

he actually received a large number of votes from persons who voted such Reform tickets, as is evidenced by the fact that his majority in said city exceeded the average majority of the American legislative ticket by one thousand votes. And he further avers it as his belief that his vote in said city would have been greatly larger than it appears to have been if all persons who intended to vote for this respondent at said election had deposited their votes, and this respondent is well satisfied from the representations of many intelligent persons, opposed to him politically, as well as from information derived from many voters in the said city of the highest respectability, that if there had been no disturbance or molestation of voters whatever in the said city at such election, this respondent would have been elected by a large majority over the said contestant.

He is advised and insists that according to the Constitution of Maryland the Comptroller of the Treasury is to be chosen by the qualified electors of the State at each election of members of the House of Delegates, and that no election of Comptroller is lawful if the votes taken in any particular district of the State, or the entire poll of any such district or city should be rejected from the count upon any pretext whatsoever. And he is advised that there is no power in the House of Delegates in the case of a contested election for Comptroller to reject the entire vote of the city of Baltimore, as is prayed by the said memorial, and thus allow the election of Comptroller to be made by the qualified electors of *part of the State*, instead of by the qualified electors of the entire State, as required by the said Constitution.

Further answering, this respondent says that he knows of no reason why the judges of election in the city of Baltimore at said election were not legally appointed, as is alleged in the said memorial, and he is advised and insists that any irregularity in their appointment, if the same were shown to exist, could not operate in law to vitiate and render null the legal votes deposited with such judges by the qualified electors, or to destroy the rights of an officer regularly elected by a majority of legal votes.

This respondent insists, that according to well established principles of justice and the rules of procedure governing such cases if any investigation is to be entered into as to the hindrance of voters or other irregularities attendant upon the said election, this respondent is entitled to demand a general and full scrutiny of the polls throughout the whole State, as well as in the city of Baltimore; and to have each voter who it is alleged was kept from the polls in the said city by violence or intimidation, examined as to how he intended to