

and importance of the authority he had under examination. It was not the regulation of minute circumstances that he resolved into an engine capable (if left exclusively to the States) of effecting the destruction of the Union, but the choice of an infinity of methods of dividing the States, for the purpose of obtaining a representation not according in number, with their actual partitions. The possible modes of doing this being without limit, it was with reason apprehended by the Convention that some of the States might hereafter, upon any offence taken at the proceedings of the general Government, have malice and ingenuity enough to devise such Regulations as would either entirely prevent elections or would fill the Legislature of the Union with men incapable of conducting it's affairs, or perhaps with men resolved to gratify their disgusts by a dissolution of it. I enumerate these different modes of expression used by the federalist to show that when he was examining the Authority of prescribing the 'times, places, and manner of *holding* elections' he did not vary from the text through inadvertence, but that he indulged a latitude in his language evidently through a confidence that his subject was broad enough to admit of any change of terms.

"The federalist concludes that an election law could not have been framed and inserted into the Constitution that would have been applicable to every probable change of situation in the Country. This is very true, considering an election law in the important light in which the writer views it, but supposing it according to Mr. P.'s doctrine to have for it's objects only the regulation of time, place, and the lesser Circumstances attached to elections, I assert [p. 241] that the thing could very well have been done; for Instance the convention could have said that every Citizen qualified to vote for Members of the most numerous branch of the State Legislature should have a right biennially to select from any part of this State the number of persons it should be entitled to send to the general Government; that the votes should be taken, the peace preserved, and the returns made by the persons entrusted with these duties by the State administrations; they certainly could have done this, and no 'probable change in the Situation of the Country' could have had an inconvenient effect on such a regulation, as it is presumed that in every possible change, State elections would continue and consequently the federal elections would take place. But this was not the design of the Convention. I venture to advance that their view was very different, they did not forget the established principle that the Representative ought to have a competent knowledge of, and an intimate Sympathy with the interests of his Constituents, and that this end can no way be answered but by drawing the Representatives from the different parts of the Country. The idea therefore of permitting each individual to select for Representatives a number of men residing in the same quarter was exploded by the Convention, and a convenient partition of the States or in other words a division analogous to their number of Representatives became the desideratum. But how could the States receive a partition that would be permanently convenient, while the number of Representatives remained unsettled, and was always to depend on the access or decrease of population? A permanent election Law therefore was impracticable. Temporary ones were provided for by the clause in question, and according to my information they have in general been framed by the States on the same construction I gave it.

"I proceed to answer Mr. Pinkneys Argument—"Those (says he) who are of opinion that W. P. is not eligible cannot reason upon the subject without calling district residence a qualification, since the very foundation of all their objections is that he is disqualified to serve although an Inhabitant of the State because he was not an Inhabitant of Ann Arundel or Prince Georges at the time of the election."

"I deny any objection to him, to rest upon any such ground. That he is ineligible is not the