

of votes, one of them shall be chosen Governor by the Senate and House of Delegates; and all questions in relation to the eligibility of Governor, and to the returns of said election, and to the number and legality of votes therein given, shall be determined by the House of Delegates. And if the person, or persons, having the highest number of votes be ineligible, the Governor shall be chosen by the Senate and House of Delegates. Every election of Governor, by the Legislature, shall be determined by a joint majority of the Senate and House of Delegates, and the vote shall be taken viva voce. But if two or more persons shall have the highest and an equal number of votes, then a second vote shall be taken, which shall be confined to the persons having an equal number; and if the votes should again be equal, then the election of Governor shall be determined by lot between those who shall have the highest and an equal number on the first vote.

Sec. 5. The State shall be divided into three districts; St. Mary's, Charles, Calvert, Prince George's, Anne Arundel, Montgomery, and Howard counties, and the city of Baltimore, to be the first; the eight counties of the Eastern Shore to be the second; and Baltimore, Harford, Frederick, Washington, Allegany and Carroll counties, to be the third. The Governor, elected from the third district in October last, shall continue in office during the term for which he was elected. The Governor shall be taken from the first district, at the first election of Governor under this Constitution; from the second district at the second election, and from the third district at the third election, and in like manner, afterwards, from each district, in regular succession.

Sec. 6. A person to be eligible to the

office of Governor, must have attained the age of thirty years, and been for five years a citizen of the United States, and for five years next preceding his election a resident of the State, and for three years a resident of the district from which he was elected.

Sec. 7. In case of the death or resignation of the Governor, or of his removal from the State, the General Assembly, if in session, or if not, at their next session, shall elect some other qualified resident of the same district, to be the Governor for the residue of the term for which the said Governor had been elected.

Sec. 8. In case of any vacancy in the office of Governor during the recess of the Legislature, the President of the Senate shall discharge the duties of said office till a Governor is elected as herein provided for; and in case of the death or resignation of said President, or of his removal from the State, or of his refusal to serve, then the duties of said office shall, in like manner, and for the same interval, devolve upon the Speaker of the House of Delegates, and the Legislature may provide by law for the case of impeachment or inability of the Governor, and declare what person shall perform the executive duties during such impeachment or inability; and for any vacancy in said office, not herein provided for, provision may be made by law, and if such vacancy should occur without such provision being made, the Legislature shall be convened by the Secretary of State for the purpose of filling said vacancy.

Sec. 9. The Governor shall be commander-in-chief of the land and naval forces of the State, and may call out the militia to repel invasions, suppress insurrections, and enforce the ex-