

dor, mortgagor, or donor, unless by writing, acknowledged before one provincial, or one magistrate of the county, and recorded in the county records within 20 days; but this act shall not make void any such sale, mortgage or gift, against such seller, mortgagor, or donor his executors, &c. only, or any other claiming under him, her, or them.—1729, c. 8, § 5, 6.

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S E N A T E.

1. **T**HE senate shall be chosen in the following manner; All persons qualified to vote for county delegates (*see delegates*, art. 1) shall, on the first Monday in September, 1781, and on the same day in every fifth year for ever thereafter, elect, *viva voce*, by a majority of votes, two persons for their respective counties, qualified as aforesaid to be elected county delegates, to be electors of the senate; and the sheriff of each county, or in case of sickness, his deputy, (summoning two justices of the county, who are required to attend for the preservation of the peace) shall hold and be judge of the said election, and make a return thereof as aforesaid.—*Const.* 14.

2. The said electors of the senate shall meet at the city of Annapolis, on the third Monday in September, 1781, and on the same day in every fifth year for ever thereafter, and they, or any twenty-four of them, so met, shall proceed to elect, by ballot, either out of their own body, or the people at large, fifteen senators (nine of whom to be residents on the western and six to be residents on the eastern shore) men of the most wisdom, experience and virtue, above twenty-five years of age, residents of the state above three whole years next preceding the election, and having therein real and personal property above the value of one thousand pounds current money—*ibid.* 15.

3. The senators shall be balloted for at one and the same time, and out of the gentlemen, residents 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, residents 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 favour on the second ballot, shall be accordingly declared and returned duly elected; and if the whole number should not thus be made