

Josiah Moon, G McCormick, F. Martin, Geo. Mossey, Geo. L. Mossey, J. McClure Mason, John C. Nithken, John Phillips, John G. Roth, John Redder, Senior, John F. Saunder, Jacob Shaffer, Henry O. Shaffer, Henry Thompson, Henry Kline, A. Chamberlin, John Naughton and Thomas Jamison; and we further give you notice that we shall offer in evidence a certified copy of the registration of voters in the respective districts of the county.

By the above witnesses we expect to prove :

*First*, That intimidation and threats were practised on legal voters by the Judges of Election in the several districts of the county, and by other persons through the connivance and approval of said Judges, which precluded and prevented a large number of legal voters from voting for contestants who would have voted for them but for such threats and intimidation.

*Second*, That the said Judges of Election wilfully and fraudulently refused to permit registered voters to vote unless they would cast their votes for you, and would not allow them to vote for the contestants, and that the number of legal registered voters so refused and who offered to vote for the contestants, would, if received, give the contestants a large majority of the legal voters.

*Third*, That at the polls in Election districts Nos. 10, 16, 15, 14 and 2, sundry illegal voters, unregistered and non-resident, were permitted by the Judges of Election to cast their votes for each of you for the House of Delegates, and numerous legal voters, qualified to vote at said polls and offering their votes at the polls for the contestants, were rejected, and refused to be allowed to vote by said Judges of Election.

*Fourth*, That the election in Districts Nos. 4 and 1 were held at illegal and unusual and improper places, inaccessible, inconvenient, and places unknown to some of the voters until it was too late to go there to vote, and that the Judges of Election in those two districts held the election at these places through improper bias for you, and with a view to keep off the voters who were in favor of the contestants, and that the said Judges behaved in other respects, at the polls and prior to the election, with partiality to you and prejudice to the contestants, and excluded and rejected legal voters who offered their ballots for the contestants.

*Fifth*, That the Judges of Election in District No. 4, after the polls were closed at said election, all went out of the polling place and remained away about two hours, during which time the poll list and ballot-box were out of their sight and possession and left in the possession of one Abraham Dayton and other persons; and that said election was held at the