

whole number of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved of by a majority of the whole number of that house, it shall become a law; but, in neither house shall the vote be taken on the same day on which the bill shall be returned to it: and in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the Governor, within five days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the legislature, by their adjournment, prevent its return, in which case it shall not be a law.

8. No member of Congress, or person holding an office under the United States, or this state, shall exercise the office of Governor; and in case the Governor, or person administering the government, shall accept any office under the United States or this state, his office of Governor shall thereupon be vacant.

9. The Governor, or person administering the government, shall have power to suspend the collection of fines and forfeitures, and to grant reprieves to extend until the expiration of a time not exceeding ninety days after conviction; but this power shall not extend to cases of impeachment.

10. The Governor, or person administering the government, the Chancellor, and the six Judges of the court of errors and appeals, or a major part of them, of whom the Governor, or person administering the government, shall be one, may remit fines and forfeitures and grant pardons, after conviction, in all cases except impeachment.

11. The Governor and all other civil officers under this state shall be liable to impeachment for misdemeanor in office, during their continuance in office, and for two years thereafter.

12. In case of the death, resignation, or removal from office of the Governor, the powers, duties and emoluments of the office shall devolve upon the president of the Senate, and in case of his death, resignation, or removal, then upon the speaker of the house of Assembly, for the time being, until another Governor shall be elected and qualified; but in such case another Governor shall be chosen at the next election for members of the state legislature, unless such death, resignation, or removal shall occur within thirty days immediately preceding such next election, in which case a Governor shall be chosen at the second succeeding election for members of the legislature. When a vacancy happens during the recess of the legislature, in any office which is to be filled by the Governor and Senate, or by the legislature in joint meeting, the Governor shall fill such vacancy, and the commission shall expire at the end of the next session of the legislature, unless a successor shall be sooner appointed: when a vacancy happens in the office of clerk or surrogate of any county, the Governor shall fill such vacancy,