

not concede, therefore, that these votes were upon this proof rightly taken from Widdicombe, and given to Brooke. The Majority Report speaks of Mr. Widdicombe foisting a Republican ticket upon a voter, who supposed he was voting a Democratic ticket. As the testimony with reference to this vote is very much confused, this Report will only refer to the page where it is to be found, (page 68, printed testimony,) and the name of the party, Henry Spriggs, Sr., and for the present will pass it by. It is further contended that the evidence shows three cases where the parties were prevented from voting for Mr. Brooke and voted for Mr. Widdicombe by reason of intimidation, fear and threats of personal violence. These are Wash. Johnson, James Shorter and Abram Coates. The proof in the case as to Johnson is his own testimony, and it will be passed over by a reference to the page where it is found, and may be interesting as showing how easily one may be intimidated, (page 54, printed testimony, Dep. No. 19.)

With regard to the other two, all the testimony, and the only testimony to show they voted the Republican ticket under fear and intimidation is to be found, (page 69, printed testimony, answer to 7th question, J. W. Belt, witness.)—This solitary answer to question seven is the only ground upon which it is sought to deduct these two votes from Mr. Widdicombe and count them for Brooke.

It seems to be a desperate case that requires to be sustained upon testimony that would not be received in the lowest Court in the land; hearsay of the most irresponsible kind, unknown statements made on the night of the election, miles from the place of voting, at a country store, parties say they could not vote as they wanted, because they were threatened with personal violence, and yet they cannot even name the persons threatening them. Why were not these same men brought up and made to speak for themselves, that they might show how, when, and under what circumstances these threats were made? The opposite party would then have had a chance to cross-examine them, which is a right no party charged with violating the law should be deprived of.

These parties, unsworn, and not cross-examined, not even testifying in person. Where is the least protection for the party charged?

Such testimony would decimate any vote, and ruin any reputation. Is the presumption that they told the truth any stronger than that they were trying to curry favor with witness, who was owner of the store, and a Democrat.

This Report, for the above reasons, does not agree that there is any sufficient legal evidence to show or justify the deduction of these two votes from Widdicombe, and the giving of them to Brooke.