

shall be confined to the persons, who on their first ballot shall have had an equal number, and if the ballots should again be equal between two or more persons, then the election of the governor shall be determined by lot, between those who have equal numbers; and if the person chosen governor shall die, resign, remove out of the state, or refuse to act, (sitting the general assembly) the senate and house of delegates shall immediately thereupon proceed to a new choice, in manner aforesaid.—

*Const. 25.*

2. No person, unless above 25 years of age, a resident in this state above 5 years next preceding the election, and having in the state real and personal property above the value of 5000l. current money, 1000l. whereof at least to be of freehold estate, shall be eligible as governor.—

*ibid. 30.*

3. The governor shall not continue in that office longer than 3 years successively, nor be eligible as governor until the expiration of 4 years after he shall have been out of that office.—

*ibid. 31.*

4. Upon the death, resignation, or removal out of this state of the governor, the first named of the council for the time being shall act as governor, and qualify in the same manner, and shall immediately call a meeting of the general assembly, giving not less than 14 days notice of the meeting, at which meeting a governor shall be appointed, in manner aforesaid, for the residue of the year.—

*ibid. 32.*

5. The governor, by and with the advice and consent of the council, may embody the militia, and when embodied, shall alone have the direction thereof, and shall also have the direction of all the regular land and sea forces under the laws of this state, but he shall not command in person, unless advised thereto by the council, and then only so long as they shall approve thereof, and may alone exercise all other the executive powers of government, where the concurrence of the council is not required, according to the laws of this state, and grant reprieves or pardons for any crime, except in such cases where the law shall otherwise direct; and may, during the recess of the general assembly, lay embargoes to prevent the departure of any shipping, or the exportation of any commodities, for any time not exceeding 30 days in any one year, summoning the general assembly to meet within the time of the continuance of such embargo, and may also order and compel any vessel to ride quarantine, if such vessel, or the port from which she shall have come, shall, on strong grounds, be suspected to be infected with the plague, but the governor shall not, under any pretence, exercise any power or prerogative, by virtue of any law, statute or custom, of England or Great Britain.—

*ibid. 33.*

6. The governor may remove or suspend any militia officer in pursuance of the judgment of a court martial.—

*ibid. 48.*