

commencement of the session of the General Assembly next ensuing said election.

Sec. 3. The Speaker of the House of Delegates shall then open the said returns in the presence of both houses, and the person having the highest number of votes, and being constitutionally eligible, shall be the Governor, and shall qualify in the manner herein prescribed on the second Wednesday of January next ensuing his election, or as soon thereafter as may be practicable.

Sec. 4. If two or more persons shall have the highest and an equal number of votes for Governor, one of them shall be chosen Governor by the Senate and House of Delegates, and all questions in relation to the eligibility of Governor, and to the returns of said election, and to the number and legality of votes therein given shall be determined by the House of Delegates, and if the person or persons having the highest number of votes be ineligible, the Governor shall be chosen by the Senate and House of Delegates; every election of Governor by the General Assembly shall be determined by a joint majority of the Senate and House of Delegates, and the vote shall be taken *viva voce*. But if two or more persons shall have the highest and an equal number of votes, then a second vote shall be taken which shall be confined to the persons having an equal number, and if the vote should again be equal, then the election for Governor shall be determined by lot between those who shall have the highest and an equal number on the first vote.

Sec. 5. A person to be eligible to the office of Governor must have attained the age of thirty years, and must have been for ten years a citizen of the United States, and for five years next preceding his election a resident of the State.

Sec. 6. In case of the death or resignation of the Governor, or of his removal from the State, the General Assembly, if in session, or if not, at their next session, shall elect some other qualified person to be Governor for the residue of the term for which the said Governor had been elected.

Sec. 7. In case of any vacancy in the office of Governor during the recess of the Legislature, the President of the Senate shall discharge the duties of said office until a Governor is elected, as herein provided for, and in case of the death or resignation of said President, or of his removal from the State, or of his refusal to serve, then the duties of said office shall in like manner, and for the same interval, devolve upon the Speaker of the House of Delegates, and the Legislature may provide by law for the impeachment of the Governor, and in case of his conviction or his inability, may declare what person shall perform the executive duties; and for