

more City, in regard to their appointment of officers for the conduct of the late elections of said city. No such authority was given the Committee to compel the attendance of witnesses or the production of papers as usually belongs or is given to any lawful body making investigations of this nature, and though the necessity for such authority became apparent very early in the course of the investigation, and was repeatedly urged by those gentlemen who undertook to assist the Committee in getting evidence before it, yet no application was made to this House for such authority by the Committee, and the investigation limped on in its course, the witnesses who had been notified to appear coming or not as they pleased, and most of them staying away. Under such circumstances we do not think it possible that any free, fair, full and impartial investigation of the charges can be said to have taken place, as the only course by which it could have been reached was not pursued. Again, aside from the responsibility for this state of things, we think the plan of proceedings adopted by the Committee, and the rulings of its Chairman, were calculated to produce anything rather than a proper examination of the charges. In the first place, although the order of the House was adopted January 13th, 1876, the first meeting of the Committee was not held until February 10th, 1876, and the reception of evidence against the Commissioners was peremptorily stopped March 7th, 1876, as it was alleged, for want of time.

In the second place, instead of giving all the time, as is usual in preliminary investigations of this character, whether made by Grand Juries, Courts of Inquiry, or Legislative Committees, to the evidence in support of the charges, the Committee gave a large part of their time to the defence of the Commissioners. The impropriety of this course is manifest, both in reason and custom. If there be no evidence, after a proper investigation, to sustain the charges, the Committee undoubtedly ought so to report; but they should enter into no trial of the case in the Committee room; they should give their time and attention solely to the evidence to sustain the charges, and let the defence be made, not when the charges are being investigated, but when they come up for trial. This is a plain principle of reason and established law; were it otherwise, a party could be twice put on trial and in jeopardy, the Bill of Rights would be violated, and frequently, as in this case, the opportunity for the reception of proper evidence would be lost. The Committee, after losing nearly a month without any meeting, entered upon the investigation on this improper plan. They held twelve meetings in all; the first February 10th, 1876, the last March 16, 1876; of these twelve meetings, seven only were given to the witnesses