

ARTICLE 5.—PART FIRST.

*Executive Power.*

§ 1. The supreme executive power of this state shall be vested in a governor.

2. The governor shall be elected by the qualified electors, and shall hold his office one year, from the first Wednesday of January in each year.

3. The meetings for election of governor shall be notified, held, and regulated, and votes shall be received, sorted, counted, declared, and recorded, in the same manner as those for senators and representatives. They shall be sealed and returned into the secretary's office in the same manner, and at the same time, as those for senators. And the secretary of state for the time being shall, on the first Wednesday of January then next, lay the lists before the senate and house of representatives, to be by them examined; and, in case of a choice by a majority of all the votes returned, they shall declare and publish the same. But if no person shall have a majority of votes, the house of representatives shall, by ballot, from the persons having the four highest numbers of votes on the list, if so many there be, elect two persons, and make return of their names to the senate, of whom the senate shall, by ballot, elect one, who shall be declared the governor.

4. The governor shall, at the commencement of his term, be not less than thirty years of age; a natural born citizen of the United States; have been five years, or from the adoption of this constitution, a resident of the state; and, at the time of his election, and during the term for which he is elected, be a resident of said state.

5. No person holding any office or place under the United States, this state, or any other power, shall exercise the office of governor.

6. The governor shall, at stated times, receive for his services a compensation, which shall not be increased or diminished during his continuance in office.

7. He shall be commander-in-chief of the army and navy of the state, and of the militia, except when called into the actual service of the United States; but he shall not march nor convey any of the citizens out of the state without their consent, or that of the legislature, unless it shall become necessary, in order to march or transport them from one part of the state to another, for the defence thereof.

8. He shall nominate, and, with the advice and consent of the council, appoint, all judicial officers, the attorney general, the sheriff, coroners, registers of probate, and notaries public; and he shall also nominate, and with the advice and consent of the council, appoint, all other civil and military officers whose appointment is not, by this constitution, or shall not by law, be otherwise provided for; and every such nomination shall be made seven days at least prior to such appointment.

9. He shall, from time to time, give the legislature information of the condition of the state, and recommend to their consideration such measures as he may judge expedient.

10. He may require information from any military officer, or any officer in the executive department, upon any subject relating to the duties of their respective offices.

11. He shall have power, with the advice and consent of the council,