

## REPORT.

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The minority of the committee on Elections, respectfully ask leave of the House to submit a statement of the reasons which constrain them to dissent from the majority of the committee in their recommendation, that the Hon. Thomas A. Spence, should be admitted to the office of Circuit Judge in the place of the Hon. John R. Franklin. . The memorialist charges and avers that the said John R. Franklin, was ineligible to be elected, and was disqualified to hold the said office under the provisions of the fourth section of the first Article of the Constitution, and in support of this averment "he represents that the Officers of Registration of the second Election District of Worcester, in which Mr. Franklin resides, did exclude him from registration as a legal voter, and did enter of record in the said Book of Registration as their ascertainment and judgment that the said John R. Franklin was *disloyal*;" and the memorialist proceeds as follows:— "Now your petitioner respectfully insists that inasmuch as the acts which the said Officers of Registration were authorized and required to inquire into and ascertain and declared in the fourth Section of Article first of the Constitution to be causes of disqualification, are the same, and none other than the acts which disqualify those persons who have done the same from holding any office of honor, profit or trust, under the laws of this State, and inasmuch as it has been found, ascertained and determined by a tribunal empowered and required by the Constitution, and said act to inquire and ascertain if the acts so as aforesaid, declared causes of disqualification had been done by any person appearing before them; that the said John R. Franklin, had done and committed the said acts or some of them, therefore your petitioner avers and charges that the said John R. Franklin was at the time of said election to wit: on the 7th of November last, and has been ever since and is now disqualified under the Constitution to hold the said office of Circuit Judge of the twelfth judicial circuit of Maryland."