

CHARLES E. PHELPS, a witness of lawful age, produced on the part of the contestants, being duly sworn, deposes and says :

*Examination in chief.*

Question. Were you, on November 2d, 1859, a resident and legal voter of the twentieth ward of the city of Baltimore?

Answer. I was.

Question. Were you at the polls of that ward on that day; if so, how long?

Answer. I went there at about a quarter before nine o'clock, A. M., and remained there about an hour and a quarter.

Question. Was there any obstacle to a full, fair and honest ballot by the voters; if so, what was the character and extent of such obstacle?

Answer. There was a large number of men, apparently acting under a common organization, who, with threats and violence, surrounded the polls, and excluded entirely all except those to whom they chose to allow access; not being familiar with them I cannot give their names, except of one, "Levy;" judging from their language and actions, I was convinced that it was impossible for any one to vote, except by their sufferance and permission; that any attempt to share the polls with them must have been by force of arms; and that, if they were resisted by proper spirit, the result would have been a bloody riot; as soon as the polls opened, these men rushed to the window; I heard one man say something to this effect, "you saw our transparencies last Thursday night, you'll see what you'll catch to-day," accompanied with oaths, which I do not care to repeat; I heard another say, doubling up his fists, and flourishing them at the Reformers, "we want you to draw to-day, and we'll bring out guns on you;" these I give as specimens of the language they used; I saw some half dozen men knocked down and beaten, whom I recognized as Reformers; some of them savagely beaten, stamped and kicked; I made no attempt myself to vote until about an hour after the polls opened; I then approached the window, in company with a man named Churchill; we went prepared to vote the Reform ticket; the men around the window prevented our approaching it, although there was no voting going on at the time; Mr. Churchill was in advance of me, and as he was trying to pass a man directly in front of him, he was struck in the face by a man on his right; I looked around and saw that we were alone in the crowd, and Mr. Churchill asked me what we should do; I said there was no use of our doing anything; that if we voted at all, it would only be by sufferance, and that we should probably receive severe punishment in attempting it; we withdrew from the crowd; I was convinced that anything like an election there was impossible; the Reformers had gene-