

instance you did so, who assisted you and what was the result of such count and inspection; state your knowledge fully?

Answer. My testimony and answer to this interrogatory is about the same as that of Theodore A. Ogle, just examined. At the request of Col. Spates I went to the Clerk's Office on the 17th of November, 1866, and assisted in a recount of the votes cast in Allegany county, at the election held therein on the 6th of November, 1866. We counted the votes given respectively for Dr. Ohr and Col. Spates, for State Senator. Messrs. Carleton, Adams, Young, Gonder and Ogle, witnesses already examined here, assisted in the count. I was one of the tellers and Mr. Ogle was the other. The ballots were carefully counted and scrutinized, and the result, after a strict count and examination, was, as detailed by the other witness, a majority of 35 votes for State Senator for Col. Alfred Spates over Dr. Ohr. During the count and inspection of the votes aforesaid, either Mr. Bean or Mr. Bevans, Deputy Clerks, were present in the room with us and saw us making the count and examining the votes. I kept a tally list, which I here file with the Justice of the Peace, endorsed with my name, in my own handwriting.

*Cross-examination waived by Dr. Ohr.*

GEO. W. HOOVER.

*Deposition No. 7.*

CHARLES F. BEAN, having been by me duly sworn, deposed and said as follows, to wit:

By Mr. Spates:

Question. What is your name, age, occupation and residence?

Answer. My name is Charles F. Bean; age 20 years; occupation, Deputy Clerk in the office of the Clerk of the Circuit Court for Allegany county, Maryland, and I reside in Cumberland.

By Mr. Spates:

Question. Did or did not the Return Judges of the election held on the 6th of November, 1866, in Allegany county, Maryland, file with the Clerk of said county any ballots and poll book-; if so, who received them, where were they placed; under whose control have they remained ever since?

Answer. The said Judges of Election did deposit votes and poll books with said Clerk, on the 10th day of November, 1866 I received a part of them from said Judges, and Henry Bevans, another Deputy Clerk in the office with me, received the balance, and all were deposited by me in the ballot box kept in the vault attached to the Clerk's Office, where they have remained ever since, locked up, except as