

enable him to pay. The Board considering the indigent Circumstances of the said James Cole, do hereby Order and direct the said five pounds to be remitted.

The Council adjourned 'till tomorrow morning 11 o'clock.

Wednesday 12th. October 1785

The Council met.

PRESENT HIS EXCELLENCY WILLIAM PACA ESQR. GOVERNOR.

The Honorable C. Wallace, A. Paca, J. Davidson and J. H. Stone Esquires.

[p 63] Commissions issued to William Robertson elected Sheriff of Montgomery County and also to William Allen elected Sheriff of Calvert County.

The Honorable Samuel T. Wright Esquire attended.

The Board took into Consideration the following Election and Return of Sheriffs for St. Mary's County Vizt. "We the Subscribers Justices of the Peace for St. Mary's County, having being Summon'd by Samuel Abell Esqr. Sheriff to attend at the Gen'l. Election, to keep the peace and Judge of the Election of Sheriffs and on the final close of the Poll, having examin'd the Ballots, they appeared as follows viz: for Robert Abell four hundred and ninety, for John Cartwright four hundred and Eighty five, and for James Thompson sixty one legal Ballots, But as it appears that neither Robert Abell nor James Thompson have property sufficient to render them eligible to the Office, according to the Form of Government, We do hereby return John Cartwright, as duly elected he possessing every Qualification required by the Constitution. Given under our hands this the Sixth Day of October 1785.

Vernon Hebb  
Will Kilgour"

Which Election and Return this 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 Qualifications of the Candidates for the Sheriffs Office. Whereupon it is Ordered that a New Writ of Election issue for sheriffs for the said County. And a New Writ issued accordingly.

The Council adjourned 'till tomorrow morning 11 o'clock.