

Board that they shall in the course of the present week enter on the proceedings, their dissent to the above decision.

John Lynn Esquire is appointed Clerk of Allegany County Court until the meeting of the Court of said County and Commission issued to him accordingly.

The Council adjourned 'till tomorrow morning.

Wednesday 3d. November 1790

The Council met.

Present as on yesterday.

The Council adjourned till tomorrow morning.

Thursday 4th. November 1790

The Council met.

Present as on yesterday. [p. 231]

Ordered that the western shore Treasurer pay to William Harwood Esqr. Seventy five pounds for one years Salary as Clerk of the House of Delegates due the 1st. instant,

That the said Treasurer pay to Thomas Jones Esqr. fifty pounds for a quarter's Salary as one of the Judges of the Court of Appeals due the 1st. instant,

That the said Treasurer pay to Benjamin Rumsey Esqr. fifty pounds for a quarters Salary as one of the Judges of the Court aforesaid due the said 1st. instant,

That the said Treasurer pay to Benjamin Mackall Esqr. fifty pounds for a quarter's Salary as one of the Judges aforesaid due the 1st. instant.

The Council adjourned 'till tomorrow morning.

Friday 5th. November 1790

The Council met.

Present as on yesterday.

Ordered that the western shore Treasurer pay to His Excellency Governor Howard Three pounds, nineteen shillings and seven pence for the like sum paid by him for Books &ca. for Thomas Walley.

Agreeably to the Notice given by his Excellency on the 2d. instant he delivers his dissent to the determination of that Day as follows—[Quotation marks corrected for clarity]

"I dissent to the above return because William Pinkney one of the persons therein named was not at the time of the election a resident of the district for which he is returned.

"The Law under which we derive our authority declares that the 'candidates in each district having the greatest number of votes of all the Candidates residing in that district shall be duly elected for that district,' and we are bound to observe the directions of the Act unless they are repugnant to the Constitution of the United States, which we have sworn to support. By the Constitution 'No person shall be a representative who shall not have obtained the Age of twenty five years, and been seven years a Citizen of the United States, and who shall not when elected, be an inhabitant of that State in which he [p. 232] shall be chosen'; hence a question arises whether Congress, and until they interpose the States are precluded from making such regulations as to require that a representative should be a resident of a particular district within the State. In order to decide this question in the affirmative we must admit that the Constitution by specifying particular qualifications prohibits the imposing