

room ; and that the citizens of this commonwealth may be assured, from time to time, that the moneys remaining in the public treasury, upon the settlement and liquidation of the public accounts, are their property, no man shall be eligible as treasurer and receiver-general more than five years successively.

2. The records of the commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable ; and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

### CHAPTER III.

#### *Judiciary Power.*

Article 1. The tenure, that all commission officers shall, by law, have in their offices, shall be expressed in their respective commissions ; all judicial officers, duly appointed, commissioned, and sworn, shall hold their offices during good behaviour ; excepting such concerning whom there is different provision made in this constitution : Provided, nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature.

2. Each branch of the legislature, as well as the governor and council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

3. In order that the people may not suffer from the long continuance in place of any justice of the peace, who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void in the term of seven years from their respective dates ; and upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the commonwealth.

4. The judges of probates of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require : and the legislature shall, from time to time hereafter, appoint such times and places : until which appointments, the said courts shall be holden at the times and places which the respective judges shall direct.

5. All the causes of marriage, divorce, and alimony, and all appeals from the judges of probate, shall be heard and determined by the governor and council, until the legislature shall, by law, make other provision.

### CHAPTER IV.

#### *Delegates to Congress.*

The Delegates of this commonwealth to the congress of the United States shall, some time in the month of June annually, be elected by the joint ballot of the senate and house of representatives, assembled together in one room ; to serve in congress for one year, to commence on the first Monday in November then next ensuing. They shall have commissions under the hand of the governor, and the great seal of the commonwealth ; but may be recalled at any time within the year, and others chosen and commissioned in the same manner, in their stead.