(XLIVth YEAR.) THE (No. 2188.)

MARYLAND GAZETTE.

THURSDAY, DECEMBER 18, 1788.

An ACT directing the time, places and manner, of holding elections for representatives of this state in the congress of the United States, and for appointing electors on the part of this state for choosing a president and vice-president of the United States, and for the regulation of the said elections.

WHEREAS it is declared by the constitution of the United States, that the house of representatives in the congress of the United States shall be composed of members chosen every second year by the people of the several states; that the electors in each state shall have the requisite qualifications of electors of the most numerous branch of the state legislature; that until the enumeration therein pointed out of the citizens of the United States shall be made, the number of representatives of this state shall be six; and that the times, places and manner, of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof: And whereas it is further declared, that for the purpose of choosing a president and vice-president of the United States, each state shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of senators and representatives to which the state may be entitled in the congress of the United States: And whereas the convention which framed the said constitution resolved, that as soon as the conventions of nine states should have ratified the said constitution, the United States in Congress assembled should fix a day on which electors should be appointed by the states which should have ratified the same, and a day on which the electors should assemble to vote for the president, and the time and place for commencing proceedings under the said constitution, and that after such publication the electors shall be appointed, and the senators and representatives elected: And whereas the United States in Congress assembled, by their act of the thirteenth day of September, in the present year, reciting that the said constitution had been ratified in the manner therein declared to be sufficient for the establishment of the same, did resolve, that the first Wednesday in January next be the day for appointing electors in the several states ratifying the said constitution before the said day, and that the first Wednesday in February next be the day for the electors to assemble in their respective states and vote for a president and vice-president: And whereas a convention duly appointed by the people of this state did, by their act of the twenty-eighth day of April, in the year of our Lord one thousand seven hundred and eighty-eight, in the name and on the behalf of the said people, assent to and ratify the said constitution: In order therefore to carry the said constitution into effect,

II. *Be it enacted, by the General Assembly of Maryland,* That for the purpose of choosing representatives in the congress of the United States, this state be divided into six districts, which shall be numbered from one to six; that Saint-Mary's, Charles, and Calvert counties; compose the first district; Kent, Talbot, Cæcil and Queen-Anne's, the second; Anne-Arundel, including the city of Annapolis, and Prince-George's, the third; Baltimore, including the town of Baltimore, and Harford, the fourth; Somerset, Dorchester, Worcester and Caroline, the fifth; and Frederick, Washington and Montgomery, the sixth district.

III. *And be it enacted,* That the election of the representatives for this state, to serve in the congress of the United States, shall be made by the citizens of this state qualified to vote for members of the house of delegates, on the first Wednesday of January next, at the places in the city of Annapolis and Baltimore-town, and in the several counties of this state, prescribed by the constitution and laws of this state for the election of delegates to the house of delegates, of which elections notice shall be given by the sheriffs of the respective counties, and the judges of the election for the city of Annapolis and Baltimore-town, in like manner as for the election of delegates to the house of delegates; and all and every officer and person, whose duty it is or may be to attend, conduct and regulate, according to the constitution of this state, the general election to be held on the first Monday of October yearly, for delegates to the general assembly, are hereby authorised, enjoined and required, to attend, conduct and regulate, the elections herein directed to be held for the purposes aforesaid, in like manner, and within the same space of time, as is by the constitution of this state directed for holding the said general election of delegates, and the several powers and authorities to them given by the said constitution, relateing to the election of delegates to the general assembly, are hereby vested in the said officers respectively, for the purpose of holding and conducting the said elections to be held in pursuance of the constitution of the United States, and this act.

IV. *And be it enacted,* That every judge of an election to be held in pursuance of this act, before he proceeds to take or receive any vote, shall take the following oath, or affirmation, to wit: "I, A. B. do swear, or affirm, that I will permit all persons to vote who shall offer to poll at the election now to be held in —— county, the city of Annapolis or Baltimore-town, who, in my judgment, shall, according to the directions contained in the constitution of the United States of America, ratified in convention of the delegates of Maryland, on the twenty-eighth day of April, one thousand seven hundred and eighty-eight, be entitled to poll at the same election, and that I will not admit any person to poll at the same election if such person shall not, in my judgment, be qualified to vote as aforesaid, and that I will, in all things, execute the office of judge of the said election, according to the best of my knowledge, without favour or partiality. So help me God."

V. *And be it enacted,* That every clerk, before he enter any vote on the polls, shall take the following oath, or affirmation, to wit: "I, A. B. do swear, or affirm, that I will well and faithfully, without favour, affection or partiality, execute the office of clerk of the election to be held in —— county, the city of Annapolis or Baltimore-town, according to the best of my knowledge. So help me God."

VI. *And be it enacted,* That every person coming to vote for electors of president and vice-president, agreeably to the directions of this act, shall have a right to vote for eight persons, five of whom shall be residents of the western shore, and three of the eastern shore, and the five persons residents of the western shore, having the greatest number of votes of all the candidates on that shore, and the three persons residents of the eastern shore, having the greatest number of votes of all the candidates on that shore, shall be declared to be duly elected.

VII. *And be it enacted,* That every person coming to vote for representatives for this state in the congress of the United States, shall have a right to vote for six persons, one whereof shall be a resident of each of the said districts, and the candidate in each district having the greatest number of votes of all the candidates residing in that district, shall be declared to be duly elected for that district.

VIII. *And be it enacted,* That after the polls in the several counties, and the city of Annapolis and Baltimore-town, shall be closed, and the votes cast up by the judges in the presence of the justices attending for the preservation of the peace, the names of the several persons voted for in the several counties, and city of Annapolis and Baltimore-town, shall be written on parchment, or paper, and the number of votes for each candidate in the several counties, the city of Annapolis and Baltimore-town, enumerated and set down, which number shall be written in words at length, and not in figures, and the polls and other papers relating to the elections shall be sealed up and deposited with the clerks of the several county courts, and on such names and numbers being so set down and written, the judges of the several elections in the city of Annapolis, Baltimore-town, and each and every county of this state, when assembled at the usual place for holding elections, shall respectively, within the space of three days after the said elections, sign and seal the papers or instruments on which the same are so written, and shall make out, sign, seal and execute, duplicate returns thereof, one whereof shall be delivered to the clerk of the county to be kept safely, and the other copy thereof shall be sealed up and delivered, or safely transmitted, by the sheriff of the proper county within ten days after each respective election, under the penalty of fifty pounds current money, to the governor and council, for their inspection and examination; and the governor and council, after having received the returns, papers, and instruments aforesaid, shall enumerate and ascertain the numbers of votes for each and every candidate, and person so as aforesaid chosen as representatives or electors respectively, and shall thereupon declare by proclamation, signed by the governor, and without delay dispersed through the state, the names of the six persons duly elected as representatives, and the names of the eight persons duly elected as electors; and the governor and council shall, as soon as conveniently may be after such examination and declaration, transmit a certificate of the election of the representatives, under the seal of the state, to the secretary of the United States in Congress assembled, to be by him delivered to the house of representatives in the congress of the United States, when they shall be assembled at the time and place by the present congress of the United States directed and fixed on.

IX. *And be it enacted,* That the said elections shall be free, and made *viva voce.*

X. *And be it enacted,* That the electors so as aforesaid to be chosen, shall assemble on the first Wednesday in February next, at the city of Annapolis, and shall perform the duties enjoined upon them by the said constitution for the United States, agreeably to the directions thereof.

XI. *And be it enacted,* That the said electors shall receive the same *per diem* allowance, and itinerant charges, as are allowed to members of the general assembly.

XII. *And,* whereas it may happen, that in the election of representatives two or more persons, residing in the same district, may have an equal number of votes, and that in the election of electors residents of the western shore, six or more persons residing on that shore may have an equal number of votes, and that in the election of electors residing on the eastern shore, four or more persons residing on that shore may have an equal number of votes, *Be it enacted,* That in each of the said cases the governor and council shall determine by lot, from the candidates residing in the same district, the representative for that district, and in the same manner from the candidates for electors residing on the western and eastern shores respectively, having an equal number of votes as aforesaid, the electors for the said shore.

XIII. *And be it enacted,* That if a vacancy or vacancies shall happen in the representation of this state in the house of representatives in the congress of the United States, by death, resignation, disqualification, or otherwise, the governor and council shall issue writs of election to the several counties in this state, the city of Annapolis and Baltimore-town, to fill such vacancy or vacancies by an election of a representative or representatives residing in the district or districts where such vacancy or vacancies shall happen, in the manner herein before prescribed.

XIV. *And be it enacted,* That after the elections herein before mentioned shall have been made, the election of representatives to congress shall be held in manner aforesaid on the first Monday of October, in the year one thousand seven hundred and ninety, and on the same day in every second year for ever thereafter, and returns thereof shall be made as aforesaid; and the governor and council for the time being shall, as soon as conveniently may be, transmit a certificate of the election of the said representatives, under the seal of the state, to the president of the United States.

LONDON, *September* 23.

THE Indian ambassadors were to be at Versailles on Saturday last, to receive their answer, and to fix on the time of their departure. Their request is, that the French court shall furnish Tippoo Saib with twenty thousand men, and to form a strong treaty of alliance with that nation, to counteract the interest of Great-Britain in the East-Indies.

The late advices from Holland are full of the hostile preparations carrying forward in the frontier provinces, which makes the certainty of an approaching war generally apprehended; and that the sinews of war may not be wanting, the advices add, that a tax of four per cent. was forthwith to be levied upon all personal property within the Seven Provinces; an interest, however, of two per cent. to be allowed the proprietors; so that this tax, in this boasted free state, may be considered as a compulsory loan.

Extract of a letter from Amsterdam, August 20.

"You think in England that tranquillity and good order are restored in this city; but, I can assure you, you are greatly mistaken. The disputes between the Orange party and the patriots, as they call themselves, are frequent and tumultuous: they are animated with an implacable resentment against each other, which shews itself in daily disturbances in the streets and public houses. Government has suspended the liberty of the press, and almost all letters are opened at the post-office; this is my reason for sending this by an English sailor, who puts to sea this evening."

The Turks have hitherto been superior to the Austrians in every action in the field; the imperialists have never stood their ground but when entrenched or covered with their artillery.

Lunardi has obtained permission to try his experiment once again at Rome. The permission contains these remarkable words: "Since the fool *(ill matto)* has a mind to break his neck, let him mount; government will interfere no farther in the business than by endeavouring, on the day of experiment, to preserve good order amongst the populace."

Many of the Turkish line of battle ships are new, and built by the directions of an ingenious Frenchman; and they have in every respect a great superiority over the Russians.

The following receipt to prevent sea-sickness is said to be almost infallible:—As soon as ever you get out to sea, take two ounces of sea water, and mix them with two ounces of brandy; this drink at one draught.

Sept. 25. The captain pacha has had several skirmishes with a small squadron of Russian ships, which he has not only disabled, but compelled to retire into the harbour of Sebastopole, where he keeps them blocked up. The victories so much boasted of at Petersburgh and Vienna turn out to be but of little account to those who gained them, since the vanquished remain in a state to oppose the designs of their enemies, and keep a part of their force inactive.

The Turkish artillery was never better served than during the present war. For this they are indebted to Jones an Englishman.