

clear and intelligible terms without the necessity of mentioning the Counties to which he claims a relation - I refuse to return him because he is not elected - He is not elected because Mr Sterrett is - Had he exceeded that Gentleman in number of votes I should have given my voice for returning him elected for the 4th District -

"If Residence (says Mr Pinkney) in the State is a qualification by the Government, Residence in the district is another by the Law" - This sounds like a just conclusion; but I will state the real similitude between the two Cases, and let the advocates of his pretensions, make the most of it. Residence in a State is necessary to the election of a person to represent the particular State, but if he resides in another State within the Union he may be elected for that other State - So, Residence in a district is necessary to the election of a person for that particular district, but if he resides in any other district within the State, he may be elected for that other District - but in fact neither is a qualification; for a qualification is something without which a man can by no means be elected - but a man may be a member of the House of Representatives of the United States without residing in the State of Maryland, and by the same reason a man may be a representative of the State of Maryland without living in the 3^d or any other given district -

Calling to mind ^{then} the Oath I have taken to support the Constitution of the United States, in which obligation I include a just interpretation of its Articles, and the best exertion of my judgment, to discover its intentions, I declare myself of opinion that William Pinkney Esq^r is not duly elected a representative of the State of Maryland in Congress, and I do accordingly record this my Protest to the Act of the Board which declares him elected -

John Kilty

To end the Proceedings
L. J. P. D. Council