

The evidence offered by the petitioner to maintain his first averment, that Mr. Franklin was disqualified, was a duly certified copy of the book of registration of the Second Election District of Worcester County, filed with the Clerk of the Circuit Court for said County. By this evidence it is shown that Mr. Franklin appeared before the Officers of Registration of the said District, and made application to be registered as a qualified voter, thereby submitting himself to, and admitting the competency and authority of that tribunal to enquire into and to decide all matters which it was their duty to enquire into and decide under the Constitution and laws. The Constitution, in the fourth section of the first article thereof, made it their duty "carefully to exclude from being registered all persons so as above disqualified"—that is, all persons who had done any of the deeds, or uttered the expressions therein denounced, as causes of disqualification. The law, entitled, "An Act relating to the registration of the voters of the State," in the sixth section thereof, made it their duty, "before entering any name on the register of voters, to diligently enquire and ascertain that such person has not done any of the acts, which are declared in the third, *fourth* and fifth sections of the said first article of the Constitution, as causes of disqualification, and if the evidence brought to their knowledge should satisfy them, that he is disqualified under *either* of said sections, they shall not enter his name as a voter in said eighth column or register of qualified voters, but shall carefully exclude it therefrom." The same law, in the fifth section thereof, made it their duty, as to all persons applying to them for registration, to enter on record, in the proper column of the book of registration, *the facts* appearing before them and found by them; and as to the *facts* to be so entered in the seventh column of the said book, it enacts, "Seventh, *if disqualified, the cause or reason of disqualification*, whether non-residence, non-age, alienage, infancy, lunatic or non compos mentis, *disloyalty under the fourth section of article first of the Constitution.*" Mr. Franklin, with a full knowledge of the powers thus conferred and the duties thus imposed upon the Officers of Registration, voluntarily appeared before them, submitted to their enquiry into all facts which would be causes of disqualification, and if upon such enquiry, they should find that he was disqualified, that they should enter of record in the seventh column of the book of registration, the *cause* of his disqualification. A trial was had, witnesses were examined before the said Officers of Registration, and he was there a proper, as well as a voluntary *party* to the proceeding, with all and every privilege of a *party*, to introduce and cross-examine witnesses touching all facts properly in issue and to be enquired into by