

2nd. Resolved, That the plain designation required by the election laws of this State, on the ballot of a voter of the purpose for which he votes is imperatively necessary, and a non-compliance with such requirement, a fatal defect which cannot be remedied by any recourse to the supposed or verbally declared object of the voter.

3rd. Resolved, That a dash or black mark thus ——— on the ballot of a voter in Maryland, does not mean, specify or plainly designate, "for the House of Delegates," or for any other office in this State, but that the said dash or black mark thus ——— on a ballot means, specifies or plainly designates no particular elective office under the Constitution, or existing laws of this State, and that Edward Buckey claiming in this House the seat of John H. Worthington, a member returned from Frederick county, solely under the designation of a dash or black mark thus ——— is not by the laws of Maryland, entitled to the same, because in the first place a dash or black mark thus ——— on the ballot of a voter neither in the English language, nor in any other language with which the members of this House are familiar, or which is known to the voters in Maryland, means, specifies or plainly designates "for the House of Delegates," or "for the General Assembly," and in the second place, because the imperative requirements of the law were not complied with, by the plain designation of the purpose for which Edward Buckey, and others were voted for, on the said thirty-six ballots hereinbefore mentioned, and particularly described.

Ordered, therefore, That John H. Worthington, is entitled to his seat in this House of Delegates, as a member from Frederick county, and that Edward Buckey have leave granted him to withdraw his memorial.

Which was read.

After debate thereon, and pending the question on the substitute, Mr. Graves moved that the House adjourn,

Determined in the affirmative, and

The House accordingly adjourned until to-morrow morning 11 o'clock.