

been elected, of any person who shall have been chosen as a Delegate or Senator, or in case of a tie between two or more such qualified persons, a warrant of election shall be issued by the Speaker of the House of Delegates or President of the Senate, as the case may be, for the election of another person in his place, of which election not less than ten days' notice shall be given, exclusive of the day of the publication of the notice and of the day of election; and in case of such resignation or refusal to act, being communicated in writing to the Governor, by the person so resigning or refusing to act, or if such death occur during the legislative recess, and more than ten days before its termination, it shall be the duty of the Governor to issue a warrant of election to supply the vacancy thus created, in the same manner the said Speaker or President might have done during the session of the General Assembly; *provided, however,* that unless a meeting of the General Assembly may intervene, the election thus ordered to fill such vacancy shall be held on the day of the ensuing election for Delegates and Senators.

**Meetings of Legislature.**

SEC. 13. The General Assembly shall meet on the first Wednesday of January, eighteen hundred and sixty-five, and on the same day in every second year thereafter, and at no other time, unless convened by the proclamation of the Governor.

**Compensation of Members**  
1864, Res. 4.

SEC. 14. The General Assembly shall continue its session so long as in its judgment the public interest may require, and each member thereof shall receive a compensation of five dollars per diem, for every day he shall attend the sessions unless absent on account of sickness; *provided,* however, that no member shall receive any other or larger sum than four hundred dollars. When the General Assembly shall be convened by proclamation of the Governor, the session shall not continue longer than thirty days, and in such case, the compensation shall be at the rate of five dollars per diem.

**Extra Sessions.**