

Fifth. That unpardoned convicts were permitted to vote at said election.

Sixth. That non-residents of said State and county were permitted to vote at said election.

Seventh. That the returns of said election were not made out, returned and certified to according to the laws of the State.

Eighth. That through the unlawful interference of candidates and others, at said election, legally qualified voters were deceived, and prevented from voting for him the said contestant.

The first is a formal charge or allegation, which must stand or fall upon proof, or the want of it, to sustain the specifications in second, third, fourth, fifth, sixth, seventh and eighth, immediately following.

For better convenience his Report will present the case in the order the majority of the Committee have thought proper to consider it, and will, therefore, consider objections second, third and eighth together.

Under these objections proof has been given by one Gill, (page 58, printed testimony,) to show that a colored man, deputized to act as a special Deputy Sheriff to preserve order on the day of election, was stationed in the vestibule of the court-house, at the door leading into the court-room, but without the court-room, wherein the voting took place; that this colored Deputy took from voters six or seven tickets, tore them up, and forced others upon them in their stead, which he supposes were Republican tickets—knew one was. This witness also proves that the colored man, to obtain their tickets, told the parties he was an officer, and stationed at the door for the purpose of seeing their tickets, and had the right to do so. This statement appears to be uncontradicted. It seems strange, and must excite comment, that with the machinery of the law at the disposal of the contestant, he has not attempted to bring forward one single one of these parties to speak for himself and tell this Committee and Legislature how deeply he was wronged. This was certainly the best proof. Upon the statements given by this witness alone—for no other witness mentions this transaction—the Majority Report deducts for these six tickets taken and torn up, six votes from Mr. Widdicombe, and given six to Mr. Brooke, making a difference of twelve; now, where is the authority for this? The Legislature has power to go behind the election returns, to examine into the qualifications of voters, purge the ballot-box, and re-count the votes.—This gives them the power to deduct from either party any illegal votes he may have received, and also to de-