

shall immediately call a meeting of the general assembly, giving not less than fourteen days notice of the meeting, at which meeting a governor shall be appointed in manner aforesaid, for the residue of the year.

33. "That the governor, by and with the advice and consent of the council, may embody the militia, and when embodied, shall alone have the direction thereof, and shall also have the direction of all the regular land and sea forces under the laws of this state, but he shall not command in person unless advised thereto by the council, and then only so long as they shall approve thereof, and may alone exercise all other the executive powers of government, where the concurrence of the council is not required, according to the laws of this state, and grant reprieves or pardons for any crime, except in such cases where the law shall otherwise direct; and may, during the recess of the general assembly, lay embargoes to prevent the departure of any shipping, or the exportation of any commodities, for any time not exceeding thirty days in any one year, summoning the general assembly to meet within the time of the continuance of such embargo, and may also order and compel any vessel to ride quarantine, if such vessel, or the port from which she shall have come, shall, on strong grounds be suspected to be infected with the plague; but the governor shall not, under any pretence, exercise any power or prerogative, by virtue of any law, statute, or custom of England or Great Britain.

34. "That the members of the council, or any three or more of them, when convened, shall constitute a board for the transacting of business; that the governor for the time being shall always be the president of the council, and as such entitled to a vote on all questions in which they shall be divided in opinion; and in the absence of the governor the first named of the council shall act as vice president, and as such shall also vote in all cases where the members disagree in their opinion.

35. "That in case of refusal, death, resignation, disqualification or removal out of the state, by any person chosen a member of the council, the members thereof, immediately thereupon, or at their next meeting thereafter, shall elect by ballot, another person, qualified as aforesaid, in his place, for the residue of the year.

36. "That the council shall have power to make the great seal of this state, which shall be kept by the chancellor for the time being, and affixed to all laws, commissions, grants, and other public testimonials, as has been heretofore practised in this state.

37. "That no senator, delegate of the assembly, or member of the council, shall be capable of holding any office of profit in this state,