

rejection of the constitution submitted by the convention to the people of this state, as aforesaid, and upon counting and casting up the returns made to him, as hereinbefore prescribed, if it shall appear that a majority of the votes cast at said election have been cast in favor of the adoption of the said constitution, he shall issue his proclamation to the people of the state, declaring the fact, and shall take such measures as shall be required by said constitution, to carry the same into effect, and to supercede the existing constitution.

12. In case of the death, resignation or omission of the governor to issue the proclamation heretofore required by the fourth section of this act, the president of the senate, or in case of his death, resignation, removal or omission so to do, the speaker of the house of delegates shall issue the said proclamation; and in case of the death, refusal, omission or resignation of any one of the preceding officers, the chief justice of the court of appeals shall issue said proclamation, and the failure or omission to issue said proclamation shall not prevent the assembling of the convention.

Who to act in  
certain contin-  
gencies.

In force from March 20, 1867.