

*Re-examination.*

Interrogatory 1st. Were there any votes taken at the polls of District 13, which in your judgment were illegal; if so, state the number and the names of the persons so voting, and give your reasons fully for judging them illegal?

A. Spates excepts to the Interrogatory as embracing facts not embraced in the notice.

In my judgment there was one that I am fully satisfied had no right to vote in my District; the name of said party is Edward Williams, my reason is that he was a citizen of No. 6, and not of No. 13, and I protested against his vote; dont know to what political party he belonged, but he was in the Federal Army; I heard him talk but he did not talk as though he would vote the Union ticket.

To the 2nd Cross-Interrogatory on the part of Alfred Spates he says his name was on the list of registered voters for District No. 13; I belong to the Radical party, and voted for Dr. C. H. Ohr for State Senator.

JOSEPH M. KOERNER.

JAMES M. MATHEWS, Sworn.

Interrogatory 1st. As No. 1, in schedule A. James M. Mathews, my age 49 years, occupation farmer, residence Election District No. 7, have resided there 49 years?

Interrogatory 2nd. As No. 2 in schedule A. A. Spates objects to that question, because there was no notice of the facts intended to be proved by that interrogatory contained in the notice to A. Spates given by Dr. C. H. Ohr, I was appointed and received a commission from the Governor to act as register for District No. 7, in Allegany county, Maryland, did qualify by taking the oath before a Magistrate, but did not qualify by taking the oath before the Clerk of the Circuit Court for Allegany county; I did discharge the duties as register in said district for the year of 1865. I had read the Constitution and Law regulating the registration of voters, we did administer the oath of voters, we did give notice as required by law of the time and place of registration.

Interrogatory 3rd. (Special,) Who acted as officer of registration in said District in 1865; was he registered in 1865, and how, A. Spates objects to this Interrogatory and its answer, because it is not embraced in the notice, and you cannot prove it by parole.

Answer. John Deffinburgh, and he was registered as disloyal 1865, under the 4th section of Article 1st, of the Constitution of Maryland, and said book of registration was produced.

Interrog. 4. As No. 2 in schedule D. (Excepted to by A. Spates as not in the notice.)

I was appointed Judge of said Election District in 1866.