

tion whatever has been made for the action of your committee, and no witnesses or proofs have been presented for their examination, your committee are now compelled to report their opinion of the case for the final action of this House

The certificate of the return judges, also herewith returned, marked Exhibit No. 2, being in regular form and uncontradicted, is, of course, conclusive. Therefore, as it appears that the said J. Thomas Adams received the greatest number of votes for the office of Clerk of the Circuit Court for Baltimore city, at the election for said Clerk, held on the sixth day of November last, in said city, your committee recommend to this Honorable House the passage of the following resolution:

Resolved by the House of Delegates of Maryland, That J. Thomas Adams, having received the greatest number of legal votes cast at the election held in Baltimore city, on the sixth day of November last, for the office of Clerk of the Circuit Court for said city, be and he is hereby declared elected to said office.

JNO. A. J. CRESWELL,
Chairman.

Which report was read and adopted.

EXHIBIT No. 1.

Communication from R. J. Kerr, Esq.,

To His Excellency,

THOMAS HOLLIDAY HICKS,

Governor of Maryland:

I, Robert J. Kerr, Clerk of the Circuit Court for Baltimore city, do hereby respectfully give notice, that I maintain and shall contend and proceed to establish, that the alleged election on the 6th day of November, in the year 1861, of J. Thomas Adams to the office of Clerk of the Circuit Court for Baltimore city, as purported by the election returns of said election, is invalid; and that, said ostensible election, notwithstanding, he is not entitled to said office. And I state and give notice that I shall, before the House of Delegates of the General Assembly of Maryland, contest said Adams' said claimed election and pretensions to said office; and do accordingly request the Governor to transmit said returns of election, in respect of said Adams, to said House of Delegates, according to the Constitution of the State of Maryland, for the purposes of the said contestation of election, and along with this notification and claim and charge.

And I further declare and shall contend, in disputing said election as purported by said returns, that said alleged and pretended election is invalid; because the election of said 6th day of November was not fair and free, but was, by or under the sanction of the judges of election, illegally and fraudu-