

Thomas A. Spence, Contestant, } In the matter of the contest  
 vs. } of the election of Cir. Judge  
 John R. Franklin, Claimant. } for 12 Jud. Circuit of Md.

Henry Page, having been appointed by the undersigned, Justice of the Peace, a clerk, to reduce to writing the testimony to be taken on the behalf of Jno. R. Franklin, in the matter of the above mentioned contest, was duly sworn by me fairly to write down and transcribe the depositions which may be taken in the said contest, this ninth day of January, 1866.

EDWARD F. DUER, J. P.

Lemuel Malone, witness on behalf of John R. Franklin, being duly sworn, deposes and says in answer to interrogatories filed and herewith returned:

To the first interrogatory:

A. That he has resided in Somerset county, thirty-seven years; been a voter fifteen years; resided in Trappe District always.

2nd.

A. That he did apply to the persons professing to act as officers of registration in his district, to be registered as a loyal and qualified voter; I was not notified by said persons of any charge against me; Mr. Denston, was offered as a witness against me, the only one; he stated I was disloyal from general reputation, having voted for disloyal men (contestant objects to the statement of Mr. Denston as made by witness;) I took the oath required by law.

3d.

A. That I did not vote; I did offer to vote; my vote was refused; I should have voted for John R. Franklin.

4th.

A. That he had heard nothing definite directly from officers of registration.

The above has been read over to me and is correct.

LEMUEL MALONE.

Written and attested by Henry Page, *Clerk*.