

Under this rule, so repeatedly recognized and well settled, the Committee could arrive at no other conclusion, than that, if any or all of these averments of uncertainties, irregularities, omissions or mistakes on the part of the Officers of Registration were sustained by the evidence, (which they do not admit,) still such uncertainties, irregularities, omissions or mistakes would not invalidate their proceedings, nor relieve any one from the restrictions and obligations of the Act of Registration, nor especially justify or excuse the Judges of Election in their reckless disregard of it, in receiving the ballots of unregistered and disqualified persons.

The averments of the memorialist on the 13th page of the Memorial, charge some of the Officers of Registration in some of the Election Districts in Somerset County, in which of the Districts, whether in the 5th, or the 8th, or the 10th, or the 15th, or any other, is not specified, with an improper, corrupt and dishonest purpose in the discharge of their official duties.

The evidence which the memorialist has offered to sustain these averments are of the slightest presumptive character. The depositions of witnesses who the Registers refused to register as qualified voters, and who in eight cases out of ten, conclusively showed by their own testimony upon their cross-examination, that, during the war, if they were not actively disloyal, they were at least utterly wanting in loyalty to the Government. The evidence offered by the petitioner to rebut the slight presumptions, if any, which could arise from the testimony of such witnesses, as found in the testimony of the memorialist, in relation to some of the Districts, is direct and positive, "that in all things, and to all men appearing before the Registers for Registration, the Officers of Registration acted with honesty, impartiality and fidelity in the discharge of their duties."

In closing these remarks upon the averments of the Memorial and the testimony offered to sustain them, the Committee deems it proper to state, that they are made more to relieve the Officers of Registration from the aspersion in this manner improperly attempted to be cast upon their official character, than to bring either the charges or the testimony before the consideration of the House of Delegates. The Officers of Registration are in no manner, directly or indirectly, parties to this proceeding; and to try them upon charges imputing to them the grossest obliquy of moral and official character, without notice, without a hearing, without witnesses in their defence, would be an outrage upon our fairness, justice, and law. If any public interest has been sacrificed, or any private rights impaired or damaged, by the intentional neglect, reckless disregard of the law, or corrupt conduct of the Officers of Registration, the laws of the State, fairly and justly administered, provide an ample remedy.