

Maryland. They refused to take the oath. The Judges told them if they could take the oath they could vote, and this was repeated to them several times.

JOSEPH FRIEND OF JOHN.

UPTON F. BIGGS, being sworn and examined by interrogatories, deposes and says :

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

Answer. I am 50 years old ; a farmer, and reside in District No. 10, Allegany county, Md.

2d Interrogatory. Were you present at the election in District No. 10, on the 6th of November last ; if so, were there armed men at the polls, and what did these men do with their arms ; also, why did they bring their arms to the polls ?

Answer. I was present at said election in District No. 10, and saw armed men in the vicinity of the polls. The arms were not used at all, to my knowledge, at the polls. The guns were carried to the polls because of a threat having been made by the Conservatives and their friends from West Virginia to drive the Union men from the polls. The Union men, on hearing this threat, which was upon the tongue of every man I met, held a meeting and decided to carry their guns to the polls for the protection of themselves and the law ; they also declared at that meeting that they were to act peaceably and not use their guns unless they were attacked. I was chairman of the meeting, and Mr. Daniel Chisholm was secretary. There was, however, no disturbance at the polls, and the election was even more peaceable than elections generally are. The men in this District generally carry their guns to the polls and have a shooting frolic, but kept from it on this occasion to avoid excitement.

UPTON F. BIGGS.

At Oakland, Allegany county, Md., on the 5th of January, 1867, the following protest was entered in regard to the foregoing testimony taken on the 4th inst :

Patrick Hammil, William Devecmon, William A. Bryden and John McElfish protest against the taking of the above testimony of James Chisholm, Sr., George S. Lee, Upton F. Biggs, Noah Harvey, William Harvey and Joseph Friend, for the following reason, to wit :

1st. Because the said Patrick Hammil, William Devecmon, William A. Bryden and John McElfish, or their attorney, had not an opportunity to cross-examine said witnesses.

2d. Because said Patrick Hammil, William Devecmon,