

Question. Including Mr. Lincoln, at the last election?

Answer. Yes.

Question. Had you at any time in Towson town or at any other place, a conversation with Mr. James L. Ridgely in relation to the aspect of our political affairs and in relation to our national difficulties, growing out of the secession of the Southern States?

This question was objected to by the counsel for the Contestant.

The point was then argued before the Committee as follows:

*Mr. Whitney, Counsel for Respondent.*

The respondent offers this testimony for the purpose of testing the standard of Mr. Ridgely's loyalty as regulated by the provisions of the Constitution under which this committee are acting in examining into the contested election case now before it. The 15th section of the 4th Article of the Constitution provides if in any case of an election for Judges, the Clerks of the Courts of Law and Registers of Wills, the opposing candidates shall have an equal number of votes, it shall be the duty of the Governor to order a new election, and in case of any contested election the Governor shall send the returns to the House of Delegates, who shall judge of the election and qualification of the candidates at such an election. Now if the committee will consider, they will perceive that the framers of the Constitution did not intend by delegating this authority to the House of Delegates, that they were to put upon trial any particular party or person, but that in case of a contested election, and the returns being sent to the House of Delegates, it should be the duty of the House of Delegates to inquire into and judge the election and qualification of the candidates at such election, not of any *particular* candidate, but all the candidates at such election, and I apprehend that the committee will readily perceive the object in thus clothing the House of Delegates with that power, because, suppose in point of fact it should turn out that there was a disloyal county in the State of Maryland, the object of the framers of this Constitution was to purge our Judiciary of disloyal men, not to effect the rights of any particular man, but to keep the Judiciary clearly and distinctly free from the taint of disloyalty; now let us suppose that there is a county in the State of such disloyal character as to present two or three candidates for the Judgeship, and suppose one of these three candidates should be elected and returned to the Governor as elected, a man loyal to the Government should come here and say that that man was disqualified on account of his disloyalty; as a Union man, as a man true to the Government of the country, he has a right to make the contest against that man upon