

bers, until the same are repealed. And whereas, the Act of Assembly of 1805, chapter 97, section 12. is still in force and unrepealed, and therefore binding on us as Delegates, and should govern our decisions in the case of the contested seat of John H. Worthington, Esq., a member returned from Frederick county, by Edward Buckey, Esq., of the same county. And whereas, the memorial of the said Edward Buckey to this House of Delegates, states that the judges of the election of the third election district of Frederick county, rejected thirty-seven ballots for want of the plain designation. "For the House of Delegates," which said ballots appear in fact to have been thirty-six in number, and after this form, as follows.

FOR GOVERNOR.

THOMAS G. PRATT.

FOR THE SENATE.

WILLIAM J. ROSS.

WILLIAM COST JOHNSON,

JOHN F. ELDER,

EDWARD BUCKEY,

GEORGE BOWLUS,

THOMAS E. D. POOLE.

Without the said ballots bearing on their face the plain designation, of the purpose for which the said William Cost Johnson, John F. Elder, Edward Buckey, George Bowlus and Thomas E. D. Poole, were voted for. And whereas, the said Edward Buckey, in his memorial claims a seat in this House of Delegates, solely on account of the said thirty-six ballots, which were not counted to him by the judges of the third election district of Frederick county, on account of their not appearing on them the plain designation of the purpose for which the said Edward Buckey was voted for.

Therefore, be it resolved,

1st. That the said thirty-six ballots hereinbefore mentioned and described, were by the judges of the election of the third district of Frederick county, properly rejected from the count of the votes given for the said Edward Buckey, in the said district, as there does not appear on the said ballots the purpose plainly designated, for which William Cost Johnson, John F. Elder, Edward Buckey, George Bowlus and Thomas E. D. Poole, were voted for, as by the law of Maryland is imperatively required, and the said ballots having been properly and legally rejected from the count by the said judges, cannot now be counted to Edward Buckey by this House, without an infringement and violation of the existing laws of this State.