

3d Question. Did you or did you not attend the election held in District No. 10, Allegany county, November 6, 1866, and did you offer a ticket as your ballot to the Judges, and did they accept or refuse it; and whose names were on your ticket as candidates for the House of Delegates?

Answer. I did attend said election, offered my ticket; it was refused by the Judges, and the names of the parties as candidates for the House of Delegates were Patrick Hammil, George W. McCulloh, William A. Bryden, John McElfish and William Devecmon. The Judges required me to take the oath and I refused, saying that I had taken it once and thought it enough.

4th Question. Do you know of anything else that would be of advantage to the contestants in this case?

Answer. I do not.

*Cross-examined by Mr. Brown.*

1st. Question. Did you present your ticket to the Judges?

Answer. I did.

2d Question. What sort of an oath did they ask you to take?

Answer. They said it was a little different from the one I had taken before the Register. I saw no one else take the oath. I don't know why the Judges wanted me to take the oath. Only a few questions were asked me when I registered.

3d Question. During the late war how did you stand?

Answer. I was always for the old Constitution, and never gave aid or comfort to the enemies of the United States. At the first registration I was busy getting in hay, and did not feel inclined to get registered.

DAVID E. HOUSER.

*Deposition No. 7.*

JOHN PHILLIPS, being duly sworn deposed and said as follows, to wit:

By Mr. Devecmon:

1st Question. What is your name, your age, residence and occupation?

Answer. My name is John Phillips; age 52; reside in District No. 10, Allegany county; lived there for seven years, and my occupation is a farmer.

2d Question. Were you registered prior to November 6, 1866?

Answer. I was registered last September.