

by any other person, during the time for which he shall be elected; nor shall any governor be capable of holding any other office of profit during the time for which he shall be elected. And no person holding a place of profit, or receiving any part of the profits thereof, or receiving the profits, or any part of the profits, arising on any agency for supply of clothing or provisions for the army or navy, or holding any office under the United States, or any of them, or a minister or preacher of the gospel of any denomination, or any person employed in the regular land service or marine of this or the United States, shall have a seat in the general assembly * * * * of this state. And no member of congress, or person holding an office of trust or profit under the United States, shall be capable of having a seat in the general assembly, or holding any office of trust or profit under this state. And if any member of the general assembly, or person holding an office of trust or profit under this state, shall take his seat in congress, or accept of an office of trust or profit under the United States, or, being elected to congress, or appointed to an office of trust or profit under the United States, not make his resignation of his seat in congress, or of his office, as the case may be, within thirty days after notice of his election or appointment to office as aforesaid, his seat in the legislature of this state, or of his office held under this state as aforesaid, shall be void.

or receiving the profits of any office held by others.

Office vacated upon the acceptance of an appointment from the general government.

ART. 39. That if any senator, delegate to assembly, * * * * 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 to assembly, * * * * his seat, on conviction in a court of law, by the oath, or affirmation, of two credible witnesses, shall be void, and he shall suffer the punishment for wilful and corrupt perjury, or be banished this state for ever, or disqualified for ever from holding any office or place of trust or profit, as the court may adjudge.

Punishment for violation of provision

1832, *ch.* 260.—No post-master or his deputies, no marshal, his deputy or deputies, shall hold any office under the government of this state, or exercise any of the functions of any office which he now has or may hereafter receive from the executive of this state, after the first day of May next, under the penalty of fifty dollars for every such offence, to be recovered by indictment and fine in any court of law, or in any county court in this state, where the offence may be committed or the penalty incurred.

Post-master or deputy prohibited to hold office.

Penalty.