

District in Allegany county, on the 6th day of November 1865; if so, did you then and there offer a ticket to the Judges of election at said polls, as your ballot, and was it received or rejected; state also the name of the person printed on said ticket, for State Senator, for whom you desired to vote; and what reason did the said Judges assign for rejecting your vote, if they did so reject it?

Answer. I attended at the polls that day in my Election District No. 10, and there offered a ticket as my ballot to the Judges of election, and it was rejected by them. The name on the ticket, for State Senator, so offered by me, was Col. Alfred Spates. The Judges said I should take the oath; and I would not do it; and they then refused to take my vote.

*(Cross-Examined by Dr. Ohr, declined.)*

JOHN GAUER.

*Deposition No. 28.*

JOHN BEARD, having been by me duly sworn, deposed and said as follows, to wit:

By Mr. Spates:

Question. What is your name, age, occupation and residence? and how long have you lived there?

Answer. My name is John Beard, age 55 years, occupation farmer, and I live in Election District No. 10, in Allegany county, Maryland, and have lived there about fifty years.

By Mr. Spates:

Question. Were you registered as a voter prior to the election held in Allegany county, on the 6th day of November 1866?

Answer. I was, in September 1866, at the Red House in District No. 10, aforesaid.

By Mr. Spates:

Question. Did you or not attend at the polls in said Election District, in Allegany county, on the 6th day of November, 1866; if so, did you then and there offer a ticket to the Judges of Election at said polls, as your ballot, and was it received or rejected; state also, the name of the person printed on said ticket for State Senator, for whom you desired to vote; and what reason did the said judges assign for rejecting your vote, if they did so reject it?

Answer. I attended at the polls on said day in my district, and offered a ticket to the Judges of Election, and they refused to take my ballot so offered. The name on my ticket so offered, for State Senator, was Mr. Alfred Spates, for whom I desired to vote. The judges said I should be qualified over again, and should take the oath before them. I declined to take it, and they then refused to let me vote, and I left the polls.

JOHN BEARD.