

Q. You know only what you saw? A. I have other scars enumerated, but I didn't mention only the fresh ones.

Q. If there had been fresh scars on the other side, you would have seen them? A. I would have mentioned it at this time.

Q. Was that not the reason you didn't take the other side of the face? A. No, I tell you the right profile is always taken under all circumstances; that is never deviated from; the object of taking the right profile is for taking the ear, no two ears being alike, and in the course of a number of years any person can be identified by their ear, so we always stick to the right profile.

Q. It might not be the left? A. It could be, but they standardize it by taking the right side; they didn't take the left.

(Examination concluded.)

(Mr. Green): With the Court's permission we again offer these in evidence; they are already in, but we will free it from all objection and we offer it again.

DETECTIVE SAMUEL W. HOUSE, 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 position? A. Deputy Marshal of Police of Baltimore.

Q. How long have you been connected with the Police Department? A. 22 years.

Q. Do you know John Snowden, the prisoner at the bar? A. I do.

Q. Did you have an interview with him, Mr. House, did he make a statement to you? A. He made a statement to me along in and about the 14th of August.

Q. Whereabouts was that statement made? A. In the Marshal's office in Baltimore, in the Court House.

Q. Who was present? A. Detective Kratz, Detective Pohler and some sheriff from Annapolia.

Q. Anybody else present on that occasion? A. I think Marshal Carter was there.

Q. Was that the only interview you had with him? A. No, I talked with him I think the day afterwards.

Q. Who was present on that occasion? A. I think it was Detective Kratz and several others, I don't know just who now.

Q. I direct your attention, was Edna Wallace there?

(Objected to.)

A. That was on the 15th.

(Mr. Brady) I think the Deputy Marshal should know who was present at the different interviews, and not for the State to go so far as to tell him.

(Mr. Hartman): He didn't tell him, he asked him.

(Mr. Green): Did you have another interview with him?

A. I think on the 15th, that was with him in the office, we brought a man named Green, a woman named Wallace, Detective Kratz and Pohler and Snowden were there.

Q. You say Pohler again? A. Yes, sir.

Q. Did you offer Snowden any inducements to make his statement?

(Objected to.)

A. Not a bit.

(Mr. Grason): We think that is a matter for the Court to say whether there was an inducement.

(The Court): You have to find out what was said and done. Of course the officer understands he must not give the statement; this is to qualify him to give the statement.

Q. What did you say or do to Snowden before he made his statement? A. He was brought in the office I think along about——

(Mr. Brady): What interview was this?

A. This was about the 14th, he was brought in the office in the evening.

(Mr. Brady): What time.

A. If you will allow me I can tell you, I am trying to get the time to you now.

(Mr. Green): I must request my brothers not to interrupt; I don't think it is the proper procedure.

(The Court): The officer will not tell what was said.

(Witness): He was brought in my office about half past four and I had a talk with Snowden and I asked him about this affair on the 8th and he told me——

(The Court): Not what he told you.

A. We asked him about the affair on the 8th of August and he went on and made a statement.

(The Court): Who was in the room at that time?

A. Detective Kratz.

(The Court): Alone?

A. Detective Kratz and Marshal Carter.

Q. (By Mr. Green): What did you say to him or anybody in that room in your presence say to him to make a statement?

A. There was nothing said to him to induce him to make a statement.

(Mr. Grason): We think he ought to say what was said.

(The Court): What you said to him or what any one said to him at that interview?

(Witness): I simply asked him if he wanted to make a statement of the affair of where he was on August 8th and he went on and made his statement.

Q. That was all that was said by anybody there to him? A. All that was said at that time.

Q. He proceeded and made his statement? A. He did; yes, sir, and on the strength of that statement we had a boy named Green and Edna Wallace brought before him——

(Objected to as not responsive.)

(Witness, Continuing): On the 15th.

(The Court): That is they were brought in on the 15th?

A. Yes, sir.

(Mr. Brady): We ask that be stricken out at this time.

(The Court): Let it stand; objection overruled.

(Witness): And we brought Edna Wallace on the 15th and a boy named Green and Detective Kratz, Detective Pohler and Snowden were in the office.

Q. What was said at that time by you or anybody else previous to making his statement? A. Not a word; I asked him if he knew this woman and he said yes; how long have you known her——

(Objected to.)

(The Court): Don't go into that.

(Mr. Brady): How long have you been in the service?

(Witness): I have been in it long enough to know what you want.

(Mr. Brady) : You mean what you want?

(Witness) : No, what you want. I asked Edna Wallace at that time——

(Objected to.)

(The Court) : Is he or not asking that? If I tell you what we want maybe you will be guided by that: We want to know whether this statement was made by the prisoner at the bar voluntarily and freely, without any promise of reward, or without any fear about anything that was said, of what would come to him. That is what we want. We want every word that was said to him by you or anybody.

(Witness) : The statement was made positively in that way.

Q. In what way? A. Voluntarily; after he made his statement, I asked him a few questions; these questions led up to bringing the Wallace woman and the other party to Baltimore.

Q. Was he talking to you and you were doing the questioning, and he the answering? A. He was; yes, sir.

Q. Up to that time Snowden made the statement, were there any other people saying anything to him or taking any part in it? A. There was nobody had anything to say to Snowden except myself at that time.

(Mr. Grason) : Was that the 14th or the 15th that you speak of?

A. 15th.

Q. Did anybody else have anything to say to him or anything else done by anybody on the 14th? A. On the 14th when he made the statement was only the simple statement of his actions, on the 14th.

(The Court) : The question is whether anybody said anything to him and what it was?

A. I could not tell you that; we have so many cases; except the facts of the case that I asked myself.

Q. Were there any threats made to him by anybody in your presence on the 14th? A. No threat made to Snowden whatever or anybody else.

Q. Was there any offer for immunity from punishment made by you or anybody else there? A. Not a bit.

Q. Was anything said by you or anybody to put him in fear? A. No, nothing was said to him in that light.

Q. I understood you to say the statement was freely and voluntarily made? A. It was.

(Mr. Green): We offer the testimony.

(Mr. Brady): Mr. House, you know when Snowden was brought to Baltimore of your own knowledge? A. Yes, sir; he was brought in our office about half past four.

Q. What time? A. Half past four.

Q. Of what day? A. About the 13th.

Q. Half past four on the morning of the 13th? A. No, the evening.

Q. The evening of the 13th? A. Yes, sir.

Q. Are you sure about that? A. I said about the 13th.

Q. That was the time that you saw him? A. Yes, I saw him for three or four days.

Q. Now, I want to refresh your memory; you said on the 13th, half past four, on the 13th; I understood from the officer that made the arrest that he was not arrested in the City of Annapolis until about five o'clock of the 13th? A. I can't help that, I said about half past four on or about the 13th of August.

Q. You are not sure when he was brought to Baltimore in the custody of the Baltimore authorities? A. The day he was brought there he stayed in the custody of the Baltimore authorities for some little while.

Q. How long did he remain there? A. I would judge four or five days, probably more.

Q. Four or five days; now on the morning of the 14th before, where had he been prior to the time that you saw him, do you know? A. He may have been in the Court House in the lock-up before I saw him; he was brought to Baltimore by detectives.

Q. How long had he been there? A. I don't know.

Q. But you do know he had been there some little time before you saw him? A. I really don't know that; I know he was in the lock-up; he may have been in the lock-up before I saw him.

Q. Then you don't know who was with him from the time of his arrest until you saw him? A. I know he was in charge of Detectives Pohler and Kratz, that is about all I do know of that.

Q. Do you know whether or not any of the officers of the Baltimore City force, of your department had any interview with Snowden prior to the time that you saw him? A. I don't know.

Q. They may have? A. I don't know; they may have and they may not.

(Mr. Brady): Now, your Honor, I don't feel at this time that any statement that was made by Snowden to the Marshal could be put in unless we follow Snowden from the time of his arrest until the Marshal saw him, or he may have been taken there after having undergone some of this gagging by the other detectives immediately before and any statement he may have made in the presence of the Marshal at half past four may have been due to the fear and treatment he had received before, if any. I don't think the rule of conversations or statements is conformed to in this instance, and we will show that there were——

(The Court): Of course, I don't know what this is; I suppose part of it is what went in yesterday.

(Mr. Green): Yes, sir.

(The Court): The statement that went in yesterday was a statement he made at Annapolis at the Sheriff's office and the persons who were with him, they were all accounted for. Now here is a proposition to get from the Marshal a statement made to him on the same evening after he came from Annapolis, having come to the city with Officers Pohler and Kratz, and I think the Deputy Sheriff of Anne Arundel County. Now it seems after having been brought from there he was placed in a lock-up and that he was in charge of somebody and those persons ought to be accounted for before he makes this statement.

(Mr. Green): We have already accounted for Detective Pohler.

(The Court): You have, yes.

(Mr. Green): And everybody that was with him in the car.

(The Court: Yes. Now for these persons that had him in charge from the time he came to the city until he got in the Marshal's office, I think the testimony is all right. Somebody had him in charge in the lock-up.

(Mr. Green): Who had charge of him, do you know?

A. The parties that arrested him.

Q. Pohler and Kratz? A. Yes, sir.

(The Court): I don't remember that Officer Pohler testified to anything after he left the Sheriff's office in Annapolis?

(Mr. Green): Yes, sir; he made a sweeping statement that he had never done any harm to him, never made any threats to him, and he never did it; never had been his practice and would not allow anybody to do it in his presence.

(Mr. Brady): And, further, he said he only saw Snowden on the morning of the 15th for a few minutes, the 14th, I mean.

(Witness): Yes, and that is very true; that can be explained very easily.

(Examination suspended.)