

time, and out of the gentlemen, resident of the western shore, who shall be proposed as senators, the nine who shall on striking the ballots appear to have the greatest numbers in their favour, shall be accordingly declared and returned duly elected; and out of the gentlemen, resident of the eastern shore, who shall be proposed as senators, the six who shall, on striking the ballots, appear to have the greatest numbers in their favour, shall be accordingly declared and returned duly elected; and if two or more, on the same shore, shall have an equal number of ballots in their favour, by which the choice shall not be determined on the first ballot, then the electors shall again ballot before they separate, in which they shall be confined to the persons, who on the first ballot shall have had an equal number; and they who shall have the greatest number in their favor on the second ballot shall be accordingly declared and returned duly elected, and if the whole number should not thus be made up because of an equal number on the second ballot still being in favour of two or more persons, then the election shall be determined by lot, between those who have equal numbers; which proceedings of the electors shall be certified under their hands and returned to the chancellor for the time being.

17. "That the electors of senators shall judge of the qualifications and elections of members of their body, and on a contested election shall admit to a seat, as an elector, such qualified person, as shall appear to them to have the greatest number of legal votes in his favour.

18. "That the electors immediately on their meeting, and before they proceed to the election of senators, take such oath or affirmation of support and fidelity to this state, as this convention, or the legislature shall direct, and also an oath or affirmation "to elect without favour, affection, partiality, or prejudice, such persons for senators as they in their judgment and conscience, believe best qualified for the office."

19. "That in case of refusal, death resignation, disqualification or removal out of the state, of any senator, or on his becoming governor, or a member of the council, the senate shall immediately thereupon or at their next meeting thereafter, elect by ballot, in the same manner as the electors are above directed to choose senators, another person in his place, for the remainder of the said term of five years.

20. "That not less than a majority of the senate, with their president, (to be chosen by them by ballot) shall constitute an house for the transacting any business, other than that of adjourning.

21. "That the senate shall judge of the elections and qualification of senators.