

George Beckenbaugh because there was a mark apparently with red chalk, beginning at the letter e, in George, and running to the letter n, or b, in Beckenbaugh, the erasure being so light that it was scarcely perceptible to the naked eye. When he read off the ticket he mentioned to the other judges the mark by the red chalk. A contention arose among the judges and finally it was agreed not to count it. Witness thought it ought to have been counted and still thinks so. Witness is a Whig.

JOHN D. CRUMBAUGH.

Jacob Birely being sworn, deposeth and saith: That he was one of the judges of the election in Woodsborough district aforesaid, together with John D. Crumbaugh and George Barrick. States that the tickets were strung up and put in the ballot box, and what become of them afterwards he does not know. States further, that he unfolded the ticket before spoken of as being marked with red chalk. He thinks the ticket was folded with the printing inside. He observed the red mark upon the name of George Beckenbaugh. Witness took the ticket from the box. The name of George Beckenbaugh appeared to have been marked out with red chalk, very faintly beginning at the first name, George, on one or two letters in the name, and ending at the end of the second syllable in Beckenbaugh. Witness cannot say whether the red mark was intentionally done or not. The bystanders made a noise. The judges concluded to reject the vote and did not count it for George Beckenbaugh.

JACOB BIRELY.

George Barrick being sworn, deposeth and saith: States, that he was one of the judges of the election in Woodsborough district, in Frederick county. On the night of the election, after the closing of the election, the tickets were put in the ballot box. Some person asked for them, witness does not know who it was, nor does he know what become of them, or where they are. The judges took no care of them, or thought about them; it is in his mind, may be, that David F. Yantis was the man that asked for them, but does not know. States further, that there was a ticket taken out of the ballot box with a very light mark with red chalk, beginning at the middle of the word George and ending at the last syllable of Beckenbaugh; the name could be read through the chalk very distinctly. The ticket was not counted