

or violence; but that in the absence of such wrong, they, the contestants, would have been elected.

We allude to the memorials, not as recommending that the House should decide this case under the rule of law before stated. But we feel justified in assuming that the counsel for the contestants so framed them, because they were well aware of the impossibility of showing any facts by proof which would sustain an allegation, that under any conditions of purity of the ballot-box, or freedom from disorder, the memorialists would have received a majority of the votes cast at the recent election.

The memorials, and the whole record, present for the decision of the House this question: Shall the election held in the City of Baltimore on November 2d, 1875, be declared null and void, and a new election of delegates ordered by this House?

The charges preferred by the memorialists as justifying such action on the part of the House as they ask, are numerous. Most are unsustained by proof, while others, whatever might be their effect on certain precincts in a case where the contestants claimed the seats, can have no bearing on the case as presented.

The proof is addressed almost entirely to the support of the main charge, "that said pretended election of November 2nd, 1875, was characterized by such tumult, riot, intimidation, fraud and injustice practiced on behalf of the persons so as aforesaid returned as elected, and actively participated in by the officers and authorities, especially the police of said city, that a full and fair expression at the ballot-box of the views and preferences of voters was impossible, and that said election was therefore not free, and is void."

In connection with this main charge, it is specified that on the day before the election with the encouragement of the police, noisy ruffians, adherents of the returned members, assaulted and intimidated voters; and on the day of the election the same riotous class of persons, with the connivance of the police, took possession of the polls and assaulted and prevented the friends of the memorialist from voting.

With reference to this charge, taken as a whole and as descriptive of the condition of the city of Baltimore on November 2nd, 1875, we simply call attention to the fact that the vote polled in that city of nearly 59,000 voters, answers the charge. No such condition of disorder could have existed without deterring a very large proportion of the quiet citizens from offering to deposit their ballots, whether Democrats or Reformers.

It is equally impossible that the charge that ruffians took