

assessed at least two months and paid at least one month before November 5, 1878 ?

(Objected to by counsel for contestee ; to so much of the question as relates to assessment as not the best evidence, the balance as not rebuttal.)

A. I paid my State and county tax in last May.

Q. State whether or not you were assessed for the tax you paid last May?—A. I was, in my own house, by George Clinton.

Q. Did you vote at the general election held in Horton election district on November 5, 1878, for any person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania ?

(Objected to by counsel for contestee as irrelevant and not rebutting.)

A. I did.

Q. For whom did you vote for said office at said time ?

(Objected to by counsel for contestee for same reasons as last above objection.)

A. Andrew G. Curtin.

Cross-examined by W. W. AMES, Esq., reserving all objections as to the competency, relevancy, and rebuttal character of the testimony :

Q. What is your business?—A. Why, the most that I do is farming.

Q. What property were you assessed with?—A. I don't own any land. I was assessed for my cow and my occupation.

Q. George W. Clinton came to your house and assessed you, did he?—A. Yes, sir ; he did in the winter of 1877, just a little while before the holidays.

Q. For what year were you then assessed?—A. It must have been for 1877, I suppose, or else they would have waited until the next year.

Q. Were you assessed in 1878?—A. I was.

Q. To whom did you pay taxes in 1878?—A. To Thomas Burchfield.

Q. Did you pay those taxes in person?—A. Yes, sir ; I went on purpose myself, and paid him in his field where he was ploughing for corn.

Q. Did you take any receipt for that tax?—A. No, sir ; I didn't.

Q. You don't remember positively what kind of a tax that was, do you?—A. I do.

Q. Do you remember the amount?—A. It was eight cents ; that is the reason I didn't take a receipt for it, it was so little.

Q. What kind of tax was it?—A. State and county.

Q. Did you examine the ticket you voted on November 5, 1878, carefully just before voting it?—A. Yes, sir ; I did.

Q. Did you prepare it yourself?—A. Yes.

Q. What party ticket was it?—A. Democrat.

Q. How do you remember the name of the candidate for Congress for whom you voted at that election?—A. Why, I remember it because it was Andrew G. Curtin.

Q. Is that the only way you remember it?—A. Well, there is another way that I remembered it—well, I voted the Democratic ticket, and I saw his name on it.

AARON LAMBERSON.

JACOB HIMES sworn.

Examined by GEORGE R. DIXON :

(The counsel for the contestee requests the counsel for contestant to state the purpose of the testimony of this witness and what part of the testimony of contestee it is intended to rebut.