

ARTHUR CRISFIELD, testifies, that he saw the "flag raised. Mr. Waters was not there to the best of his knowledge. He should have seen him if he was—the crowd was not large. Has known Mr. Waters since 1850. Never heard him accused of disloyalty before this proceeding. He was opposed to the present administration, but so far as my knowledge goes, he based his opposition to it on the grounds, that it was unconstitutional, and its measures at variance with what he considered to be the true construction of the Constitution."

CHARLES W. FOUNTAIN, testifies that he was about the place when the flag was raised, he was a printer in Mr. Waters office, neither Mr. W. nor Mr. McClemmy were there that he saw. Don't recollect of seeing Mr. Waters in town that morning, feels very certain that Mr. Waters was not in town that morning. The United States flag was usually kept in the office of the Somerset Union; on the evening of the 19th of April, 1861, it was in that office, when I locked the office up at night to the best of my recollection. I did not know that it was out of the office until the morning of the 20th of April, nor do I know how or by whom it was taken out. The news of the secession of Virginia, reached Princess Ann on the evening of the 19th April, the flag was raised on the morning of the twentieth to the best of his knowledge, no one connected with the office had anything to do with the raising of that flag.

Your Committee have thus given a very brief epitome of the substance of the voluminous testimony adduced on behalf of the sitting member. It may be proper here to state, that none of the witnesses were cross examined by the contestant or any one for him. All the witnesses to whom the questions as to loyalty were propounded, and that was nearly every one, give unqualified testimony as to the loyalty of Mr. Waters. All the witnesses examined as to his complicity or connexion with the "flag raising" and they were numerous, testify that Mr. Waters either was not present and had no hand in it, and others prove the parties who did so raise it, and deny Mr. Waters' presence. In regard to the exultation of Mr. Waters over the battle of Bull Run, many witnesses testify to their presence and deny that Mr. Waters was present or participated therein. Several witnesses testify that they never heard Mr. Waters say or do any thing, nor did they hear any one else say they had heard him say or do any thing which savoured of disloyalty, though they say he opposed many measures of the Administration on Constitutional grounds. On one point of the charge testified to by Dr. Cadmus Dashiell, that he heard Mr. Waters rejoice of the defeat of Balls Bluff and the death of Col Baker. The testimony for the defence is not so full as on the other points, one witness only is asked in regard to that point, a general ques-