

was verbally Summoned to attend the said Election of Sheriffs as Judge in the place and Stead of Allen Quynn who withdrew: That upon the Close of the Poll the Subscribers retired to a room with the ballot box, and the two Candidates who had the greatest number of Votes were requested by the Subscribers, each to nominate a Person [p 76] to assist the Judges in counting the ballots, and Edward Gaither Jun'r. and Nicholas Dorsey were accordingly appointed and counted the ballots in the Presence of Elijah Robosson one of the Judges; and John Brice the other Judge was also present in the room but did not attend the Counting the ballots. Given under our Hands and Seals this fourth day of November 1785.

Elijah Robosson (Seal)

Jno. Brice (Seal)

Which Election and Return the Board adjudged to be unconstitutional: because the Constitution and Form of Government require for special Reasons that two Persons be chosen who are eligible and duly qualified and that the Governor Commission the one so eligible and duly qualified who has the Majority of Ballots Whereas by the Justices Return for the said County only one Person is Returned duly Qualified the other Candidates mentioned in the Return being adjudged by the Justices to be disqualified. And this Board are of Opinion that agreeably to the Constitution the Justices have the exclusive Right of deciding upon the Qualification of Candidates for the Sheriffs Office, Whereupon it is ordered that a New Writ of Election issue for Sheriffs of the said County, and a New Writ issued accordingly.

So end the Proceedings.

T. Johnson Jr. Ck. Council

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[p 79] On Thursday the 17th. Day of November 1785 The General Assembly of Maryland proceeded to the Choice of a Governor, when the Honorable William Smallwood Esquire was elected, and on Friday the 18th. Day of the same Month the General Assembly also proceeded to elect a Council to the Governor and Chose the following Gentlemen: Jeremiah Townley Chase, James Brice, Gabriel Duvall, John Kilty and Samuel Turbutt Wright Esquires.

On the 26th Day of November 1785 His Excellency William Smallwood Esquire was qualified in the Senate Room, in Presence of the Members of both Houses of the General Assembly.

Wednesday 14th. December 1785

The Honorable Jeremiah Townley Chase, James Brice and John Kilty Esquires, elected Members of the Council, appeared in the