

witness FRED SANDBERG, a witness of lawful age, called on behalf of the State, further testified as follows:

FRED SANDBERG's testimony continued:—

A. I was sent there by direction of the Chief of Police of Washington.

Q. The Chief of Police of Washington? A. Yes, sir.

(Mr. Brady): I move that these photographs be stricken out, your Honor, from the record or withdrawn.

(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 Twelfth Bill of Exceptions, which is accordingly done this 23rd day of September, 1918.

FRANK I. DUNCAN. (Seal)

TRAVERSER'S THIRTEENTH BILL OF EXCEPTIONS.

After the occurrence of the matter set out in the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness JOSEPH L. RALEY, a witness of lawful age, called on behalf of the State, testified as follows:

JOSEPH L. RALEY, 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 are you employed? A. At J. B. Martin's, 102 West street, Annapolis.

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

Q. Do you remember the Wednesday, the 8th of August, the day that Mrs. Brandon was found dead at her home on Second street? A. I don't remember the day, but I heard of it.

Q. You remember it was that time, you remember the day she was found? A. Yes, sir.

Q. Did you see Snowden the night before? A. Yes, sir.

Q. Whereabouts? A. He was in Mr. Martin's saloon.

Q. About what time? A. Somewheres near twelve o'clock.

Q. Near twelve o'clock? A. Yes, sir.

Q. What was he doing there? A. He bought some beer and sent it home by a fellow by the name of Tobe Spencer.

Q. How much beer? A. I just don't remember, about two or three bottles.

Q. Did you sell him anything else? A. Some devil crabs.

Q. Do you know whether he treated that night? A. No, he didn't treat that night.

Q. Do you know how much he spent? A. I didn't take any notice.

Q. How much would that be? A. Well, he bought two or three bottles of beer, I don't just remember what it was I can't keep track of what a man spends in a place.

Q. You know how much at least he spent? A. He spent twenty-five cents, I guess.

Q. How many bottles—he sent home two bottles of beer? A. He sent home two bottles of beer, that was ten cents.

Q. How much was that? A. Ten cents.

Q. Who did he treat there? A. He treated Tobe Spencer.

Q. To what? A. A bottle of beer.

Q. Did he get one, too? A. I don't remember whether he got one or not.

Q. How much were the devil crabs? A. I was selling two for five to get rid of them, to keep from keeping them over next morning.

Q. How many did he get? A. I don't know.

Q. Will you say he spent at least how much money there?
A. Between twenty and twenty-five cents.

Q. When did he come back? A. He didn't come back any more that night.

Q. That night? A. No, sir.

Q. What time next morning did you see him? A. I don't remember what time, it was during the day he came in.

Q. Did he come in there before nine o'clock? A. No, not before nine o'clock, he came in there sometime between ten and twelve, something like that, between ten and eleven.

Q. He come in there twice during that morning? A. I think he did.

Q. He came in there twice during that morning? A. Yes, sir.

Q. When was the first time he came in? A. I don't remember what time it was because I didn't take notice what time a man comes in the bar.

Q. Would you say eight or eight-thirty? A. I could not say.

Q. What did you say to him on that day? A. I asked him what was the matter, he didn't go to work and he said he overslept himself.

Q. When was the next time he came in? A. I don't remember.

Q. Around what time was it? A. I could not say.

Q. What did he get the second time? A. I sold him some beer to send out and he came back again and brought the bottles and went out again.

Q. Was that before noon? A. Yes, sir.

Q. Was he in there about noon? A. Well, I don't know.

(Mr. Brady): Don't you think it better for the witness to testify?

Q. Did you hear him make any statement, tell anybody else about where he had been the night before? A. No, sir; I did not.

Q. Do you know this gentleman here (indicating)? A. Yes, I know him when I see him, I don't know his name.

Q. Ever have a talk with him? A. He came up in the Court room, in the yard, and asked me some questions.

Q. Did you tell him that Snowden spent—that you know Snowden spent thirty-five cents in there? A. No, sir; I didn't say that.

(Objected to.)

Q. Did you tell Mr. Dougherty that he came in your place between eight and eight-thirty A. M. Wednesday morning?

(Objected to.)

(The Court): That is objected to. Now, what theory do you ask him that?

(Mr. Green): I want to ask him, he has taken us by surprise, we thought we knew what the witness was going to testify to and he is now testifying to a statement of facts entirely different from what he told us before.

(The Court): You can ask him and take the exception.

(Exception noted.)

(Mr. Grason): We will take one general exception to all of this so as to save taking it to every question for that reason.

Q. Did you tell Mr. Dougherty that he came back between eight and eight-thirty A. M. Wednesday morning? A. I don't remember.

Q. Will you say you didn't tell him? A. I could not say.

Q. Do you know whether you did or not? A. No, sir; I don't.

Q. You say you asked him on that occasion that he bought a bottle of beer between eight and eight-thirty, you asked him where he had been and he said he overslept himself? A. I asked him the morning when he first came up there, why he did not go to work and he said he overslept himself.

Q. Did you tell him that you heard him tell a fellow that he was out all night? A. No, sir.

Q. Didn't tell him that? A. No, sir.

Q. Tell him on Wednesday afternoon, he came back twice between 12 and 5 and got two bottles of beer and brought back the empty bottles? A. Yes, sir.

Q. That is correct? A. Yes, sir.

Q. Between twelve and five he came and got two bottles of beer and carried them away and brought the empties back? A. Yes, sir.

Q. What did he pay you for those? A. Five cents a bottle.

CROSS-EXAMINATION.

Q. Who was in the bar with you at that time? A. I don't remember, I could not look around and see who everybody was in the bar there and hear everything.

Q. I mean behind the bar with you? A. Not anybody.

Q. Was Mr. Martin there? A. Not when he first came in.