

in the vicinity of the tenth ward polls, and if so, state whether you had any and what conversation with him?

Answer. I think it was a few moments after my retiring upon Levy's warning into Fayette Street, that some one said to me, "Mr. Wallis, there is Marshal Herring;" I looked over and saw Mr. Herring standing on the northwest corner of Holliday and Fayette Streets, looking down Holliday; I immediately went over to him and said, "Mr. Herring, is this state of things to be allowed; are you not going to put a stop to it?" he replied, "What can I do?" I said, "Where are your police?" said he, "They are on the ground;" said I, "I have been here all the morning, and have seen none of them;" said he, "There were twelve (perhaps he said thirteen) ordered to be here, and I reckon they are here, or they ought to be," or words to that effect; I expressed myself very strongly, though perfectly respectfully, as to such things as had taken place there, being permitted by the authorities, and he said, "What would you have me do?" I replied, "Take the arms from that house of Levy's—they have produced them from that house and fired upon peaceful citizens, and those arms are in the house now;" he replied, "I know that, Mr. Wallis, the house is full of arms, and that is not the worst of it—there is not a house in the street that is not full of arms;" I started back with astonishment and said, "In the name of God, Mr. Herring, do you mean to say that such a state of things is to be allowed to continue, and that citizens are to go on voting here surrounded by firearms in that way, and no effort to be made to put a stop to such an outrage?" his reply was, "I was going down to the Mayor to consult him;" and he turned on his heel and went towards the Mayor's office; I saw no more of him while I remained at the polls; Mr. William Woodward, Jr., was by me and heard the conversation.

Question. After your conversation with the Marshal of Police was any additional police force sent to the polls at the tenth ward?

Answer. I have already answered that I did not see more than three or four policemen at the polls at any time during the day; to the best of my recollection, they made their appearance a few moments after the firing which I have described, and before I spoke to Mr. Herring; I saw no addition to the police force after my conversation with Mr. Herring.

Question. Did you see any persons who were attempting to reach the judges' window beaten and driven away, and did the police arrest their assailants or any of them?

Answer. I did see a good many people, principally foreigners, who were beaten most brutally, and driven back from the window, when endeavoring to vote; I saw no arrest made of any of their assailants by the police, on the contrary, I saw nothing done by the police while I was at the polls, except the arresting, and violently dragging off of the citizens who had been beaten,