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IN THE SUPREME COURT OF KANSAS

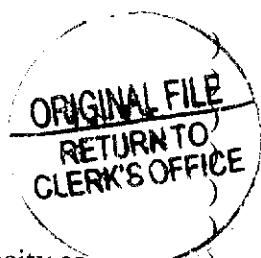
CHAD TAYLOR,

Petitioner,

vs.

KRIS KOBACH, in his official capacity as
Secretary of State for the State of Kansas,

Respondent.



Original Action No. 14-112431-S

**SUPPLEMENTAL MEMORANDUM IN
SUPPORT OF PETITION FOR WRIT OF MANDAMUS**

As set forth in the Petition for Writ of Mandamus (the “Mandamus Petition”) and the Memorandum in Support of Petition for Writ of Mandamus (“Memorandum”) filed in the above-captioned matter, Respondent Secretary of State Kris Kobach’s refusal to recognize and effectuate Petitioner Chad Taylor’s timely, lawful, and unequivocal withdrawal from the race for United States Senate pursuant to K.S.A. § 25-306b(b) has constituted and will constitute the unlawful performance of public duties and the unlawful exercise of public office such that a writ of mandamus is necessary. Petitioner submits this supplemental memorandum pursuant to the Court’s Order, dated September 11, 2014, to provide further support for the Mandamus Petition, specifically on the issue of Petitioner’s compliance with K.S.A. § 25-306b(b)’s provisions for withdrawal, and Respondent’s corresponding duty to effectuate Petitioner’s withdrawal and not include his name on the ballot for the November 2014 election.

1. K.S.A. § 25-306b(b) provides in relevant part: “[a]ny person who has been nominated . . . for any national . . . office who declares that they are incapable of fulfilling the duties of office if elected may cause such person’s name to be withdrawn from nomination by a

request in writing, signed by the person and acknowledged before an officer qualified to take acknowledgments of deeds.” In the case of national offices, the written request “shall be filed with the secretary of state.” *Id.* The statute further provides that “[n]o name withdrawn as provided in this section shall be printed on the ballots for such office for the general election.” *Id.*

2. As set forth in the Mandamus Petition and the Memorandum, the plain language of K.S.A. § 25-306b(b) does not require a candidate to submit to the Secretary of State a reason for withdrawal, or anything other than a notarized request in writing that the candidate’s name be withdrawn. The plain language similarly does not require that the candidate “declare that [he is] incapable of fulfilling the duties of office if elected” *in writing*, or that such declaration be filed with the Secretary of State. *Compare* K.S.A. § 25-306b(b), *with* K.S.A. § 27-1603(c) (requiring the “*filing with the secretary of state [of] a written declaration signed and sworn to . . .*”) (emphasis added), *and id.* § 25-3304(b) (“Any person, who, having declared a party or voter affiliation, desires to change the same, may *file a written declaration* with the county election officer, stating the change of party or voter affiliation.”) (emphases added).

3. Indeed, courts that have considered the meaning of the word in other statutory contexts have found that “[t]he word ‘declare’ . . . does not [even] mean that one must speak.” *Edwardson v. Gerwien*, 41 N.D. 506 (1919). It is enough that the declarant “make known, to signify, to show *in any manner* either by words *or acts*.” *Id.* (emphases added). *See also Lasier v. Wright*, 304 Ill. 130, 150 (1922) (“The word ‘declare,’ as defined by the lexicographers, means primarily to make known; to make manifest; to make clear; to present in such a manner as to exemplify; to disclose; to reveal.”). These interpretations of state supreme courts are consistent with the common meaning of the word “declare.” *See The New Webster Encyclopedic Dictionary of the English Language* 221 (7th ed., 1971) (defining “declare” as “[t]o make known by words; to

tell explicitly; to manifest or communicate plainly *in any way . . .*”) (emphasis added). *See also Black’s Law Dictionary* 497 (Rev. 4th ed. 1968) (defining “declare” as “[t]o make known, manifest, or clear . . . [to] signify, to show in any manner either by words *or acts*”) (emphasis added).¹ Thus, Respondent’s assertion that Petitioner was required to include in his withdrawal letter a sentence stating that he is “incapable of fulfilling the duties of office if elected” is contrary to the plain language of K.S.A. § 25-306b(b), which refers broadly to a person “who *declares* that they are incapable of fulfilling the duties of office if elected” (emphasis added). Petitioner’s incorporation of the statutory text through his express statement that he was effectuating his withdrawal “*pursuant to KSA 25-306b(b)*,” Taylor Aff., Mem. In Support of Mandamus Petition, Exh. A (emphasis added), was more than sufficient to make known, signify, or show Petitioner’s intention to withdraw based on his incapability of fulfilling the duties of office if elected.

4. This conclusion is further supported by the fact that the plain statutory text does not include any technical requirements for declaring one’s incapability of fulfilling the duties of office if elected—including, for example, a requirement that the declaration be made using the words “I am incapable of fulfilling the duties of office if elected,” as opposed to expressly incorporating the statutory text by reference, as in Petitioner’s letter. A cursory search of the Kansas Code—including the laws governing elections and the Secretary of State’s duties in relation thereto—reveals that the Legislature knows how to write a statute that expressly requires that certain language be used in a declaration when it wants to require that a declarant use that particular language. *See* K.S.A. § 25-205(b) (explicitly providing for the form for nomination petitions and stating “[n]o signature shall be counted unless it is upon a sheet having such written or printed form at the top thereof”); *id.* § 25-2507(d) (explicitly setting forth the form of the declaration to be printed on each page of the poll book where the county election officer

¹ Excerpts from these dictionaries are attached hereto as Exhibit 1.

determines that voters shall sign the poll book); *id.* § 46-249 (explicitly setting forth form of statement of substantial interest). Because the Legislature did not include similar language in K.S.A. § 25-306b(b), Petitioner was plainly permitted to declare his incapability of fulfilling the duties of office if elected in any manner that he chose. Respondent's refusal to effectuate Petitioner's withdrawal and remove him from the ballot for the November 2014 election on the grounds that the declaration of incapability was not made in a particular manner is therefore contrary to law, and the Mandamus Petition should be granted. *See, e.g., Univ. of Kan. Hosp. Auth. v. Bd. of Commissioners of Cnty. of Wabaunsee*, No. 104,236, slip op. at 19 (Kan. June 27, 2014); *State v. Nambo*, 295 Kan. 1, 4-6 (2012); *State ex rel. Slusher v. City of Leavenworth*, 279 Kan. 789, 796 (2005).

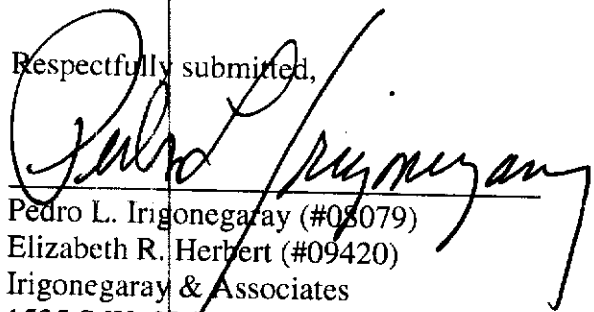
5. K.S.A. § 25-306b(b) also does not give the *Secretary of State* any power or authority to prescribe the form of the declaration. *Id.* When the Legislature has delegated authority to the Secretary of State to prescribe the form of declarations required under the election laws, it has done so expressly. *See* K.S.A. § 20-2908 (“preceding the expiration of the judge’s term of office, the judge may file in the office of the secretary of state a declaration of candidacy. . . . [s]uch declaration shall be prescribed by the secretary of state”) (emphasis added); *id.* § 25-205(a) (“[T]he names of candidates . . . shall be printed upon the official primary ballot when each shall have . . . filed . . . with the proper officer a declaration of intention to become a candidate” and “[s]uch declaration shall be prescribed by the secretary of state.”) (emphasis added); *id.* § 25-206(a) (“[W]hen a candidate in lieu of nomination petitions files a declaration of intention to become a candidate for any national, state, country or township office [s]uch declaration shall be prescribed by the secretary of state and shall be attested before a county election officer or deputy county election officer”) (emphasis added); *id.* § 25-2020(a)(3)

“Any person who is an elector in any member district may become a candidate for board member from the member district in which such person resides by filing with the county election officer a declaration of intention to become such a candidate . . . [s]uch declaration shall be prescribed by the secretary of state.” (emphasis added)²; *id.* § 25-4006 (“When candidates for governor and lieutenant governor in lieu of nomination petitions . . . file a joint declaration of intention to become candidates [s]uch declaration shall be prescribed by the secretary of state and shall be attested before the secretary of state or a deputy secretary of state.”) (emphasis added). The Legislature’s failure to similarly empower the Secretary of State to prescribe the form of any declaration of incapability when a candidate withdraws pursuant to K.S.A. § 25-306b(b) further demonstrates that Respondent’s refusal to effectuate Petitioner’s withdrawal because Petitioner did not use specific language in his withdrawal letter was plainly without legal authority. *See, e.g., Univ. of Kan. Hosp. Auth.*, slip op. at 19; *Nambo*, 295 Kan. at 4-6; *State ex rel. Slusher*, 279 Kan. at 796. Petitioner’s statement “I . . . do hereby withdraw my nomination for election effective immediately and request my name be withdrawn from the ballot, pursuant to KSA 25-306b(b),” Taylor Aff. (emphasis added), made clear that he was withdrawing for the reason set forth in K.S.A. § 25-206b(b)—that he was incapable of fulfilling the duties of office if elected—and Respondent was required to effectuate this withdrawal pursuant to that statute.

6. For all of these reasons, Petitioner’s letter effectively withdrew him from the race for the United States Senate, and his name accordingly may not “be printed on the ballots for such office for the general election.” K.S.A. § 25-306b(b).

² K.S.A. §§ 25-2020(a)(4) & (b)(2) are virtually identical to § 25-2020(a)(3), but apply to different offices.

Respectfully submitted,



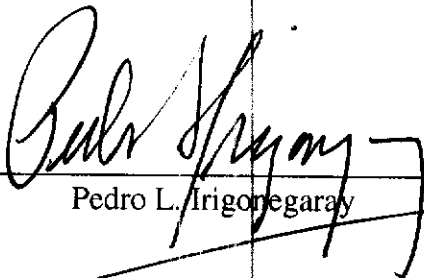
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ATTORNEYS FOR CHAD TAYLOR

CERTIFICATE OF SERVICE

The undersigned person hereby certifies that a true and correct copy of the above and foregoing document was served on counsel of record by placing the same in the United States mail, postage prepaid; by courier service; by electronic mail to _____; by facsimile, to facsimile number _____, and that the transmission was reported as complete and without error, and that the facsimile machine complied with Supreme Court Rule 119(b)(3); or by **hand delivery**, on September 15, 2014, to:

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120 S.W. 10th Avenue
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Tel. 785-296-4801
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Attorney for Respondent



Pedro L. Irigonegaray

BLACK'S LAW DICTIONARY

Definitions of the Terms and Phrases of
American and English Jurisprudence,
Ancient and Modern

By

HENRY CAMPBELL BLACK, M. A.

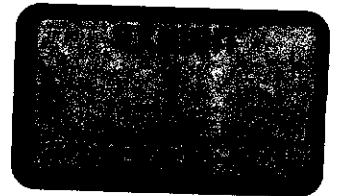
Author of Treatises on Judgments, Tax Titles, Intoxicating Liquors,
Bankruptcy, Mortgages, Constitutional Law, Interpretation
of Laws, Rescission and Cancellation of Contracts, Etc.

REVISED FOURTH EDITION

By

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DECLARATORY. Explanatory; designed to fix or elucidate what before was uncertain or doubtful.

DECLARATORY ACTION. In Scotch law. An action in which the right of the pursuer (or plaintiff) is craved to be *declared*, but nothing claimed to be done by the defender (defendant.) Ersk. Inst. 5, 1, 46. Otherwise called an "action of declarator."

DECLARATORY DECREE. In practice. A binding declaration of right in equity without consequential relief.

DECLARATORY JUDGMENT. One which simply declares the rights of the parties or expresses the opinion of the court on a question of law, without ordering anything to be done. Its distinctive characteristics are that no executory process follows as of course, nor is it necessary that an actual wrong, giving rise to action for damages, should have been done, or be immediately threatened. Great Lakes Dredge & Dock Co. v. Huffman, La., 319 U.S. 293, 63 S.Ct. 1070, 87 L.Ed. 1407; Petition of Kariher, 284 Pa. 455, 131 A. 265, 268; Village of Bay v. Gelvick, 58 Ohio App. 51, 15 N.E. 2d 786, 791. It must deal with real dispute of real fact. Rauh v. Fletcher Savings & Trust Co., 207 Ind. 638, 194 N.E. 334, 335. It is distinguished from other actions in that it does not seek execution or performance from the defendant or opposing party. Brindley v. Meara, Ind., 209 Ind. 144, 198 N.E. 301, 101 A.L.R. 682; Gutensohn v. Kansas City Southern Ry. Co., C.C.A.Mo., 140 F. 2d 950.

DECLARATORY PART OF A LAW. That which clearly defines rights to be observed and wrongs to be eschewed.

DECLARATORY STATUTE. One enacted for the purpose of removing doubts or putting an end to conflicting decisions in regard to what the law is in relation to a particular matter. It may either be expressive of the common law, 1 Bl. Comm. 86; Gray v. Bennett, 3 Metc., Mass., 527; In re Ungaro's Will, 88 N.J.Eq. 25, 102 A. 244, 246, or may declare what shall be taken to be the true meaning and intention of a previous statute, though in the latter case such enactments are more commonly called "expository statutes." McMahon v. Maddox, Tex.Civ.App., 297 S.W. 310, 312.

A statute enacted to put an end to a doubt as to what is the common law, or the meaning of another statute, and which declares what it is and never has been. Nelson v. Sandkamp, 227 Minn. 177, 34 N.W.2d 640, 642, 5 A.L.R.2d 1136.

DECLARE. To make known, manifest, or clear. Lasier v. Wright, 304 Ill. 130, 136 N.E. 545, 552, 28 A.L.R. 674. To signify, to show in any manner either by words or acts. Edwardson v. Gerwien, 41 N.D. 506, 171 N.W. 101, 102. To publish; to utter; to announce clearly some opinion or resolution. Knecht v. Ins. Co., 90 Pa. 121, 35 Am. Rep. 641. As to "declare" a dividend. A. T. Jerrens Trust v. Rogan, D.C.Cal., 40 F.Supp. 40, 42.

Black's Law Dictionary Revised 4th Ed.—32

To allege or affirm. State v. Hostetter, Mo.Sup., 222 S.W. 750, 754. To solemnly assert a fact before witnesses, *e. g.*, where a testator *declares* a paper signed by him to be his last will and testament. Lane v. Lane, 95 N.Y. 498.

This also is one of the words customarily used in the promise given by a person who is *affirmed* as a witness,—"sincerely and truly declare and affirm." Hence, to make a positive and solemn asseveration. Bassett v. Denn, 17 N. J.Law, 433.

With reference to pleadings, it means to draw up, serve, and file a declaration; *e. g.*, a "rule to declare." Also to allege in a declaration as a ground or cause of action; as "he declares upon a promissory note."

DECLINATION. In Scotch law. A plea to the jurisdiction, on the ground that the judge is interested in the suit.

DECLINATOIRES. In French law. Pleas to the jurisdiction of the court; also of *lis pendens*, and of *connexité*, (*q. v.*).

DECLINATORY EXCEPTIONS are such dilatory exceptions as merely decline the jurisdiction of the judge before whom the action is brought. Code Proc. La. 334. A plea to the jurisdiction *rationae personae*. Diamond T. Motor Trucks v. Heck, La.App., 13 So.2d 512, 514.

DECLINATORY PLEA. In English practice. The plea of sanctuary, or of benefit of clergy, before trial or conviction. 2 Hale, P.C. 236; 4 Bl. Comm. 333. Now abolished. 6 & 7 Geo. IV, c. 28, § 6; Mozl. & W. Dict.; 4 Steph. Comm. 400, note; Id. 436, note.

DECLINATURE. In Scotch practice. An objection to the jurisdiction of a judge. Bell.

DECLINE. A falling process, a tendency to a worse state; to become gradually impaired; a falling off or downward tendency. Exum v. Laub, C.C.A.Tex., 87 F.2d 73, 74; Buffalo County v. Phelps County, 129 Neb. 268, 261 N.W. 360.

DECOCTION. The act of boiling a substance in water, for extracting its virtues. The operation of boiling certain ingredients in a fluid for the purpose of extracting the parts soluble at that temperature. Also the liquor in which a substance has been boiled; water impregnated with the principles of any animal or vegetable substance boiled in it. Webster; Sykes v. Magone, C.C.N.Y., 38 F. 497.

In an indictment "decoction" and "infusion" are *ejusdem generis*; and if one is alleged to have been administered, instead of the other, the variance is immaterial. 3 Camp. 74.

DECOCTOR. In the Roman law. A bankrupt; a spendthrift; a squanderer of public funds. Calvin.

DECOLLATIO. In old English and Scotch law. Decollation; the punishment of beheading. Fleta, lib. 1, c. 21, § 6.

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, dē'sent-nēs, *n.*
 cent; decency.
 tral·iz, *v.t.* To
 en centralized;
 ect connection
 ntral authority.
 dē-sen'tra-li-
 decentralizing;
 ributing among
 throughout a
 stration of its

n, *n.* [L. *decep-*
 deceiving. DE-
 deceiving or
 deceiving; the
 ved or misled;
 artifice; cheat.
 UD.—**deceptive**,
 ig to deceive;
 lead or impress
 ading.—**decep-**
 idv. In a man-
 eptiveness, di-
 state of being
 or aptness to

[Prefix *deci*, ten,
 Sell.] A unit for
 ive intensity of

-decided, decid-
 nd *cædo*, to cut,
 recise, excision.]
 uestion, contro-
 ally or author-
 by giving the
 or the other;
 ue or result of;
 l.—*v.t.* To de-
 finite opinion;
 lusion; to pro-
 -decidable, dif-
 f being decided.
 a. Well marked;
 that puts an
 from ambiguity
 istakable; resol-
 from hesitation
 dly, dē-si'ded-
 l or determined
 er to preclude

us, *a.* [L. *de-*
 nd *cado*, to fall;
 rennial or per-
 to trees whose
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 id'ū·a, *n.* [For
 the membrane
 mbra arising
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 eption into the
 egnated ovum,
 n to it because
 parturition.—
 id'ū·us-nēs, *n.*
 deciduous.

me, des'i·gram,
 of one-tenth of
 decilitre, des'
 th measure of
 tenth of a liter.
 n. In English
 r denoted by a

, pound.

unit with 60 zeros annexed, while
 in the French and American notation,
 33 zeros are annexed.—**decillionth**,
 de-sil'yonth, *a.* Being one of a
 decillion equal parts.—*n.* One such
 part.

decimal, des'i·mal, *a.* [L. *decimus*,
 tenth, from *decem*, ten.] Of or
 pertaining to tens; numbered or
 proceeding by tens; having a tenfold
 increase or decrease.—**Decimal frac-**
tion, a fraction whose denominator is
 10, or some number produced by
 the continued multiplication of 10 as
 a factor, such as 100, 1000, etc., but
 written with the denominator omit-
 ted, its value being indicated by a
 point placed to the left of as many
 figures of the numerator as there
 are ciphers in the denominator; thus
 7/10, 3/1000, are written .7, .003.—
Decimal system, a system of weights,
 measures, and moneys based on
 multiples of ten; the metric system;
 in *libraries*, a classification for books,
 dividing all knowledge into ten
 classes, indicating the specific subject
 of each book by a number ranging
 from .001 to 999.—*n.* A decimal
 fraction.

decimate, des'i·māt, *v.t.*—*decimated*,
decimating. [L. *decimo*, *decimatum*,
 to select by lot every tenth man for
 punishment, from *decem*, ten.] To
 select by lot and punish with death
 every tenth man of, as was done
 by the Romans in punishing bodies
 of troops, etc.; hence, to destroy a
 great but indefinite number of.—
decimation, des'i·mā'shon, *n.* A
 selection of every tenth by lot, as for
 punishment, etc.; the destruction
 of a great but indefinite proportion
 of people.—**decimator**, des'i·mā-tēr,
n. One who or that which decimates.
decimeter, **decimetre**, des'i·mē-tēr,
n. A French measure of length
 equal to the tenth part of a meter,
 or 3.9371 inches.

decipher, di-si'fēr, *v.t.* To explain
 what is written in ciphers, by
 finding what each character or mark
 represents; to read what is written
 in obscure or badly formed char-
 acters; to discover or explain the
 meaning of, as of something difficult
 to be understood.—**decipherable**,
 di-si'fēr·a·bl, *a.* That may be de-
 ciphered or interpreted.—**decipher-**
ment, di-si'fēr-ment, *n.* The act of
 deciphering.

decision, di-si'zhon, *n.* [L. *decisio*,
decisionis. DECIDE.] The act of decid-
 ing; determination, as of a question
 or doubt; final judgment or opinion
 in a case which has been under
 deliberation or discussion; deter-
 mination, as of a contest or event;
 arbitrament; the quality of being
 decided in character; unwavering
 firmness.—**decisive**, di-si'siv, *a.*
 Having the power or quality of
 determining; final; conclusive; put-
 ting an end to controversy; marked
 by decision or prompt determination.
 —**decisively**, di-si'siv·li, *adv.* In a
 decisive manner.—**decisiveness**, di-
 si'siv-nēs, *n.* The quality of being
 decisive; conclusiveness; decision
 of character.

deck, dek, *v.t.* [Same word as D.
dekken, Dan. *dække*, G. *decken*, to
 cover, with the nouns, D. *dek*, Dan.
dæk, a cover, a ship's deck, G. *decke*,
 a cover, *deck*, a deck; closely akin
 to E. *thatch* (Sc. *thack*), the root
 being that of L. *tego*, to cover.
 THATCH.] To clothe; to dress the
 person; but usually, to clothe with
 more than ordinary elegance; to
 array; to adorn; to embellish; to
 furnish with a deck, as a vessel or
 other structure.

deck, dek, *n.* [From D. *dek*, a cover-
 ing; akin to D. *dekken*, G. *decken*,
 to cover. THATCH.] A platform that
 serves as a ship's flooring; any surface
 similar to a ship's deck; a pack
 of cards.—**decker**, dek'ēr, *n.* One or
 more decks (a double-decker, a three-
 decker).—**deck hand**, *n.* One whose
 duties are confined to the deck of a
 vessel, he being unfit for the work
 of a seaman properly so called.

deck, dek, *n.* [Origin unknown.] A
 pack of cards.

deckle, dek'l, *n.* [G. *deckel*, dim. of
decke, cover.] A frame or rubber
 band upon a paper-making machine
 to limit the size of sheet.—**deckle**
edge, *a.* Rough uncut edge.

declaim, di-klām' v.i. [L. *declamo*, to
 practice speaking in public—*de*, and
clamo, to cry out. CLAIM, CLAMOR.]
 To speak a set oration in public;
 to make a formal speech or oration;
 to harangue; to inveigh; to speak
 or write for rhetorical display.—*v.t.*
 To utter with rhetorical force; to
 deliver with inflation of tone.—
declaimer, di-klām'ēr, *n.* One who
 declaims; one who habitually speaks
 for rhetorical display; one who
 speaks clamorously; an inveigher.—
declamation, dek-la-mā'shon, *n.* [L.
declamatio.] The act or art of de-
 claiming or making a rhetorical
 harangue in public; the delivery of
 a speech or exercise in oratory, as
 by the students of a college, etc.;
 a display of showy rhetorical oratory;
 pretentious rhetorical language, with
 more sound than sense.—**declama-**
tory, di-klām'a-to-ri, *a.* [L. *declama-*
torius.] Relating to the practice of
 declaiming; pertaining to declama-
 tion; merely rhetorical, without
 solid sense or argument.

declare, di-klār, *v.t.*—*declared*, *de-*
claring. [L. *declaro*, to declare—*de*,
 intens., and *claro*, to make clear,
 from *clarus*, clear. CLEAR.] To make
 known by words; to tell explicitly;
 to manifest or communicate plainly
 in any way; to exhibit; to publish;
 to proclaim; to assert; to affirm;
 to make a full statement of, as of
 goods on which duty falls to be paid
 to the customhouse.—*To declare*
one's self, to throw off reserve and
 avow one's opinion; to show openly
 what one thinks, or which side he
 espouses.—*v.i.* To make a declara-
 tion; to make known explicitly
 some determination; to proclaim
 one's self; to pronounce adhesion
 in favor of a party, etc.; with *for*
 or *against*.—*To declare off*, to refuse
 to cooperate in any undertaking; to
 break off from one's party engage-

ments, etc.—**declarant**, † dē-klā'rant,
n. One who declares.—**declaration**,
 dek-la-rā'shon, *n.* [L. *declaratio*.]
 The act of declaring, making known,
 or announcing; affirmation; explicit
 assertion; open expression; avowal;
 that which is declared; the docu-
 ment or instrument by which an
 announcement is authoritatively
 made; *law*, that part of the process
 or pleadings in which the plaintiff sets
 forth at large his cause of complaint;
 a simple affirmation substituted in
 lieu of an oath, solemn affirmation,
 or affidavit.—**declarative**, di-klār'a-
 tiv, *a.* Making declaration, pro-
 clamations, or publication; declara-
 tory.—**declaratory**, di-klār'a-to-ri, *a.*
 Making declaration; distinctly ex-
 pressive of opinions or intentions.

declension. See DECLINE.

decline, di-klīn', *v.i.*—*declined*, *de-*
clining. [L. *declino*, to bend down or
 aside—*de*, down, and a hypothetical
clino=Gr. *klinō*, to bend. Root seen
 in L. *clivus*, sloping, and also in
 E. to *lean*.] To lean downward;
 to bend over; to hang down, as
 from weakness, despondency, sub-
 mission, or the like; to sink to a
 lower level; to stoop, as to an
 unworthy object; to lean or deviate
 from rectitude (O.T.); to approach
 or draw toward the close (day
declines); to avoid or shun; to
 refuse; not to comply; to tend to
 a less perfect state; to sink in
 character or value; to become dimin-
 ished or impaired (as health, repu-
 tation); to fall; to decay.—*v.t.* To
 bend downward; to cause to bend;
 to depress; to shun or avoid; to
 refuse; not to accept or comply
 with; *gram.* to inflect, through cases
 and numbers; to change the termi-
 nation of a word, for forming the
 oblique cases.—*n.* A falling off;
 a tendency to a worse state; dimi-
 nution or decay; deterioration; a
 popular name for almost all chronic
 diseases in which the strength and
 plumpness of the body gradually
 decrease until the patient dies;
 consumption.—**decliner**, di-klī'nēr,
n. One who declines.—**clinometer**,
 dek-li-nom'et-ēr, *n.* An instrument
 for measuring the declination of the
 magnetic needle, and for observing
 its variations.—**declension**, di-klēn'-
 shon, *n.* [L. *declinatio*, *declinationis*,
 in the grammatical sense it refers
 to the leaning away or differing of
 the other cases from the nominative;
 so *case* is lit. a falling.] The act of
 declining; declination; slope; a fall-
 ing or declining toward a worse
 state; refusal; nonacceptance; *gram.*
 the inflection of nouns, adjectives,
 and pronouns by change of termi-
 nation to form the oblique cases;
 the act of declining a word; a class
 of nouns declined on the same type.
 —**declinable**, di-klī'na·bl, *a.* Capable
 of being declined; having case in-
 flections.—**declination**, dek-li-nā'-
 shon, *n.* The act or state of declining;
 a bending down; inclination; a
 falling into a worse state; a falling
 away; deterioration; a deviation
 from a straight line; oblique motion;

ch, chain; ch, Sc. loch; g, go; j, job; ng, sing; TH, then; th, thin; w, wig; hw, whig; zh, azure.