

the justices there summoned to attend for the preservation of the peace shall be judges thereof, and of the qualification of candidates, who shall appoint a clerk to take the ballots: all freemen above the age of twenty-one years, having a freehold of fifty acres of land in the county in which they offer to ballot, and residing therein, and all freemen above the age of twenty-one years, and having property in the state above the value of thirty pounds current money, and having resided in the county in which they offer to ballot one whole year next preceding the election, shall have a right of suffrage; no person to be eligible to the office of sheriff for a county 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 pounds current money; the justices aforesaid shall examine the ballots, and the two candidates properly 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, 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