

19th, and complied with according to appointment on January 26th, and that in the oral argument made on the same occasion, the contestants plainly and emphatically claimed that an examination of the registration and election records would show so many fictitious and fraudulent names entered upon the lists of qualified voters and actually voted on, that an inspection of the poll books would develop so many mutilated, incomplete, and forged election returns; as to demonstrate with mathematical certainty the utterly fraudulent character of the election. It also appears from the record that the respondents after asking for and obtaining a delay of ten (10) days to prepare arguments in reply could only urge, that as the House on the 18th of January had refused to direct the committee, without its request, to examine these registration and election records, therefore, the House had decided adversely to the contestants, and the Committee were bound accordingly to refuse their request for such examination. This view of respondents was, however, sustained by the committee, which is thereby put in the extraordinary and anomalous position of having required two successive arguments, one from the contestants on January 26th, and the other from respondents, February 9th, on a question which in their view had been decided on the day before their desire to hear argument was made known to the contestants.

The Chairman of the Committee in deciding the point said that time and money would be saved and the ends of Justice and the best interest of the State would be advanced by adhering strictly to the mode of procedure laid down in Article 35, of the Code of Public General Laws.

Now, when we consider on the one hand, that this mode of procedure as appears from the record, consumed of time, some three (3) months, and of money, many thousands of dollars, and resulted in the production of some four thousand (4,000) pages of manuscript, a mass of evidence so unwieldy as to offer in itself a serious obstacle to a full and careful consideration of the merits of this contest; and on the other hand that the examination of the registration and election records in the city of Baltimore, if their condition was correctly stated by the contestants, must have decided at once and conclusively the matter at issue, and that such examination could not have required more than a few days at the outside, and comparatively a small expenditure of money, we may well doubt both the wisdom of the action taken by the Committee and the soundness of the reasons assigned therefor.

Suppose, for instance, that it appears from a comparison of the registration books of Baltimore and the lists of qualified