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nada, will confer a favour by siving the above until after the next census shall have been taken and officially promulged, five delegates shall be elected officially promulged, five delegates shall be elected in and for Baltimore city, and one delegate in

AN ACT TO AMEND THE CONSTITU TION AND FORM OF GOVERNMENT OF THE STATE OF MARYLAND.

SECTION 1. Be it enacted by the General As. sembly of Maryland. That the term of office of the members of the present Senate shall end and be determined whenever, and as soon as a new Senate shall be elected, as hereinafter provided, and a quorum of its members shall have qualified as directed by the constitution and

Sec. 2. And be it enacted, That at the December session of the General Assembly, for the year of our Lord eigh een hundred and thirty eight, and forever thereafter, the Senate shall be composed of twenty one members, to be chosen as percinafter provided; a majority of whom shall be a quorum for the transaction of busi-

SEC. 3. And be it enacted, Th t the time and place of holding elections in the several counties of this State, and in the city of Baltimore, for delegates to the General Assembly for the De cember session of the year eighteen hundered and thirty eight, and under the direction of the same judges by whom such elections for delegates shall be held, an election shall also be held in each of the several counties of this State, and in the city of Baltimore, respectively, for the purpose of choosing a senator of the State of Maryland, for and from such county or said city, as the case may be, whose term of office shall commence on the day fixed by law for the commencement of the regular session of the General Assembly next succeeding such election, and continue for two, four or six years, according to the classification of a quorum of its members; and at every such election for senators, every person qualified to vote at the place at which he shall offer to vote for delegates to the General Assembly, shall be entitled to vote for one person as senator; and of the persons voted for as senator, in each of the several counties and in said city, respectively, the person having the highest number of legal votes, and possessing the qualifications herein-after mentioned, shall be declared and returned as duly elected for said county or said city, as the case may be; and in case two persons pos-sessing the required qualifications, shall be found on the final casting of the votes given in any one of said counties or said city, to have an equal number of votes, there shall ts weekly visits, and to be issued in a form | be a new election ordered, as hereinafter mentioned; and immediately after the senate and form will remain the same. But we shall have convened in pursuance of their elec-shall, in the first week of January 1837, isded in such manner as the senate shall prescribe, into three classes; the seats of the senators of the first class, shall be vacated at the expiration of the second year; of the second class, at the expir tion of the fourth year; and of the third class, at the expiration of the sixth year, so that one third thereof may be elected on the year; and elections shall be held in the several counties and city from which the retiring senators came, to supply the vacancies as they may

occur, in consequence of this classification. Sec 4. And be it enacted. That such election for senators shall be conducted, and the returns thereof be made, with proper variations in the certificate to suit the case, in like manner as in

cases of elections for delegates. Sec. 5. And be it enacted, That the qualifitions necessary in a senator, shall be the same as are required in a delegate to the General Assembly, with the additional qualification, that he shall be above the age of twenty-five years, and shall have resided at least three years next preeeding his election, in the county or city, in and for which he shall be chosen.

Sec. 6. And be it enacted. That in case any person who shall have been chosen as a senator. shall refuse to act, remove from the county or ty, as the case may be, for which he shall have been elected, die, resign, or be removed for cause, or in case of a tie between two or more qualified persons in any one of the counties, or in he city of Baltimore, a warrant of election shall be is ued by the president of the senate for the time being, for the election of a senator to supply the vacancy, of which ten days notice at the least, (excluding the day of notice and the day of election,) shall be given.

SEC. 7. And be it enacted, That so much of the thirty seventh article of the constitution as provides that no senator or delegate to the General Assembly, if he shall qualify as such shall hold or execute any office of profit, during the time for which he shall be elected, shall be, and the same is hereby repealed.

Sec. 8. And be it enacted, That no senator

or delegate to the General Assembly, shall during the time for which he was elected, be appointed to any eivil office under the constitution or laws of this State, which shall have been created, or the emoluments thereof shall have been increased, during such time; and no senator of

Sec. 9. And be it enacted, That at the election for de legates to the General Assembly for the Decembersession f the year of our Lord, eighteen hundred and thirty eight and at each succeeding election for delegates,

I and for the city of Annapolis, (until the pr of the census for the year eighteen hundred and forty, when the city of Annapolis shall be deemed and taken as a part of Anna Arundel county, and her right to a separate delegation shall cease,) fire delegates in and for and four delegates in and for each of the seve ties respectively, hereinafter next mentioned, to wit: Dorchester, Somerset, Worcester, Princs George's, Harford, Montgomery, Carroll, and Washington; and three delegates in and for each of the several counties ectively hereinafter next mentioned, to with Kent, Queen Anne's, Caroline, Talbot, St. Mary's, Charles, Calvert, and Allegany.

SEC. 10. And be it enacted, That from and after the period when the next census shall have been taken, and officially pro-nelged, and from and after the official pro-nelgation of every second census thereafter, the representation in the House of Delegates from the several counties, and from the city of Baltimore, shall be gradua-ted and established on the following bases, that is to say:- Every county which shall have by the said census, a population of less than filteen thousand souls, federal numbers, shall be entitled to elect three delegates; every county having a population by the said census, of fifteen thousand souls, and less than twenty for the souls, and less than twenty-five thousand souls, federal numbers, shall be entitled to elect four delegates, and every county having by. the said census, a population of twenty five thousand, and less than thirty-five thousand ouls, federal numbers, shall be entitled to elect five delegates; and every county having a population of inwards of thirty five thousand souls, federal numbers, shall be entitled to elect aix delegates; and the city of Baltimore shall be entitled to elect as many delegates as the county which shall have the largest representation, on the basis afortsaid, may be entitled to elect; provided, and it is hereby enacted, that if any of the several counties hereinbefore mention shall not after the said census for the year 1840. shall have been taken, be entitled by the graduation on the basis aforesaid to a represe tation in the House of Delegates equat to that allowed to such county by the ninth section of this act, at the election of delegates for the December session of the year eighteen hundred and thirty-eight such county shall, nevertheless, arter said census for the year eighteen hundred and forty, or any future consus and forever thereafter, be entitled to elect the number of delegates allowed by the provisions of said section for the said session, but nothing in this proviso contained, shall be construed to include in the representation of Anne Arundel county the delegate allowed to the city of Annapolis, in the said ninth

section of this act Sec. 11. And be it enacted, That in all elections for Senators, to be held after the election for Del gates for the December session, eighteen nundred and thirty-seven, the city of Annapolis shall be deemed and taken as part of Anne A.

rundel county.

Sec. 12. And be it enacted, That the General Assembly shall have power from time to time to regulate all matters relating to the judges, time, place and manner of holding elections for senators and delegater, and of making returns thereof, and to divide the several counties into election districts, for the more convenient holding of elections, not affecting their terms or

SEC. 13. And be it enacted, That so much of the constitution and form or government, as relates to the council to the governor, and to the clerk of the council, be abrogated, abolished and annulled, and that the whole Executive power of the government of this State, shall be vested exclusively in the governor, subject nevertheless to the checks, limitations and provisions

hereinafter specified and mentioned.

SEC. 12. And be it enacted, That the governor shall nominate, and by and with the adviceand consent of the senate, shall appoint all officers of the State, whose offices are or may be ereuted by law, and whose appointment shall not be otherwise provided for by the constitution and form of government, or by any laws consistent with the constitution and form of government; Provided, that this act shall not be deemed or construed to impair, in any manner, the validity of the commissions of such persons as shall be in office under previous executive ap-pointment when this act shall go into operation, or to alter, abridge, or change, the tenure, quality or duration of the same, or of any of them.

Sec. 15. And be it enacted, That the Governor shall have power to fill any vacancy that may occur in any such offices during the re. ress of the senate, by granting commissions which shall expire upon the appointment of the same person, or any other person, by and with the advice and consent of the senate to the same office, or at the expiration of one calendar month, ensuing the commencement of the next regular session of the senate, whichever shall first

Sec. 16. And be it enacted. That the same person shall in no case be nominated by the Governor a second time during the same session, for the same office, in case he shall have been rejected by the senate, unless after such rejection, the senate shall inform the Governor by message, of their willingness to receive a gain the nomination of such rejected person, for further consideration, and in case any person nominated by the Covernor for any office, shall