

1 was the opinion of a representative of the Attorney-
 2 General's office who testified in connection with oaths that
 3 there could be some question raised as to the construction
 4 of this provision.

5 The Court of Appeals has held that the Ober Law,
 6 a loyalty law, does not constitute an oath; Although the
 7 Draft Constitution does not include Section 7 of the
 8 present Constitution, your Committee was of the opinion
 9 that such a statement should be contained in the Constitu-
 10 tion in the event of refusal or neglect to take an oath
 11 of affirmation. This is the last paragraph of the blue-
 12 colored recommendation.

13 This would establish the time when the office
 14 would be vacated and how it should be filled. The pro-
 15 vision that it should be filled as prescribed by law would
 16 include constitutional as well as statutory fiat, and
 17 finally, your Committee reviewed ^{also} the historical transition
 18 from belief in the Supreme Being and theistic principles
 19 relating to oaths to the present interpretation enunciated
 20 under Schowgurow/ other cases. After reviewing the age-old
 21 battle between personal liberty and governmental authority