

THE CONSTITUTION OF MARYLAND

but an inhabitant of the said county, above the age of twenty-one years, and having real and personal property in the state above the value of one thousand dollars current money; the justices aforesaid shall examine the ballots, and the two candidates, being qualified, having in each county the majority of legal ballots, shall be declared duly elected for the office of sheriff for such county, and returned to the governor and council, with a certificate of the number of ballots for each of them.

43. That every person who shall offer to vote for delegates or for the electors of the senate, or for the sheriff, shall, (if required by any three persons qualified to vote,) before he be admitted to poll, take such oath or affirmation of support and fidelity to this state as this convention or the legislature shall direct.

44. 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.

45. That no field-officer of the militia shall be eligible as a senator, delegate, or member of the council.

46. That all civil officers hereafter to be appointed for the several counties of this state shall have been 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.

47. 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 shores, 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.

48. That 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; and the governor may remove or suspend any militia officer in pursuance of the judgment of a court-martial.

49. That all civil officers, of the appointment of the governor and council, who do not hold commissions during good behaviour, shall be appointed annually in the third week of November, but if any of them shall be re-appointed, they may continue to act without any new commission or qualification; and every officer, though not re-appointed, shall continue to act until the person who shall be appointed and commissioned in his stead shall be qualified.

50. That the governor, every member of the council, and every judge and justice, before they act as such, shall respectively take an oath, (a) that he will not, through favour, affection or partiality, vote for any person to office, and that he will vote for such person as in his judgment and conscience he believes most fit and best qualified for the office, and that he has not made, nor will make, any promise or engagement to give his vote or interest in favour of any person.

51. That there be two registers of the land-office, one upon the western and one upon the eastern shore; that short extracts of the grants and certificates of the land on the western and eastern shores respectively be made in separate books, at the public expence, and deposited in the offices of the said registers, in such manner as shall hereafter be provided by the general assembly.

52. That every chancellor, judge, register of wills, commissioner of the loan-office, attorney-general, sheriff, treasurer, naval-officer, register of the land office, register of the chancery court, and every clerk of the common law courts, surveyor, and auditor of public accounts, before he acts as such, shall take an oath, (b) that he will not, directly or indirectly, receive any fee or reward for doing his office of _____, but what is or shall be allowed by law, nor will, directly or indirectly, receive the profits, or any part of the profits, of any office held by any other person, and that he does not hold the same office in trust or for the benefit of any other person.

53. That if any governor, chancellor, judge, register of wills, attorney-general, register of the land-office, commissioner of the loan-office, register of the chancery court, or any clerk of the common law courts, treasurer, naval-officer, sheriff, surveyor, or auditor of public accounts, shall receive, directly or indirectly, at any time, the profits, or any part of the profits, of any office held by any other person, during his acting in the office to which he is appointed, his election, appointment

(a) See the note to section 18.

(b) See the note to section 18.