

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-nine, 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 hereafter increased, such classification of the additional Senators shall be made as to preserve, as nearly as may be, an equal number in each class.

This section referred to in construing art. 3, sec. 19—see notes thereto. *Covington v. Buffett*, 90 Md. 577.

See art. 17, Md. Constitution.

Sec. 9. No person shall be eligible as a Senator or Delegate who, at the time of his election, is not a citizen of the State of Maryland and who has not resided therein for at least three years next preceding the day of his election, 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 a Delegate unless he shall have attained the age of twenty-one years, at the time of his election.

Sec. 10. 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 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. 11. No Minister or Preacher of the Gospel, or of any religious creed or denomination, and no person holding any civil office of profit or trust under this State, except Justices of the Peace, shall be eligible as Senator or Delegate.

This section referred to in construing Art. 35 of the Declaration of Rights. *Kimble v. Bender*, 173 Md. 615.

Sec. 12. No Collector, Receiver or holder of public money 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. 13. In case of death, disqualification, resignation, refusal to act, expulsion, or removal from the county or 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, the Governor shall appoint a person to fill such vacancy from a person whose name shall be submitted to him in writing by the State Central Committee of the political party with which the Delegate or Senator, so vacating, had been affiliated in the County or District from which he or she was elected, provided that the appointee shall be of the same political party as the person whose office is to be filled; and it shall be the duty of the Governor to make said appointment within fifteen days after the submission thereof to him. In the event there is no State Central Committee in the County or District from which said vacancy is to be filled, the Governor shall within fifteen days after the occurrence of such vacancy