

South?" I answered, I asked them what did they consider sympathy, they said they didn't consider that that was their business; my reply was, "I didn't consider I ever had, that I had feeling for any person or persons in trouble; what I considered sympathy, was aiding or abetting directly or indirectly, and that I had never done;" while before the Registers, I supposed the first question they asked me was whether I had voted for Cresswell; after I left the polls my brother told me that I had misunderstood them, and that they had said Henry instead of Cresswell; I immediately sent them word back, that I did vote for Henry; when I was about to leave the polls, I was called by one of the Registers, and he told me he had heard me hurrah for Jeff. Davis: I replied, he or any other gentleman who said that, said what was false, and that he could not prove it; I challenged the world to prove it.

3rd.

A. Did vote, and for Franklin.

4th.

A. I was a judge; my colleagues were Mr. George T. Parsons and Lycurgus H. Stevenson.

5th.

A. Yes, sir, this is the paper which I now produce and file as part of my testimony. It was handed to me by John L. Porter an half hour before the polls opened. When they, the Judges, sat, I showed it to them. They examined the Constitution and Election Laws and our oath on the poll-book, and we examined the list which was handed us: we showed no certificate; nothing to our satisfaction that it was a legal or lawful paper. I opened the polls and received every vote that took the oath provided by the new Constitution, by and with the concurrence of the other two Judges.

We held the election under article 2 of the Constitution, and required the oath there provided.

Cross-Examination:

To the first interrogatory:

A. No, sir, I have never expressed anything either way; never rejoiced either way.

2nd, and 3d. Waived.

4th.

A. I have never expressed any; can't say what my feelings were on the war; I have felt many ways.

5th and 6th. Waived.

Special interrogatory: