

less 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; and that upon the death, resignation, disqualification, or removal out of the county, by any register of wills in the records of the general assembly, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office, to hold the same until the meeting of the general assembly.

XLII. That no city, town, or place, shall hereafter be incorporated, or any new county erected, with the privilege of electing a delegate, unless there shall be within the same at least eight hundred voters, and there shall not be allowed to such incorporated city, town, or place, or to such newly erected county, more than one delegate for every eight hundred voters.

XLIII. That no convention of the people, to change or alter the constitution and form of government, or the declaration of rights, shall be called, unless with the concurrence of at least two thirds of all the members of both branches of the legislature.

XLIV. That a justice of the peace may be eligible as a senator, delegate, or member of the council, and may continue to act as a justice of the peace.

XLV. That every person who shall offer to vote for delegates or for the electors of the senate, shall (if required by any three persons qualified to vote) before he be admitted to poll, take the oath or affirmation of support and fidelity to this state directed by this constitution.

XLVI. That