

Headnotes	Present Constitution	Constitution of 1867	Constitution of 1864
	<p>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 <i>viva voce</i>. 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 of Governor shall be determined by lot between those, who shall have the highest and an equal number on the first vote.</p>	<p>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 <i>viva voce</i>. 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 of Governor shall be determined by lot between those, who shall have the highest and an equal number on the first vote.</p>	<p>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 <i>viva voce</i>. 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 votes should be again equal, then the election of Governor shall be determined by lot between those who shall have the highest and an equal number on the first vote.</p>

Constitution of 1851	Constitution of 1776	Amendments to 1776 Constitution
<p>election of Governor, by the Legislature, shall be determined by a joint majority of the Senate and House of Delegates, and the vote shall be taken <i>viva voce</i>. 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 votes should again be equal, then the election of Governor shall be determined by lot between those who shall have the highest and an equal number on the first vote.</p>	<p>if two or more shall have an equal number of ballots in their favour, by which the choice shall not be determined on the first ballot, then a second ballot shall be taken, which shall be confined to the persons, who on the first ballot shall have had an equal number; and if the ballots should again be equal between two or more persons, then the election of the governor shall be determined by lot, between those who have equal numbers; and if the person chosen governor shall die, resign, remove out of the State, or refuse to act (sitting the general assembly) the senate and house of delegates shall immediately thereupon proceed to a new choice in manner aforesaid.</p>	<p>Delegates, upon joint ballot, shall determine which one of them shall be Governor, and the one which, upon counting the ballots, shall have the highest number of votes shall be Governor and shall qualify accordingly.</p> <p><b>Proposed by Act of 1846, chapter 342. Ratified 1847.</b></p> <p>Sec. 3. Excepting the cases hereinafter provided, the Chancellor shall decide all questions in relation to the number, and legality of the votes, given for each and every person voted for as governor, and in relation to the returns, and in relation to the qualification of persons, voted for as Governor.</p> <p>Sec. 4. In case two or more persons, legally qualified, according to the provisions of the constitution of this State, shall have an equal number of legal votes, than and in that case, the Chancellor shall communicate the fact, within ten days after the reception of the election returns, of the State, in writing to the then Governor, whose duty it shall be, and who is hereby authorized, and directed, to convene, by proclamation, upon reasonable notice, the General Assembly, before whom the Chancellor shall forthwith lay all the election returns, and the Senate, and House of Delegates, upon joint ballot, shall determine which one of them shall be Governor, and the one which, upon counting the ballots, shall have the highest number of votes, shall be Governor, and shall qualify as such.</p>