

remaining still the same; and even if the interest of the State should suffer by injudicious regulations, yet nothing like disqualification is wrought by them, for that can only be effected by taking a man from the qualified and placing him in the unqualified class of citizens.

Has Mr Pinkney suffered any change of this kind by our Law? does it require him to be possessed of a certain rate of property; or does it in short require any personal or accidental mark or circumstance by which he may be known to be qualified or not? It does not; nor is it by any means a consequence of the doctrine I advance, that qualifications of property, a more advanced age; or any thing descriptive of the person may hereafter be required by the States, or by Congress, when they shall take the subject in hand. On the contrary I join Mr Pinkney in denying that any thing less than an alteration in the Constitution itself can have authority to alter the qualification of Representatives or Senators.

Having shown that our Legislature has steered clear of the question to which the Constitution itself has given an answer to wit "who may be elected" - it remains to prove that the Law operates only on the matter expressly committed to State direction, that is to say the times places, and manner of holding elections - This fact may seem to be a consequence of the other, but besides some remarks that I mean to hazard on the intention of the last mentioned clause; I shall in imitation of Mr Pinkney have recourse to authority; and I willingly agree with him that there is none more respectable and conclusive than the admired exposition of the Constitution entitled "the Federalist".

In Vol 2nd page 166 Chapⁿ concerning the regulation of elections the Federalist has these words

"It will not be alleged that an election Law could have been framed and inserted into the Constitution which would have been applicable to every probable change in the situation of the country? and it will therefore not be denied that a discretionary power over elections, ought to exist somewhere. It will I presume be as readily conceded that there were only three ways, in which this power could have been reasonably modified and disposed - that it must either have been