

election, was perpetrated by the sheriff or while the ballots were in his charge, and the sweeping acquittal of the Democratic Supervisor and his party of all imputation of either fraud or negligence.

The facts adduced in evidence will justify no such conclusions. If indeed they do not strongly impugn the honesty of the supervisor, they certainly raise much question as to his prudence and at least, as readily bear the inference of guilt upon his part or that of his party, as upon that of the sheriff.

The facts are these, viz: The supervisor received the ballots at Plum Point on the morning of Friday, October 30th, and immediately took them in a wagon to Prince Frederick, where he arrived at about 11 o'clock, A. M.

He then took them out of the wagon and deposited them in the printing office of Briscoe & Bunting. The Sheriff was there at this time, but the packages were not delivered to him. The packages containing the ballots remained in said office from that time until Saturday morning about 10 o'clock, when the Supervisor formally delivered to the Sheriff packages purporting to contain official ballots for said precinct (of which fact, however, there is absolutely no proof), who, at 11 o'clock A. M., placed said packages in the charge of Captain Frazer, who delivered them to the Judges of Election of the Second Precinct, at a time that does not appear from the evidence. (See testimony of Dalrymple, the Supervisor, and Sheriff Howard.)

The ballots, therefore, were in the custody of the Supervisor from Friday morning at 11 o'clock until Saturday morning at 10 o'clock, and from Friday afternoon until Saturday morning at 10 o'clock were by him permitted to lay loosely on the floor of a Democratic newspaper office. This of itself was not an evidence of that jealous care of an official ballot, which afterwards characterized his advice to the Judges to receive none but an official ballot, nor of such caution as the public have a right to expect of a public officer intrusted with such responsible and sacred duties, and who, in performing the same, practically holds in his hands the will of the people, or its only legally recognized means of expression.