

XLVI. That all civil officers hereafter to be appointed for the several counties of this state, shall have been actually and bona fide residents of the county respectively for which they shall be appointed, six months next before their appointment, and shall continue residents of their county respectively during their continuance in office.

XLVII. That the judges of the general court and justices of the county courts may appoint the clerks of their respective courts, and in case of refusal, death, resignation, disqualification, or removal out of the state, or from their respective shires, of the clerks of the general court, or either of them, in the vacation of the said court, and in case of the refusal, death, resignation, disqualification, or removal out of the county, of any of the said county clerks, in the vacation of the county court of which he is clerk, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office respectively, to hold the same until the meeting of the next general court or county court, as the case may be.

XLVIII. That the legislature shall never erect any summary jurisdiction for the trial of any fact in any civil case without a jury, except only in cases of small debts, or trivial wrongs, not exceeding the sum or value of seven pounds ten shillings current money of this state, or twenty dollars of the United States, or fines, forfeitures or penalties, not exceeding in value that sum, but the legislature may amend any defects in the trial by jury in civil cases; provided, that no verdict shall be made lawful, unless given by three fourths, at least, or more, of the jury.

XLIX. That