

43d. Who was the witness against Washington Ballard?

A. I don't remember.

Re-direct.

You stated in one of your answers that a great crowd was around you at your last sitting before the review. Did or not several ask to be allowed to take the oath at that time, who had previously refused to do so?

A. They did. I think Benjamin Truit, was one; another, Irving Kennedy, Nelson Messick and a number of others that I cannot recollect.

The above was read to me and is correct.

ELIHU J. PUSEY.

Written and attested by Joseph H. Smith, *Clerk*.

Levin P. Hayman, a witness produced on behalf of the claimant, being duly sworn deposes and says:

Direct.

To the 1st :

A. I was, in 5th Election District.

2d :

A. I did.

3d :

A. I did.

4th :

A. I did not.

5th :

A. I did.

Cross-Examination:

1st. Interrogatory. \*

A. Mr. Duer.

2d :

A. James Hayman and Samuel Gibbons.

3d :

A. They did not. I don't know when they did.

\* Interrogatories from first to the seventh inclusive are the same, similarly numbered and propounded to John L. Porter.