

Answer. I did not see any one else badly beaten ; Mr. Smith, was struck one very tremendous blow, and others were struck, but none badly.

*Cross-examination closed.*

*Re-examination waived.*

BALTIMORE, December 5, 1859.

The above has been read to me by the clerk, and is correct.

THOMAS J. RUSK.

Test—DANIEL E. MYERS, J. P.

Adjourned to Tuesday, December 6, 1859.

TUESDAY, December 6, 1859.

WILLIAM H. SMITH, a witness of lawful age, produced on the part of the contestants, having been duly sworn, deposes and says :

*Examination in chief.*

Question. Are you a resident of the city of Baltimore, and a legal voter in the first ward ?

Answer. I am, sir.

Question. Did you vote at the last election, on the 2d day of November, 1859 ; and if not, why not ?

Answer. I did not ; they would not let me.

Question. State fully all that occurred when you attempted to vote ?

Answer. Witness went up to the first ward polls, with the intention of voting ; when I got there they shoved me out, and would not let me get up to the window ; I undertook to go up the second time, and as I got up to the curb-stone, a fellow said, "let me taste the son of a bitch," and hit me on the side of the head, and knocked blood out of both my ears ; then I walked off with some of my friends, who persuaded me to go away, saying that I had better go, that they were down on me, and I went away to my business.

Question. What ticket did you design to vote ?

Answer. The Reform ticket, out and out.

Question. Had the party who prevented you from voting, complete possession of the polls ?

Answer. The party had.

Question. With what political party were they connected ?

Answer. The Know-Nothing party.

Question. About what hour of the day was this ?

Answer. About ten, or eleven o'clock.

Question. Was the state of things at the polls, such as might reasonably have deterred a man of ordinary firmness and courage, from attempting to vote ?