

or any member of the council, shall be given in writing, and signed by the members giving the same respectively; which proceedings of the council shall be laid before the senate, or house of delegates, when called for by them, or either of them.—*Const.* 26.

2. The council may appoint their own clerk, who shall take such oath of support and fidelity to this state, as this convention or the legislature shall direct, and of secrecy, in such matters as he shall be directed by the board to keep secret.—*ibid.*

3. The members of the council, or any 3 or more of them, when convened, shall constitute a board for the transacting of business, and the governor for the time being, shall preside in the council, and be entitled to a vote on all questions in which they shall be divided in opinion; and in the absence of the governor, the first named of the council shall preside, and as such shall also vote in all cases where the other members disagree in their opinion.—*ibid.* 34.

4. In case of refusal, death, resignation, disqualification or removal out of the state, by any person chosen a member of the council, the members thereof, immediately thereupon, or at their next meeting thereafter, shall elect, by ballot, another person qualified as aforesaid, in his place, for the residue of the year.—*ibid.* 35.

5. The governor, for the time being, with the advice and consent of the council, may appoint the chancellor, and all judges and justices, the attorney general, naval officers, officers in the regular land and sea service, officers of the militia, registers of the land office, surveyors, and all other civil officers of government (assessors, constables and overseers of the roads only excepted) and may also suspend or remove any civil officer who has not a commission, during good behaviour, and may suspend any militia officer for one month, and may also suspend or remove any regular officer in the land or sea service.—*ibid.* 48.

6. The council shall have power to make the great seal of this state—*ibid.* 36.

7. The governor, with the advice of the council, shall judge of and determine the validity of all elections for sheriffs, and if it shall appear that such elections have not been made fairly and freely, and agreeably to the constitution of this state, shall issue new writs of election for sheriffs, agreeable to the directions of the form of government—*Feb.* 1777, c. 19, § 3.

8. The governor and council may remit the whole or any part of any recognizance, which hath been or may be forfeited, provided the case of the person be stated in writing by the court before whom such recognizance may be forfeited, and a recommendation be made for a remission of