

may be entered; which mode of taking the joint ballot of both houses shall be adopted in all cases. But if two or more shall have an equal number of ballots in their favour, by which the choice shall not be determined on the first ballot, then a second ballot shall be taken, which shall be confined to the persons, who on the first ballot shall have had an equal number; but 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.

19. That no person but a native, above twenty-five years of age, a resident in this state above five years next preceding the election, and having in the state a freehold in lands or tenements, above the value of _____ pounds sterling, shall be eligible as governor.

20. That the governor shall not continue in that office longer than three years successively, nor be eligible as governor until the expiration of three years, after he shall have been out of that office.

21. That the senators and delegates, on the second Tuesday of November 1777, and annually on the second Tuesday of November for ever thereafter, elect by joint ballot, in the same manner as senators are directed to be chosen, five of the most sensible, discreet, and experienced men, above twenty-five years of age, residents in the state above three years next preceding the election, and having therein a freehold in lands or tenements, above the value of _____ pounds sterling, to be the council to the governor, whose proceedings shall always be entered on record, to any part whereof any member may enter his dissent, and their advice, if so required by the governor, or any member of the council, shall be given in writing, and signed by the members giving the same respectively; which proceedings of the council shall be laid before the senate, or house of delegates, when called for by them. The council may appoint their own clerk, who shall take such oath or affirmation of support and fidelity to this state as this convention or the legislature shall direct, and of secrecy, in such matters as he shall be directed by the board to keep secret.

22. That in case of refusal, death, resignation, disqualification, or removal out of the state, by any person chosen a member of the council, the members thereof, immediately thereupon, or at their next meeting thereafter, shall elect, by ballot, another person, qualified as aforesaid, in his place, for the residue of the year.

23. That