

land to adhere to the ideas contained in this article; they would have excluded Thomas Jefferson and Benjamin Franklin from office.

Mr. Brown advocated the striking out of the constitution any religious qualification whatever.

Mr. Carter submitted the following as a substitute for the 37th article:

“That no religious test ought ever to be required as a qualification for any office of profit or trust in this State; nor shall the Legislature prescribe any other oath of office than the oath prescribed by this constitution.”

The substitute was adopted—yeas 47, nays 17.

Mr. Mackubin moved to amend the substitute by inserting after the word “State,” “other than a belief in the existence of God.” Adopted.

Article 38 was read, as follows:

“Art. 38. That every gift, sale or devise of land to any minister, public teacher or preacher of the gospel, as such; or to any religious sect, order or denomination, or to or for the support, use or benefit of, or in trust for, any minister, public teacher or preacher of the gospel, as such; or any religious sect, order or denomination, and every gift or sale of goods or chattels to go in succession, or to take place after the death of the seller or donor, to or for such support, use or benefit; and also every devise of goods or chattels, to or for the support, use or benefit of any minister, public teacher or preacher of the gospel as such; or any religious sect, order or denomination, without the prior or subsequent sanction of the Legislature, shall be void, except, always, any sale, gift, lease or devise of any quantity of land not exceeding five acres, for a church, meeting house or other house of worship, or parsonage, or for burying ground, which shall be improved, enjoyed or used only for such purpose, or such sale, gift, lease or devise shall be void.”

Mr. Kilbourn moved to strike out the words “without the prior or subsequent sanction of the Legislature.”

Mr. Kilbourn said the object of this article was to prevent the accumulation of church property, as such, but