

## CHAP. 197.

senate, it shall not be lawful for the governor at any time afterwards, during the recess of the senate, in case of vacancy in the same office, to appoint such rejected person to fill said vacancy.

Governor annually to appoint a Secretary of State

SEC. 17. *And be it enacted*, That it shall be the duty of the governor, within the period of one calendar month next after this act shall go into operation, and in the same session in which the same shall be confirmed, if it be confirmed, and annually thereafter during the regular session of the senate, and on such particular day, if any, or within such particular period as may be prescribed by law, to nominate, and by and with the advice and consent of the senate, to appoint a Secretary of State, who shall hold his office until a successor shall be appointed, and who shall discharge such duties, and receive such compensation, as shall be prescribed by law.

His duties, &c.

Vacancy of Governor

SEC. 18. *And be it enacted*, That in case a vacancy shall occur in the office of Governor at any time after this act shall go into operation, the General Assembly, if in session, or if in the recess, at their next session, shall proceed to elect by joint ballot of the two houses, some person, being a qualified resident of the gubernatorial district from which the Governor for said term is to be taken, to be Governor for the residue of said term in place of the person originally chosen; and in every case of vacancy until the election and qualification of the person succeeding, the Secretary of State, by virtue of his said office, shall be clothed, *ad interim*, with the executive powers of government; and in case there shall be no Secretary of State, or in case he shall refuse to act, remove from the State, die, resign, or be removed for cause, the person filling the office of president of the senate shall, by virtue of his said office, be clothed, *ad interim*, with the executive powers of government; and in case there shall be no president of the senate, or in case he shall refuse to act, remove from the State, die, resign, or be removed for cause, the person filling the office of Speaker of the house of delegates shall, by virtue of his said office, be clothed, *ad interim*, with the executive powers of government.

Elect by joint ballot

Secretary of State

Governor *ad interim*

President of Senate

Speaker of the H. of Delegates

Term of Governor, chosen 1838

SEC. 19. *And be it enacted*, That the term of office of the Governor, who shall be chosen on the first Monday