

thousand persons, or a fractional portion over one-half thereof, in each county and legislative district of the city of Baltimore; above that number, each county and legislative district of the said city, shall elect one delegate for every eighty thousand persons, or fractional portion thereof, above one-half. Upon this principle, and as soon as practicable after each national census, or State enumeration of inhabitants, the general assembly shall apportion the members of the house of delegates among the several counties, and the several legislative districts of Baltimore city, according to the white population of each.— But until such apportionment is made, the house of delegates shall consist of eighty members, distributed as follows: Allegany, five members; Anne Arundel, two; each of the three legislative districts in Baltimore city, six; Baltimore county, six; Calvert, one; Caroline, two; Carroll, five; Cecil, four; Charles, one; Dorchester, two; Frederick, six; Harford, four; Howard, two; Kent, two; Montgomery, two; Prince George's, two; Queen Anne's, two; St. Mary's, one; Somerset, three; Talbot, two; Washington, five; Worcester, three.

Sec. 5. The members of the house of delegates shall be elected by the qualified voters of the counties and the legislative districts of Baltimore city respectively, to serve for two years from the day of their election.

Sec. 6. The first election for senators and delegates shall take place on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-four; and the elections for delegates, and as nearly as practicable for one-half of the senators, shall be held on the same day in every second year thereafter.

Sec. 7. Immediately after the senate shall have convened after the first election under this constitution, the senators shall be divided by lot into two classes, as nearly equal in number as may be—senators of the first class shall go out of office at the expiration of two years, and senators shall be elected on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-six, for the term of four years, to supply their places; so that after the first election, one half of the senators may be chosen every second year. In case the number of senators be hereinafter increased, such classification of the additional senators shall be made as to preserve, as nearly as may be, an equal number in each class.

Sec. 8. No person shall be eligible as a senator or delegate who, at the time of his election, is not a citizen of the United States, and who has not resided at least three years next preceding the day of his election in this State, and the last year thereof in the county or in the legislative district of Baltimore city which he may be chosen to represent, if such county or legislative district of said city shall

have been so long established, and if not, then in the county or city from which, in whole or in part, the same may have been formed; nor shall any person be eligible as a senator unless he shall have attained the age of twenty-five years, nor as delegate unless he shall have attained the age of twenty-one years at the time of his election.

Sec. 9. No member of congress, or person holding any civil or military office under the United States, shall be eligible as a senator or delegate; and if any person shall, after his election as a senator or delegate, be elected to congress, or be appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat.

Sec. 10. No person holding any civil office of profit or trust under this State, except justices of the peace, shall be eligible to the office of senator or delegate.

Sec. 11. No collector, receiver or holder of public moneys, shall be eligible as senator or delegate, or to any office of profit or trust under this State, until he shall have accounted for and paid into the treasury all sums on the books thereof charged to and due by him.

Sec. 12. In case of death, disqualification, resignation, refusal to act, expulsion, or removal from the county or legislative district of Baltimore city for which he shall have been elected, of any person who shall have been chosen as a delegate or senator, or in case of a tie between two or more such qualified persons, a warrant of election shall be issued by the speaker of the house of delegates or president of the senate, as the case may be, for the election of another person in his place, of which election not less than ten days' notice shall be given, exclusive of the day of the publication of the notice and of the day of election; and in case of such resignation or refusal to act, being communicated in writing to the governor, by the person so resigning or refusing to act, or if such death occur during the legislative recess, and more than ten days before its termination, it shall be the duty of the governor to issue a warrant of election to supply the vacancy thus created, in the same manner the said speaker or president might have done during the session of the general assembly; *provided, however,* that unless a meeting of the general assembly may intervene, the election thus ordered to fill such vacancy shall be held on the day of the ensuing election for delegates and senators.

Sec. 13. The general assembly shall meet on the first Wednesday of January, eighteen hundred and sixty-five, and on the same day in every second year thereafter, and at no other time, unless convened by the proclamation of the governor.

Sec. 14. The general assembly shall continue its session so long as in its judgment the public interest may require, and each member