

20. That not less than a majority of the senate, with their president, (to be chosen by them by ballot,) shall constitute a house for the transacting any business other than that of adjourning.

21. That the senate shall judge of the elections and qualification of senators.

22. That the senate may originate any other except money bills, to which their assent or dissent only shall be given, and may receive any other bills from the house of delegates, and assent, dissent, or propose amendments.

23. That the General Assembly meet annually, on the first Monday of December(g), and if necessary oftener.

24. That each house shall appoint its own officers, and settle its own rules of proceeding.

25. That a person of wisdom, experience and virtue, shall be chosen governor on the second Monday of December(h) in each and every year, by the joint ballot of both houses, to be taken in each house respectively, deposited in a conference room, the boxes to be examined by a joint committee of both houses, and the numbers severally reported, that the appointment may be entered; which mode of taking the joint ballot of both houses shall be adopted in all cases. But 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.

26. That the senators and delegates, on the first Tuesday after the second Monday of December in each and every year(i), elect, by joint ballot, in the same manner as senators are directed to be chosen, five of the most sensible, discreet, and experienced men, above twenty-five years of age, residents in the state above three years next preceding the election(k), to be the council to the governor, whose proceedings shall be always entered on record, to any part whereof any member may enter his dissent; and their advice, if so required by the governor, or any member of the council, shall be given in writing, and signed by the members giving the same respectively; which proceedings of the council shall be laid before the senate, or house of delegates, when called for by them, or either of them. The council may appoint their own clerk, who shall take such oath, or affirmation(l), of support and fidelity to this state as this convention or the legislature shall direct, and of secrecy in such matters as he shall be directed by the board to keep secret.

(g) Altered from the former time, the first Monday of November, by the act of 1811, ch. 211, confirmed by November 1812, ch. 129.

(h) Altered from the former time, the second Monday of November, by 1811, ch. 211, confirmed by November 1812, ch. 129.

(i) Altered from the former time, the second Tuesday of November, by 1811, ch. 211, confirmed by November 1812, ch. 129.

(k) The persons to be elected were required to have in the state a freehold of lands and tenements above the value of one thousand pounds current money; but by November 1809, ch. 198, confirmed by 1810, ch. 18, all such parts of the constitution as required a property qualification in persons to be appointed or holding offices of profit or trust in this state were abolished.

(l) Added under the act of 1794, ch. 49, confirmed by 1795, ch. 11, and confined thereby to Quakers, &c. conscientiously scrupulous of taking an oath on any occasion, but since extended to all persons professing the christian religion, who hold it unlawful to take an oath on any occasion, by the act of 1817, ch. 61, confirmed by 1818, ch. 163, as stated in the note to the 18th section.