

REPORT

IN THE CASE OF KERR VS. GAITHER.

In the case of R. J. Kerr vs. Thomas B. Gaither, in which the claim of said Gaither to the office of Clerk of the Circuit Court of the City of Ballimore, is contested, your committee beg leave further to report :

The memorial charges substantially—1st. That by means of fraud, intimidation and violence of the most aggravated character, there was no fair or free expression of popular will in the city of Baltimore, on the 2d of November last, except in the eighth and partially in the twelfth ward.

2d. That early in the day the polls were seized by bands of armed and desperate men, who prevented persons, by violence and intimidation, from voting for the memorialist, and caused large numbers of illegal votes to be given and received for said Gaither.

3d. That the number of votes excluded by actual violence, though in itself large, was small in comparison with that of citizens who, from public threats and other public demonstrations in advance, on the part of the supporters of said Gaither, entertained well-founded apprehensions of danger to life and limb, from any attempt on their part to vote for the memorialist and others upon the same ticket with him.

4th. That the memorialist is entitled to be declared elected to said office, because of the fair and peaceable election in the eighth, and partially fair and peaceable election in the twelfth wards—in each of which, he received a majority of the votes cast ; but if the House should not so declare, the memorialist charges that the claim of the said Gaither cannot be maintained, and asks that a new election be ordered.