

strict enquiry into the pretensions of the Persons returned than has been usual in State Assemblies.

2nd. Because the 4th. Section of the said Article after saying that "the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof" further declares "the Congress may at any time by Law make or alter such Regulations except as to the places of choosing Senators."

The most obvious intention of this clause is that Congress may establish an uniformity in elections; and as the several States have on this first occasion made such various regulations, it is probable that the Authority of Congress will be very early exercised in this particular and I am further persuaded that when it shall be known in what a diversity of forms the several Certificates of election in a single State are conceived, the Congress will think it expedient to prescribe the form of a [p 32] return to be universally observed in future elections. If this is a reasonable conjecture it is highly proper that they should be informed in what manner the business is at present executed and the readiest way to convey that information is to furnish them with the returns or copies thereof as hath been proposed.

3rd. Because the preceding reasons for transmitting the Papers are warranted and Strengthened by the various forms in which they have been delivered to this Board. The Law under which the late election was held directs that an Oath of Office shall be taken by the Judges and Clerks previous to their entering upon the Duty, and that the Judges shall transmit their Certificates under their Hands and Seals. Most of the returns contain no assurance that the first direction has been complied with and many of them are not in my opinion attested agreeably to the second direction, which Omissions in my Judgment render them incomplete and illegal.

John Kilty

The Council adjourned 'till tomorrow morning.

Saturday 7th. February 1789

The Council met.

Present as on Yesterday.

Ordered that the Western Shore Treasurer pay to Solomon Wright Esqr. One hundred and fifty pounds for three quarters Salary as a Judge of the Court of Appeals due the 1st. instant.

That the said Treasurer pay to Anthony O'Neale Twenty shillings for carrying public Letters to Prince George's, Charles, and Saint Mary's Counties as per Agreement.

That the said Treasurer pay to James Campbell One hundred and forty eight pounds, six shillings and two pence Current Money due