

“disloyal,” under the 4th section of Article 1st of the Constitution ; and the said John R. Franklin, upon such ascertainment and determination, was excluded from registration, by the said officers of registration, as they were authorized and required to do by the provisions of the said Act and the said 4th section of the Constitution.

Now your petitioner respectfully insists that, inasmuch as the acts which the said officers of registration were authorized and required to inquire into and ascertain, and declared in the 4th section of Article 1st of the Constitution to be causes of disqualification, are *the same* and *none other* than the acts which disqualify those persons who have done the same from holding any office of honor, profit, or trust under the laws of this State ; and, inasmuch as it has been found, ascertained and determined, by a tribunal empowered and required by the Constitution and said Act, to inquire and ascertain if the acts, so as aforesaid declared causes of disqualification had been done by any person appearing before them, that the said John R. Franklin had done and committed the said acts or some of them ; therefore your petitioner avers and charges that the said John R. Franklin was at the time of said election, to-wit: on the 7th day of November last, and has been ever since, and is now disqualified under the Constitution to hold the said office of Circuit Judge of the Twelfth Judicial Circuit of Maryland.

Your petitioner further avers and charges that it was known at the said election, to the electors voting for the said John R. Franklin in the several counties comprising the said Circuit, that he was disqualified to hold the said office, and your petitioner insists that it was the duty of the judges of election to have thrown away the ballots cast for the said John R. Franklin, and not to have counted nor returned the same.

Your petitioner further represents that at the said election, the judges of election, in the 5th, 8th, 10th, and 15th election districts in Somerset County, and the 13th election district in Dorchester County did, knowingly, illegally, and in disregard and contempt of the law, permit a large number of persons, who were not entitled to vote, who were registered as disqualified, or not registered as qualified voters, and whose names did not appear upon the copy of the list of qualified voters, delivered to the said judges of election by the officers of registration of the said several election districts, to vote for the said John R. Franklin, and did count and return the ballots of such illegal voters. By which illegal conduct and wrong of the said judges, it was made to appear in the said 5th election district in Somerset County, and the judges of election in the