

in the town clerk's office, and shall seal up said lists separately, and write on each, the name of the town, and these words: *Votes for Senator*, or *Votes for Senators*, as the case may be; one of which lists shall be delivered by the presiding officer to the representative of said town (if any), and if none be chosen, to the representative of an adjoining town, to be transmitted to the _____ of the senate; the other list, the said presiding officer shall, within ten days, deliver to the clerk of the county for the same county; and the clerk of each county court respectively, or in case of his absence or disability, the sheriff of such county, or in case of the absence or disability of both, the high bailiff of such county, on the tenth day after such election, shall publicly open, sort, and count said votes, and make a record of the same, in the office of the clerk of such county court, a copy of which he shall transmit to the senate; and shall also, within ten days thereafter, transmit to the person or persons elected, a certificate of his or their election: Provided, however, that the general assembly shall have power to regulate by law, the mode of balloting for senators within the several counties, and to prescribe the means and the manner by which the result of the balloting shall be ascertained, and through which the senators chosen shall be certified of their election, and for filling all vacancies in the senate which shall happen by death, resignation, or otherwise. But they shall not have power to apportion the senators to the several counties, otherwise than according to the population thereof, agreeably to the provisions herein before ordained.

Art. 6. The senate shall have the like powers to decide on the election and qualifications of, and to expel any of its members, make its own rules, and appoint its own officers, as are incident to, or are possessed by the house of representatives. A majority shall constitute a quorum. The lieutenant-governor shall be president of the senate, except when he shall exercise the office of governor, or when his office shall be vacant, or in his absence, in which cases the senate shall appoint one of its own members to be president of the senate, *pro tempore*, and the president of the senate shall have a casting vote, but no other.

Art. 7. The senate shall have the sole power of trying and deciding upon all impeachments: when sitting for that purpose they shall be on oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold or enjoy any office of honour, or profit, or trust, under this state. But the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.

Art. 8. The supreme executive power of the state shall be exercised by the governor, or in case of his absence or disability, by the lieutenant-governor, who shall have all the powers and perform all the duties vested in and enjoined upon the governor and council by the eleventh and twenty-seventh sections of the second chapter [part the second] of the constitution as at present established, excepting that he shall not sit as a judge in case of impeachment, nor