

during the time he shall act as senator, delegate of the assembly, or member of the council; nor shall any governor be capable of holding any other office of profit in this state while he acts as such.

38. "That every governor, senator, delegate to congress or assembly, and member of the council, before he acts as such, shall take an oath, "That he will not receive directly or indirectly, at any time, any part of the profits of any office, held by any other person during his acting in his office of governor, senator, delegate to congress or assembly, or member of the council, or the profits, or any part of the profits arising on any agency, for the supply of clothing or provisions for the army or navy."

39. "That if any senator, delegate of the assembly, or member of the council, shall hold or execute any office of profit, or receive directly or indirectly, at any time, the profits or any part of the profits of any office exercised by any other person, during his acting as senator, delegate of the assembly, or member of the council, his seat, on conviction in a court of law, by the oath of two credible witnesses, shall be void, and he shall suffer the punishment for wilful and corrupt perjury, or be banished from this state forever, or disqualified forever from holding any office or place of trust or profit, as the court may adjudge.

40. "That the chancellor, all judges, the attorney general, clerks of the general court, the clerks of the county courts, the register of the land-office, and the register of wills, shall hold their commissions during good behaviour, removable only for misbehaviour, on conviction in a court of law.

41. "That there be a register of wills appointed for each county, who shall be commissioned by the governor, on the joint recommendation of the senate and house of delegates, and that upon the death, resignation, disqualification, or removal out of the county, by any register of wills in the recess 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.

42. "That sheriffs shall be elected annually in each county by ballot, that is to say, two persons for the office of sheriff for each county, the one of whom having the majority of votes, or if both have an equal number, either of them, at the discretion of the governor, to be commissioned by the governor for the said office; no person to continue in the said office more than three successive years, or be capable of being again elected during four years afterwards: bond with security to be taken every year as usual, and no sheriff shall be qualified to act before the same is given. In case