

number from each district having the highest number or plurality of votes shall be declared by the Governor in such publication the representative elect from such district, and the Governor shall thereupon appoint a day within fifty days from the date of such publication for the assembling in convention as aforesaid of said representatives; and if two or more persons voted for as aforesaid shall have an equal number of votes, the Governor and Council shall determine by lot who among them shall be representative or representatives; and such selection shall be certified as aforesaid in the publication aforesaid. And if before the assembling aforesaid of representatives, any of the said representatives should die or decline to act the Governor and Council shall among the persons voted for as aforesaid for the district of the deceased or declining representative select a successor by lot; and in the event of none such existing to be selected from or of their or of any person selected as aforesaid, refusing to serve, the representatives in convention as aforesaid, shall elect a successor who shall be a resident of such district. And in case of a vacancy from any cause occurring in the body of the representatives after the convention shall assemble as aforesaid, the representatives shall choose from the district of said representative, a successor to fill the same.

Sec. 7. *And be it enacted*, That on the day appointed as aforesaid, the said representatives shall assemble in convention and shall establish rules of proceeding and appoint all officers necessary for conducting their deliberations, and said convention of representatives shall thereupon proceed to the revision, alteration and amendment of the constitution of this state, and to determine upon and form accordingly, a constitution which shall be, and be binding as the constitution and form of government of the said state. And the said constitution when thus formed and determined upon shall be certified by the president of said convention and reported by him to the Governor of the state who shall cause the same to be published forthwith to the people of the state. And the president of the convention shall with the constitution aforesaid return and certify to the Governor the journal of the proceedings of said convention, which together with the said constitution, shall be preserved among the records and archives of the executive council of the state.