where I was on Wednesday, and I told him at home; he asked me how I came to Second street and I told him; he asked me if I saw Preacher Williams on his front porch, and I told him no; he asked me if I stopped in Second street, and I told him no. He shook his pencil to me, and asked me if I didn't see Preacher Williams on his front porch, and I said no. He shook his pencil at me just like that. He asked me if I saw two ladies coming out of a lady's house or standing on the porch, and I told him that I did not see any ladies. Mr. Green was talking to me, and by and by Mr. Green went into another room and left me in that room.

Q. Did Mr. Green say anything to you about being your friend? A. Yes, sir. He said that he was a friend of mine, and I said he was a friend of mine since I had been carrying stuff up to him. He shook his pencil at me and said: "Ain't I a friend of yours," and that is what I said to Mr. Green.

Q. Was anything else said or done to you there? A. Mr. Green got up and went into another room, and I sat in the room where they carried me. I was in the dark, the electric lights had not been turned on. Then I went in the other room and stood by the door. They brought Chambers in. He was in front of me, I was behind Chambers; and two more men were brought in. Sheriff Stinchcomb brought in two more fellows and they were standing by me near the door. When I came in there, I stood by the door; and Lillian Queen said that is the man I saw; and her sister said: "He works on Sanders' ice wagon." Then they turned me around and carried me back to near about the door, then they brought me back to the door; and again they carried me away. When they brought me out, I had handcuffs on, they put me in an automobile and brought me to Baltimore.

Q. She said that you were the man who worked on Sanders' ice wagon? A. Yes, sir.

Q. Were you working on Sanders' ice wagon? A. No, sir; I was working on a wagon by myself with Chambers.

Q. Yours was a heavy wagon? A. Yes, sir, a heavy coal wagon.

Q. Were you ever in the Brandon home in your life?

(Mr. Green): I object.

(The Court): I think that is all right, Mr. Green.

A. No, sir.

Q. Were you ever in the Brandon house in your life? A. No, sir.

Q. I understood you awhile ago, and I want to satisfy myself that my recollection is right, to say that you never saw Mr. and

Mrs. Brandon in your life? A. No, sir; not until I saw him sitting here and saw him talking.

Q. Did you ever deliver ice in small quantities years ago on that street? A. I used to deliver ice five years ago on that street.

Q. But not since then? A. No, sir.

Q. In small quantities? A. No, sir.

Q. Not from an ice wagon, but from a general delivery wagon? A. No, sir.

Q. How long has it been since you worked on such a wagon? A. Not since I worked on the uptown wagon, about four years ago.

Q. Did you work on the Sunday wagon, the regular delivery wagon? A. I took my own wagon and carried ice to the ice wagon; and after that to the hospital and the Maryland Hotel.

Q. Did you have anything to do with death of Mrs. Brandon? A. No, sir.

Q. Did I understand you to say that, when you went across the lot from Acton lane, you went direct towards the Williams' house? A. Yes, sir.

Q. How did you get to Second street? A. I came right up the hill.

Q. Nothing there but a hill, it is not an easy hill, is it? A. It is a kind of a slanting hill like that (indicating).

Q. There is quite a depth there, is there not? A. Yes, sir; it is a steep hill.

Q. Did you say that you saw anyone across the street, across Second street, a woman or two women across the street?

("This question was objected to by Mr. Green and the objection was sustained.")

Q. Where were these two women? A. One was on Edgar Ireland's porch, and one was on the Carroll porch.

Q. One was on the Ireland porch, and one was on the Carroll porch? A. Yes, sir.

Q. Where is the Ireland porch? A. Between the Fletcher and Carroll porches.

Q. And below Morris street? A. Yes, sir.

CROSS-EXAMINATION.

Q. (By Mr. Green): John, these gentlemen took your picture in that room, didn't they? A. At Annapolis?

Q. No, in Baltimore, down in that basement you spoke of. I mean just what I asked you? A. I didn't get what you said.

Q. Those gentlemen took your picture down in that room in the basement, didn't they? A. I can't say that they took my picture. I sat in a chair like I was told to do, but it didn't look like they were taking my picture. I put my hand on a black rock for them.

Q. You mean they took your finger prints, you put your hand on a stone and then a man put it on the paper, that is what was done with you down there? A. Yes, sir; I guess so.

Q. Do you see the man standing here who took your finger prints and measurements? A. No, sir; he was not in the room.

Q. He was in the room where you put your hand on the stone, wasn't he? A. Yes, sir.

Q. You went into that room? A. Yes, sir.

Q. Was he in the room at the time you spoke of when these things were done to you? A. No, sir; he was not in the room.

Q. What room was he in? A. He was in the room where they carried me.

Q. What room was that? A. This room where the stone was.

Q. Where was he standing? A. I didn't see him the first time they took me in there that evening.

Q. I want to find out where the room was where your finger prints and measurements were taken? A. They took me out of the room where they had me, and took me in the room where the stone was. It was a kind of a marble stone place.

Q. You didn't go upstairs or downstairs, it was on the same floor, was it not? A. Yes, sir.

Q. Don't you know what they were doing when they stood you against the wall? A. No, sir.

Q. They put a rule over your head and took your height, did they not? A. I didn't see any rule.

Q. They told you to stand straight, did they not? A. Yes, sir; they told me to stand straight.

Q. They told you to stand straight? A. Yes, sir; and put both heels against the corner of the house.

Q. They put you on the scales and weighed you, did they not? A. Yes, sir.

Q. Why did they do that? A. They were anxious to know my weight, my inside weight.

Q. When they took you in the next room, what did they do? A. In the same room, they made me stand against the wall. In the other room, I put my hand on a stone and then the man put it on the paper.

Q. How were these men dressed, those down there? A. I didn't notice their clothes.

Q. You didn't notice any of their clothes at all? A. No, sir.

Q. You don't know whether they had uniforms on or not? A. No, sir; I didn't see any uniforms.

Q. How did these men look? A. Ordinary men, just like other men.

Q. Take one of them and describe him to me, tell me what he looked like? A. How do you mean, I don't understand you.

Q. I want you to describe to us what you saw about him? A. He was an ordinary man about like——

Q. Never mind telling us who he looked like, describe him to us? A. He was an ordinary man.

Q. He was an ordinary man? A. Yes, sir.

Q. Were all of them ordinary men? A. One man was standing and one man was talking to me.

Q. Was the man standing talking to you? A. Yes, sir.

Q. He was the one that was talking to you? A. There was a man over there in a corner doing all the writing.

Q. That was the man in the corner, and the man you were talking to was standing? A. Yes, sir.

Q. He was in the room? A. Yes, sir.

Q. While they were doing all these things to you? A. Yes, sir; this man that was talking to me, and only these other two men.

Q. There was a man sitting in that room, wasn't there? A. Not in that room, in the other room where I was brought; and the other two men were out of it.

Q. Describe the men in the first room where you were? Tell us what kind of men they were? A. When I was brought from the watchhouse that morning, the men in the room where they carried me?

Q. Yes? A. One man was a big man, and one man had a bump on his face.

Q. That man was on the stand and testified? A. Yes, sir; the man with the bump on his face sat here.

Q. That was Deputy Marshall House? A. Yes, sir.

Q. The gentleman that testified, the one with the bump on his face, testified; and that is the one you mean? A. Yes, sir.

Q. He was one of those down in that room there? A. Yes, sir.

Q. Who was the other one? A. The other one was a big man, a little bit bigger than that gentleman there.

Q. Bigger than Mr. Hartman? A. Yes, sir; and he had a long gray mustache.

Q. You mean the one the man with the bump on his face called Marshall? A. I don't understand you.

Q. Were only those two there with you? A. No, sir; there was another little and younger man there.

Q. Describe him? A. He kind of favored this gentleman here; he made three there.

Q. Then there were three of them down there in that room? A. Not in this office, the first place that they carried me that morning.

Q. Where was that, tell us that again, what are you speaking of now? A. When they first brought me from the watch-house that morning, they carried me to a little room in the basement and gave me my breakfast; and then they took me in the room where the table was, as I have said before.

Q. Were you the only one eating breakfast there? A. I was the only one the boy brought breakfast to. After that they took me and carried me to the room where the three men were.

Q. Carried you out of there and carried you to an office? A. Yes, sir; and these three gentlemen were sitting in it.

Q. Describe that office? A. It was not such a big office, and first they took me through a room where there were benches or chairs arranged like for a court room.

Q. Was that the same room where you saw Edna and John? A. No, sir; that was in a little or smaller room, not in the big room.

Q. That was down where you ate breakfast? A. No, sir; I didn't say it was there.

Q. Did they take you upstairs to that office? A. No, sir; we came right out straight on the level from where we were. We went right around on the level, and there were not steps.

Q. You didn't go downstairs at all? A. No, sir; only went downstairs to get into the patrol wagon.

Q. You went down steps to the patrol wagon? A. Yes, sir.

Q. It was not in the basement of the building then, was it? A. It looked like that to me. I called it a basement.

Q. You had to go down steps to get to the street, did you not? A. Yes, sir.

Q. And getting in there, you had to go up steps, did you not? A. We came in one way and went out another.

Q. In going there, you went up steps, didn't you? A. Mr. Green, I would come in one side of the building, and they would carry me out another side.

Q. They carried you right out on the street, did they not? A. Yes, sir; and we came down steps.

Q. You had to go down steps to get on the street, did you not? A. Yes, sir; a few steps.

Q. And you had to go up steps to get in there, didn't you? A. Yes, sir.

Q. That is not a basement, is it, John? A. I called it a basement.

Q. What makes you call it a basement? A. That is what I call it.

Q. You don't mean it was a basement, you don't mean it was below the ground, do you? A. I didn't say it was below the ground. I know that it was all level when you got on the inside.

Q. You had to go up some steps from the street, and you not? A. Not so many.

Q. But you had to go up some steps from the street didn't you? A. Yes, sir; two or three.

Q. You went up some steps from the street, to get into the building, did you not? A. Yes, sir.

Q. And, after you got into the building, everything was on the level? A. Yes, sir; there were not steps after you got into the building.

Q. When you went into that room, the man with the bump on his face was standing, was he not? A. Yes, sir.

Q. And there was an elderly gentleman with a big gray mustache there, wasn't there? A. Yes, sir.

Q. And the other man you described as being bigger than Mr. Hartman? A. That was the man with the mustache, and then there was another man there.

Q. That other man, describe him to me? A. The one with the bump on his face?

Q. I want you to describe the other one? A. I could not tell you exactly what he looked like. If you will let me look at some one else I might tell you what he looked like.

Q. I want you to describe him to me. You saw him, didn't you? A. Yes, sir.

Q. Well, you look at him? A. Yes, sir.

Q. Now I want you to describe him to me? A. I would like to look at some one else, and tell you what he looked like. He looked like the other man, but he didn't have any mustache.

Q. He was smooth shaven, and didn't have any mustache? A. No, sir.

Q. What else did you notice about him? A. He had clothes on.

Q. What kind of clothes did he have on? A. Two of them were dressed alike.

Q. Which two? A. The man with the bump on his face, and the other man.

Q. Which one am I talking about? A. It is the other man you are talking about.

Q. Were the suits exactly alike? A. The suits were something alike, they were summer suits.

Q. Were they dark suits? A. They were black, dark blue or something like that.

Q. What color hair did they have? A. Black hair, I think; but I am not sure about that.

Q. Didn't one have light hair and one black hair? A. The big man had light hair.

Q. I am talking about the other two men, didn't one of them have black hair and the other one light hair? A. I didn't notice their hair very much.

Q. Which one was it that hit you on the head? A. The big one hit me on the head, the little one put the gun back of my head like that; and the man with the bump on his face did the questioning.

Q. The same men were upstairs with you and Edna and John Green, were they not? A. It was in that same room.

Q. At the same time? A. When he hit me?

Q. When they had Edna and John there? A. Yes, sir; these same three and Mr. Lee.

Q. Did Mr. Lee see it? A. He didn't see him hit me. After they brought Edna into that room, there were four of them there.

Q. No one hit you while Mr. Lee was there, did they? A. No, sir.

Q. You say he pointed the pistol at you when you were hit; how was the pistol pointed? A. With his hand like that (indicating).

Q. That was all they did to you, wasn't it? A. They pulled me out of the chair.

Q. Which one pulled you out of the chair? A. The big man pulled the chair out.

Q. The one with the gray mustache? A. Yes, sir; the one with the big gray mustache. The one with the bump on his face just did the talking.

Q. He didn't do anything to you, did he? A. He did the questioning, and the other two cracked me on the head and poked the gun against my head.

Q. You answered his questions, did you not? A. No, sir; I didn't answer the questions. He asked me what he wanted me to tell him.

Q. You answered his questions, didn't you? A. Yes, sir; what he asked me.

Q. As far as you know, you answered truthfully, didn't you? As far as you could, you told him the truth when you answered these questions, didn't you? A. Yes, sir; and he kept after me all the time.

Q. As far as you could, you told him the truth, didn't you? A. Yes, sir.

Q. As far as you could, you answered the questions he asked you and told him the truth, didn't you? A. Yes, sir.

Q. What time did you leave your house in Acton lane? A. When did I leave home?

Q. What time on that day did you leave your house in Acton lane? A. At quarter to twelve.

Q. That is what you told him? A. Yes, sir.

Q. Didn't you say that it was twenty minutes to twelve when you got to your sister's house? A. My clock is ten minutes fast, and that made it twenty-five minutes to twelve when I left home.

Q. That made it twenty-five minutes to twelve when you left your home? A. Yes, sir.

Q. When you say that you left home, twenty-five minutes to twelve was the correct time that you left, wasn't it? A. I was timing myself by my own clock.

Q. Twenty-five minutes to twelve was the correct time you left your house, was it not? A. I was timing myself by my own clock, and that said quarter to twelve when I left the house. I was taking my time by my own clock.

Q. Your clock was ten minutes fast, was it not? A. Yes, sir.

Q. It said the time was quarter to twelve, when the correct time was twenty-five minutes to twelve, didn't it? A. Yes, sir.

Q. You say that you spent five minutes at your sister's house? A. Yes, sir.

Q. And then you went direct from there to Martin's saloon? A. No, sir; I went across the lot and first came to Second street and then I went to Mr. Martin's.

Q. When did you get to Martin's, five minutes to twelve, wasn't it? A. I didn't go right in the bar when I got there.

(Mr. Grason): That is not the testimony.

(The Court): He said that he spoke to Young outside the barroom at seven minutes to twelve; and, when he got into the barroom, it was five minutes to twelve.

Q. But you did get into the barroom at five minutes to twelve, didn't you? A. Yes, sir.

Q. That is right, is it not? A. Yes, sir.

Q. Now, when you went into Martin's bar, it was what time, and what time did you stop outside? A. It was seven minutes

to twelve when I stopped outside. I didn't look at the clock until I got into the bar.

Q. You were only guessing at the time outside, were you not? A. Yes, sir.

Q. Was that the time you saw John Green? A. No, sir; that was not until after I had been in the bar, gone out and helped to get the mule up and come back. I lit a cigarette, and saw a man whom I thought was John Green, but John says it was not.

Q. You asked the man, whom you saw at that time, to take a drink, didn't you? A. No, sir; not in the bar.

Q. Didn't you ask him to come in and get a drink? A. No, sir.

Q. What time did you get up that morning? A. When I first woke up, it was twenty minutes past seven; but I didn't get up then.

Q. When you first woke up, it was twenty minutes past seven? A. Yes, sir.

Q. What time did you go down and eat breakfast? A. I didn't eat any breakfast that morning, any more than a sandwich. I got up at ten minutes past eleven.

Q. Was Edna upstairs then? A. She had been downstairs, but she was upstairs when I got up.

Q. Coming back after you had left Martin's and had helped to get the mule up, you came back home at what time? A. About half-past one or one o'clock, between that time.

Q. (By Mr. Brady): When you say Edna, whom do you mean? A. Edna Wallace.

Q. You are living with her, are you not? A. No, sir; she is living with me.

Q. What was the condition of Edna at that time? A. She was in a family way.

Q. She was talking about going to a hospital to have her baby, was she not? A. Yes, sir; because she told me that I did not treat her right, and at the hospital she could get better attention.

Q. She told you she was going to the hospital, didn't she? A. Before that day she told me she was going to the hospital.

Q. You asked her what for on that day, and she didn't tell you? A. No, sir.

Q. She had already told you that before that day, hadn't she? A. She told me one time that she was going to the hospital, and again she told me what she was going for. Some times people change their minds about why they are going places, and you have to ask them to find out.

Q. You hadn't spoken to her for three weeks, had you? A. No, sir; we hadn't spoken for three weeks, the first time was that morning.

Q. John, when I saw you in the Court House, didn't I ask you if you would tell me where you were, didn't I tell you that you didn't have to tell me if you didn't want to; but, if you wanted to, I would like you to tell me? A. No, sir.

Q. Wasn't that before I asked you any questions? A. You told me to tell you where I was on Wednesday, and I told you at home.

Q. You knew you didn't have to tell me that, didn't you? A. Yes, sir.

Q. You knew what you were saying, didn't you? A. Yes, sir.

Q. You knew that I was State's Attorney, didn't you? A. Yes, sir.

Q. There wasn't any concealment about anything of that kind, was there? A. No, sir.

Q. Without saying anything to you, according to your statement, I asked you where you were on Wednesday? A. Yes, sir; where I was, where I had been and whether I had been through Second street, and I told you.

Q. I asked you whether you were working that day, did I not? A. Yes, sir; you did.

Q. And what did you tell me? A. I told you that I was home.

Q. What time did you tell me you got up that morning? A. Ten minutes past eleven.

Q. Didn't you tell me that you got up at twenty minutes past seven that morning? A. I told you I woke up at that time, but I didn't get up then.

Q. Didn't you tell me that you got up at twenty minutes past seven that morning? A. No, sir.

Q. You didn't tell me that? A. No, sir.

Q. What time did you tell me that you left the house? A. I told you that I left home at quarter to twelve.

Q. Didn't you tell me that you left home at quarter to eleven? A. No, sir; I was asleep at quarter to eleven.

Q. Didn't you tell me that you left home at quarter to eleven? A. No, sir; I did not.

Q. You did tell me that you saw Mrs. Florence Baker on the corner and talked to her, didn't you? A. Yes, sir.

Q. You talked to her, did you not? A. Yes, sir.

Q. You did tell me that you didn't see any one on the preacher's front porch, didn't you? A. Yes, sir.

Q. You told me that no one was on the preacher's front porch, didn't you? A. I said that I did not see anyone.

Q. You said that you didn't see anyone on the preacher's front porch? A. Yes, sir.

Q. You say now that you did not leave the house until quarter to twelve, and that you went down Second street before twelve o'clock? A. I left home at quarter to twelve.

Q. That is by your clock. What was the right time? A. Twenty-five minutes to twelve.

Q. And you went down Second street before twelve o'clock? A. Yes, sir.

Q. You know that Fletcher said he was on Williams' front porch talking to him until after twelve o'clock, don't you? A. I know the time I left home, I saw that time.

Q. You didn't see any one on the preacher's front porch, did you? A. No, sir.

Q. Did you see any one talking from the street to any one on the front porch? A. I didn't see any one talking from the street to the front porch.

Q. You didn't see any one in front of Williams', did you? A. I didn't see any one as I came down the street. If I didn't choose to look, I couldn't see them, could I?

Q. You were in Martin's twice that morning before that, weren't you? A. No, sir.

Q. What time did you get there? A. When I got there, it was five minutes to twelve.

Q. Wasn't it before twelve? A. No, sir.

Q. Hadn't you been there before that morning? A. No, sir.

Q. Did you go there again that afternoon? A. No, sir.

Q. You know Mr. Railley, Mr. Martin's bartender, don't you? A. Yes, sir.

Q. He says that you were there twice that morning, and got some beer wrapped up to take home? A. I didn't carry any beer home that morning. I only went out to help get the mule up, and then I came back.

Q. Weren't you there before twelve o'clock? A. No, sir.

Q. He was in there when you came there at twelve o'clock, wasn't he? A. Yes, sir.

Q. He was there then? A. Yes, sir.

Q. He said that he was not there at twelve o'clock? A. He was there when I came there, and I was there at twelve o'clock.

Q. You did not go there that day before twelve o'clock, get two bottles of beer wrapped up to take home, and bring the empty bottles back before twelve o'clock? A. No, sir; I didn't get any bottles of beer wrapped up there that morning. All the beer that I carried away was inside me, what I drank.

Q. Did you take any bottles of beer home that morning? A. I sent some home Tuesday night.

Q. Is that all the beer you sent home? A. No, sir; on Mondays and Wednesdays, Mr. Martin sends around for his empty bottles, and also another day. I know that he sends for empties three times a week.

Q. Had he been there that Wednesday morning for empty bottles? A. I don't know, sir.

Q. Had he been there, so far as you know, up to the time you left? A. I don't know what time of the morning he goes there. I don't know whether he had been there that morning or not.

Q. John, you say that you never saw Mr. and Mrs. Brandon at all? A. No, sir.

Q. And you have never been at the house at all, the Brandon house? A. I have never been there at all.

Q. You have never been at the Brandon house? A. No, sir.

Q. You never carried wash there for Edna? A. No, sir.

Q. And you have never been there to get wash? A. No, sir.

Q. You never knew that Edna was washing for them, and you never carried washing there or brought it from there? A. I didn't know that Edna was washing for them.

Q. Didn't you tell me that Edna had been washing for them, but had stopped washing for them? A. No, sir.

Q. You didn't tell me that? A. No, sir; I told you that Edna washed for Mrs. Carter, Mrs. Freeman, and for a lady living on Market street; and that I got clothes for Edna down at Mrs. Alberts'.

Q. Didn't you tell me that you knew she washed for some one on Second street? A. No, sir.

Q. Where did you go Tuesday night? A. I went to the bar-room.

Q. What time did you go home Tuesday night? A. Near twelve o'clock.

Q. You went home near twelve o'clock? A. Yes, sir.

Q. Did you go home before twelve o'clock? A. It was near about twelve o'clock when I came up Washington street.

Q. Where had you been? A. In a crap game.

Q. What time did you get into the crap game? A. I went into the crap game near about half-past eleven.

Q. What time did you leave the crap game? A. I wasn't in it very long, it broke up. The game broke up, there wasn't much money in it. The game lasted as long as the money lasted, and then it broke up.

Q. Where did you go then? A. I came down to the corner and stayed there a little while.

Q. Where else did you go? A. I went home then.

Q. Weren't you in Martin's barroom at five minutes to twelve on Tuesday night? A. No, sir.

Q. Didn't you buy two bottles of beer and send them home by Tobe Spencer at five minutes to twelve? A. No, sir; that was before twelve o'clock, and Tobe came down to the corner.

Q. What time did you give the beer to Tobe? A. About half-past eleven.

Q. Didn't Mr. Railley sell you two bottles of beer at five minutes to twelve, and you got Tobe Spencer to take them home for you? A. I was not in there then.

Q. What did you tell Tobe to tell Edna? A. I told Tobe, if Edna asked where I was, to tell her I had gone out on the truck. Me and her would get to fighting if she knew about the crap game.

Q. How much money did you spend in Martin's barroom? A. When I went there I had \$2.40, no \$2.90.

Q. Which was it \$2.40 or \$2.90? A. \$2.90.

Q. What kind of money was it? A. Two one dollar bills; and a fifty cent piece or three quarters, and some other change. I just don't remember how the change was.

Q. Where did you spend the other part? A. The ten cents?

Q. Yes? A. Down at Mr. Pattison's bar when I first got off.

Q. John, didn't you have the crap game before you went to Martin's saloon, and weren't you there at five minutes to twelve? A. No, sir; it was after I was there that I was in the crap game.

Q. Didn't you tell me that you went home at 10:45 or quarter to eleven that night, and never came out of the house any more? A. I went home when I first came from work.

Q. Didn't you tell me that you went home at 10:45 or quarter to eleven that night, and never came out of the house any more? A. No, sir.

Q. You didn't? A. No, sir; because at eleven o'clock I was on the street.

Q. I know where you were now? A. No, sir; I was on the street at eleven o'clock.

Q. So it was before the crap game that you were at Martin's saloon? A. Yes, sir; before I went into the crap game.

Q. And you were not in there after the crap game? A. No, sir; I didn't go to the barroom any more after the game. I was on Washington street after the game, and at the corner of Clay and Pleasant streets, but I didn't go back to the barroom.

Q. How much money did you spend in Martin's bar? A. Forty cents.

Q. How much money did you give Edna the next morning? A. One dollar and ninety cents.

Q. Why did you tell Tobe to tell Edna that you had gone out on a truck? A. If he told her that I was down in Washington street in a crap game, she would come down there and fight with me.

Q. Did you tell him where you were going? A. Yes, sir; and I told him to tell Edna that I had gone out on the truck.

Q. Edna says that it was not until some time after twelve that you got home? A. It was after twelve when I got home. When I got home, it was a little after twelve. I had to come from Washington street to Acton lane to my house.

Q. Now you guess it was a little after twelve when you got home? A. Yes, sir; as I didn't notice the time.

Q. Edna says that it was long after twelve o'clock when you got home? A. No, sir; it wasn't long after twelve when I got home.

Q. Isn't it a fact that you stayed out all night, John? A. No, sir; I am not laughing, Mr. Green, I can't laugh.

Q. You didn't leave Martin's bar at five minutes to twelve? A. No, sir; I was not at Martin's bar at five minutes to twelve.

Q. Who did you drink with there? A. Tobe Spencer.

Q. Weren't they getting ready to close when you left? A. No, sir.

Q. Wasn't it near about closing time when you left? A. No, sir; and Tobe knows they were not getting ready to close when we left.

Q. What time did you tell me you had the crap game? A. I don't know that I told you any particular thing about the crap game.

Q. Didn't you tell me any time about the crap game? A. No, sir.

Q. Didn't you tell me that the crap game was at half-past ten? A. No, sir.

Q. Whereabouts was the crap game? A. At Clay and Pleasant streets.

Q. Who was there? A. Loving John, John Franklin, Walter Young and myself.

Q. Whereabouts was that game? A. In front of the store on the corner.

Q. What time was that game? A. About half-past eleven.

Q. Didn't you tell me that it was half-past ten? A. No, sir; and it wasn't at half-past ten.

Q. You didn't tell me that it was at half-past ten? A. No, sir.

Q. John, do you recall the night you were arrested? A. Yes, sir.

Q. What night was it? A. It was a Monday night.

Q. Do you remember being in an office in the Court House that night, when you made a statement to me? A. I don't know what you mean by a statement.

Q. I mean what you told me about that Wednesday? A. I told you the same as I told anyone else.

Q. You remember telling me about it, do you not? A. Yes, sir.

Q. You recall who was present there, don't you? You saw Mr. Pohler there, didn't you? A. Yes, sir; he was one of those sitting at the table.

Q. You saw Mr. Kratz there, didn't you? A. He was in and out there.

Q. He was in and out there, was he? A. Yes, sir.

Q. Did he come back there, after going out? A. He was there when you first carried me in there.

Q. Was he there when you were talking to me? A. I had my back turned to him when he went out, and I don't know whether he came back or not.

Q. Mr. Doherty was there, wasn't he? A. Yes, sir. He was talking to you, and you were talking to me. He talked to me, and you told him to wait a minute.

Q. Now, I want to ask you this. Didn't you tell me on that night that you got up at twenty minutes past seven in the morning, fooled around the house and left the house about quarter to eleven. Didn't you tell me that? A. No, sir; I told you that I woke up at twenty minutes past seven that morning, but that I didn't get up then.

Q. And, when you went over the lot to Second street, you went down Second street towards West street, didn't you tell me that? A. I told you that I went through Second street. I had to cross the lot to get through Second street.

Q. (Mr. Grason): What time did you tell him that was?

(The Court): This is cross-examination now. If you want him to tell what time he told Mr. Green, you can ask him that on re-direct examination. Don't interfere with the cross-examination.

Q. Didn't you tell me that you got to Martin's saloon at five minutes to twelve? A. I told you that I got into the bar at five minutes of twelve.

Q. Didn't you tell me that you got to Martin's saloon at five minutes to twelve? A. I said that I got to the bar at five minutes to twelve. I didn't say that I got there at five minutes to twelve.

Q. Didn't you tell me that you got to Martin's saloon at five minutes to twelve, that is what I want to know about? A. I told you that I got into the bar then.

Q. Didn't you tell me this in the presence of these gentlemen? A. I told you that I got to the bar at five minutes to twelve.

Q. You told me that you got into Martin's bar at five minutes to twelve? A. No, sir; I didn't tell you that I got there at five minutes to twelve. I said that I got into the bar at five minutes to twelve.

Q. Didn't you tell me that you saw no one on Florence street except Mrs. Florence Baker? A. No, sir; I didn't tell you that. I told you that I saw Preacher Williams on his back porch, and I saw two ladies across the street on porches, one on one porch and the other on another porch.

Q. I am asking you if you didn't tell me that Mrs. Florence Baker was the only person you saw on Second street? A. No, sir; I didn't tell you that I saw any one.

Q. Didn't you tell me that you knew Edna was washing for the Brandons? A. No, sir.

Q. John, I am asking you if you didn't tell me all of these things on the night of your arrest in the office in the Court House at Annapolis in the presence of these men, and I am not saying anything to you that you do not understand. What I am asking you is if you didn't make these statements on that occasion? A. I don't understand you.

Q. You understand what I am asking you. I asked you these things on the night when you were arrested in the Court House. You say that you didn't make them, and I am asking you if you didn't make them at that particular time? A. No, sir.

Q. You understand what I am asking you, do you not? A. I don't understand what you mean, sir.

Q. At what time are you answering me and telling me whether or not you said these things? I am asking you whether you told me these things or not? A. The first night that I saw

you in the office, I didn't tell you anything about Edna washing for any one?

(Mr. Green): I presume that he understands what I am talking about?

(The Court): I don't think there is any question about that.

Q. Did I ever talk with you at any other time except on that night? A. No, sir.

Q. Did I ever talk with you on any other occasion except that night? A. No, sir; you never talked with me any more. Most of the talking to I got, I got in Baltimore. You did not have much to say to me.

Q. How many were there when you were carried into the other room, how many of you were there all together when you were brought into the room and the girls identified you as the one they saw coming from the house? How many boys were there? A. I don't know. I saw Chambers, Herman Diggs, another fellow and myself. Also the sheriff and the detectives.

Q. There was another colored man there besides yourself, Chambers and Diggs? A. Yes, sir; there was another colored man there.

Q. You don't know the other colored man's name, do you? A. No, sir.

Q. Do you know who that other colored fellow was? A. No, sir.

Q. You don't know who he was? A. I might have known him, but I didn't take pains to look at him.

Q. You didn't look at him? A. I saw him standing there, but I didn't size him up.

Q. Don't you know Tom Lomack? A. I don't think so.

Q. Don't you know Tom Lomack or Tom Greene? A. I don't think I do.

Q. You don't know Tom Lomack? A. No, sir.

Q. I mean the man who does house cleaning? A. Do you mean Fitty Tom?

Q. Not Tom Johnson. You know him, don't you? A. No, sir.

Q. I mean Tom Lomack, the old man who house cleans? A. I don't think that I do.

Q. You don't know Uncle Tom? A. No, sir; I don't think I do.

Q. What did the girls say? A. I was in the room there, and was standing at the door. One of them said that is the one, that I was the one. The other one, Edith Creditt, said: "That is the one next to the door, he used to work on Mr. Sands' ice wagon." After she said that, they took me away.

Q. How many times did they carry you in that room? A. In the same room?

Q. Yes? A. The first time they brought me in, I stood at the door; and then they carried me out of the room, and then carried me back to the door.

Q. So that you were in that room twice? A. I went into the room once, and then to the door like this (indicating).

Q. You mean to say that you didn't go across a hall to go to that room? A. No, sir.

Q. You didn't go across a hall? A. No, sir; I just moved across the room. There was a hall when we came out of the two rooms. I just went into another room.

Q. Didn't you cross a hall to go into another room? A. I didn't see any hall.

Q. You went right out of one door into the other room? A. Yes, sir; I went right out of the door into the other room.

Q. How many times did you go out of that door into the other room? A. I went into the room while the women were

there, and stood in the door. Then you took me back, and again you carried me back almost to the door.

Q. You were walked across the room, and then brought back to where the women were, were you not? A. No, sir; the women were sitting like that when I came into the room, and one of them says that I looked like the man and her sister said that I was the one who used to work on Sands' ice wagon.

Q. Did she use words "used to work on Sands' ice wagon"? A. She said: "Works on the ice wagon with Mr. Sands."

Q. Did she use the words "used to work on Sands' ice wagon"? A. She said: "Works on the ice wagon with Mr. Sands."

Q. That was a long time ago, was it not? A. She said it that night.

Q. It has been a long time ago since you worked on an ice wagon carrying ice, hasn't it? A. Yes, sir; with Mr. Sands.

Q. It has been a long time since you worked on an ice wagon with Mr. Sands, has it not? A. Yes, sir.

Q. How long has it been? A. That I could not say.

Q. You knew Edith Creditt, didn't you? A. I knew both of them.

Q. Did you ever deliver ice to Edith Creditt when you were with Mr. Sands? A. Yes, sir; when I was with Mr. Flood and with Mr. Sands too.

Q. How well did you know them? A. I only knew them from carrying ice to them, and I knew the other one when they went to the Catholic school.

Q. That is, you knew the other one as a little girl? A. Yes, sir; Lillian Queen, when she went to the Catholic school.

Q. You didn't go there, did you? A. No, sir; I went to the Stanton school.

Q. And you only went to the Stanton school six months, didn't you? A. Yes, sir.

Q. You never visited them at their home, did you? A. No, sir; I have never been at their house.

Q. And you have never been out with them anywhere, have you? A. No, sir.

RE-DIRECT EXAMINATION.

Q. (By Mr. Brady): You told Mr. Green that you went out Second street after having left your home on Acton lane. What time was it that you went out there?

(Mr. Green): I object, he has already answered that question.

(The Court): He may answer that question. On direct examination, he gave the time as shown by his watch; and, on cross-examination, he gave the correct time. On that theory, he may answer the question.

(Mr. Brady): There is some misunderstanding about the time he went out there.

A. I left home at quarter to twelve by my clock, and my clock was ten minutes fast.

Q. Was that the only time that you were on Second street that day? A. Yes, sir.

(Examination concluded.)

TRAVERSER'S THIRTY-FOURTH 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, thir-

ty-second and thirty-third bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness MRS. RACHAEL E. STEWART, called on behalf of the defense, being first sworn, deposes and says:

MRS. RACHEL E. STEWART, a witness of lawful age, called on behalf of the defense, after having been duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Brady): Where do you reside? A. 194 East Port, Annapolis, Maryland.

Q. 149 what street? A. 194 First street, Eastport, Annapolis.

Q. What is your occupation? A. State licensed maternity nurse.

Q. How long have you been practicing? A. I have been practicing nursing for about twelve or thirteen years, but I have not had my State certificate that long.

Q. You have not had your certificate that long? A. No, sir; because I was under training under Doctor Carpenter and Doctor Parker before I went to Johns Hopkins, before I could get my certificate.

Q. Have you much experience in attending women?

(Objected to.)

Q. What has been your experience during the twelve years? A. My experience has been very broad, very wide experience, I nursed among the Naval people there at Annapolis, the majority of my work lays with the Navy people; I handle a great deal of work with the city doctors, but I am assigned to a great deal of work in the Naval Academy and also on the outside practice, but the enlisted men's wives there I handle a great deal of work for them and a great deal outside of the enlisted men's wives; I work all of East Port, South River, Annapolis and in Baltimore and Washington and go in and out and over

the West Annapolis and East Port and all around the country, I have a team that I go in.

Q. How many women do you think you have attended during the twelve years, pregnancy cases? A. I can't say exactly, but I can tell the number of visits I have made last year.

Q. Give an idea? A. I handled quite a number, because in the year 1916, there were a great many married men here in the Navy and I handled them; I can't tell you, I have a record at home.

Q. Give an idea? A. I have handled, I can tell you this much, the day Mrs. Burch's baby was born. Doctor Haden and I handled five births that one day and I have handled as high as nine a week.

Q. Did you know Mrs. Lottie Brandon? A. I did.

Q. How long had you known her? A. I can't recall just now exactly how long I had known her, but I was nursing some friends around and was introduced to Mrs. Brandon as being in a delicate state and that she wanted a nurse and these people said they had recommended me to Mrs. Brandon and Mrs. Brandon came to see me.

Q. How long was that, before the 8th of August, when her body was found dead? A. I really could not tell you exactly, Mr. Brady.

Q. Two weeks, or three weeks or four weeks? A. No, it was longer than that; I might say a month or six weeks, to my best ability.

Q. Had you talked to Mrs. Brandon and advised with her, when she told you of her condition and how she was affected? A. I did advise her.

Q. What did she tell you that she was suffering with?

(Objected to; objection sustained.)

Q. Did you visit her frequently during that time? A. I did.

Q. How many times? A. From the time I was engaged in the case, my usual way of calling on my patient is from the time they become to a certain stage in their condition I call on them twice a week; my calling days on Mrs. Brandon were Tuesdays and Fridays of the week, but if I was busy on those days I called on Wednesday or any time I could get to call, but my usual calling time was twice a week.

Q. When was the last call that you made on Mrs. Brandon?
A. My last call on Mrs. Brandon was the Thursday previous to the death.

Q. Did she tell you how she was suffering?

(Objected to.)

(The Court): Give me an authority on that?

(Mr. Brady): I can't, not directly.

(Objection sustained.)

Q. What, if anything, did Mrs. Brandon say to you regarding her trouble?

(Objected to; objection sustained.)

Q. I only want her physical trouble?

(Objected to; objection sustained.)

(The Court): I think you can go so far as to say that complaints were made, if they were.

(Mr. Brady): What is that?

(The Court): I think you can go as far as to say complaints were made, but not what they were.

(Witness): They were.

(Mr. Green): Now, never mind.

(Witness): I beg your pardon.

Q. Did Mrs. Brandon tell you anything?

(Objected to.)

(Objection sustained.)

Q. Did Mrs. Brandon ask you what to do when suffering with certain symptoms?

(Objected to.)

(Objection sustained.)

(Mr. Brady): Note exception to those.

Q. Have you had any experience with eclamptic patients?

(Objected to.)

(Objection sustained.)

(Exception noted.)

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

(Signed) FRANK I. DUNCAN. (Seal)

TRAVERSER'S THIRTY-FIFTH 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 and thirty-fourth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness RACHAEL E. STEWART, continuing, says:

Q. You recall the evening of August 8th, when the body of Mrs. Brandon was found dead? A. I do.

Q. Who called you, if you know, who first told you of it? A. My daughter, I was in Wardor, I had a patient and my daughter called me and said there was a case on West street and I had better try to get over as soon as possible, that Mrs. Fenton had called and I told her as soon as possible I would get there, as soon as I could handle my patient.

Q. Tell who called you there? A. That is what I am trying to explain who called me and how I got there, there were several calls; Mr. Brandon, my daughter said, was so excited that he called and my daughter called and I got my call through my daughter.

Q. You got the call by phone and went there? A. Yes, sir.

Q. What time did you arrive there? A. Twenty minutes of six o'clock.

Q. Who was in the house when you reached there? A. There was Mr. Brandon, he was on the couch in the living room, Mrs. Sarles and Mrs. Burch were also there, there were other ladies down there; I went through to the bedroom where Mrs. Brandon's body was on the bed and Mr. Green was there, Doctor Joyce and Doctor Welsh was there.

Q. Who is Doctor Welsh? A. He is one of the physicians in the city.

Q. Is Doctor Welsh of Annapolis? A. Yes, one of the doctors in Annapolis. That was all that were in the room when I went in the bed room.

Q. Now, describe as minutely as possible everything that you did after you went in there and what you saw? A. When I entered in Doctor Joyce said, Mrs. Stewart, this is too bad and I said yes——

(Objected to.)

Q. Tell what you did and saw? A. I am trying to get to what I did. I then laid my hand on the forehead and found

she was dead and I said, Doctor, what has happened here, and he made the reply, I won't say what reply, and then—can I say I was asked to do these things?

Q. Just what you did? A. Well, then, I took the body by the knees and turned the body from the left side on the back; the body was lying in this position (indicating) with the head turned towards the left, and the hands clinched; I took the knee—one knee was bent up very much and the other knee was partly straightened; I took the knee that was bent up very much, of course it was stiff and I pressed it over and when I did so, why then I made an examination of the head. I reached for a hair pin out of my own head——

Q. Say what you did then? A. There was a wound in the forehead nearer to the left side about along here (indicating) as near as I can recall, I presume it was about that long (indicating); I reached to my own hair to get a hair pin to see how deep that was; the thought struck me not to touch the hair, I walked over a little distance from the bed and on the dresser were hair pins on the tray, I presume they were Mrs. Brandon's——

(Objected to.)

(Witness): I picked up one of the hair pins and walking back to the bed and took the blunt end, that is the head, and put it down in the wound to see how deep it was and I found——

(Objected to.)

(The Court): She is simply telling you what she did.

Q. Was Dr. Joyce there at the time? A. Dr. Joyce and Dr. Welsh both were there.

(Mr. Green): Was I there?

A. You were in the kitchen as far as I can remember, I didn't see you in there.

Q. Did you do that at the suggestion of the doctor? A. I did.

Q. Go ahead and tell the depths of the wound that you noticed? A. The hair pin didn't go very far into the wound so I laid the hair pin down again.

Q. What was the size of the wound? A. I think I tried to state just now.

Q. The length? A. The length of the wound, it was a long wound, I might say about an inch, three-quarters of an inch long or an inch long.

Q. Now, go ahead, now you indicated by your finger how deep the wound was, will you be so good as to tell how deep it was? A. The length of the wound I said was between three-quarters to an inch long, and the depth of the wound was not but very little.

(Objected to.)

(The Court): She can give it as she saw it.

(Mr. Brady): The doctors won't give us anything. I am trying to get Mrs. Stewart to give us something.

(Witness): The hair pin didn't go very far in the wound, I can't say how deep the wound was and would not. But I did see when I put the hair pin in it was not very deep, it didn't seem to go deep into the wound.

Q. What else did you find on the body? A. I found on the body on the right knee a scar, to the left a little I found another scar, that was further down, if I can remember distinctly, it was further down the side of the limb or the shin, near the shin bone, that was the left limb. I found on the foot, if I am not mistaken, on the left foot, over top the instep, a scar. I found on the face a few scratches, I might say, on the neck I found nails, prints of nails, as if they had been——

(Objected to.)

(The Court): Describe the marks you saw.

A. Just as I found them, they looked to be nail prints of fingers.

Q. Were they very large, or very small, when you saw them?
A. When I saw them when Mrs. Brandon was on the bed they didn't look to be so awfully large.

Q. Awfully large, would you be so kind as to tell what you mean by that? A. Well, I mean this, that they might be a large woman's hand or a small hand of a man.

(Mr. Hartman): We move to strike out that answer.

(The Court): I think, gentlemen, that is a little too fine. I will strike that out.

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

FRANK I. DUNCAN. (Seal)

Witness RACHAEL E. STEWART, continuing, says

Q. Now, can you give a further description of those marks, can you describe them as to size, do you know what an eighth of an inch is? A. I do.

Q. Do you know what a quarter of an inch is? A. Yes.

Q. Now, can you give that as to measurement, what size they appeared to you when you saw them that evening? A. You mean the depth, I scarcely know how to answer that because I have been objected to to describe how the fingers were on the neck.

Q. Just a size, was it an eighth of an inch, a quarter of an inch or an inch?

(Objected to.)

(The Court): Let the lady describe, she has the idea.

A. The finger prints that I found in Mrs. Brandon's neck were nail prints down into the neck as if they had been——

(Objected to.)

(The Court): Just what you saw, how far apart were they?

A. You mean the finger nails on the neck?

(The Court): You are describing how far apart they were.

A. I might say in this way (indicating). Fingers like that (indicating).

Q. Were those marks oblong?

(The Court): Let her describe them.

A. I tried to do it the best I can. Of course, you all know the finger nails are round, they are not oblong.

(Objected to.)

(Witness): Well, I can't answer that question.

(The Court): The point now is, she is testifying to what she saw. If I found a wounded man, I am no doctor, but I can say whether a cut was a half inch long or three inches long. What you want to find out is what you saw. Describe the wounds that you saw; don't give any conclusions or illustrations about them.

A. I just say that there were finger prints in the neck.

(Objected to.)

(Witness): I don't know what else to say.

Q. Can't you describe how those marks looked, how they looked on the throat or neck? A. I can.

Q. You can? A. I can, I can describe how the fingers were on the neck.

Q. Well, describe the marks? A. Well, the marks on the neck were pressed back.

Q. How long were they? A. I don't know.

Q. Did you observe the dresser of the chiffonier or the bureau and other furniture in the room? A. I did.

Q. Will you tell me what you saw on the bureau? A. I can.

Q. Now, kindly describe what you saw on the bureau? A. The hair pins in the tray, comb and brush, and a bill laying by the tray; what kind of a bill that was, I am not capable of saying.

Q. What do you mean by saying it was a bill, money, what was it? A. I am not capable of saying how much it was, and some other little things lying around on the dresser.

Q. Did you see anything else there? A. I can't recall just now whether I did.

Q. What? A. Comb and brush.

Q. Don't get excited, try to recall what you saw on the bureau? A. A tray and some little odds and ends laying around.

Q. What was the condition of the hair? A. The hair was wrapped around the neck, the hair was down, wrapped around the neck.

Q. In order to see the wound on the neck you would have to remove the hair? A. I did.

Q. Now, I want you to tell me what you did at the suggestion of Dr. Joyce regarding the examination of the parts, of her parts? A. Through the direction of Dr. Joyce, I turned the body as I have stated; I put the hair pin in the wound; Dr. Joyce told me to open the legs; I took the knee that was the stiffest, that is the highest knee, bent the highest, and I shoved that aside with both my hands for Dr. Joyce.

Q. What did he do? A. He took his hand and laid it on the thigh, the left thigh and kind of pulled it aside.

Q. What did Dr. Joyce say then?

(Objected to.)

(The Court): If you want to contradict something that Dr. Joyce said at the time, it is certainly not part of the *res gestae*.

(After argument.)

(The Court): Did he make any statement to the lady?

(Mr. Brady): No, sir; Dr. Joyce was one of the most unsatisfactory witnesses I ever saw on the stand.

(Objected to.)

(The Court): No, that is not right. There is not any trouble about this at all. If Dr. Joyce made a statement at any time different from what he testified on the stand, then he should have been asked on cross-examination, if he didn't make that statement in the presence of that lady, then if he said no, he did not, then you could put her on the stand and give her the question that was asked the Doctor, and have it contradicted; that is the rule as I understand it.

Q. How long did you remain at the home that night, Mrs. Stewart? A. From twenty minutes of six o'clock until five minutes of three o'clock in the morning.

Q. Now, would you be so good as to tell us whether or not you made an examination of the little flat that night, the Brandon flat or apartment.

(Mr. Green): At what time?

(Mr. Brady): At any time.

A. When I entered into the little home, of course, I had to go through the living room which was straight except the couch that Mr. Brandon and the ladies and gentlemen were all around, I don't know whether that was upset or not. I went through to the bedroom and as far as I could see there was nothing upset. Mrs. Brandon's body was lying on the bed at the foot of the bed. May I ask a question just now?

(Mr. Grason): Yes.

(Witness): Should I go on to say what I saw?

(Mr. Grason): Yes, say what you saw, describe in detail?

A. The body was lying on the bed, at the foot of the bed the head was——

(The Court): You went over that. We want the other part of the flat described?

(Mr. Brady): The furniture, etc.?

A. The furniture was all in place, I saw nothing upset whatsoever so far as I could see, I went through the kitchen, and in the center of the floor were two saucers sitting in one another; I took my foot, my right foot, and moved those two saucers to the side a little. On the table there was laying a white cloth, that was in the kitchen and near to the end of that table there were three dishes, a plate, a good sized vegetable dish and a small dish, they all three sat in one corner; the table cloth was to the end of the table as if some one had——

(Objected to.)

(The Witness, continuing): The table cloth was back; I saw the refrigerator on one hinge; the refrigerator being very small; there was one hinge; the top hinge of the refrigerator door was broken off; the door was wide open; the top of the refrigerator where the ice goes in sat up, it was open. The chairs were in place. I noticed nothing out of place only standing up by the stove, the range, was one low quartered shoe; that low quartered shoe sat up with the heel against the stove, and the toe down to the floor. I went out on the back porch and noticed nothing unusual there because it was a little dark.

Q. What is that? A. I noticed nothing unusual out of way on the back porch, but it was dark. In the bedroom where Mrs. Brandon's body laid I noticed on her bed where she laid a white spread that was folded about that square (indicating), that laid between four to six inches away from her head or facing the kitchen door, her face faced the kitchen door, and this white spread laid about four to six inches away from her face.

Q. Was that spread in order do you know? A. It was folded and laid there folded.

Q. What if any clothes were on the bed? A. Nothing was on the bed that I noticed, but the body of Mrs. Brandon laying on a sheet and a pillow.

Q. Was there any pillow there? A. I will take that back, I won't be positive.

Q. Did you observe the sheet Mrs. Stewart near where her feet were? A. Yes, sir.

Q. What was the condition? A. It was not out of place, that was rumpled sort of near the feet; it was rumpled near the feet.

Q. Did you go down the cellar? A. I did not go down in the cellar.

Q. Did you notice whether or not the cellar door was open?

(Objected to.)

(The Court): If she noticed the cellar door and its condition. Did you notice the cellar door?

A. I did.

(The Court): What was its condition?

A. It was open.

Q. Now, Mrs. Stewart, I will ask you again what Doctor Joyce requested you to do when he was examining the body and what did you do?

(Objected to.)

(The Court): She already testified to what she did. You want to renew the above question?

(Mr. Brady): Yes, sir.

(The Court): You want to know what the Doctor said when she was examining the body?

(Mr. Brady): That was what I was asking. I want to know what she said.

(The Court): I think she said, he put his hands on her limb outside and then the question was what he said?

(Mr. Brady): Yes, sir.

Q. Did you say anything further? A. I did not say anything further.

Q. Did you look? A. I did.

(Objected to.)

Q. I will ask you whether or not there were any hair pins in Mrs. Brandon's hair when you first saw her? A. None that I saw.

Q. Was the hair dressed? A. It was not, it was around the neck.

CROSS-EXAMINATION.

(Mr. Green): Mrs. Stewart, you made a very careful examination of that bed, didn't you?

A. Of the bed?

Q. Of the bed? A. I noticed, Mr. Green, everything about the bed because I was there so long.

Q. You can't say whether a pillow was on that bed, can you?
A. No, sir; Mr. Green, I can not say that.

Q. You don't know whether there was a pillow on that bed?
A. As far as I can remember her head, she had no pillow under her head.

Q. Did you notice that the pillow laid at the head of the bed where her feet were, did you or not? A. You mean at the head of the bed?

Q. Yes, where her feet were? A. I can't say positively.

Q. Did you notice or not whether her feet had crumpled up that pillow at the head of the bed? A. No, I did not.

(Objected to.)

(Mr. Green): I am trying to test her.

(The Court): It is cross-examination.

Q. Do you not recall she had one foot under that pillow?

A. No, sir; I do not, she had one foot from under that pillow.

Q. You don't? A. No, sir.

Q. What condition was the body in when you saw it, you say it was cold, what other condition? A. It was cold, laying over on the left towards the left side, I said in my testimony that the body was in this position (indicating), lying over towards the left side with the face towards the kitchen door; the hands clinched all that way (indicating); the right knee stiff and very much drawn and the left knee partly straightened out.

Q. The limbs were cold and stiff? A. Yes, they were.

Q. Do you know what rigormortis is? A. Yes.

Q. Was that the condition of her limbs? A. Yes.

Q. You mean to tell this Court and jury that in that bed in that condition you took those limbs and pulled them apart?

A. Mr. Green, I took the limbs this way (indicating); they were sort of propped up; one foot sort of propped up, and I took the limbs with both of my hands and pulled them apart.

Q. You did that? A. Yes, I did; yes, sir.

Q. Who was present? A. Dr. Joyce.

Q. Who else? A. And Doctor Welsh was where the head was laying at the foot of the bed.

Q. Doctor Joyce and Doctor Welsh asked you to make this examination? A. No, I didn't say Doctor Welsh did.

Q. I misunderstood you then? A. I didn't say that Doctor Welsh asked me to make any examination; I said Doctor Welsh was present, going in and out of the rooms, the same as you

were, Doctor Green; first in one room and then the other, backwards and forwards to the bed.

Q. I was not present? A. No, you were back in the kitchen.

Q. Was Doctor Welsh present then? A. Doctor Welsh was at the foot of the bed.

Q. He was standing at the foot of the bed; do you know of any official position Doctor Welsh holds in Anne Arundel County? A. Yes, sir.

Q. What is it? A. You mean as a physician.

Q. No, what else is he besides a physician? A. He is a justice of the peace.

Q. When you reached the house, Mrs. Stewart, were there many people there? A. Quite a number, quite a crowd on the outside.

Q. Many on the inside? A. In the front room there were a few ladies and Mr. Brandon and some men.

Q. Anybody in the kitchen? A. No one in the kitchen; you were in the bed room and Doctor Joyce and Doctor Welsh and three ladies in the bed room.

Q. Where were Mrs. Burch and Mrs. Sarles? A. They were in the living room with Mr. Brandon by the couch.

Q. These people were all there when you reached there? A. Yes, they had been there previous to my getting there.

Q. Of course, you don't know or pretend to know what was done or happened before you got there? A. No, sir.

Q. You don't know whether, of course, the furniture had been put in place? A. No, sir.

Q. Or whether the cellar door was open? A. No, sir; I do not.

Q. Or whether the refrigerator was open? A. I do not.

Q. Any ice in the refrigerator? A. No, no ice in the refrigerator.

Q. Did you see any ice? A. I saw no ice anywhere.

Q. How did you get out on the back porch? A. From the kitchen right through.

Q. How did you get the kitchen door open? A. The back door was open when I got there.

Q. How were the blinds when you got there, in the kitchen?
A. The blinds were down, I presume both blinds drawn about that far from the window (indicating).

Q. The saucers were on the floor? A. Yes, sir.

Q. They were down there right together? A. Yes, sat in one another.

Q. Not broken? A. No, sir.

Q. Did you find any hair pins at the front door? A. No, sir.

Q. Did you look for any there? A. No, indeed.

Q. Didn't anybody tell you they found any hair pins at the front door? A. No, sir; never heard of it; the first time I knew anything about it.

Q. Where was this blood on the bed that you speak of? A. I didn't speak of any blood at all.

Q. You didn't see any blood? A. I didn't say I saw any there; now, do you want me to say whether I saw any?

Q. You didn't say you saw any this morning? A. No, I didn't say whether I saw any; that question was not put to me at all.

Q. Then you have not told what you saw there? A. Well, because I was interrupted; I tried to tell what I saw there; I saw blood there under head.

Q. Where was the blood? A. Under her head on the left side.

Q. Did you see any blood on the floor under there? A. Yes, I saw blood that had gone through the mattress on the floor.

Q. How thick was the mattress above? A. That is impossible for me to say; I don't know how thick was the mattress.

Q. Could you not see the mattress? A. Sure I could see the mattress; the sheet was over the mattress.

Q. It was what kind of a bedstead? A. A brass one, iron and brass together.

Q. Didn't you notice the mattress on top of the springs; could you not tell how thick it was? A. Just an ordinary mattress.

Q. About six inches? A. Yes, the ordinary mattress.

Q. Did the bed look as though it had been made up? A. No, I told you it was rumpled at the foot.

Q. Was it rumpled on the sides, too? A. I don't remember.

Q. You don't remember whether rumpled to the center? A. No.

Q. You remember whether part of the sheet on the bed was pulled back and exposed part of the mattress? A. No.

Q. You don't remember that? A. It was not when I got there, if it was before I didn't see it.

Q. You didn't see it? A. No, sir.

RE-DIRECT EXAMINATION.

Q. You have said, Mrs. Stewart, that the blood that you had noticed on the floor there had gone through the mattress; did you examine the mattress to see whether it had gone through or not; or you just saw it on the floor? A. Didn't examine the mattress, I saw it on the floor.

Q. You don't know whether it went through the mattress or not, do you? A. Why, yes, sir.

Q. Talk loud? A. Yes, I do know whether it went through the mattress.

Q. How do you know if you didn't examine the mattress? A. I didn't examine the mattress, but the head was turned, she had her head to the left side and the head bled in the mattress and I saw no blood until I turned the body and when I turned the body over on the back I discovered blood, and I made the remark that there was blood on the floor and that it had gone through the mattress.

Q. You made that remark? A. Yes, sir; I made that remark

Q. Did you examine the mattress to see whether it had gone through? A. I did not, but I saw the blood going down and there was no other way for the blood to go down only through the mattress, because the head being turned down that way.

Q. What kind of a mattress was it, was it a hair mattress or Ostimoor mattress? A. Impossible for me to say what kind of a mattress it was, there was too much excitement around there.

(Examination concluded.)

TRAVERSER'S THIRTY-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, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth and thirty-fifth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, Witness E. S. WILLIAMS, being called on behalf of the defendant, says:

REVEREND E. S. WILLIAMS, 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): What is your position in the City of Annapolis? A. Pastor of Asbury Methodist Church.

Q. How long have you been pastor? A. Five years this coming March.

Q. Where do you live? A. 31 Second street.

Q. How far do you live from the Brandon home? A. Next door.

Q. What is the distance between the Brandon home and your home? A. When we bought that lot and built the house we left a space of three feet.

Q. What is the front of your home? A. Immediately in front of it?

Q. Yes? A. There is a part of the house that is owned by Adams on the corner——

Q. What I meant, is there is a porch there? A. Yes, there is a porch.

Q. What have you on that porch, permanently fixed, have you something permanently fixed? A. No.

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

Q. Will you kindly state to the Court and the jury on the morning of that day what you were doing, and try to account from the time where you were up to one or two o'clock? A. I arose that morning at half past five to attend a prayer meeting at Mt. Moriah M. E. Church on Franklin street, and went in company with my wife to the services. We reached the church about six o'clock; just one or two persons were present, and we had to wait some little time to the others to gather and the services began——

Q. We don't want it minutely? A. I went to the church and on my return home——

Q. What time were you at the church, how long at the church? A. I guess perhaps until quarter of eight.

Q. Now tell from there? A. On my way home there was a runaway accident in which the horse, or a team of the Standard Oil Company, was hurt, and I was held up for some little time, because I assisted in getting them straight, in fact, I caught the horse, as he run away, and I got home I presume a few minutes of nine. My wife, after I had been there some few minutes, informed me——

(Objected to.)

(Witness): Well, I had to get something for breakfast, if that will straighten the matter out; I went to the market and when I returned I picked up the Baltimore American and sat in a swing, a porch swing.

Q. Tell how that swing was situated? A. That swing was facing the Brandon home, or at least facing up Second street in the direction of the Brandon home. I read the paper some little time and I called Dr. Hughes who had spent the night, perhaps about half-past nine, somewhere in that neighborhood, a few minutes after nine, and I waited for him to come down and he came down and we went in the parlor, and he played the piano and I did a little singing, and a little later on we had breakfast; while I was at the breakfast table the door bell rang and I went to the door and Mr. Paxton, who drives a team for the Standard Oil Company, came to make inquiries about the accident that occurred that morning, as he was not guiding the team.

Q. What time was that? A. Ten o'clock or thereabouts; when I reached the table the others had finished eating; and Mr. Paxton had stayed there some considerable time.

Q. What time did he leave? A. He left I guess, quarter past ten, or twenty minutes afterwards, so when I had finished breakfast I went back to the front porch, after having spent a few minutes in the house and I stayed out on the porch until about 11 o'clock, perhaps ten or fifteen minutes after 11. I

had a little argument with my friend Dr. Hughes on the porch, and I went in about ten minutes after 11; the reason I know it was that time was because Mr. Fletcher, who lives across the street, had an appointment with Dr. Hughes and he promised to call about 11 o'clock and Mr. Hughes and I had an engagement down town and I looked at my watch and said—Mr. Fletcher is late, it was then about 10 minutes of 11, and I went in the house as I said——

Q. Who did you leave outside? A. I left Dr. Hughes, that was just about the time Mr. Fletcher drove up. I stayed in the house, I suppose fifteen minutes or something to that effect, and returned to the front porch and engaged in the conversation. I guess it was about half-past eleven, Fletcher said——

(Objected to.)

(Mr. Brady): Never mind what he said.

(Witness): Shortly after he left Dr. Hughes and I stayed—I understand you are not allowed to say what was said?

Q. Nothing at all that was said?

(Witness): I stayed on the porch.

Q. Where were you? A. Sitting in a swing.

Q. Who was with you? A. Dr. Hughes was with me.

Q. That swing, how does that swing face? A. That swing faced my front door.

Q. As to the Brandon home? A. It faced up Second street so that I could see anyone coming out my front door or the Brandon front door.

Q. How long did you and Dr. Hughes stay there? A. Until quarter past one or thereabouts.

Q. Did you see anyone on the street or on any of the porches that you can recall? A. As I recall I saw some one on Mrs. Burch's porch, that is the third door above me, and perhaps some one on a porch above that, I don't recall which, I didn't

pay no attention to it; because it is an ordinary thing to see folks on these front porches and it was not anything about it to make me remember distinctly.

Q. Did you hear any noise in the Brandon home between 11 o'clock and during the time that you were on that porch? A. I did not.

Q. Did you see anything unusual? A. I did not.

Q. Did you see any one go in or come out of the Brandon home? A. I did not, I told the detectives when they asked me about it—

(Mr. Brady): Never mind what you told the detectives.

Q. If anyone had come out of that house or gone in that house could you have seen it, and would you have seen it in the position you were all during the time you were on the porch?

(Objected to.)

(The Court): He said he did not see anyone.

Q. I asked him if anyone had come out when he was on the porch?

(Mr. Green): He said he was not paying any particular attention, nothing to attract his attention and he paid no attention.

(The Court): He said he was sitting in the swing and described the position he was sitting with Dr. Hughes in the swing looking towards the Brandon home and he told the time he was there, and he said he saw no one go in or come out of that house.

(Mr. Brady): Now I ask the direct question: From the position you were on that porch for the time you describe, could you have seen anyone come out of that house or go in that house would you have seen them?

(Objected to; objection sustained; exception noted.)

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

FRANK I. DUNCAN. (Seal)

TRAVERSER'S THIRTY-SEVENTH 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 and thirty-sixth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness REV. E. S. WILLIAMS, continuing, says:

(The Court): As I understand the witness he said he could have seen and didn't see. What has been objected to is "would you have seen."

(Mr. Brady): You understand the witness to say he was placed where he could have seen any one?

(The Court): He said he could, and you said, "Would you have seen any one"? That is what I sustained the objection to.

Q. Now, Doctor, right at the corner of your house—what is on this side of your house? A. A vacant lot.

Q. Now, right at this corner, I want to know what is there; at the corner of your house? A. The pavement runs back and there are some steps that run down.

Q. Is there not a common pathway for persons coming from Acton lane and that section, to come over through Perdeback's property, cut across that lot and come up those steps? A. There are dozens of persons that come across there and come up through there, before that occurrence, there is a fence there now.

Q. That has been put up since? A. Yes, sir.

Q. It was a common path way? A. Dozens of persons came through there every day from Water street through Van Sant street across this vacant lot.

Q. Can you hear distinctly noise in your house from the Brandon house?

(Objected to.)

(The Court): I don't know about distinctly.

Q. Can you hear noise? A. I hear people walking next door, hear people talking, but can't understand what they are saying.

Q. When you are on the inside? A. Yes, sir.

Q. Now, when did you first learn of the death of Mrs. Brandon? A. Between five and six on August 8th.

Q. Were you talking to Mary Perkins on the evening of August 8th? A. I was.

Q. In the presence of Catherine Brown and Fannie Hall? A. I was talking to her in the presence of Mrs. Catherine Brown, Mrs. Edith Credit and one other person whom I don't recall, I think it was Mrs. Fannie Hall.

Q. What were you talking about?

(Objected to.)

(The Court): Mrs. Perkins was on the stand and she was asked some questions about conversations she had with Reverend Williams in the presence of Catherine Brown and Mary Makell.

(Mr. Brady): Yes, sir.

(The Court): Now, in that examination you asked whether or not she didn't say certain things to Reverend Williams?

(Mr. Brady): Yes, sir.

(Mr. Brady): Whilst Mary Perkins was on the stand I asked her this question: "Did you make the statement in the presence of Reverend Williams, Catherine Brown and Mary Makell, that you thought it was strange you had not seen Mrs. Brandon all day, that you had noticed the house had been closed and saw no one about that entire day"? and she answered, "I did not make it to them."

Q. Now, tell me, tell the Court and the jury, whether she did make such a statement to you?

(Objected to.)

(The Court): What is the objection?

(Mr. Green): The objection is that he has not laid the foundation, no time, at the time it was asked.

(Mr. Brady): That is what was asked?

(Mr. Green): Not that she made the statement. He simply asked the question, what statement did she make?

(The Court): The record ought to show the question he asked. My recollection of the testimony is that she testified, that she was asked the question whether or not on the evening of the 8th of August she didn't have a conversation with Reverend Williams and Catherine Brown and Mary Makell and whether or not on that occasion she didn't make certain statements; she said she didn't; now if she is asked that same statement now, the record will show whether asked correctly or not, and she can say whether she did or not

(Mr. Green): I think the question was asked did you talk in the presence of Reverend Williams, but not give the time in that question.

(Testimony read):

(The Court): She testified she did not.

(Mr. Green): We don't think the foundation has been laid.

(The Court): My recollection is that it was the 8th. If the

record does not show you may call her back and ask her that question, when and fix that time.

(Examination of witness suspended.)

MARY PERKINS, recalled.

(The Court): Ask that question to fix the date.

(Mr. Brady): I asked you the question, Mary——

(The Court): Fix the time, did you say to Reverend Williams on the evening of the 8th of August and so forth.

Q. Did you saw to Catherine Brown, Mary Makell and Reverend Williams or to either of those two persons in the presence of Reverend Williams, on Second street right near the Brandon home, shortly or some little while after you heard of the death of Mrs. Brandon——

(The Court): On the 8th of August.

(Mr. Brady, continuing): On the 8th of August, "that you thought it strange that you had not seen Mrs. Brandon all that day, that you had noticed that the house had been closed and saw no one about there the entire day"? A. No, sir; I did not.

(Objected to.)

(The Court): For what reason?

(Mr. Green): The question is broad and sweeping. He wants to know if the witness made the statement to Reverend Williams, or in his presence.

(Objection overruled.)

A. No, sir; I did not. I remember being on the porch.

(Examination concluded.)

REVEREND WILLIAMS, recalled.

Q. Did you have a talk with Mary Perkins shortly after the discovery of the dead body of Mrs. Brandon on Second street near the home of Mrs. Brandon on August 8th? A. I did.

Q. In whose presence? A. As I said before in the presence of Mrs. Catherine Brown, Mrs. Edith Creditt and one other person that I am not positive about at this time.

(Mr. Green): Now, may it please the Court, does that not rule it out under his form of question?

(The Court): I don't think so.

(Objection overruled.)

Q. What did she say at that time?

(Objected to.)

(The Court): Put the question that you put to her. Did she say to you, at that time mentioned, that she thought it strange that she had not seen Mrs. Brandon all that day, that she had noticed that the house had been closed and saw no one there the entire day.

A. She positively said so.

CROSS-EXAMINATION.

Q. How long have you known Mary Perkins and Edith Creditt? A. I have known Mrs. Creditt for more than four years; I have known Mary Perkins for the past perhaps eight months or more.

Q. Members of your church? A. No, sir.

Q. Where do they attend, do you know?

(Objected to.)

(Mr. Green): We expect to show some motive to affect the credibility of this witness on this point.

(Objection overruled.)

(Exception noted.)

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

FRANK I. DUNCAN. (Seal)

TRAVERSER'S THIRTY-EIGHTH BILL OF EXCEPTIONS.

After the occurrence of the matters 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 and thirty-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 REV. E. S. WILLIAMS, continuing, says:

A. She attends St. Mary's Church, Catholic Church.

Q. You say you were on your front porch from half past ten until one o'clock? A. I did not.

Q. From what time until one o'clock? A. I said from half past eleven to quarter past one.

Q. Half past eleven to quarter past one? A. I did.

Q. Never left it during that time? A. I am sure I didn't.

Q. Did you see Snowden when he went down Second street?
A. If I did, I didn't pay any attention to him; colored men pass there every day; I never saw Snowden in my life that I know of until he was brought to trial in Annapolis in the October Term of Court.

Q. Did you advise the prayer meeting for him the day before his trial in Annapolis?

(Objected to.)

(Objection sustained.)

Q. How many interviews did you have with me over this matter?

(Objected to.)

(Objection overruled.)

(Exception noted.)

To which ruling of the Court the traverser by his counsel excepted and prays the Court to sign and seal this his Thirty-eighth Bill of Exceptions, which is accordingly done this—day of April, 1918.

(Exception refused.)

F. I. D.

TRAVERSER'S THIRTY-NINTH BILL OF EXCEPTIONS.

After the occurrence of the matters 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 and thirty-eighth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness REV. E. S. WILLIAMS, continuing, says:

A. I was in your office in the presence of Mrs. Humiston, I believe her name was—

Q. Anybody else? A. Doctor Hopkins came in, I recall we were talking and you told him he could hear this conversation:

Q. When was that? A. That was, I guess, the night that Snowden was arrested or might have been the next night, I am not positive as to the time.

Q. Had you talked to me any time previous to that? A. I positively had not.

Q. Not at my office, anywhere else? A. No, sir.

Q. What did you tell me that night about you being on the porch? A. I can't answer that question, unless you let me tell the circumstances.

Q. Go ahead and tell them? A. Mrs. Humiston, this lady, asked me to go to Mr. Green's office to tell Mr. Green——

(Objected to; anything Mrs. Humiston told him to get him down there.)

(The Court): The question seems to be plain: What did you say to Mr. Green about the length of time you were on the porch?

A. Well, Mrs. Humiston says I had been on the porch all day——

(Motion to strike out what she said.)

(Mr. Grason): Was this in the presence of Mr. Green? A. Yes, sir.

(Mr. Grason): Was this in the presence of Mr. Green? A. Yes, sir.

(The Court): The question is a very plain one: What did you say to Mr. Green about the length of time you had been on the porch that day? A. I told Mr. Green when it had been stated that I had been there all day, I said it would be absurd to say I sat on that porch from nine o'clock in the morning until half past one; that is what I said, and then in the house.

Q. Did you make the statement to me in the presence of Doctor Hopkins on Tuesday night, August 14, in my office, that you didn't know what time you went out on the porch, how long

you stayed, what time you left or what time you got back? A. I did not.

Q. You did not? A. No, sir; I did not.

(Mr. Green): I want to change that and make it the 13th, I gave the right day but the wrong date, it was Tuesday the 13th.

(Witness): I say I did not.

Q. Did you have any conversation with Margaret Queen, the mother of those girls on Monday afternoon before Snowden was arrested? A. I did not, I did after he was arrested.

Q. Did you state to Margaret Queen at any time, when she consulted you about what her daughter ought to do in reference to telling what she had seen or heard; did you make this statement: "They cannot make you tell what you don't want to tell, they can't make you say what you don't want to say, it is a white man's affair, anyhow"?

(Objected to.)

(Mr. Grason): I want to know what time he refers to; this witness said he didn't have a talk before, but had afterwards.

(The Court): I suppose you mean after?

(Mr. Green): No, sir; I say before he was arrested.

(Mr. Grason): He said he didn't before.

(The Court): Now, the question is, did he before the arrest have any talk?

(Mr. Green): Yes, sir.

(The Court): He says he did not.

((Mr. Green): Did you after his arrest have that talk with the mother of these girls, Margaret Queen, and make the statement: "They can't make you tell what you don't want to tell, they can't make you say what you don't want to say, it is a white man's affair, anyhow"?)

(Objected to.)

(Objection overruled.)

(Exception noted.)

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

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FORTIETH BILL OF EXCEPTIONS.

After the occurrence of the matters 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 and thirty-ninth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness REV. E. S. WILLIAMS, continuing, says:

A. I never said such a thing as that in my life, never said such a thing, that is manufactured for I don't know that. I never dreamed such a thing.

Q. Why did you talk to them at all? A. Mary Perkins' mother called me after Mr. Lee, Deputy Sheriff Lee, had been there to take them down to their office they had been gone she had said about an hour; I had not had any conversation with any of them and she called me across there and said to me—

(Objected to.)

(Mr. Green): We asked why he talked to them?

(Question repeated.)

A. I was called there by Mrs. Queen.

Q. Do you mean to say that was the first conversation you ever had with them about it? A. Positively so.

Q. With any of them about it? A. With any of them about it.

Q. Didn't you swear you had a conversation with them on Wednesday afternoon, what do you mean by that? A. I mean to say, you asked me why I was called over there.

Q. No, I didn't? A. You asked me if I had a conversation with Mrs. Queen.

Q. No, I didn't. Didn't you say that was the first conversation you had with any of them, didn't you say yes to that? A. I thought you were talking about this question that you asked me, did I tell them that this was a white man's affair, and they didn't have to tell, and all like that.

Q. Didn't you say that was the first conversation you ever had with them at all, that was the Monday after Snowden was arrested, didn't you say that? A. That is what I said, I understood you to say in response to that question.

Q. Didn't you say that was the first conversation you ever had with any of them? A. When you were talking about that, yes, sir.

Q. Now, then, you say that is not true, that you had a conversation with them on Wednesday that the crime was discovered?

(Objected to.)

(Objection sustained.)

Q. Is it true that is the first conversation you ever had with any of them?

(Objected to.)

(Objection overruled.)

(Exception noted.)

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

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FORTY-FIRST 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 and fortieth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness REV. S. F. WILLIAMS, continuing, says:

A. That is the first conversation I had with Mrs. Queen.

Q. Is that the first conversation you ever had with any of them? A. I told the Court.

Q. Answer the question yes or no? A. If I understand you—

Q. The question is perfectly plain, you can answer it yes or no; I am entitled to an answer to my question? A. There are somethings you can't answer to that.

(Question repeated.)

(Mr. Brady): Conversation on the subject of the crime.

(The Court): The first conversation you had with Mrs. Queen or her two daughters, the subject matter being this crime.

(Mr. Green): Yes, sir.

A. I misunderstood your question, I say no.

Q. Have you talked with them since that time? A. I have not.

Q. That was before you came down and talked with me, was it not? A. It was.

Q. You didn't tell me you had talked with them and they had said that, did you?

(Objected to.)

(Objection overruled.)

(Exception noted.)

A. Now look here, I want to understand just what you mean.

Q. I mean just what I say. The question is plain enough to convey my meaning and I mean what I say? A. If I am too dense to understand it, then can I ask you to repeat so I can understand what you mean?

(Question repeated.)

(Mr. Brady): When?

(Mr. Green): When he came to me in the presence of Mrs. Humiston on Tuesday night. The night he was down there when Doctor Hopkins was there.

(Witness): He was not there at the time, he came in later and you said Doctor Hopkins, I don't mind your hearing the conversation, we are talking the Brandon murder, but I told you that before that in the presence of Mrs. Humiston.

Q. What did you tell me? A. I told you Mary Perkins had said in her talking about this woman; I said I was on West street when I heard about this woman being found dead; I came down the street on that side with Doctor Hughes and that Doctor Hughes kept on over to Mrs. Carroll's and I stopped on the steps and talked with these people.

Q. What people? A. I told you Mrs. Catherine Brown and Mrs. Humiston, we were talking to Mrs. Catherine Brown, Mrs.

Mary Perkins and Edith Credit and someone else, we had a discussion on that porch; that this woman had said——

Q. That this woman had said? A. That Mary Perkins had said, if you want me to be positive——

Q. Who do you mean by this woman, Mary Perkins? A. Mary Perkins.

Q. What did you tell me? A. I told you that Mary Perkins had spoken,—you spoke about these two women coming down and telling you about somebody coming out——

Q. I told you that these women had come down and told me?
A. That is what I said.

Q. All right, go ahead? A. I said that Mary Perkins had said that she was late getting up that morning and it was so strange that she had not seen anybody around that house all day, had not seen Mrs. Brandon and said to me, did you or your wife see Mrs. Brandon all day. I said, no; and she said, I think it is so strange that nobody has seen her around there, I believe that man killed his wife.

Q. That is what she said? A. That is what I said to you, in the presence of Mrs. Huniston.

Q. I ask you if you told me what you already sworn to that statement, that those girls told you? A. Yes, sir.

Q. Was that what they told you? A. That is what they said.

Q. On the Wednesday of the murder? A. On the Wednesday of the murder.

Q. Wednesday evening of the murder? A. Yes, sir.

Q. Was that all they said to you? A. No.

Q. What else did they say? A. They talked in general conversation. I was talking about what Mrs. Perkins said.

Q. That was all Mary Perkins said to you? A. I would not say that.

Q. What else did she say? A. She said several things, I don't recall what all she did say.

Q. You don't recall anything else she said. Was that all you remember that Mary Perkins said to you? A. Well, I guess it is just at this time.

Q. Do you know you have just sworn that what Mary Perkins said to you was: "That she thought it strange that she had not seen Mrs. Brandon all that day, that she had noticed that the house had been closed and she saw nobody about there the entire day?"

(Objected to.)

(Objection overruled.)

(Exception noted.)

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

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FORTY-SECOND 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 and forty-first bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, Witness REV. E. S. WILLIAMS, continuing, says:

A. I know that you asked Mary Perkins that question just now on the stand.

Q. Didn't you then swear that was what she said? A. She did say that.

Q. You just swore to me that she said something else and you don't remember anything else?

(Objected to.)

(The Court): As I recollect it, Mr. Green said: "Did you tell me that in my office? I did. What did you tell me? That he then proceeded to tell him what he had told him. Is that all she said that you told me? Yes. Then how about what you say she told you here.

Q. Now which statement is correct that Mary Perkins made?

(Objected to.)

(Objection overruled.)

(Exception noted.)

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

FRANK J. DUNCAN. (Seal)

TRAVERSER'S FORTY-THIRD 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 and forty-second bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness REV. E. S. WILLIAMS, continuing, says:

A. I will say this; that she said exactly what I told you.

Q. She said that? A. Yes, sir.

Q. Did she say the other?

(Mr. Grason): What other now?

A. She said she had not seen anybody. You mean the question that she had not seen anybody all day?

Q. Yes? A. Yes, sir; she said that.

Q. You recollect now that she did say that other? A. Yes, she said that.

Q. What brought it to your mind? A. You asked me what I said down in your office. You asked me what I said to you in your office, and I told you what I said to you in your office.

Q. Do you know Detective Dougherty? A. I certainly do. I became acquainted with him when this case was going on.

Q. Did you have a talk with him on the 14th or 15th of August, just after Snowden was carried to Baltimore? A. I had fifteen or twenty conversations with him.

Q. Did you have one about that time with him, the 14th or 15th? A. Yes, I saw him those few days he was down there, I had several conversations with him.

Q. Did you congratulate him at that time on getting Snowden out of Annapolis to avoid a race riot? A. No, sir.

Q. On Wednesday the 14th of August, did you have any conversation with Detective Dougherty?

(Objected to.)

(Objection overruled.)

(Exception noted.)

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

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FORTY-FOURTH 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 and forty-third bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness REV. E. S. WILLIAMS, continuing, says:

A. What conversation is that?

Q. In which you congratulated him on getting Snowden out of Annapolis to prevent a race riot?

(Objected to.)

(Objection overruled.)

(Exception noted.)

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

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FORTY-FIFTH 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 and forty-fourth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, the witness REV. E. S. WILLIAMS, continuing, says:

A. I did not say that in that way.

Q. What way did you say it?

(Mr. Grason): We want to object to all this line of examination.

A. I said practically the same thing I said to you about it.

Q. What was that? A. I said—it is a little difficult to say what I said unless I can give the occasion that caused this statement and Mr. Dougherty knows and you know.

(Mr. Brady): I think you should be allowed and ask the Court to permit that to be stated by you.

(The Court): This is a question asked for the purpose of contradiction.

(Mr. Green): Yes, sir.

Q. Did you say it or not? A. I did not say it in that way.

Q. Do you know Detective Pohler? A. Yes, he need not stand up. I know him.

Q. Did you say to him on the 9th of August in Annapolis, 1917, that you sat on your front porch from nine o'clock in the

morning until half-past one in the day and never left there and never went in or came out of your home? A. I never said that since I was born.

Q. Did you say to him at that time, on the 9th of August, 1917, that nobody had said anything to you about this murder and when they did you would let him know? A. Why, that is absurd; people were talking——

Q. Answer the question, did you; yes or no? A. No.

Q. Did you say to Detective Pohler on the 10th day of August, 1917, in Annapolis, that you, up to that time, had not heard anything about this murder and that when you did you would let him know? A. No.

Q. Did you see an express wagon delivering a box at Mrs. King's on Wednesday morning between half past eleven, about half past eleven? A. I saw an express wagon delivering a box at Mrs. King's residence about half-past ten or eleven in the neighborhood of either Tuesday or Wednesday, I told Mr. Pohler I did not know which.

Q. Now, you were sitting on that porch this Wednesday morning, did you see an express wagon deliver the box at Mrs. King's door Wednesday, the morning of the discovery of the murder?

(Objected to.)

(Objection overruled.)

(Exception noted.)

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

FRANK I. DUNCAN. (Seal)

REV. E. S. WILLIAMS, continuing, says:

A. Mr. Pohler asked me about this thing three or four days after this woman was found dead, if I had seen an express wagon deliver a box and asked me who delivered that box and I told him whose team it was, I didn't know the name of the driver, he said, was that Tuesday or Wednesday, he asked me what day it was and I said, I didn't recall whether Tuesday or Wednesday, that there are wagons delivering boxes around there any time.

Q. Will you say whether or not you saw it? A. I don't know whether Tuesday or Wednesday, but I did see a wagon delivering an express box.

Q. Did you tell Detective Pohler on your front porch on the 10th day of August, 1917, that you did not see any box delivered to Mrs. King's door on Wednesday morning? A. I told Mr. Pohler, when Mr. Pohler asked me about this box, that I didn't recall whether it was Tuesday or Wednesday, but that I did see a box delivered there and told him whose it was and he afterwards told me he had seen this man.

(Mr. Green): I want him to answer the question.

(The Court): The question is, whether he told Detective Pohler, he did not see it delivered on Wednesday?

Q. On Wednesday, August 8th, did you or not tell Detective Pohler that you did not see a box delivered there? A. I say no to that, because I told him Tuesday or Wednesday, I didn't know which, therefore, I didn't fix it on Wednesday half-past ten or what time; I told him it was either Tuesday or Wednesday.

Q. Did you tell him what time of the day? A. I told him in the morning; I didn't give him any hour, I told him who the express man was, whose team it was; I didn't know the name of the driver.

(The Court): There was a little boy on the stand the other day named LeRoy, he worked for Mr. Strohmeier, at a grocery store, did you see him that day with a bag of flour on his back?

A. I did not.

(Mr. Green): Would the fact of your not having seen him, if he had passed up there, would it have impressed you as anything unusual——

(Objected to.)

Q. (Continuing): to see boys going by there?

(Objected to.)

A. I did not see him.

(Examination concluded.)

MARY PERKINS, recalled to answer some questions put by members of the jury:

Q. You said that you looked through the slides of the shutters. I would like to know what kind of shutters are on your house, whether they are slide shutters or stationery or whether they work on a pivot? A. The shutters were bowed in, and the shutters open on slides.

Q. They work on pivots? A. Yes, sir.

Q. Are there two of these slides or just one? A. Yes, sir.

Q. Just one slide? A. Yes, sir.

Q. Were the shutters closed? A. They were bowed in like that (indicating) they were not closed together and they were not fastened back. They were sort of like that (indicating with hands) they were bowed in.

(The Court): What did you look through?

A. I looked through the blinds that were partly open.

Q. The part that works on the pivot? A. Yes, sir.

(Examination concluded.)

TRAVERSER'S FORTY-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, 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 and forty-fifth bill of exceptions, all of which are hereby made a part hereof as fully as if the same were herein repeated at large, witness MARY J. WILLIAMS, produced on behalf of the defense, being duly sworn, deposes and says:

MARY J. WILLIAMS, 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. Mary J. Williams.

Q. You are the wife of Rev. Williams? A. I am.

Q. Where is your home situated with reference to the home of the late Mrs. Brandon? A. Right next door.

Q. Can you hear noises of any description in your home as coming from the home of the Brandons? A. I can.

Q. During the night of August 7th, the night before Mrs. Brandon's body was found, did you hear any noises in that house?

(This question was objected to by Mr. Green, the objection was sustained, and Mr. Brady noted an exception.)

Q. Did you hear any noises in that house?

(This question was objected to by Mr. Green, the objection was sustained, and Mr. Brady noted an exception.)

Q. What, if anything, did you hear?

(This question was objected to by Mr. Green, the objection 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-sixth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FORTY-SEVENTH 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 and forty-sixth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness MARY J. WILLIAMS, continuing, says:

Q. When was the last time you saw Mrs. Brandon? A. I saw her the night before she was murdered.

Q. Who was present when you saw her? A. Her husband and another man.

Q. Do you know the name of the other man? A. I do not.

Q. Do you know him by sight? A. I do not.

Q. What time was that? A. Early in the evening.

Q. Where were you between eleven and twelve o'clock on the night before Mrs. Brandon's body was found?

(This question was objected to by Mr. Green, the objection 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-seventh Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FORTY-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 and forty-seventh bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, the witness MARY J. WILLIAMS, continuing, says:

Q. When did you say was the last time that you saw Mrs. Brandon? A. I saw her on the night before she was murdered.

Q. What time was it that night when you last saw Mrs. Brandon? A. Early in the evening, about seven or eight o'clock.

Q. Where were you when you saw her? A. On the porch.

Q. How long were you sitting there on your porch? A. We sat out on the porch until nearly twelve o'clock.

Q. What porch? A. The front porch.

Q. What time did Mrs. Brandon go into the house? A. I don't know just what time.

Q. Do you know what time her husband went into the house?
A. No, sir; I do not.

Q. How long after you saw her was it that she went into the house?

(The Court): She has said that the last time she saw Mrs. Brandon was early in the evening.

A. They sat on the porch sometime talking.

Q. Did you see anyone else nearby when you saw Mrs. Brandon talking with Mr. Brandon and this other gentleman?

(This question was objected to by Mr. Green, the objection 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-eighth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FORTY-NINTH 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 and forty-eighth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, the witness MARY J. WILLIAMS, continuing, says:

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)

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.)

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.)

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.

(Mr. Brady): There was some misunderstanding as to what time it was. I spoke to her again and she told me what time it was.

(Mr. Grason): When this witness stepped from the stand yesterday afternoon, I thought there was some confusion in her mind. I immediately went to her and asked her what she knew, and then she told me what she knew in reference to the conversation that she heard on Second street at the time referred to, about the statement made by Mary Perkins; and I want to ask her about that statement that Mary Perkins made at that time.

(The Court): Foundations were laid for conversations with Rev. Williams, Catherine Brown, Mary Mackall and Edith Credditt when the witness was on the stand, but only one time when Rev. Williams was present.

(Mr. Grason): No, sir; I don't think so. Rev. Williams was there on the evening that the body was discovered, and Mary Perkins made certain statements to her, and I was to ask her what statements were made then.

(The Court): No foundation was laid for that, and I sustain the objection.

(Witness withdrawn.)

TRAVERSER'S FIFTIETH 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 and forty-ninth bill of exceptions, all of which is hereby made a part hereof as fully as if

the same were herein repeated at large, Witness LOUIS B. HENKEL, being called on behalf of the defense, being first sworn, says:

DR. LOUIS B. HENKEL, JR., 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. Louis B. Henkel, Jr., Annapolis, Maryland.

Q. What is your profession? A. I am a physician and surgeon.

Q. Where do you reside? A. No. 6 Murray street, Annapolis, Maryland.

Q. Where do you practice? A. In Annapolis and Anne Arundel County.

Q. How long have you been a practicing physician? A. Since May, 1903.

Q. From what school did you graduate? A. From the University of Maryland, Baltimore, Maryland.

Q. What experience have you had as a practicing physician? A. The general practice of medicine and surgery as a physician would have practicing in a town of the size of Annapolis.

Q. Have you had much experience in obstetrics?

(The witness paused for a few moments.)

Q. Do you understand the questions? A. Yes, sir; and I am thinking how to answer it.

Q. Can't you answer it? A. Is it a question of yes or no?

Q. Yes, sir? A. Yes, sir.

Q. State what your experience has been? A. I should say that since I have been practicing I have observed a thousand cases of obstetrics.

Q. During that experience have you had an opportunity to observe women during their pregnancy suffering from a poison that is caused by their being pregnant? A. I have.

Q. What is the most dangerous condition that a woman can suffer from during her pregnancy?

(Mr. Green): I object to the question.

(Mr. Brady): I think that I have qualified him enough to answer that question.

Q. Have you ever had any experience in eclampsia?

(Mr. Green): I object to the question.

(The Court): Ask him if he has ever had any experience in cases where there was eclampsia.

(The Witness): I have.

Q. In how many cases have you treated women with eclampsia? A. In the fourteen years, I should say at least thirty-five or forty.

Q. Have you attended any lately? A. I can recall one case of very prominent people, people I know and I can mention their name if you desire. I can recall one case recently.

Q. Doctor, from your knowledge of eclampsia, can you tell us what are the governing permonitory symptoms of eclampsia?

(Mr. Green): I object to the question.

(The Court): It is difficult for the Court to decide these questions, unless I know what your offer is, what you want to prove.

(Mr. Brady): We want to prove that Mrs. Brandon could have died from eclampsia, from what has been stated here, she

could have died from eclampsia convulsions. I want to test his knowledge as to eclampsia, and I want to question him as to where he got his knowledge; and then I want to ask him the direct question.

(The Court): What you want to prove is that she might have died from this poisoned condition?

(Mr. Brady): I want to ask him about the autopsy, whether of his own knowledge that the examination at the autopsy were complete, whether Dr. Carr in his statement yesterday was correct, and whether or not from all the evidence brought out here bearing on the death of Mrs. Brandon whether she died of convulsions due to eclampsia.

(The Court): What is your objection, Mr. Green?

(Mr. Green): We don't think that the Doctor, from his testimony, is an autopsy expert. He says that he has done general surgery work, but we do not know the extent of his surgery work and experience. We also do not know the extent of his experience with the disease that my brother has intimated. We must know about this experience, as according to the table here, it is a disease about which the highest medical authorities in the world know very little; and it is so stated in this book. People like Dr. Osler and Dr. Williams and the authorities of the medical world know very little about it. Dr. Williams says that little or nothing is known about this disease, and yet we have here a man like Dr. Henkel, without any further testimony as to his experience and his knowledge of this disease, a man with only the opportunities usual in the general practice of medicine in small communities, attempting to go on the stand as an expert on one of the most intricate diseases known to medical science. The doctor has not testified that he performed an autopsy upon this woman, or that he was present when an autopsy was performed, or that he ever saw this lady when she was living. He wants to testify without having made an autopsy. We do not know whether he has ever had any special training in any branches of medicine. From his own statement, he has had the usual experience of a practicing physician in a town of ten thousand people, yet my brother wants to make him an expert and get his opinion upon what has been testified to here as the result of and what was found in the autopsies. I don't think that the doctor is qualified, under the

circumstances, as far as he has been qualified, to give us an opinion or express his belief. I don't think that he has shown any expert knowledge of the subject upon which my brother wishes to question him.

(Mr. Brady): If I have a correct recollection of his testimony, I think he is qualified as an expert. He says that he has had experience in about one thousand cases of obstetrics, and in those he has noticed thirty five or forty cases of eclampsia.

(Mr. Green): According to this medical authority in 10,717 observed cases, there were only 81 cases of eclampsia.

(Mr. Brady): If my memory serves me correctly, a man can testify as an expert even though he has had only theoretical knowledge of the matter, and he has had no practical experience in regard to it, in regard to the subject in question. If he knows and can swear to it, that is all that is required of him. Would your Honor indicate to us what would be necessary to qualify a man to testify in a case of this character?

(The Court): Gentlemen, we have reached a point in the case where we have got to have some kind of an understanding. Suppose you had Dr. Williams here as an expert. Suppose Dr. Williams had not been in the Court room and had not heard one word of the testimony: and, as soon as he reached the room, he was put upon the stand. What would you have to do? You would have to frame a hypothetical question, and you would have to include in that question every single sentence that has fallen from the lips of the members of the profession here, and after you had framed the question the Court had required you to frame, what question would you ask Dr. Williams?

(Mr. Brady): Whether or not the person in question died of eclamptic convulsions or not.

(The Court): No, whether or not, after hearing all of this testimony that had been produced, she could possibly have had eclampsia. What is there in this case to base a hypothetical question upon. Is there a scintilla of evidence in this case, up to this time, that she had eclampsia? Well, we will not go into that now.

(Mr. Brady): I was only going to ask, from the knowledge of the two physicians that I have brought here on behalf of the defense as experts, whether or not the autopsies made by the physicians who have testified to them were complete enough to determine whether or not Mrs. Brandon was suffering from eclampsia. One of the physicians testified for the State that she was not suffering from eclampsia. Dr. Joyce stated positively that she was not suffering from eclampsia and I don't know whether Dr. Hopkins said it or not. I remember the testimony of Dr. Carr, especially several questions asked him about his opportunities to observe autopsies and his knowledge of eclampsia. He made a certain statement which I tried to bring out on cross-examination, which showed, or rather I should say failed to show conclusively to my humble mind that the Doctor was correct. I feel that he was mistaken about the uremia or did not understand me when I asked him about eclampsia.

That has gone to the jury. I asked Dr. Carr the specific question whether or not Mrs. Brandon might not have had one of these convulsions twenty-five or thirty feet away from where she was found on the bed, whether she could have had one of these eclampsiac convulsions, fallen to her knees, and have caused these marks that were there, whether she could not have dragged herself up and not know what she was suffering from; and, after the lapse of five minutes or more, might she not have another one, then another one; and Dr. Carr said no that they were a long while apart. I think I also asked him the question whether she might not have had one of these convulsions, fallen and hurt her head as it was hurt and died without recovering consciousness; and he said that she might have had one convulsion after another until death intervened. That is the way I understand it went to the jury. I want to ask Dr. Henkel whether or not that is a correct statement.

(The Court): Do you propose to offer that she might have been suffering from this trouble, is that your offer?

(Mr. Grason): No, sir.

(The Court): Do you propose to show by this witness that the cause of death in this case was eclampsia, is that your offer?

(Mr. Grason): No, sir; that is not our offer.

(The Court): Do you wish to use this witness as an expert on this disease, and to show that her death might have been caused by this trouble?

(Mr. Grason): We are not bound to establish the cause of her death. The State could not convict this man or anyone else unless they established beyond a reasonable doubt that the deceased died in the manner set out in the indictment. Any evidence that the State produces throwing light upon the cause of death is admissible. If we can produce evidence here showing that this woman was diseased and suffering from a certain specific disease; and, if we can show what is the result that follows or flows from that disease, I think we are entitled to show it. I think that we can show that the deceased might have died from this disease. I submit to your Honor that it is sufficient to go to the jury; that she could have died from some other cause, show a reasonable doubt, raise a reasonable doubt as to whether or not this woman died from violence. As I said the State must prove the cause of death, and the State here sets up violence as the cause of death. Now then we offer to prove by this doctor that from the condition of her body and from the conditions of the different organs of her body, as detailed on the stand, this woman may have had eclampsia. Then we want to show how eclampsia affects a woman; and whether or not this woman could have died from eclampsia. We wish to raise a reasonable doubt in the minds of the jury. After the jury hears this evidence, there may be some reasonable doubt in their minds as to the cause of death.

(The Court): The objection is sustained.

(Mr. Brady): As I understand your Honor, the objection is sustained because the witness was not properly qualified?

(The Court): Yes, sir.

Q. Doctor, you heard the testimony of Dr. Joyce, Dr. Hopkins and Dr. Carr, did you not? A. I did.

Q. Who made the autopsies on the body of the late Mrs. Brandon. I think that Dr. Carr, Dr. Hopkins and Dr. Joyce made the statement, when the questions were asked as to what caused her death, that she died from the wound in her head, strangulation and shock. I will now ask you, Doctor, from the

evidence adduced in this case, could she have died from any other cause?

(This question was objected to by Mr. Green, the objection 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 Fiftieth Bill of Exceptions, which is accordingly done this

(Exception refused.)

F. I. D.

TRAVERSER'S FIFTY-FIRST 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 and fiftieth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, Witness DR. HENKEL, JR., continuing, says:

(Mr. Brady): Was the reason that the objection to that question was sustained because the Doctor is not properly qualified?

(The Court): That is one reason.

Q. Doctor, where did you graduate from? A. From the University of Maryland.

Q. Doctor, have you ever performed or assisted in the performance of autopsies? A. A number; yes, sir.

Q. How many, Doctor? A. I should say that I assisted in or witnessed at least two or three dozen, and I saw them performed while I was going to school at the University of Maryland.

Q. Have you ever been present at or assisted at an autopsy where it has been determined that the subject was suffering from eclampsia? If you have, Doctor, say yes? A. Yes, sir.

Q. Where? A. At the University of Maryland Hospital.

Q. When? A. Within the last two years.

Q. Who performed the autopsy? A. I do not recall who was the pathologist. It was a patient of mine with eclampsia.

Q. In determining that she died with eclampsia, what organs of the woman were examined, Doctor? A. They first removed the upper part of the skull with a circular incision, then they took the table of the skull off, and removed the brain. I was present and assisted. The brain was sent to the laboratory and microscopic sections were made of it. There was a surface examination for hemorrhage. The melineal arteries or branch of the neck was opened from here down (indicating), the skin from the upper part of the anterior chest was opened down to the front of the hip, or pubic point. An incision was made, the skin separated over the intestines. Then an examination was made of the kidneys, heart, lungs and liver. I had sections made of the kidneys and liver, and they were sent to the laboratory for examination. The urine had been examined before the patient reached the autopsy table. Of course, a record was kept of this, of the autopsy, as I understand it.

Q. What did you find, Doctor? A. That a lesion had formed. I did not examine the heart, kidneys or liver.

(The Court): And you are telling the result as told to you?

A. Yes, sir.

(The Court): Then I will have to sustain the objection for the State.

(Mr. Brady): I will note an exception.

Q. Doctor, you say that you have had several or a number of patients suffering from eclampsia? A. I have.

Q. I will now ask you this question, Doctor. How could you tell from their condition that they were suffering from eclampsia?

Q. (Mr. Hartman): Were autopsies performed on any of them? A. No, sir.

(Mr. Greene objected to this question, the objection was sustained, and Mr. Brady noted an exception.)

(No cross-examination.)

(Examination concluded.)

To which ruling of the Court the traverser by his counsel excepted and prays the Court to sign and seal this his Fifty-first Bill of Exceptions, which is accordingly done this
(Exception refused.)

F. I. D.

W. D. K. LEE, a witness of lawful age, being produced on behalf of the defense, having been previously sworn in this case, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Brady): What is back of the Brandon property. I think this is the Brandon home? (Mr. Brady used a diagram in asking these questions.) A. Yes, sir; a wall is run back to that point.

Q. This is the fence line, I suppose? A. Yes, sir; that is the back fence line.

Q. This is the Brandon home? A. Yes, sir.

Q. This fence line is the back fence? A. Yes, sir.

Q. Tell us what is back of there? A. A large open lot containing from one-half to three-quarters of an acre of ground, which runs to Vansant street from Acton lane. It runs down into a corner and comes down from Vansant street to the back of the Brandon home. In the summer it has the usual high weeds on it. It has grown up with weeds right up to that fence.

Q. On the other side of the lot is Vansant street? A. Yes, sir.

Q. Are there any houses there on Vansant street? A. Yes, sir.

Q. About how far are these houses from the Brandon yard, do you recall, up this way, going north? A. They are up towards West street.

Q. From the Brandon and King homes, what would be there? A. That would be Vansant street, and further up there is a stable.

Q. (Mr. Green): Whose stable? A. I don't know.

Q. You are a deputy sheriff of Anne Arundel County? A. Yes, sir.

Q. Did you visit the home on the night of the discovery of Mrs. Brandon's body? A. Yes, sir; I was called there that night.

Q. What time did you get there? A. I got there at six o'clock or a few minutes after six o'clock.

Q. Who was there when you arrived there? A. Mr. Green was there, and Dr. Curry, and I think Dr. Welsh.

Q. Mr. Green, Dr. Curry and Dr. Welsh were there? A. Yes, sir.

Q. What was in the room where they were? A. They were in the room where the body was.

Q. That was in the middle room? A. Yes, sir.

Q. Did you go into the kitchen? A. Not just then I did not.

Q. How long after you got there was it that you went into the kitchen? A. Not a great while after I got there.

Q. About how long was it? A. I took charge of the middle room, and was told not to let anyone in that room. Dr. Curry

closed it to keep the public out, and then we went into the kitchen from that room.

Q. Who went in there? A. Dr. Curry, Dr. Welsh and myself.

Q. What furniture was in the kitchen? A. There was a table, a dresser and some chairs.

Q. That was in the kitchen? A. Yes, sir.

Q. Was there a refrigerator there? A. Yes, sir; to the right of the door leading from the middle room.

Q. You observed the door leading from the middle room to the kitchen, did you not? A. Yes, sir.

Q. Which way did that door open, towards the kitchen or toward the middle room? A. I think it opened towards the kitchen.

Q. In this way? A. In going from the middle room into the kitchen, the door opened in that direction (indicating).

Q. This is Second street, and this is going back into the kitchen? A. I think so.

Q. It opened around this way (indicating)? A. It opened from you as you went into the kitchen.

Q. It opened into the kitchen? A. I think so, but I am not positive about it.

Q. Where was that refrigerator? A. To the right of the door as you go into the kitchen.

Q. Whereabouts was it in reference to the door leading into the kitchen? A. It was right opposite the door.

Q. How close to the door was it? A. It was far enough over from the door to clear the door of the refrigerator when you opened it. It was about that far (indicating). When you opened the refrigerator door, it came back into the door leading from the kitchen.

Q. When you opened it, it extended into the doorway leading from the kitchen into the middle room? A. No, sir.

Q. Not at all? A. No, sir.

Q. Did you notice the refrigerator? A. I did.

Q. Describe what was the condition of the refrigerator when you saw it? A. There was nothing in the top, inside of it there was some tomatoes and some other things. The door was partly open and the upper hinge was broken.

Q. Was it broken all the way off? A. It was broken so that the door hung down.

Q. And the door opened around towards the door leading from the middle room to the kitchen? A. Yes, sir.

Q. And you observed it closely so that you observed that the hinge on the door was broken? A. I did.

Q. Did you notice anything on the floor of the kitchen? A. Yes, sir; two saucers.

Q. Where? A. Near the range in the kitchen.

Q. You say that you saw two saucers near the range? A. Yes, sir; near about the center of the floor where the range was.

Q. Here is the range (indicating the plat)? A. Here is the dining room table, there is the range and here is where the saucers were (indicating on plat).

Q. Both of them were there? A. Yes, sir; one inside the other.

Q. Did you see anything in the sink? A. There were dishes in the sink.

Q. Were they washed or not? A. Some of them had been washed, while a part of them were not.

Q. They had not been finished washing? A. They looked like it.

Q. Was there anything on the dining room table? A. Yes, sir; there were dishes on the dining room table.

Q. How many? A. Possibly three, one inside the other.

Q. Had they been washed? A. Yes, sir.

Q. Was there any chairs in the kitchen? A. Yes, sir; two, one on each side of the table.

Q. Here (indicating on plat)? A. Yes, sir.

Q. One on each side of this table? A. Yes, sir; one here and one there (indicating on plat).

Q. Were they up to the table? A. They were not up to the table because they were this way (indicating).

Q. This is the refrigerator? A. Yes, sir.

Q. And the door opened this way? A. Yes, sir.

Q. And this door closes around this way? A. Yes, sir; that is the way I understand it.

Q. Was the refrigerator door closed when you saw it? A. No, sir; it was partly open.

Q. How far open? A. About that way (indicating).

Q. Was it open a foot? A. Hardly.

Q. Was it open ten inches? A. Not over six inches. I would say six or eight inches open.

Q. Did you open it to see what was in the refrigerator? A. No, sir; I did not at that time.

Q. Did you afterwards? A. Yes, sir; I did afterwards.

Q. Did you observe the door leading from the dining room into the cellar? A. It was partly open.

Q. The door leading to the cellar from the dining room was partly open? A. Yes, sir.

Q. I mean the door from the kitchen? A. Yes, sir; that is the door leading from the kitchen.

Q. How about the bed room? A. The door leading to the cellar was partly open.

Q. Did you go down into the cellar? A. Not that night.

Q. When did you go down into it? A. Not until several days afterwards.

Q. There is a door that leads from the cellar outside, is there not? A. Yes, sir.

Q. Do you recall the day when you went down there? A. It was the day that Mr. Bush was there. It was quite a while afterwards.

Q. Did you notice the door leading from the cellar on the day that Mr. Bush was there? A. Yes, sir; but not specially. I think the door was not fastened.

Q. It had no lock on it, did it? A. No, sir.

Q. The door leading from the cellar outside had no lock on it, did it? A. No, sir.

Q. What, if anything, did you find in the bedroom? A. I saw the dead body on the bed.

Q. Did you find anything else in the room? A. Nothing special. I found some shoes in there.

Q. How many shoes were in there? A. Ten or twelve pairs of them. There were quite a lot of them.

Q. Did the authorities look very closely and carefully in that room? A. I think so.

Q. You saw things in the room, did you not? A. Yes, sir.

Q. Did you look for a one dollar bill? A. I don't know that I looked for a one dollar bill. I don't know anything about it.

Q. What, if anything, did you find in that room upon the dresser or chiffonier? A. I didn't pay any particular attention to it at first, as I had to keep the crowd out of the room. After the detectives came, I had more time to look around.

Q. Did you see any jewelry there? A. No, sir; as I never looked for it. I never went through the chiffonier, I just gave it a casual glance. Back in the back room on the kitchen dresser, we found an empty pocketbook. Whether the object was robbery, we don't know; but we didn't find anything in it.

Q. When did the detectives come? A. That night, I don't know exactly what time, but between eight and nine o'clock.

Q. Who came? A. Detectives Kratz and Pohler.

Q. You had the keys to the house, did you not? A. Only when I went down there to let some one in. Mr. Sullivan had the keys.

Q. Don't you know that jewelry was found there? A. No, sir; I do not know that.

Q. You were present when Snowden was arrested, were you not, Mr. Lee? A. Yes, sir.

Q. How far were you from Snowden when he was arrested? A. I judge about as far as from here to you.

CROSS-EXAMINATION.

Q. (By Mr. Green): What time did you get to the Brandon home on the night that the body was found? A. I got there at six o'clock or a little after six o'clock. I must have arrived there a few minutes after six o'clock.

Q. Who was there when you got there? A. I recall Dr. Joyce, William Curry and Dr. Welsh. If I am not mistaken, you were there, too. If you were not there, you came in in a very few minutes. I remember you told me to keep the crowd away.

Q. Was Mrs. Stewart there at that time? A. No, sir.

Q. Who took charge of the body in the room when Mr. Curry went to supper? A. I assisted there and Dr. Welsh was with me.

Q. Dr. Lee, who made any examination of that body while Mr. Curry was away from that room? A. No one, except Dr. Welsh and myself. We were sitting there, and he asked me if I wanted to look at the body. There was a sheet over the body and up over the head, and Dr. Welsh pulled that sheet back and I saw her. Dr. Welsh never made any examination of the wound in her head or her fingers then.

Q. (By Mr. Brady): What are you talking about now? A. About the time Dr. Welsh and myself were in the room together.

Q. Were you there, Mr. Lee, when Mrs. Stewart made an examination of the body? A. No, sir; I never saw Mrs. Stewart there that night. There were some people in the front room when I passed through, but I could not see who they were because it was dark in there.

Q. Did you make any examination of the room after you got there, Mr. Lee? A. Yes, sir.

Q. Did you examine the bureau and the dresser? A. When we were there, we saw a pocketbook on the dresser. I looked at the pocketbook, and I think Mr. Curry was there then too. Dr. Welsh looked at a few papers but there was no money in the pocketbook. We went into the middle room and looked on the chiffonier that was there. The chiffonier was at the head of the bed, and I looked over the chiffonier myself. I saw some hairpins and tortoise shell or imitation tortoise shell combs, and there were quite a lot of them. Quite a lot of them were in a dish there, but no money was discovered.

Q. No money was there? A. No, sir; none.

Q. Up to that time Mrs. Stewart had not been in there, had she? A. I had not seen Mrs. Stewart up to that time.

Q. She had not been in that room? A. If she was in there, she must have been in there before I got there. She was not in there while I was there.

RE-DIRECT EXAMINATION.

Q. (By Mr. Brady): Where was Dr. Joyce? A. He was not in there, I did not see him.

Q. You didn't see Dr. Joyce? A. Not when I got there.

Q. You didn't see Dr. Joyce? A. No, sir.

Q. You didn't see him? A. No, sir.

Q. And you don't know whether he was there before or after you were there, do you? A. No, sir.

Q. You don't know that he made an examination of the body at all, do you? A. No, sir; I do not.

Q. Did you say that Mrs. Stewart may have made one? A. If she was there before I came there. I didn't see her while I was there.

Q. Dr. Joyce may have been there before you were too, may he not? A. Yes, sir; he must have been there.

Q. About what time was it that you got there? A. I think it was a little after six o'clock when I got there.

Q. Who was present in the house when you got there? A. I could not tell you who was in the front room, and there was a crowd outside. There were some people in the front room, but the room was dark.

Q. How long did you stay there? A. I stayed there until they got ready to take the body away.

Q. And you didn't see Dr. Joyce there? A. I did not, but he may have been there.

RE-CROSS-EXAMINATION.

Q. (By Mr. Green): When Mr. Curry came back, you left that room, did you not? A. Yes, sir.

Q. (Mr. Brady): Where did you go? A. After the detectives came there?

Q. I am speaking about after Mr. Curry came back? A. I may have left the room.

Q. (Mr. Green): After Mr. Curry came back from supper, did you stay in the room all the time? A. No, sir; I was in and out of that room constantly.

Q. (Mr. Brady): Where were you? A. Outside keeping the crowd back, and keeping order there as much as I could.

Q. You were around or about the place, and didn't see Dr. Joyce there? A. I didn't see Dr. Joyce there. I have no recollection of seeing the Doctor there.

Q. From the time that you reached there at six o'clock until the body was removed from the house, and taken to the hospital, you didn't see Dr. Joyce there? A. When they got ready to take the body away, I was outside with the crowd.

Q. But you were around and about there all the time, were you not? A. Yes, sir; and on the street. The Doctor could have been in the front room when I got there, and I did not see him. He could have come in past me when I was outside and I would not have seen him. I didn't go into the front room until after the detectives came down, and I didn't go into the other room any more after they came down.

Q. Then you don't know what took place in there and what doctors were there do you? A. No, sir; not after the detectives got there.

(Examination concluded.)

TRAVERSER'S FIFTY-SECOND 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 and fifty-first bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, the witness JULIA CARROLL, being called on behalf of the defense, testified as follows:

JULIA CARROLL, 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 what? A. Julia Carroll.

Q. Where do you live? A. No. 41 Northwest street, Annapolis, Maryland.

Q. Where did you live on August 8th last? A. No. 41 Northwest street, Annapolis.

Q. Who lives next door to you? A. Mary Ellen Bias.

Q. Do you recall the day that Mrs. Brandon's body was found in that house on Second street in the City of Annapolis? A. Yes, sir.

Q. On the Sunday following the day that Mrs. Brandon's body was found, did you have a conversation with Mary Perkins? A. I did.

(The Court): That was the occasion when Clara Belle Roberts, Julia Carroll and Mary Ellen Bias were present, and it was on the Sunday following the day the body was found and they were coming from church at the time?

(Mr. Brady): Yes, sir.

Q. Did Mary Perkins say to you in that conversation that she had seen no one come out of the house or about that house that day, speaking of the Brandon house? A. Yes, sir; she did.

Q. Did she say that she noticed that the blinds were down and remained down all during the day? A. She said that the blinds were just as Mrs. Brandon always fixed them in the morning. I asked her if she had seen Mrs. Brandon that day, and she told me no; but that the blinds were just as they were always fixed in the morning; and she pointed across the street to a neighbor's house and said that was the way she always kept the blinds.

(Mr. Green made a motion to strike out this last answer, the motion was granted, 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-second Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

(The Court): The question is: Did she say that the blinds were down and remained down all day?

(Mr. Brady): That is exactly what she did say, and she also pointed to blinds across the street to show just how they were.

Q. Did she say that she noticed that the blinds were down and remained down during the day? A. Yes, sir; but not all the way down, not down to the ground. She didn't say they were down like we put our blinds, but pointed to blinds across the street to show how they were down.

Q. She pointed across the street and showed just like they were down? A. Yes, sir.

(No cross-examination.)

(Examination concluded.)

CLARA BELLE ROBERTS, a witness of lawful age, being produced on behalf of the defense and duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Brady): Where do you live? A. In Northwest street.

Q. What number? A. No. 41.

Q. In Annapolis? A. Yes, sir.

Q. That was your mother who was just on the stand, was it not? A. Yes, sir.

Q. Do you recall August 8th, last, when Mrs. Brandon's body was found? A. Yes, sir.

Q. On the Sunday following, on the way from church, did Mary Perkins stop at your home? A. She did.

Q. Who were present? A. Mary Ellen Bias, my mother and myself.

Q. Where were you? A. Standing on the porch.

Q. Did Mary Perkins say to you or to your mother in your hearing that she had not seen anyone come out of that house or about that house that day? A. Yes, sir; she did.

Q. Did she say that she had noticed that the blinds were down and remained that way all day? A. She did.

CROSS-EXAMINATION.

Q. (By Mr. Green): Was Edith Creditt there? A. Yes, sir.

Q. Where were you? A. Standing on the porch.

Q. Who was she talking to? A. Mary Ellen Bias.

Q. Who did the talking? A. Both of them were talking. I understood what they were talking about, but didn't pay much attention to them.

Q. You didn't pay much attention to them? A. No, sir.

Q. (Mr. Brady): Who are you talking about? A. About Edith Creditt and Mary Ellen Bias.

Q. What did Edith Creditt say? A. I don't know as I did not pay much attention to her. She was talking to Mary Ellen Bias.

Q. Did Mary Perkins say that the blinds were down, or did she say that they were as Mrs. Brandon usually kept them? A. She said that they were just as Mrs. Brandon usually kept them.

Q. Then she didn't say that the blinds were down all day, did she? A. No, sir; she didn't say that the blinds were down all the way.

Q. What do you mean by answering the question that way? I asked you if she said the blinds were down all day? A. I thought that was what you asked me.

Q. I asked you if Mary Perkins said they were down all the day, or whether she said they were as Mrs. Brandon usually kept them? A. Yes, sir, and I told you yes.

Q. Did she say that the blinds were down, or did she say they were like Mrs. Brandon usually kept them? A. She said she kept them about half way down, not all the way down to the bottom.

Q. Then she said the blinds were half way down? A. They were not quite all the way down.

Q. Did she say that the blinds were half way down? A. She said the blinds were down as Mrs. Brandon usually kept them.

Q. Did she say the blinds were all the way down or half way down? A. She said that the blinds were down to the window sill.

Q. That is what she said? A. Yes, sir.

Q. She said that the blinds were down and down all the way? A. Of course, she didn't say any name.

Q. She didn't say Mrs. Brandon's name, but you knew she meant Mrs. Brandon's, didn't you? A. Of course, I knew she was talking about Mrs. Brandon's.

Q. Did she say that she didn't see Mrs. Brandon? A. She said she didn't see anyone come out of there.

Q. Did she say that she didn't see Mrs. Brandon? A. No, sir; she didn't say she saw Mrs. Brandon.

Q. Did she say that she didn't see Mrs. Brandon? A. No, sir; she didn't.

Q. Then how do you know she didn't see Mrs. Brandon? A. She didn't say that to me.

Q. How do you know that she didn't see anyone come out of the house? A. She said she didn't see anyone come out of the house.

Q. She said she saw no one come out of the house? A. No, sir.

Q. Did she say she saw Mrs. Brandon come out of the house? A. She said she didn't see anyone come out of the house.

(Examination concluded.)

TRAVERSER'S FIFTY-THIRD 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 and fifty-second bill of exceptions, all of which is hereby made

a part hereof as fully as if the same were herein repeated at large, witness GEORGE HARTMAN, being called on behalf of the defense, testified as follows:

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

DIRECT EXAMINATION.

Q. (By Mr. Grason): We know who you are, Mr. Hartman. Were you in Baltimore City at the detective headquarters at any time when they were interviewing or questioning Snowden about this case? A. Yes, sir.

Q. When were you there? A. I do not recall the date that I was there. From the testimony in this case, they talked to him on Tuesday and Wednesday. As far as the testimony goes, I would say that I was there on the following Friday. I would say that I was there on Friday morning. I recall that I went away that afternoon, and it was the day that I went away.

Q. Do you mean the Friday following the discovery of the body? Was that the day you went away? A. I mean Friday one week after the discovery of the body. August 8th was on Wednesday, the following Wednesday was the fifteenth, and it was about the 17th that I was there.

Q. Where did you see Snowden? A. In Marshal Carter's office.

Q. Who was in there? A. Detectives Doherty, Kratz and Pohler, Marshal Carter and Deputy Marshal House. I was only there about fifteen minutes. I went there on other business, and stopped in to see the accused.

Q. You were not asked to come in there, were you? A. No, sir; but I was invited to go in and see the accused when I was there.

Q. Weren't you invited to go in and see the third degree administered? A. No, indeed.

Q. Didn't you receive an invitation like that? A. No, sir.

Q. Can you give the jury some idea of how long you were there? A. About fifteen minutes. I know that I was in a hurry at the time, as I wanted to purchase a ticket for my train and I had failed to do it the day before.

Q. Did they question Snowden while you were there? A. Yes, sir.

Q. Who questioned him? A. I think all of them asked him some questions. I couldn't detail any particular one asking him questions.

(The Court): As I understand it, this was on the 17th. What is the purpose of this testimony? Any statements that the prisoner made and which were brought out by the State were either on the evening on the 13th and not later than the 15th. What is the object of this testimony after these statements had been obtained?

(Mr. Grason): The object of the testimony is this: The State has produced its witnesses, and they have detailed the manner in which they talked to Snowden, and how and under what circumstances various statements were obtained from Snowden. It is for the purpose of contradicting these statements.

(The Court): Certainly, nothing later than the 15th is admissible.

(Mr. Grason): If your Honor please, suppose it was after the 15th. Suppose that I show that on the 17th I show there was rough treatment of Snowden. Wouldn't that throw some light on the manner in which he was treated before that, and have a tendency to corroborate this man Snowden in the story he told on the stand as to his treatment on the 15th and before that date. That is the purpose of the testimony.

(The Court): I don't think any formal objection has been made to it.

(Mr. Green): I object.

(The Court): Anything that was said or done to the prisoner before he made the statements would be evidence and is admissible. What happened on August 17th, September 24th

or October 13th, after the time the statements were made, is not evidence.

(Mr. Grason): I will dictate the question to the stenographer.

Q. Didn't you say to people in the Court House at Towson, between the time of the removal of this case from Anne Arundel County to this Court and the date that it was taken up for trial here, that upon the occasion when you were there at police headquarters in Baltimore City, when the detectives that have been mentioned, Marshal Carter and Deputy Marshal House were questioning Snowden, you stated you were there about fifteen minutes; and that you were so disgusted at the conduct of the Marshal, Deputy Marshall and detectives in the way in which they handled and questioned the accused that you left?

(Mr. Grason): And we further offer to prove that Mr. Hartman made the statement embodied in the question.

(Mr. Green): I object both to the question and the offer.

(The Court): It appears from the testimony of Mr. Hartman that the occasion upon which he was there when Snowden was being questioned was on August 17th, after any statement made by the prisoner and introduced in evidence had been made. I sustain the objection.

(Mr. Grason): I note 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-third Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

(No cross-examination.)

(Examination concluded.)

(By Mr. Brady): This is our case.

(The Court): The defense closes.

DR. WALTON H. HOPKINS, a witness of lawful age, being produced in rebuttal on behalf of the State, having been previously sworn, testified as follows:

THE DIRECT EXAMINATION BY MR. GREEN.

Q. Doctor, did you hear Rev. Williams make a statement to me in my office on Tuesday night, August 14th, last? A. Yes, sir.

Q. Did he say to me that time that he didn't know what time he went out on the porch, how long he stayed there, what time he left or what time he got back? A. He did.

Q. Doctor, what time did you reach the Brandon home that night? A. Between 9 and 10 o'clock.

Q. Did you see Mrs. Stewart there? A. She was in the front room of the house when I went in.

Q. While you were in the room with the body, Doctor, did Mrs. Stewart make any examination of it? A. No, sir.

Q. Did she go into the room at all while you were there where the body was? A. No, sir.

THE CROSS-EXAMINATION BY MR. BRADY.

Q. Doctor, I heard you answer a question of the State's Attorney a moment ago in the affirmative. The question that he asked you was: "Did Rev. Williams make a statement to me in the presence of Doctor Hopkins on Tuesday night, August 14th, in my office, that you didn't know what time you went out on the porch, how long you stayed, what time you left and what time you got back?" and you said, "Yes, sir"? A. Yes, sir.

Q. Mr. Green has changed it, and I want to change it, too, and make it the 13th. Was it the 14th or the 13th? A. It was on Tuesday night.

Q. Then you were wrong a moment ago as to the date; were you not? A. It was Tuesday night.

Q. You still say it was? A. I said it was Tuesday night in my answer to my question.

Q. He says that it was on the 14th. Do you say that it was on the 14th? A. I said it was on the 14th.

Q. The question was, "Was it Tuesday night, August 14th?" and you said, "Yes"? A. That was the night I was there and he made the statement. It was on Tuesday night.

Q. It is a question of time. If Mr. Green was mistaken, you are mistaken, too, are you not? A. I am not mistaken about it being Tuesday night.

Q. I mean what date was it? A. I didn't say what date it was. I know when I was there.

Q. You knew what you were saying when you answered the question, did you not? A. I did.

Q. You said "Yes" in answer to the question? A. Yes, sir.

Q. If Mr. Green was mistaken about the date, you are mistaken, too; are you not? A. I do not know the date, and I told you that I did not. I told you that it was on Tuesday night that I was present and he made this statement.

THE RE-DIRECT EXAMINATION BY MR. GREEN.

Q. Doctor, how many days was that after Snowden was arrested? A. It was the day after Snowden was arrested.

(Examination concluded.)

TRAVERSER'S FIFTY-FOURTH 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, fifty, fifty-first, fifty-second and fifty-third bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness SAMUEL HOUSE, being called on behalf of the State in rebuttal, says:

SAMUEL HOUSE, a witness of lawful age, being produced in rebuttal on behalf of the State, having been previously sworn, testified as follows:

THE DIRECT EXAMINATION BY MR. GREEN.

Q. You are Deputy Marshal of Baltimore City? A. Yes, sir.

Q. Do you recall the fact of the arrest of Snowden on Monday, August 13th? A. He was brought into the office there.

Q. When he was brought back on the next morning was he brought into your presence? A. He was.

Q. Who else was present there? A. He was brought in, and Detectives Pohler and Kratz, Marshal Carter, Officer Pease and myself were present.

Q. Where is Officer Pease? A. Present here.

Q. Stand up Officer Pease. Is that him? A. Yes, sir.

Q. Now, Deputy Marshal, in his testimony Snowden made the following statement: "I sat close to the table in a chair like this (indicating), the chair was here and the table was there (indicating), the arms of the chair went under the table like that (indicating), the chair that I had had arms on it and it was up against the table like this, the arms of the chair went under the table. I sat at the table and talked to three men. I was at the corner of the table like this (indicating). One man stood at the side, one man sat on the other side of the table, and the other man stood back of me. They had me against the table and talked to me like this. They kept talking and talking to me, and I kept talking and talking to them, by and by they pulled the chair out and I fell on my knees like this (indicating), and the man there shoved a gun against my head and the

man back of me hit me on the head. Then the chair was put against the table again, and they did the same thing over again, and kept on doing it. Then they made me take off my sweater, pants, top shirt and undershirt. Then one of the men went out and came back with a half a pint of whiskey, and asked me if I wanted a drink. I asked for a glass to drink out of, and he said that I would have to drink out of the bottle. I drank a little of it, and he told me to have some more, and I did. I gave the bottle back to him, and they talked to me again. In about five minutes the man brought the whiskey back and said that I had drank his whiskey, and I said that I didn't drink it until he told me to. Then he told me to drink the rest of the whiskey, and I said that I didn't want to drink it. Then he took a gun and laid it on the table, and said I would have to drink the whiskey. I looked at the table, I looked at them and then grabbed the whiskey and drank it. They did that about every five or ten minutes all day, except when they brought the whiskey in. Then they took me into another little room, and made me take off my shoes. After I had taken my shoes off, they put a coat something like this on me, and made me sit down in a chair with the coat on. They took me out of the chair and put me on a little scales, and then made me put my heels against the wall." I want to stop at the point "except when they brought in the whiskey," Deputy Marshal, and ask you whether or not any of this is true, whether any of these things were done to Snowden at that time by you or anyone else in your presence?

(Mr. Grason): I object, your Honor, as I do not think this is rebuttal testimony. If your Honor will recall, when the detectives were upon the stand, they were questioned at length concerning their treatment of Snowden, before the statements were given in evidence. Detective Pohler was cross-examined by me. Your Honor required the other detective, before the statement was given in evidence, to account for their of Snowden on the very night of his arrest, when he was taken to the sheriff's office in Annapolis; the night he was received at the Marshal's office, the evening of his arrest; the next day when he was brought back from the lock-up, and the day following up until the fifteenth, when this statement was offered. I respectfully submit that I do not think this is rebuttal, and the State should have gone into it in chief.

(The Court): These officers testified as to their treatment of the prisoner, all that was said to him, all that was done to him,

in order for the statement of the prisoner to be admitted. That was the inquiry that was limited to these officers, who were present when the prisoner at the bar had been brought in and examined at some time. If, at that time, there had been any intimation as to what the accused was going to testify to, they could have been examined upon it then; but there was nothing offered at that time except the testimony of these officers; and there appeared to be no reason why the statements, which the Court admitted, should not have been admitted.

Now, then, the defendant takes the stand and puts up this statement. He makes the statement that he was abused in a certain way before he made this statement. You will remember that, when the officers were upon the stand, they were asked who was in the room, and not whether Snowden had been subject to any cruelty, whether a pistol had been put at his head, whether he had been hit over the head, or whether the chair had been pulled from under him. Now, then, this is rebuttal of the testimony brought out by the defendant, and it is rebuttal of a specific point.

(Mr. Grason): I will note an exception to this question, and a general exception covering all the testimony of the officers.

(The Court): All right.

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

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FIFTY-FIFTH 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 and fifty-fourth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, the witness SAMUEL HOUSE, continuing, says:

A. I should say not.

Q. Did anyone in your presence, put a pistol to his head and threaten to shoot him? A. They did not.

Q. Did anyone else, in your presence, or you at that time hit him over the head? A. They did not.

Q. Did you, or anyone else, in your presence, bring a bottle of whiskey into that room? A. No, sir.

Q. Did you, or anyone else, in your presence, invite Snowden to take a drink of whiskey? A. I did not. I questioned him, and no one asked him to take a drink of whiskey. There was no whiskey there.

Q. Did you, or anyone else, in your presence, pull the chair from under him and cause him to fall to the floor? A. No, sir.

Q. Did you, or anyone else, in your presence, make him take his sweater, pants, top shirt or undershirt off? A. I would say not.

Q. I mean before he was carried out of that room? A. It was in the Bertillon System room that they made him take off his shoes so they could measure his foot.

Q. I mean in the first room before he went into that other room? A. No, sir; they did not.

Q. Snowden has testified that he was brought back the next morning and carried to the same place, that you sat him at the table and commenced talking to him, hit him over the head like you had done before, did the same things to him as you did the first time, except the whiskey; sat him at the table and talked to him; and, while you were talking to him, you pulled the chair

out from under him and he fell to the floor; that you put him back again and told him that you were going to shoot him; and that he was afraid of the three of you. He said that you put him back in the chair, and that he asked you please not to shoot him as he had done nothing. He said that that continued for a part of the day; and, in the evening, he was brought back into that room again, and that Edna came up there then. He said that this man with the bump on his face (he referred to you and identified you afterwards) said that some one was in that room there; and, if you say anything to them, we are going to shoot you. Then I went in there, and Edna came. Then I started to tell them as near as I could the truth, and they took me out of the room and Edna was left in the room. Then they carried me in again and brought me out again. I want to ask you, whether, on the succeeding day, you or any one in your presence treated Snowden in the way that he has testified? A. No, sir.

Q. Did you or anyone in your presence, pull the chair from under him, and did he say "Please don't shoot me, I haven't done anything"? A. No, sir.

Q. Did you say to him that you were going to bring some one in that room; and, if he said anything to them, you were going to shoot him? A. I did not.

Q. Did you or anyone, in your presence, from the time of the arrest of Snowden until August 16th, including August 15th, threaten to shoot him? A. No, sir.

Q. Did anyone in your presence put a pistol to his head and tell him that they were going to shoot him? A. No, sir.

Q. Did anyone, from the time of his arrest and bringing him to Baltimore up until August 16th, in your presence give him any whiskey to drink? A. I don't know what was done in Annapolis, but no one gave him any whiskey in Baltimore in my presence.

Q. I mean after he reached Baltimore? A. No, sir.

Q. Did you, at any time from the date of his arrest and after he reached Baltimore, including August 16th, and August 15th, hear anyone say anything to him about going to shoot him? A. No, sir.

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 Pohler 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 Pobler 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 13th, 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,

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 and fifty-fifth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were repeated at large, witness ROBERT G. CARTER, called in rebuttal, on behalf of the State, testified as follows:

ROBERT G. CARTER, a witness of lawful age, being produced in rebuttal by the State and duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Green): What is your name? A. Robert G. Carter.

Q. What position do you hold? A. Marshal of police for Baltimore City.

Q. How long have you been Marshal? A. Four years next October.

Q. How long have you been connected with the Police Department of Baltimore City? A. Thirty-five years.

Q. What was your position before you became Marshal? A. Lieutenant and Acting Deputy Marshal.

Q. Did you see the accused, Snowden, on the morning of August 14th in the presence of Deputy Marshal House and Officer Pease? A. I did.

Q. Where was that, Marshal? A. At my office in the Court House.

Q. Marshal, Snowden has testified that he was taken into a room, in which room was Deputy Marshal House, whom he identified, and two other men were there. That he was placed in a chair close to the table, that you hit him in the head, that a

gun was placed to his head and he was threatened with being shot, that whiskey was brought into the room and he was given some of it, that the bottle was placed on the table and the pistol was placed beside it; that he was told to drink the rest of the whiskey and he did; that some of his clothes were taken off him; that the chair was pulled from under him and he fell to the floor; and that was kept up all day. Will you please tell the Court and jury if these things were done by yourself or anyone in your presence?

(This question was objected to by Mr. Grason, the objection was overruled, 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-sixth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FIFTY-SEVENTH 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 and fifty-sixth bills of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness ROBERT G. CARTER, continuing, says:

A. They were not done by me, nor were they done by anyone in my presence.

Q. Did you or anyone, in your presence, threaten to shoot him that day? A. No, sir.

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

and Wednesday, August 14th and 15th, that were had with the accused, John Snowden? A. At times I was. I was in and out of the office.

Q. Did you or anyone else, in your presence, give him any whiskey to drink? A. No, sir.

Q. Did you or anyone else bring any whiskey into the room where he was? A. No, sir.

Q. Did you or anyone else, in your presence, threaten to shoot him? A. No, sir.

Q. Did you or anyone else, in your presence, place a pistol at his head? A. No, sir.

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

Q. On either of these days was the chair pulled from under him so that he fell on the floor? A. No, sir.

Q. At any of those interviews did either you, the Marshal or Deputy Marshal make him take off any of his clothing? A. No, sir.

Q. Did you bring him over to the Court House? A. Not from the station house; no, sir.

Q. Did you have him in charge after he left the Marshal's office?

(This question was objected to by Mr. Grason; the objection was overruled, 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-eighth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

TRAVERSER'S FIFTY-NINTH 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, thirty, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, forty, forty-first, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth, fifty, fifty-first, fifty-second, fifty-third, fifty-fourth, fifty-fifth, fifty-sixth, fifty-seventh and fifty-eighth 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, continuing, says:

A. I had him in charge in the Marshal's office.

Q. Did you take him anywhere from the Marshal's office?

A. I took him to the cellroom next to the Bureau of Identification.

Q. Did you go to the Bureau of Identification with him?

A. No, sir; not to the Bureau of Identification.

THE CROSS-EXAMINATION BY MR. GRASON.

Q. You were the clerk at the office, were you not? A. At that time I was clerk; yes, sir.

Q. What are your duties there? A. At that time?

Q. Yes, sir. A. General office work, answering the telephone, local and out-of-town calls, receiving the telegrams, attending to the filing system, and fixing the reports and indexes.

Q. Did any telephone calls come while he was there? A. Yes, sir; of course.

Q. Who answered them? A. I answered them at times; also the Deputy Marshal and the Marshal.

Q. Have you any idea how many times the Marshal, the Deputy Marshal or yourself answered the telephone while Snowden was there? A. I don't remember.

Q. It is a pretty busy telephone, is it not? A. There is a lot of telephoning there, and there is the fire alarm in addition to the telephone.

Q. It is a pretty busy telephone, is it not? A. At times it is busy and at times it is quiet.

Q. Was it quiet or busy that morning? A. I don't remember.

Q. There are a great many calls there where the people come in personally, are there not?

(This question was objected to by Mr. Hartman; 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-ninth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

Witness, continuing, says:

Q. Isn't it the truth that you were just in there casually, in and out there all that day? A. I was in the office. I am always in the office.

Q. Isn't it a fact that when Snowden was in that office with the Marshal and Deputy Marshal, you were not in there except when they called you in there? A. When he was brought in Snowden was put in my charge.

Q. Can you tell the jury how many times you went to answer the telephone or anything else? A. No, sir; not that morning.

(Examination concluded.)

TRAVERSER'S SIXTIETH 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, fifty-seventh, fifty-eighth and fifty-ninth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, Witness DR. J. C. JOYCE, being called in rebuttal for the State, testified as follows:

DR. J. C. JOYCE, a witness of lawful age, being produced in rebuttal on behalf of the State, having been previously sworn, testified as follows:

THE DIRECT EXAMINATION BY MR. GREEN.

Q. Dr. Joyce, do you know Mrs. Stewart? A. Yes, sir.

Q. When you reached the Brandon home on Wednesday, August 8th, was Mrs. Stewart there? A. No, sir.

Q. Did Mrs. Stewart in your presence, Doctor, make any examination of the body?

(Mr. Grason objected to this question as not being proper rebuttal; the objection was overruled, and Mr. Grason noted an exception.)

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

FRANK I. DUNCAN. (Seal)

TRAVERSER'S SIXTY-FIRST 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, fifty-seventh, fifty-eighth, fifty-ninth and sixtieth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness DR. J. C. JOYCE, continuing, says:

A. No, sir.

Q. Doctor, did Mrs. Stewart, at your suggestion, or in your presence, get a hairpin from the bureau to make an examination of the wound in the head, or insert a hairpin in that wound?

(This question was objected to by Mr. Grason; the objection was overruled, and Mr. Grason noted an exception.)

A. No, sir.

Q. Did you ever make any suggestion that she do that?

(This question was objected to by Mr. Grason; the objection was overruled, 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 Sixty-first Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

Witness, continuing, says:

A. No, sir.

Q. Did she assist you in making any examination of the genital organs of the body? A. No, sir.

Q. Doctor, did Mrs. Stewart open Mrs. Brandon's legs? A. No, sir.

Q. Did Mrs. Stewart take the woman's legs and press them apart? A. No, sir.

Q. Did she take a pin and open the vagina? A. No, sir.

Q. Doctor, did you ask Mrs. Stewart to open the legs of the body? A. No, sir.

Q. Did she open the legs of the body in your presence? A. No, sir.

Q. Did she touch the body in your presence? A. Not that I saw. I was there, but I didn't see her.

Q. Doctor, was Mrs. Stewart there at all? A. She came in just before I left.

Q. Came in where? A. She came into the room after I had been there some time, and I left in a short time.

Q. Did you have any talk with her at all in that room? A. I think she said something to me.

Q. Do you remember what it was? A. I don't think I can say what she said to me. It was only a few words.

Q. But you do know that she made no examination of that body in your presence or at your suggestion? A. Yes, sir.

CROSS-EXAMINATION.

Q. (By Mr. Brady): Doctor, do you remember who had charge of that body when you first went there, and whether there was any white woman paying any attention to it? A. No one in particular.

Q. When you first got there, who was there? A. In the middle room there were three or four women, none of whom I knew.

Q. That was when you first got there? A. Yes, sir; I didn't know these women. I looked around, but I did not know them. As I said, Mrs. Stewart came in just a short time before I left.

Q. That was the first time you were there? A. Yes, sir.

Q. Just how long did you stay there the first time? A. I stayed there not over a half an hour.

Q. What time did you go back there? A. About ten o'clock that night.

Q. It is during the half hour that we were talking about now? A. Yes, sir.

Q. Do you know that Mrs. Stewart was not in the front room when you went there? A. Yes, sir; I didn't see her in there.

Q. Are you sure that she was not there? A. No, sir.

Q. Who was there? A. Mr. Brandon and several women that I did not know.

Q. How long have you known Mrs. Stewart? A. Ever since I have been at Annapolis, six or seven years.

Q. And you only saw Mr. Brandon and three or four women in that room? A. I would say that there were several people there.

Q. Who was in the kitchen when you first went there? A. No one was in the kitchen.

Q. How do you know that no one was in the kitchen, did you look in there? A. No, sir.

Q. Doctor, do you say that you didn't request Mrs. Stewart to open the limbs of the body? A. Yes, sir.

Q. Who did that? A. No one.

Q. Wasn't that done at all? A. No, sir; not the first time.

Q. I am talking about the first time, the half hour you were there? A. Yes, sir; I know.

Q. Now, I will ask you whether you washed or cleaned the face while Mrs. Stewart and several others were there? A. I said that I didn't remember that. I told you that before. I may have done it, but I don't remember it now.

(Examination concluded.)

TRAVERSER'S SIXTY-SECOND 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, fifty-seventh, fifty-eighth, fifty-ninth, sixtieth and sixty-first bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, the witness DR. WILLIAM S. WELCH, called in rebuttal on behalf of the State, testified as follows:

DR. WILLIAM S. WELCH, a witness of lawful age, being produced in rebuttal on behalf of the State and duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Green): Doctor, you are a practicing physician in the City of Annapolis, are you not? A. Yes, sir.

Q. You also a Justice of the Peace? A. Yes, sir.

Q. Were you called to the Brandon home on August 8th in your official capacity? A. I was, sir.

Q. How long have you been practicing medicine, Doctor? A. Upwards of thirty years.

Q. When you got to the house, Doctor, was any other doctor there? A. No, sir.

Q. Was Dr. Joyce there when you got there? A. Not at that time.

Q. What time did you get there, Doctor? A. I think it was on or about six o'clock. I am not quite positive as to the exact time.

Q. Doctor, Mrs. Stewart has testified that at the suggestion of Dr. Joyce and in your presence with Dr. Joyce she made an examination of the wound in the head of Mrs. Brandon, inserting a hairpin in it; and, at the suggestion of Dr. Joyce, she took hold of the limbs of Mrs. Brandon and pressed them apart so that Dr. Joyce could examine her vagina. Please state to the Court and jury whether at any time in your presence Mrs. Stewart ever made any examination of that body?

This question was objected to by Mr. Grason, the objection overruled 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 Sixty-second Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

Witness DR. WELCH, continuing, says:

A. No, sir; no such an examination was made.

Q. Did you see Mrs. Stewart at any time in your presence make any examination of that body? A. No, sir.

CROSS-EXAMINATION.

Q. (By Mr. Brady): Now, tell me, Doctor, whether Mrs. Stewart was there or not? A. I have an indistinct recollection of seeing Mrs. Stewart some time that evening. I cannot recall when or where, but it was somewhere about the house.

Q. How long were you there? A. I think I was there until eight o'clock P. M., then I went home and came back later.

Q. Did you see Dr. Joyce there? A. No, sir; I don't recall seeing Dr. Joyce.

Q. You didn't see him there? A. No, sir.

Q. What time did you get there, Doctor? A. On or about six o'clock.

Q. And you didn't see Dr. Joyce there at all? A. I don't remember seeing him at all.

Q. Of course, if you didn't see Dr. Joyce there at all, you didn't see Dr. Joyce do anything? A. Certainly not.

(Examination concluded.)

TRAVERSER'S SIXTY-THIRD 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, fifty-

seventh, fifty-eighth, fifty-ninth, sixtieth, sixty-first and sixty-second bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness OFFICER WILLIAM CURRY, being called in rebuttal on behalf of the State, testified as follows:

OFFICER WILLIAM CURRY, a witness of lawful age, being produced in rebuttal on behalf of the State and duly sworn, testified as follows:

DIRECT EXAMINATION.

Q. (By Mr. Green): You are a police officer in the City of Annapolis? A. Yes, sir.

Q. Do you recall the evening when Mrs. Brandon's body was found? A. Yes, sir.

Q. What time did you get there that evening, Officer? A. About fifteen minutes after five o'clock.

Q. Was Mrs. Stewart there when you got there? A. No, sir.

Q. Officer, who was in charge of the body? A. I was.

Q. You were placed in charge by whom? A. You placed me in charge of it when you came. When I first got there, I took charge myself.

Q. You were there how long? A. I was there from quarter after five o'clock until eleven or a little after eleven o'clock that night, when the body was taken away, with the exception of about three-quarters of an hour when I went to supper.

Q. Who was in charge of it while you were away? A. I left Sergeant Holliday, Mr. Lee and Dr. Welch there.

Q. Do you know Mrs. Stewart? A. Yes, sir.

Q. How long after you got there was it before she came there? A. I just don't remember. When I first saw her, she was in the front room.

Q. When you got there were you where you could see the body and what was done with the body until you went to supper? A. I was.

Q. What time did you go to supper? A. I judge about half past seven.

Q. What time did you get back? A. Shortly after eight o'clock, not more than fifteen minutes after eight o'clock.

Q. Were you there with the body then until it was taken away by the undertaker? A. Yes, sir.

Q. During the time that you were there, did you see Mrs. Stewart make any examination of the body?

(This question was objected to by Mr. Grason, the objection was overruled, 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 Sixty-third Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

Witness, continuing, says:

A. No, sir.

Q. Did she look at the body? A. Not to my knowledge, she didn't.

Q. Before the body was taken away by the undertaker was she in the room? A. She asked me from the front room if she could see the body?

Q. When was that? A. When the undertaker came to remove the body to the hospital and I admitted her to see it.

Q. In what way was the sheet then? A. I walked in and took the sheet back from the head. She looked at it, then stepped back and started to cry.

Q. After that what did she do? A. She took two rings off the fingers and said that Mr. Brandon wanted them.

Q. What did she say when she took the rings? A. She said that Mr. Brandon wanted them.

Q. She removed the rings from her finger? A. Yes, sir.

Q. Did she do anything else to the body? A. No, sir.

Q. Were you there when Dr. Joyce was there? A. Yes, sir.

Q. Did Mrs. Stewart, in Dr. Joyce's presence, make any examination of the wound in the head or any part of the body?
A. No, sir.

Q. Never touched the body, did she? A. No, sir.

Q. After you got there, Officer Curry, did you make any search of the premises or investigation of the room? A. I did.

Q. Did you make an examination of the bureau and the dresser? A. Yes, sir.

Q. You made an examination of the bureau and dresser?
A. Yes, sir.

Q. Was there any money on the bureau or dresser? A. There was not.

Q. Were there any bills of any denomination on the dresser?
A. No, sir.

Q. Did you make the examination before Mrs. Stewart came into the room? A. Yes, sir.

CROSS-EXAMINATION.

Q. (By Mr. Brady): You didn't see any bill on the bureau?
A. That is what I said.

Q. I also understood you to say that you got there about quarter past five o'clock? A. Yes, sir.

Q. What time did Dr. Joyce get there? A. Just ahead of me. To the best of my knowledge, he passed me in an automobile when I was fifty or seventy-five feet from the house.

Q. How long did the Doctor remain there? A. He stayed there until Mr. Green got there.

Q. What time was that? A. I didn't take the time of that.

Q. Was it before you went to supper? A. Yes, sir.

Q. How long before you went to supper? A. I guess it was close to three-quarters of an hour before I went to supper.

Q. Were you there when Dr. Welch came there? A. Yes, sir.

Q. Was Dr. Joyce there then? A. I think he had gone then. Dr. Joyce had gone away then.

Q. Are you sure that he had gone away, Officer? A. I think so.

Q. You are not positive, are you? A. Yes, sir; I am positive that he had gone.

Q. What time did he leave? A. I didn't take the time.

Q. What did Dr. Joyce do to the body? A. He looked at the body when he first went in.

Q. Then you are not sure that Dr. Joyce was not there when Dr. Welch came in about six o'clock? A. Yes, sir.

Q. Did you thoroughly examine the bureau? A. What do you mean by thoroughly examining it?

Q. Did you look it over? A. Yes, sir; I looked it over.

Q. Did you look on the chiffonier or the dressing table? A. You mean the bureau, don't you?

Q. I mean where ladies dress, where they have a glass, where they make their toilet? A. That is where I looked:

Q. And on the bureau or chiffonier, too? A. Yes, sir.

Q. Did you look on the other pieces of furniture? A. I looked all around. I was looking for the thing she had been hit with.

Q. Did you look at anything else? A. No, sir; not at that particular time.

Q. You say that Mrs. Stewart took the rings off her finger? A. Yes, sir.

Q. What kind of rings were they? A. One was a plain wedding ring, and the other one was a signet ring.

Q. And they were on her finger? A. Yes, sir.

Q. What time did Mrs. Stewart do that? A. She was taken to the hospital about eleven o'clock, and it was shortly before she was put into the basket to be taken.

Q. You had seen Mrs. Stewart before that, hadn't you? A. Yes, sir; I saw her before that; but I didn't see her in the room.

Q. You went to supper at what time? A. About half-past seven o'clock.

Q. What time did you get back? A. About quarter-past eight o'clock.

Q. You don't know whether Dr. Joyce and Mrs. Stewart made an examination of the body during that time, do you? A. No, sir.

Q. Officer do you mean to tell me that you stood over that body from the time that you got there until you went to supper? A. I sat there looking at the body.

Q. Why did you sit there looking at the body? A. I was told not to allow anyone to come in there and touch the body. Those were Mr. Green's orders.

Q. What time did Mr. Green get there? A. I guess within ten minutes after I called him.

Q. What time did you call him? A. Shortly after I went to the house that evening. I went to the Hose House and called him and he said that he would be up there right away.

Q. What time did he get there? You got there at fifteen minutes after five o'clock? A. I guess he got there twenty or twenty-five minutes after five.

Q. And you got there about fifteen minutes past five? A. Yes, sir; as near as I can get to it.

Q. You looked at the body and saw she was dead, didn't you? A. Yes, sir.

Q. Then you went to the hose house? A. Yes, sir.

Q. How far is the hose house from the Brandon home? A. I could walk there in two minutes easily.

Q. You called up Mr. Green and he got there when? A. Ten or fifteen minutes after I did, after I called him.

(Examination concluded.)

TRAVERSER'S SIXTY-FOURTH 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, fifty-seventh, fifty-eighth, fifty-ninth, sixtieth, sixty-first, sixty-second and sixty-third bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated

at large, the witness DR. WILLIAM S. WELCH, recalled by the defense, says:

(Examination concluded.)

DR. WILLIAM S. WELCH, recalled by Mr. Brady to ask him a few questions:

Q. Doctor, did you act as coroner in this case? A. I went there in that capacity.

Q. Did you act as coroner? A. I went there as coroner.

Q. Was any inquest ever held over the body?

(This question was objected to by Mr. Green, the objection was sustained, and Mr. Brady noted an exception.)

(Examination concluded.)

To which ruling of the Court the traverser by his counsel excepted and prays the Court to sign and seal this his sixty-fourth bill of exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

TRAVERSER'S SIXTY-FIFTH 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, fifty-seventh, fifty-eighth, fifty-ninth, sixtieth, sixty-first, sixty-second, sixty-third and sixty-fourth bill of exceptions, all of which is

hereby made a part hereof as fully as if the same were herein repeated at large, witness MARGARET QUEEN, produced on behalf of the State in rebuttal, testified as follows:

MARGARET QUEEN, 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. Margaret, do you know Rev. Williams? A. I do.

Q. What relation are you to Edith Credditt and Mary Perkins? A. They are my daughters.

Q. Did you see Rev. Williams on the Monday that Snowden was arrested and before your daughters went to the Court House to identify him? A. I did.

Q. Where did you see him? A. I called him in.

Q. Did he say to you at that time they can't make you tell what you don't want to tell; they can't make you say what you don't want to say; that it is a white people's affair?

(This question was objected to by Mr. Grason; the objection was overruled, 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 Sixty-fifth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

TRAVERSER'S SIXTY-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,

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, fifty-seventh, fifty-eighth, fifty-ninth, sixtieth, sixty-first, sixty-second, sixty-third, sixty-fourth and sixty-fifth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness MARGARET QUEEN, continuing, says:

A. Yes, sir.

Q. As he said that who came into your home? Where were your daughters? A. She was out. Mary came in at the time I and him were talking.

Q. Who came into your home while you were talking to him; Mary?

(This question was objected to by Mr. Grason; the objection was overruled, 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 Sixty-sixth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

Witness, continuing, says:

A. Yes, sir.

Q. What Mary? A. My daughter, Mary Perkins, and my sister was in the room at the same time.

Q. What is your sister's name? A. Fannie Hall.

(No cross-examination.)

(Examination concluded.)

MARY PERKINS, a witness of lawful age, being produced in rebuttal on behalf of the State, having been previously sworn, testified as follows:

THE DIRECT EXAMINATION BY MR. GREEN.

Q. Mary, did you hear Rev. Williams make the statement to your mother on the afternoon of the Monday before you went to the Court House to identify Snowden that they can't make you tell what you don't want to tell; they can't make you say what you don't want to say; that it is a white people's affair anyhow? A. I did.

(No cross-examination.)

(Examination concluded.)

EDITH CREDITT, a witness of lawful age, being produced in rebuttal on behalf of the State, having been previously sworn, testified as follows:

THE DIRECT EXAMINATION BY MR. GREEN.

Q. Edith, Rev. Williams has stated or testified that on the Wednesday that Mrs. Brandon's body was discovered in her home he had a talk with your sister Mary, and that you were present, and that your sister had made the statement to him that she had not seen Mrs. Brandon all that day; that she had noticed the house closely, and that she had not seen anyone about the house that entire day. Did you hear any such a conversation between your sister and Rev. Williams? A. No, sir; I did not.

Q. As far as you know, did your sister have any conversation with Rev. Williams that day? A. No, sir; not in my presence.

Q. Julia Carroll and Fannie Bias testified that on the Sunday following the finding of the body you and your sister stopped at their house; and that your sister told Julia Carroll that the curtains were not down all the way, and pointed across

the street to show how the curtains were; and that Mary Perkins said at the same time in the presence of Clara Bell Roberts that she had seen no one about there that day. Did you hear any such a conversation as that? A. No, sir; I did not.

(Mr. Green): That is the case for the State.

(Testimony closed.)

State of Maryland, Baltimore County, to wit:

I, William P. Cole, Clerk of the Circuit Court for Baltimore County, do hereby certify that the foregoing is a true transcript of the record of proceedings in the said Court in the therein entitled cause, in conformity with the rules of the Court of Appeals relating thereto.

In testimony whereof I hereto subscribe my name
and affix the seal of the said Circuit Court
this 4th day of October, A. D. 1918.

(Seal)

WILLIAM P. COLE,
Clerk of the Circuit Court for Baltimore County.

Appellant's costs, ———.

Appellee's costs, ———.

Record, \$325.00.