

REPORT.

To the Honorable

The Senate of Maryland:

The majority of your committee on Elections, to whom was referred the petition of Hart B. Holton, Esq., of Howard county, contesting the right of the Hon. Littleton Maclin, to a seat in this body as Senator for Howard county, and claiming the same for himself, respectfully

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That they have read and examined the testimony submitted to them, they have heard able and learned counsel argue the law facts in this case as developed by the testimony submitted, and which is herewith filed as part of the report of your committee, the foundation on which this contest is based and on which the contestant denies the right of the sitting member, and claims the right for himself to represent Howard county in this body, is the disqualification of Hon. Littleton Maclin, under the provisions of section four of Article 1st of the Constitution of Maryland.

The points of contest involved in this case, may be classed under two heads or interrogations, to wit: What are disqualifications according the terms and provisions of said section fourth of Article first? Was the disqualification of such a nature as to entitle the contestant to the seat?

The disqualifying acts specified in said section are numerous and special, your committee have endeavored to meet this case with a full realization of the responsibilities resting on them, inasmuch as it may establish a precedent, involving the rights and privileges of the citizens of Maryland, and perhaps the liberties and safety of the State, and have therefore given it deliberate and patient attention and investigation.

Your committee proceeds to the examination of the first proposition or interrogatory: "Any person who has at any time been in armed hostility to the United States or the lawful authorities thereof, is disqualified to hold any office of