

sion (p. 132). Immediately afterwards a petition from sundry inhabitants, freeholders, and free voters in the corporation of the city of Annapolis was presented for the consideration of the Lower House, which recited that a writ of election directed to the mayor, recorder, and aldermen, of Annapolis had been issued requiring them to proceed with the election of a delegate "in the Room of M^r Walter Dulany who had disqualified himself by accepting a place under the Government [Naval Officer of Patuxent] since the last General Election, that on the fifth Day of October last past the Day appointed for the said Elections there were present the said Walter Dulany as Mayor of the Corporation aforesaid together with five of the Aldermen of the said city and the said Walter Dulany and John Hall were then proposed as Candidates the Honourable Daniel Dulany Esq^r Recorder being absent". The petition went on to say that although a candidate Walter Dulany "sat and Acted as Mayor during the whole Time of the said Election and did not withdraw himself from the Bench on any Controversy about the Qualifications of the Electors but objected in his Seat to the Qualification of such as Offered to vote against him and continued his Seat as Mayor at all Times during such Controversies". The petitioners further declared that his conduct as Mayor was unconstitutional and illegal, that they had made objection but were overruled by the [mayor's] court, and being overruled had entered these objections upon the polls; and that although Dulany had the majority of votes it was believed that the election return was void and tended to destroy the freedom of election; and the petitioners prayed the house that justice be done (pp. 135-136). It was ordered that the matter be heard on November 8 at the bar of the house; that the parties concerned be empowered to summon witnesses; and "that the petitioners have Leave to appear by Council". The Mayor, recorder, and aldermen were ordered to attend with the original poll of the election, and Mr. Hodgkin, clerk of the Mayor's court, was ordered to bring with him the minutes of the court proceedings taken at the election (pp. 135-136).

The committee on Elections and Privileges reported on November 8 that it had duly inspected the writs of election and the returns for the election of all delegates, and had found all in order, except that there were some technical errors in the returns from Frederick County, and that "M^r Samuel Chase is duly returned a delegate from the City of Annapolis and that M^r Walter Dulany is only returned by the Aldermen of the City" (pp. 143-144). The house after considering the petition relating to the Dulany election postponed further consideration of it until November 12 (pp. 144-145). When the matter then came up it was resolved by a vote of 26 to 21, all the Proprietary delegates voting in the negative, that it be entered on the Journal that Walter Dulany as Mayor sat in the chair on the bench during the time of the election, and while sitting objected to the qualifications of some of the voters who offered to vote against him; that there was no adjournment by order of the court properly signified to; and that it appeared to the house that the return of Dulany was made by four aldermen and was not signed by the recorder, who was then absent. A vote was then taken as to whether a mayor of Annapolis was eligible to serve as a delegate to the Assembly; this was decided in the