

said court, or by order of the Senate or House of Delegates, in whichever the seat is contested.

Pay of justice and witnesses.

134. The justice before whom such depositions shall be taken shall be entitled to the sum of two dollars for every day he may be engaged in the examination of witnesses, and the witnesses shall be entitled to the usual allowance for their attendance before a justice of the peace, to be paid by the party on whose behalf such examination is held and said witnesses are summoned.

Person contesting not entitled to mileage, etc.

135. No person contesting a seat of any one who has been regularly returned by the judges of election as elected to a seat in the Senate or House of Delegates, shall be allowed any per diem, mileage or other pay, unless the party so contesting shall establish his right to such seat.

ELECTORS OF PRESIDENT AND VICE-PRESIDENT.

Election of electors.

136. On the first Tuesday next after the first Monday of November, preceding the time fixed by law of the United States for choice of President and Vice-President of the United States, there shall be elected by general tickets as many electors of President and Vice-President as this State shall be entitled to appoint.

Qualifications of voters.

137. Each citizen of this State entitled to vote for delegates to the General Assembly shall have the right to vote for the whole number of electors; and the several persons, to the number required to be chosen, having the highest number of votes, shall be declared and deemed duly appointed electors.

Tie vote.

138. If any of the persons voted for as electors shall have an equal number of votes, so as to defeat a choice between them, the Governor shall determine by lot which of the persons having such equal number of votes shall be electors, so as to complete the whole number to which the State shall be entitled.

Election, how conducted.

139. The said election shall in all respects be conducted as other elections, and the returns thereof made and canvassed, as hereinbefore directed.

Vacancies.

140. Upon the meeting of the persons returned elected as electors of President and Vice-President, or of as many of said persons as may attend on the day appointed by the Constitution and laws of the United States, the said electors who are present, before proceeding to perform the duties reposed in them, shall fill any vacancy which may exist in the said college of electors