

prone one of the excepted defects, and there be no affirmative proof that that the election was "otherwise valid" in either case the law positively declares the election invalid.

Note, also, that in Section 227, the provision is that no election shall be valid "unless held under and in conformity with the provisions of this Article." If, therefore, saving the exceptions of Section 228, the election was in any single other particular not in conformity with the provisions of the Article it is not valid.

It is to be observed that this stringent law declaring elections not valid unless held in conformity with its provisions, applies only to the City of Baltimore, and was passed at the memorable session of 1859 and '60, at which the election of the November preceding was declared void, and the delegates returned thereunder unseated for the same causes, (fraud and violence,) which invalidates the election held in said city in November, 1875.

In the opinion of the Legislature, then, Baltimore city required to be governed with a tight rein—an opinion fully warranted by the facts which produced the enactment of the law, no less than by the facts now shown in the evidence. The apparent design of the Legislature was to take away all temptation to the commission of fraud, violence and other illegalities, by declaring absolutely void all elections in the City of Baltimore which might be in the slightest degree tainted with these diseases of the body politic.

Passing, for the present, those defects that apply to only a portion of the precincts, there are certain requirements of the law positively proved in the testimony of Marriott Boswell, before given, not to have been conformed to in a single precinct in the whole city. And therefore the election in every precinct is by the express terms of the law absolutely void.

The Public General Laws, Article 35, Secs. 9, 10 and 11, as amended and re-enacted, and in force on the day of the late State election, are as follows:

"9. Every judge of election, at every election to be hereafter held in pursuance of law, before he proceeds to take or receive any vote, shall take the following oath or affirmation:

"I, A. B., do swear, (or affirm,) that I will permit all persons to vote who shall offer to vote, at the election now to be held for ——— county or ——— city, whose names shall appear on the registry or list of voters furnished to me according to law as qualified voters, under the Constitution and laws of this State, and that I will not permit any person to vote at the same election whose name shall not be found upon the said registry or list of qualified voters; and I will in all