

cludes his opinion with the warning to the Proprietary, that he should resist the disposition of the Lower House to assume the privileges of the House of Commons, for it was certain that neither the Crown nor Parliament would permit a branch of the colonial assemblies to entrench themselves with the power and authority of the British House of Commons (pp. 202-204).

DISPUTED ELECTIONS.

The Lower House at the *October–November 1758 session* devoted most of its attention to a consideration of the disputed or “controverted” election case that had for its purpose the unseating of Dr. George Steuart, returned as a delegate from the city of Annapolis, whose seat was again contested by Henry Woodward as it had been at the *March–May 1758 session*. Dr. Steuart, that staunch adherent to the Proprietary cause, was especially odious to the popular majority in the Lower House, and an effort was now made to void his election on the entirely untenable ground that no aldermen of the city of Annapolis had a right under the city charter to vote at an election for delegates from that city to the Assembly. There seems to have been no legal or constitutional basis whatever for this claim. The *October–November 1758 session* met on October 23, and on the following day the Lower House began consideration of this “controverted election” (p. 19). On November 2, by the close vote of 24 to 22 the House adopted a resolution that the aldermen of Annapolis under the city charter did not have the right to vote in the election of delegates from that city; and again on November 4 by a larger majority, 29 to 20, refused to reconsider its previous action (pp. 32, 34-35). The qualifications of a certain George Newman as a bona fide resident of Annapolis were voted upon (p. 33). The attention of the Lower House was also called to certain technical defects in the writs of election and the election returns from Charles, Cecil, and Frederick counties. In the case of the two first named counties the house passed a motion that these defects should not invalidate the election, and in the case of Frederick, the error was rectified by the appearance before the bar of the House of the sheriff of that county, who there altered certain errors in dates (pp. 24-25).

Sharpe was so incensed at this attempt to unseat Dr. Steuart that, as a rebuke, he suddenly prorogued the Assembly on November 4, before the Lower House could take final action on the Steuart-Woodward contest. This house, however, when it met again, decided on November 30 to reopen the contest and ordered both parties to the controversy to submit lists of voters who had been “controverted”, or challenged, at the time of the election, and decided that evidence of bribery or corruption might be introduced even if the voter had not been challenged at that time (pp. 80, 85, 88). Woodward was ordered to appear at the bar of the House with his poll and witnesses. After frequent postponements the case finally came before the house, and a series of recorded votes seem to indicate that the right of various individuals to vote was being questioned on such grounds as bona fide residence, or the £20 property qualification, and that the right of aldermen to vote appears to have been allowed to drop, as no further reference to it occurs. The right of various individuals to have voted in the election was decided by recorded partisan votes of the house. Eight