

Assembly, and every person qualified to vote for Delegates shall be qualified and entitled to vote for Governor; the election to be held in the same manner as the election of Delegates, and the returns thereof, under seal, to be addressed to the Speaker of the House of Delegates, and enclosed and transmitted to the Secretary of State, and delivered to the said Speaker at the 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 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 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.

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 five years a citizen of the United States, and for

1853, ch. 134.

Plurality to elect.
1856, ch. 183.Case of tie Senate
and House to
choose.House to deter-
mine all questions.
Vote *viva voce*
and jointly.Case of tie choice
by lotQualification of
Governor.