

said district did so certify and return, that the said John R. Franklin, at the said election, had and received 218 legal votes, whereas, in truth and in fact, as your petitioner avers and charges, he received only 98 votes of the registered qualified voters of the said 5th election district; and it was also made to appear in the said 8th election district of Somerset County, and the judges of election in said district did so certify and return, that the said John R. Franklin at the said election, had and received 112 legal votes; whereas, in truth and in fact, as your petitioner avers and charges, he received only 22 votes of the registered qualified voters of the said 8th election district; and it was, also, so made to appear in the said 10th election district of Somerset County, and the judges of election in the said district did so certify and return, that the said John R. Franklin, at the said election, had and received 28 legal votes; whereas, in truth and in fact, as your petitioner avers and charges, he received only 20 votes of the registered qualified voters of the said 10th election district. And, inasmuch as the judges at the close of the said election, did make their returns and certificates to his Excellency, the Governor, from the said certificates and returns of the said judges of election in the said 5th, 8th, and 10th election districts, and so returned and certified that the said John R. Franklin had received of the legal votes polled at the said election 767 votes; whereas, in truth and in fact, and so your petitioner avers and charges, that at the said election, the said John R. Franklin had and received only 549 votes of the registered qualified voters of the said county. And your petitioner avers and charges, that whilst, by the certificates and returns made to his Excellency, the Governor, by the judges, at the close of the said election in the several counties comprising the said Circuit, it was made to appear that the said John R. Franklin had and received 2,257 votes of the legal votes polled at the said election, in truth and in fact, and so your petitioner avers and charges, he received only 2,039 votes of the qualified voters voting at the said election. Therefore, your petitioner avers and charges that the said John R. Franklin did not receive the largest number of legal votes polled in the said Circuit, at the said election, but, that your petitioner, having and receiving 2,188 votes of the legal votes polled at the said election, in the said Circuit, received the largest number of votes and was legally elected.

All of which averments and charges, your petitioner is ready to substantiate and prove to this Honorable Body, by sufficient and competent testimony, and he respectfully asks that he may be permitted so to do.

He therefore respectfully prays that this his petition, and