

commissioners and collectors of the public taxes, the treasurers, the registers of wills, the register of the chancery court, the clerks of the court of appeals, general and county courts, the prosecutors of presentments and indictments in the county courts, constables, and overseers or commissioners of the roads, or of the poor, all of whom shall be appointed as directed by the constitution, acts of assembly, and as herein after provided,) shall be appointed as follows: The council shall, by ballot, nominate to the governor two persons, or three if so required by him, whom they, in their judgment and conscience, believe best qualified for the office to which they are nominated, and the governor shall, after five and within ten days thereafter, appoint and commission one of the persons so nominated; and the governor may 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 militia officer in pursuance of the sentence of a court-martial. All civil officers of the appointment of the governor (except only the chancellor and all judges) shall hold their commissions during pleasure; and the salaries to the governor and the council, and to the chancellor and judges, as ascertained by law, shall not be diminished during their continuance in office; and any chancellor or judge shall be removed by the governor for misbehaviour in office, on conviction in a court of law, or upon the address of the general assembly, provided two thirds of all the members of each house concur therein.

XXXVIII. That sheriffs shall be appointed annually in the month of December, and no person shall be capable of holding the office of sheriff, or of receiving