

Interrogatory 2d. As No. 2, in schedule E.

I am, and was acting as Deputy Clerk on the 15th of May, 1865, was sworn on the 10th day of December, 1866.

Interrogatory 3d. As No. 3, in schedule E.

I received a part of them; I received them on Saturday the 10th of November, 1866; I left them on the desk in the office and went to dinner, and Charley Bean said he would put them away; I don't know that any one examined them; but saw Mr. Spates and one of the Clerks with the poll books several times; the poll books and tickets were tied together, but I never saw him with the tickets, except the day they were counted, when I saw him in the vault; I do not remember whether he had the poll books; I saw Mr. Spates in the vault several times and once in company with J. P. Rowan; there is a Clerk always in the vault and when not there, it is locked up; the key of the vault is usually hung by the door in the office; any one acquainted about the office can get the key, and some times they go and take it, lawyers for instance: I never saw Mr. Spates take it.

Interrog. 4. As in Schedule E. I did; when they were first delivered there, and the day they counted the ballots of the whole county, they were counted by Mr. Young, G. Hoover. H. D. Carleton, A. M. Adams, T. A. Ogle & Thos. E. Gindor.

Interrog. 5th. Was the Clerk of the Circuit Court; Mr. H. Resley; absent from the office, or from Cumberland, between the 10th and 17th days of November, 1866; if so, for how long

Answer. He was absent from the office, but do not remember whether from Cumberland or not; he was absent when they were counted; he was absent some parts of the days from the office; he generally came to the office in the morning, and then went over to the house he is building, sometimes he would stay at the office one hour, and sometimes nearly all day.

H. L. BEVANS.

JOHN B FAY, (Sworn.)

Interrog. 1st. In Schedule E. J. B. Fay; my age 23 years; my occupation, Deputy Clerk; residence in Election District No. 6, in Allegany county, Maryland, have resided here since August, 1866.

Interrog. 2. As in Schedule E. I am acting as such; entered the office on the 1st of October, 1866, I dont remember, but was sworn as such on the same day as Mr. Bevans was.

Interrog. 3. As in Schedule E. I received the poll books of District 1, and helped to file one or two others; I received them I think on Saturday the 10th, they were examined by a party in the vault on the 17th of November, I did not remain there, I simply went there on business; I cannot positively; I do not remember of any one handling them before that time, November 17.