

your Memorialists were Candidates for the Office of Sheriff of Charles County at an election held there on the first Monday of October in the present year 1791. That the Justices attending the said Election and who acted as Judges thereof did not take the Oath of Judge of the Election as required by the Constitution and Laws of this State. The said Judges did not appoint a Clerk to [p. 346] take the Ballots as required by the 42nd. Article of the Form of Government nor were the said Ballots taken by a Clerk. That no Clerk to take the said Ballots was sworn and qualified according to the Constitution. That sundry voters were permitted to put in two Ballots from an idea that he might vote for two persons as Sheriff, and such Ballots were received by the Justices who acted as Judges aforesaid, whereby such voters had an opportunity of voting twice for the same Candidate—that the Judges of the said Election Benjamin Contee and Henry Barnes, on the Thursday of the said Election adjourned the Polls at sundry times from about one o'clock of the said Day until midnight so that the polls were not open but very little more and by means thereof prevented very near three hundred voters from polling who were there ready and desirous to vote and frequently requested that the polls might be kept open—that a number of people were very noisy and riotous which was assigned by the Judges of the Election as a reason why they could not or wo'd. not keep the election open, and that the ballots as taken were looked at and examined by Henry Barnes—that James Simms also a Candidate and whom the Judges have declared elected Sheriff told his friends to take possession of the house and keep the same till midnight and that he would find them in grog—and that a number of people thereupon became very riotous. Your Memorialists pray that a Commission may not issue to the said James Simms as Sheriff of Charles County, but as three hundred or more voters were upon the Spot and desirous and willing to vote if not prevented by such ill conduct a new election may be had for the said Office of Sheriff and that a day may be appointed for your Memorialists to bring forward proof to substantiate the facts above set forth and your Memorialists will pray &ca.

Char's. Mankin
Benja. Cawood
Wm. Brawner [Jr. ?]

The Council adjourned till tomorrow morning.

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Tuesday 25th. October 1791

The Council met.

Present as on yesterday.

Commission issued to Francis Hamersly elected Sheriff of Saint Marys County and

Commission issued to William Barton Smoot of Thos. appointed one of the Coroners of Charles County.

The Counsel for the Petitioners against the election in Charles County for Sheriffs, being unable to attend, the further hearing thereof was at the request of the Petitioners postponed till tomorrow morning 9 o'clock.

Wednesday 26. October 1791

The Council met.

Present as on yesterday.

The Board proceeded to examine Witnesses in support of the facts stated in the Petition against the Election in Charles County for Sheriffs.

The Council adjourned 'till tomorrow morning 9 o'clock.