

things execute the office of Judge of the said election, according to the best of my knowledge, without favor or partiality, so help me God."—(Act of 1867, chap. 374.)

"10. Every Clerk, before he enters any vote on the poll-books, shall take the following oath, to wit :

"I, A. B., do swear that I will well and faithfully, without favor, affection or partiality, execute the office of Clerk of the election now to be held, according to the best of my knowledge, so help me God."

"11. The several Judges may administer the said oath to each other, or take the same before a Justice of the Peace, and the Clerks may either be sworn by one of the Judges or before a Justice of the Peace, and a certificate of every such oath, signed by the person administering the same respectively, shall be annexed to the poll-books."

"Section 213 of Article 4, Public Local Laws of the City of Baltimore, as amended and re-enacted by the Act of 1868, chapter 377, and now in force, provides, that in the City of Baltimore every Judge of Election, before he proceeds to act as such, shall take the oath contained in Section 9 of Article 35 of Public General Laws, and every Clerk, before he enters any vote on the poll book, shall take the oath contained in Section 10 of said Article ; and in addition thereto, that the said Judges and Clerks respectively, shall likewise make oath or affirmation well and faithfully to discharge the duties by this Article, (Article 4, Public Local Laws,) imposed on them respectively, or which may be assigned to them respectively, during their official term by law."

The Public Local Law of the City of Baltimore formerly provided in Section 213, (see Act of 1867, chapter 141,) that these oaths of Judges and Clerks of Election should be administered by the Board of Police, or in case of exigency, by a Justice of the Peace ; and in either case the same should be certified and recorded among the proceedings of the Board. But these provisions have been repealed by the above recited Act of 1868, chapter 377, and the Public General Law, Article 35, Section 11, hereinbefore quoted, governs the subject. From the foregoing it then appears conclusively beyond the shadow of a doubt.

First. That the official oath required by law was not administered to any of the Judges or Clerks of the election in this city.

Second. That the oath which was administered to them was administered by a person entirely without any authority to do so.

Third. That the returns themselves show on their face the