

elected, say in the fall of 1853; were you not present thereat, nearly the whole day, and were there not many fights at that time?

Answer. I remember it distinctly; I was there the whole time, from nine o'clock until six o'clock, and I saw no fight, that I recollect; not a solitary fight, and very little confusion for a general election; I stood on one side of the window all day, and no one molested me, nor did I see any one else molested; there was some crowding about twelve o'clock, the dinner hour, owing to the press of the voters.

Question. When the polls were held at White Hall, was not fighting on election day an ordinary incident attendant upon elections; have you not seen men then and there, seriously beaten, cut with knives, knocked down and maltreated?

Answer. It was, to some extent.

Question. Did you see many drunken men at the third ward polls on November 2d, 1859? Have you a recollection of seeing then and there any persons intoxicated whilst you were at the polls?

Answer. I hardly know how to answer it—I must conclude that they were drunk from their actions, if not, they were the most desperate set of characters on the top of this earth.

*Cross-examination concluded.*

*Re-examination by Mr. Blanchard.* Question. Have you been heretofore connected with the American party?

Answer. I voted the American ticket for the first two elections. I think I did not belong to their organization or councils. When they came to me with the striped ticket, I would not go that. If I could have got a white ticket of that party, at the time Shutt was candidate for Mayor, I might have voted it; I was very undecided at that time how I should vote.

*Examination on both sides closed.*

BALTIMORE, December 8th, 1859.

The foregoing has been read to me by the clerk, and is correct.

PHILIP SHERWOOD.

Test—DANIEL E. MYERS, J. P.

SIMON KEMP, SR., a witness of lawful age, produced on the part of the contestants, having been duly sworn deposes and says:

*Examination in chief.*

Question. Are you a legal voter in the fourth ward of Baltimore city?