

On cross examination.

Ques. Did or not Plummer Ijams and yourself often differ in the tallies kept by you on the poll books at the election held in October last, for Frederick county.

Ans. We differed occasionally. Plummer Ijams was assistant clerk with myself at said election.

Ques. Can you say you made no mistake in the tallies of said election?

Ans. He cannot, he kept them to the best of his knowledge and believes them to be correct.

Ques. Did not George Beckenbaugh according to the tallies on your poll book receive a larger number of votes than he received by the tallies on the poll book of Plummer Ijams, if so state the difference?

Ans. It appears from my book that there is two more votes for George Beckenbaugh, than there is on Plummer Ijams, from the circumstance that there is two crosses on the tallies deficient on Mr. Ijams book, the difference was in the commencement.

Ques. Did you ever before act as clerk at an election, if so state how often?

Ans. He has acted as clerk three times before.

Ques. Have you any knowledge how often Plummer Ijams has acted as clerk at an election, if so state how often?

Ans. He has five or six times.

Ques. When were you sworn or affirmed as clerk aforesaid?

Ans. He was affirmed both in the morning and at night.

Ques. What reason was assigned for your affirming at night?

Ans. He does not know, but supposes, that he was affirmed to having faithfully performed his duty.

Ques. Was no reason assigned by the judges, or officers of the election, for your affirming at night?

Ans. He does not recollect the reason well enough to state it under affirmation.

Ques. Who affirmed you at night?

Ans. He was affirmed by one of the Judges in the morning, and at night, he thinks there was a Justice of the Peace present when the polls opened, who administered an oath to the Judges, the judges were not sworn by a justice of the peace at night.

JAMES RUSSELL.

John Wood being sworn, deposeth and saith: That he was one of the judges of the election aforesaid. Joshua Russell and Henry Smith were the other judges. Joshua Russell was