

to breath, as it were, by permission of the civil authorities?

Mr. McLANE said:

He felt somewhat embarrassed as to the vote he might be called upon to give, not understanding precisely the effect of it. His own impression would be to leave things as they are. He thought we had gone on well, under the old bill of rights. He had not heard any thing to satisfy his mind, that any great necessity existed for material change.

The amendment, as he understood it, declared that nothing in the old bill of rights should be construed "to qualify" a certain class of persons as witnesses. If he voted against that amendment, in what position was he placed? The inference must be, that he meant them to be qualified. If he voted for the amendment, he knew not what inference might be drawn from the vote. It might be, to qualify others whom he did not think it right to qualify.

He would be glad if the gentleman would put his amendment into such a form as would enable him, (Mr. McL.), to give a vote which should not convey any misapprehension as to his opinions. And he desired that the gentleman from Baltimore county, (Mr. Ridgely,) would state what the effect of the amendment was to be. He, (Mr. McL.), did not desire to disturb the question. He did not wish to interfere with any man's rights of conscience. He was, himself, very independent in his opinions—trusting always that they were sound enough for his own welfare, and he desired to extend the same liberty to every other man. But when he was called upon to guard the rights of others, he was unwilling to cast aside any of the restraints, which, by the law of the land, or by a sound morality, might be imposed upon a man who was called upon to testify as to those rights. He wished that it should be done under all the responsibility which could be imposed by laws—human and Divine.

Mr. BUCHANAN, (to the President.) Is it in order to move to lay the amendment on the table?

The PRESIDENT. The motion is not in order.

Mr. RIDGELY. My object is to place the law of the land, in relation to the religious opinions of witnesses beyond controversy. Mr. R. further explained his amendment, and recapitulated his reasons for its adoption. His object simply was, that no individual who believed in a Supreme Being, and acknowledged his accountability for his acts, should be disqualified as a witness in a court of justice.

Mr. McMASTER, (to Mr. Ridgely.) Will the gentleman from Baltimore county allow me to ask him one question?

Mr. RIDGELY. Certainly, sir.

Mr. McMASTER. Does the amendment qualify persons who do not believe in a future state of rewards and punishments, to hold office and give testimony?

Mr. RIDGELY. That is the object.

Mr. McMASTER. Then I shall vote against it.

Mr. MERRICK said, that he felt some reluctance to vote for this proposition. He felt disposed to leave the provision as it was, and it seemed to him that the legislature could hereafter regulate the competency of witnesses. It would be better that the Convention, should confine itself to doing that, which more appropriately belonged to it. He might be right or he might be wrong. He did not profess to know much about these things, and he would rather not touch them. We had gone on well under the law as it stood, and he thought it would be better to suffer the bill of rights to remain as it was. If there was a contradictory practise in the courts of the districts, let these matters be left to the supervision and regulation of the legislature.

Some conversation followed between Messrs. RIDGELY and MERRICK.

Mr. FRESTMAN referred to his own experience as to the practise in the courts. He did not think that any other men than Atheists had been excluded from testifying—nor that any sect in this country, as a sect, had been excluded in any of our courts of justice for their particular opinions. If it were so, he should undoubtedly vote for the amendment of the gentleman from Baltimore county, (Mr. Ridgely.) He, [Mr. P.] thought, however, that there was some misapprehension about the matter. A single individual, perhaps, might have gone further than his sect, and therefore, been excluded; but he did not think that the disqualification had been carried any further.

Mr. FIERY said he had no desire to protract this discussion; it was with some reluctance that he rose to respond to the appeal made to him by the gentleman from Baltimore city. He took occasion on yesterday to suggest to the gentleman from Anne Arundel, that an instance had occurred in Washington county, in which the testimony of a Universalist was refused, because he avowed his disbelief in the doctrine of future punishment. He now repeated the fact, upon the authority of men of undoubted veracity, who were witnesses of the whole transaction. The distinguished gentleman from Kent, (Mr. Chambers,) also states, that this has been the uniform practise in the judicial district in which he has the honor to preside.

Now, sir, said Mr. F., it is not my purpose to discuss the doctrines of this church, nor did he profess to be a disciple of their school; but from a long and an intimate acquaintance with this class of his constituents, he must say, that they rank among the most honest and respectable citizens of that county which he had the honor in part to represent. Whatever may be their religious opinions, Mr. F. declared in the presence of this Convention, that he would be willing to stake all he had in the world upon the oath of any Universalist within the circle of his acquaintance.

And yet, sir, (said Mr. F.) it has been avowed in this House, that such men are unfit to testify in our courts of justice. It has been gravely ar-