

TESTIMONY.

Depositions taken on behalf of C. H. Ohr in contested election of Alfred Spates vs. said Ohr, for State Senator for Allegany county, at Cumberland, on the 26th, 27th, 28th and 29th of December 1866.

R. W. MASON,

1st Interrog. What is your name, age, occupation, residence and time of such residence?

Answer. Robt. Wharton Mason, age 43 years, clerk, Frostburg Election District No. 5, resided therein fifteen years.

2nd Interrog. Was you appointed an officer of said District.

Interrogatory 2nd, as in scedule A, excepted by Alfred Spates?

Answer. I was so appointed. I did act as register in 1865; I had read the Constitution and Law; relating to registration; it was administered by me or one of the other officers of registration to each person. But was absent on the 1st day of registration, being sick; I did give notice as required by law.

3rd Interrog. Was you appointed clerk at the election, held in said District the 6th day of November 1866; did you qualify and act as such?

Answer. Interrogatory 3rd excepted to by A. Spates.

Answer. I was, and did.

4th Interrog. As No. 5, in Schedule D.

Answer. I did attend the polls, I heard them read, I saw them tallied and counted, but of course could not see what was on the tickets; I heard every ticket read, and they were carefully tallied and counted by the clerks, one of the Judges, stood by the box and took out the tickets and opened them, and handed them to the 2nd, who read them, read each name and ticket seperately, but whether they read them correctly or not I cannot say, and the 3rd one strung them; I belong to the Union or Republican party, and voted for C. H. Ohr, for State Senator.

Cross-examined by Col. A Spates.

1st Interrog. Did you receive a commission from the Gov-