

number of persons who voted. The number of tickets deposited in the box was 853, and the voters on the list was 843; there were three tickets folded double that were not counted; then I noticed in counting the tickets from the box one smaller folded inside of the other; when I unfolded this ticket I remarked to Mr. Clark that I thought it deceitfully folded together; but Mr. Clark thought not, so I passed them both to Mr. Koerner, who read them, and they were counted on the poll book. There were two other tickets of the same character that I noticed during the count, on which I made no remark; they were together in the same manner as the first; they were read and counted. Mr. Spates' name for Senator was on the first three which were thrown out and on the second three which were counted.

To the first cross interrogatory on the part of A. Spates, he answers and says: We did not read every name on every ticket singly; we separated them into whole and split tickets; putting the split tickets into a box used for the purpose; if it was a whole ticket we announced it whole Union or whole Democratic, and the Clerks registered accordingly.

Interrog. 2d. He answers and says: I do not think the Clerks omitted the names of any of the voters; it must have been done through the tickets.

L. W. BRANT.

JOHN H. STALLINGS, (Sworn):

Interrogatory 1st. As in Schedule A.

Answer. John H. Stallings, age 44 years, occupation farmer, place of residence in Election District No. 7 in Allegany county, Maryland, have resided there fifteen years.

Interrogatory 2nd. As No. 2 in Schedule A.

(Interrogatory and answer objected to because the facts proposed to be elicited do not come within the notice given by Charles H. Ohr to A. Spates of the facts proposed to be proved by this witness.)

I was appointed an officer of Registration for said district; I did qualify as such before a Justice of the Peace, but did not qualify before the Clerk of the Circuit Court for Allegany county; I received a commission from the Governor to act as such; I acted for the year 1865; I had read the Constitution and Law regulating registration, repeatedly; we did so administer the oath; we gave notice as required by law as to the time and place of registration.

Interrogatory 3d (Special.) Who acted as officer of registration for said district in 1866; was he registered in 1865, and how?

(Excepted to by A. Spates.)

Answer. I understood that John Diffenbaugh did act, but I know nothing about it, save from hearsay—book produced