

JAMES E. MONTELL, a witness of lawful age, produced on the part of the contestants, being duly sworn, deposes and says ;

*Examination in chief.*

Question. Please state whether you were at or near the eleventh ward polls, on November 2d, 1859, at what hour, what you saw in going to the polls, and what you saw in the vicinity of the polls ?

Answer. Between one and two o'clock, P. M., of the day of election, I was proceeding up Charles Street, on my way home, in company with Mr. E. B. Graf, when we observed Charles Street, near Fayette Street, lined with persons of apparently low character, holloing, whooping, and striking steps and rails as they went along with sticks and clubs, on their way, as we were informed, to the eleventh ward polls, for the purpose of driving away the Reformers ; I had previously heard, that the Reformers had abandoned most of the other polls—hearing this, we followed them up, and made a detour round Cathedral Street to get ahead of them, and apprise the Reformers ; before we arrived at the eleventh ward polls, a portion of the party had gotten there ; they came in squads, each squad causing a commotion, and being quelled as they arrived until the great body of them came up, when the commotion became very general ; Dr. Robinson, as I was informed, was at this time addressing the crowd, but being at too great a distance to recognize the speaker, or to hear what he was saying (for I was at the corner of Lerew's Alley and Madison Street), I cannot say positively who was speaking or what he said ; at that moment while I was standing there, on the outskirts of the crowd, the outskirts became alarmed by the noise and commotion going on, and Mr. Turner and I retreated up Lerew's Alley ; after going about fifty feet, we observed in front us, two men in the centre of the alley ; men of rough appearance, with muskets or large guns, each having one, levelled at us ; we thought it more prudent to return and face the crowd, from which we were retreating ; we then returned to Madison Street, and in a few minutes, observed the Reformers retire in a body from the polls ; the crowd which we followed from Charles Street up towards the eleventh ward polls, numbered about one hundred.

Question. Were you at the twentieth ward polls on November 2d, 1859, and how long did you remain there ?

Answer. I arrived there at about half-past nine o'clock, A. M. and remained there until nearly eleven o'clock, A. M.

Question. Whilst you were there, was there free access for every voter, to the judges' window ?

Question. Anything but free access ; every voter that I observed, who was known to be a Reform voter, had great difficulty