

whole evidence could have been printed in time for a reasonable opportunity to read, and consider if the order directing it to be printed offered in this House on the 29th February last had been adopted, instead of referred to this Committee, which declined to take any action thereon.

If any apology for the length of this introduction be needed, it will be found in the consideration that the remarkable absence from the record of the most important and conclusive evidence, the delay in the transmission of the evidence, and the failure to print the same, if unexplained might well be supposed to have been due to some fault of the contestants.

If, however, it appears from the record, as it is respectfully insisted it does appear, not only that the contestants are not in fault, but that they have been indefatigable in their efforts to bring out all the facts, then their failure to do so because of the reasons hereinbefore set forth instead of weakening, strengthens their cases, just in proportion to the importance of the evidence excluded, and the number and serious character of the delays and obstacles interposed.

But notwithstanding the exclusion of important evidence, and the difficulties in the way of a full consideration of what the record does disclose, there are some facts uncontradicted and indisputable, easily selected from the mass of evidence before us, and applicable to every one of the three Districts of the City of Baltimore, which incontestably prove that the election of November 2d, 1875, in the City of Baltimore, was wholly invalid and void. Thus it appears from the uncontradicted testimony of Marriott Boswell, Clerk to the Board of Police Commissioners, and is admitted as an undisputed fact, that the only oath administered to the judges and clerks of election, who acted at said election was administered by him, (Boswell,) and was merely to the effect that they would do their duties, as judges and clerks of election, to the best of their ability. It also appears from the certified copies of the poll books and returns of elections filed as evidence in this case, that while the judges of the late election in the City of Baltimore, certify that they and the clerks duly qualified according to law before the *Board of Police Commissioners* there is no certificate of every such oath signed by the person administering the same annexed to any of the polls.

These facts are true of every precinct in the City of Baltimore. Every Judge and Clerk who was sworn at all, (some did not trouble themselves with such formality as will hereafter appear,) was sworn by the Clerk of the Board of Police Commissioners, simply to faithfully discharge his duty and