Senate, against charges, upon which the Senate is asked, in the discharge of a grave judicial duty, to pronounce the judgment, that this respondent "is not entitled to hold any office. of honor, profit or trust, under the laws of this State," he to entitled, upon the plainest principles of justice and reason, is be informed specifically of the nature and circumstances of the act or acts, word or words, with which he is charged, as having "given aid, comfort, countenance and support to those engaged in armed hostility to the United States," that he is entitled to be informed of the name or names of the person or persons, he is charged with having "advised or aided to enter the service of the so called Confederate States;" and that he is also entitled to be informed, when, where and by what "open deed or word, he declared his adhesion to the cause of the enemies of the United States, and his desire for the triumph of said enemies over the armies of the United States." This respondent insisting upon the benefit of his said exception to the general, vague and indefinite charges of this said memorial, yet answering the same as made, he denies the same, all and singular; and avers that they are, and each of them is, utterly untrue, and that no specification based upon them, or any of them, implicating this respondent, directly or indirectly, can, with truth, be made.

This respondent therefore, respectfully submits, that the memorialist has stated no sufficient grounds of contest, and has submitted no evidence whatever, upon which this Honorable Senate can be justified in declaring this respondent "ineligible to the said office," or that "the memorialist is entitled to said office," or "that the same is vacant."

LEVIN L. WATERS.

as mart of this counter memorial.

This respondent admirs, that on of about the Sith day of November, in the year 1865, notice of the intention of the said (transm to contest the election of this respondent, was served upon this respondent has been this respondent avers that no copy of the memorial has been served upon him, and that he has never received any notice of the grounds of said contest, or or the time and place for taking testimony to sustain the said contest on the part of the contestant as required by the Code of I which the part of the contestant as required by the Code of I which there as the contestant as required by the

This respondent respectantly excepts to the altegations of the said memorial, upon which is based the charge this respondent is incligible to the said office because the said allegations are so vague and indefinite, that this respondent ought not be required by this Honorable Senate to answer them. This respondent respectfully submits, that that before he oughts to be earlied on to detend himself before this Honorable