

Haller, two of the sitting members, the former over Gilpin, by seven votes; the latter over Haller, by twenty-six votes. The majority of the committee therefore, cannot but conclude that Charles Gilpin and Samuel M. Haller, are not entitled to the seats they occupy, and that William Devecmon and William A. Bryden, are entitled to the seats in this House in their stead, and of right ought to occupy them, and at the conclusion of their report, the majority of your committee will submit a resolution to that effect.

In behalf of the Contestants, the right to count the vote of voters thus illegally and unjustly excluded, cannot in the judgment of the majority of the committee be gainsayed or questioned; it is supported, it is conceived, by every principle of justice and equity, by every analogy of law, and the principle and fact of adjudicated cases. This exclusion was a wrong, done not only to the voters themselves, for which a remedy is provided by law; but it was and is an injustice to the Contestants, to the people of the county, to the State itself, interested in the fairness of its elections, the just execution of its laws, and the integrity of its legislative bodies; which can only receive appropriate redress in this House. As the grand inquest of the State, it has the power to inquire into all grievances, and it is constituted the judge of the qualifications and election of its members.

The case presented by the record of the Contestants appeals strongly to its interposition in both these characters; for there can be no greater grievance done to the people, nor a higher offence committed against the State in a republican government, than the unjust exclusion from the exercise of the franchise of those whose right to it is secured and established by the additional guarantees of Constitutional provisions and of statute law.

The ballot box may be as much polluted by the rejection of legal votes as by the reception of illegal ones. It fails in its great object and purpose of affording a test of the popular will and judgment by the one means or by the other, and it will soon cease to possess the regard and esteem of the people; especially if those who are charged with its guardianship, who are its sworn ministers, set the example of its violation.

The general disrepute into which it will fall, if the gross practices disclosed by the testimony in this record remain unrebuked, may in some moment of universal disgust be followed in this country, as it has been in others, by its being set aside altogether, as the arbiter of political issues and the source of political power. To prevent a catastrophe so fatal to republican government, a resort to every lawful and constitutional means to avert these practices, ought to be adopted, and none are more obvious, more speedy and effectual than by letting it be known to the world that those who