

voters furnished to and used by the Judges at the late election in that city, that so many names of persons marked in the former as "dead," "transferred," or otherwise disqualified, have been entered on the latter as duly "qualified voters," as to actually increase, by twenty thousand (20,000) fraudulent names, the true number of bona fide legal voters, and that it also appears from a comparison of the lists of qualified voters and the poll-books returned, that a large proportion of these fraudulent names were actually voted on, some of them as often as eighteen (18) times, and that the sum of all these frauds apparent on the face of these records should approach or equal the number of twenty thousand, (20,000) what remains, but to declare the election of November 2nd, 1875, in the city of Baltimore as the most stupendous fraud of the kind ever perpetrated.

Yet these very things were substantially charged by the contestants when they asked the Committee to go to Baltimore and examine these records. Were the charges denied and the proof challenged? By no means. On the contrary, as has already been shown, the respondents took ten (10) days to prepare argument to show that the Committee should not look at the proof, and the Committee accordingly closed its eyes.

Again, it appears from the records as far back as February 9th, that the Clerk of the Superior Court of Baltimore city, contrary to law and precedent, (recognized and acted upon by the Senate at this session in the election contests pending in that body from St. Mary's and Calvert counties,) refused to produce the ballots cast at the election in question, and which were by law in his custody, and that the action of the Committee was vainly invoked in the premises. After waiting sometime for the Committee to respond to their request in this matter, the contestants applied to the Hon. Geo. Wm. Brown, Judge of the Baltimore City Court, for a mandamus to compel the Clerk of the Superior Court to deliver, as required, the ballots in question, which, after full argument, was granted, and the ballots ordered to be delivered. But such had been the delay occasioned by the action of the Committee, that the Clerk, by an appeal, was able to wholly defeat the object of the proceedings.

It must be remembered in this connection, that under Article 35, Section 65, of the Code, which as has already been shown, was early decided by the Committee to be the exclusive law of the case, the ballots could only be delivered to a Justice of the Peace taking examination, so that the transmission of the testimony was necessarily delayed until the decision of the mandamus case.