

H. Young, just examined, and concur in his statement given here.

*Cross-examination waived by Dr. Ohr.*

A. M. ADAMS.

*Deposition No. 4.*

THOMAS E. GONDER, having been by me duly sworn, deposed and said as follows, to wit :

1st Question by Mr. Spates :

What is your name, age, occupation and residence ?

Answer. My name is Thomas E. Gonder, age 23 years, occupation, clerk of the Corporation of Cumberland, and law student, residence Cumberland, Md.

2d Question by Mr. Spates :

(Same as to other witnesses.)

Answer. On the 17th of November, 1866, at the request of Col. Spates, I came to the Clerk's office of Allegany county for the purpose of recounting the votes cast in the Election Districts of Allegany county, in the late election ; and counted the votes as cast by districts, being assisted by Mr. A. M. Adams. We began with District No. 1, counting all the districts, ending with the 16th ; Mr. Adams counted the majority of the districts ; Mr. Hoover and Mr. Ogle acted as tellers ; Mr. Carleton and Mr. Young looking on as inspectors. In four districts, the first four, our count corresponded exactly with the count returned by the Judges of Election for those four districts ; in district No. 5 there was a difference in the count made by us and by the Judges of Election ; in order to satisfy ourselves, we counted the district over twice, and the result was as follows : The count on the tally book of the Judges of Election was 399 for Dr. Ohr, and the count made by us showed a return of only 390 for Dr. Ohr : the count on the tally book for Col. Spates was 296—the count made by us was 307 : the certificate returned by the Judges of Election in this district made no mention of the vote for State Senate, at all ; all the other districts, except No. 13, I swear to the result of or confirm the statement with regard to them made by the other witnesses, Carleton, Young and Adams ; I have some doubt about No. 13—there may be a vote more or less—either for Dr. Ohr or for Col. Spates ; I think there was a mistake in our count, of one or perhaps two votes in this district.

THOS. E. GONDER.

*Deposition No. 5.*

THEODORE A. OGLE, a witness of lawful age, having been by me duly sworn, deposed and said as follows, to wit ;