

to remit, after conviction, all forfeitures and penalties, and grant relieves and pardons, except in cases of impeachment.

12. He shall take care that the laws be faithfully executed.

13. He may, on extraordinary occasions, convene the legislature; and, in case of disagreement between the two houses with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the day of the next annual meeting; and if, since their last adjournment, the place where the legislature were next to convene shall have become dangerous from an enemy, or contagious sickness, may direct the session to be held at some other convenient place within the state.

14. Whenever the office of governor shall become vacant by death, resignation, removal from office, or otherwise, the president of the senate shall exercise the office of governor until another governor shall be duly qualified; and, in case of the death, resignation, removal from office, or other disqualification of the president of the senate, so exercising the office of governor, the speaker of the house of representatives shall exercise the office, until a president of the senate shall have been chosen; and when the office of governor, president of the senate, and speaker of the house shall become vacant, in the recess of the senate, the person acting as secretary of state for the time being shall, by proclamation, convene the senate, that a president may be chosen to exercise the office of governor. And whenever either the president of the senate or speaker of the house shall so exercise said office, he shall receive only the compensation of governor, but his duties as president or speaker shall be suspended; and the senate or house shall fill the vacancy, until his duties as governor shall cease.

ARTICLE 5.—PART SECOND.

Council.

§ 1. There shall be a council, to consist of seven persons, citizens of the United States, and residents of this state, to advise the governor in the executive part of the government, whom the governor shall have full power, at his discretion, to assemble; and he, with the counsellors or a majority of them, may, from time to time, hold and keep a council, for ordering and directing the affairs of state according to law.

2. The counsellors shall be chosen annually, on the first Wednesday of January, by joint ballot of the senators and representatives in convention; and vacancies which shall afterwards happen shall be filled in the same manner; but not more than one counsellor shall be elected from any district prescribed for the election of senators; and they shall be privileged from arrest in the same manner as senators and representatives.

3. The resolutions and advice of council shall be recorded in a register, and signed by the members agreeing thereto, which may be called for by either house of the legislature; and any counsellor may enter his dissent to the resolution of the majority.

4. No member of congress, or of the legislature of this state, nor any person holding any office under the United States, (post officers excepted,) nor any civil officers under this state, (justices of the peace and notaries public excepted,) shall be counsellors. And no counsellor