

in November last for members of this body, so directly involved the question as to what were the expressed opinions, and feelings of the respective candidates as to make it the duty of every elector to inquire into such opinion and feelings, and to assume the risk of them of their having given rise to such acts and expressions as would work disqualification under the constitution. The defendant in this case does not from the testimony appear to be an exception to this rule, but, on the contrary, that at sundry times in sundry places and amid public congregations of the citizens of Howard county, he publicly expressed his antipathy to the National Government and its measures, and his sympathy for the cause of the rebellion. The testimony further shows that he entered into frequent conversations to persuade people, appealing to the feelings and prejudices of the correctness of his position, which appears to be well understood, in view of these facts your committee are satisfied not only as to the disqualifying causes, but as to the general knowledge of those causes.

Your committee submit the following resolutions for your action :

*Resolved*, That Littleton Maclin was not duly elected as Senator for Howard county, being disqualified by the 4th section of Article 1st of the Constitution, and is therefore not entitled to a seat in this body.

*Resolved*, That Hart B. Holton, having received the highest number of votes cast for any duly qualified candidate for Senator for Howard county, is declared duly elected and entitled to a seat in this body as Senator from said county.