

Birely, one of the judges, took them from the box, opened them and handed them to Mr. Crumbaugh, they were full whig printed tickets and were thrown away and not counted. The judges were all whigs.

JULIUS C. HULL.

Test, Tho. M. Flint, Clerk.

John Smith being sworn, deposes and saith: That he was present at the counting of the polls in Woodsborough district, in Frederick county, at the election aforesaid. Mr. Crumbaugh asked him to take a seat by the side of him while the tickets were counting, to see that every thing was fair. Witness did so. During the counting Mr. Birely took a ticket out of the box and handed it to Mr. Crumbaugh, it was a full whig printed ticket, he read off the names, and the clerks tallied them without discovering there was two together; witness asked if there was not two tickets together, the judges examined them, and found them to be two tickets attached together one eighth or one quarter of an inch, the face of the one being close upon the back of the other, they were folded up close when they came out of the box. Witness further states that these tickets were thrown away and the polls corrected by taking another full whig ticket in its place, the tickets were attached similar to the piece of paper filed marked Z., during the counting another double ticket was taken from the box similar in all respects to the first except witness thinks they were not attached, the tickets were thrown away and not counted; witness saw it headed whig ticket but did not read the names. It did not occur to witness at the time of the counting of the ballots, as an important matter whether the tickets were attached together in whole, in part, or at all, he thought they ought to be rejected because they were folded together and the uniform practice of his judges were heretofore to reject such tickets; he further states that he saw the ticket at the Woodsborough district on the night of the election which was rejected for George Beckenbaugh, because of a mark through the name with red chalk, the mark extended entirely through the name, but was more distinct in Beckenbaugh than in George; Beckenbaugh was so fully erased that it could not be read, you might suppose what it was from its being on a whig ticket.

JOHN SMITH.

Test, Tho. M. Flint, Clerk.