

1 and my conclusion in that respect is, it is not.

2 DELEGATE BOYER: Further answering Delegate
3 Bennett's question, your General Provisions Committee did
4 consider the theological interpretation of the impact of
5 the oath and also the Ober Law, and it was our considered
6 opinion that we should frame our oath as we have presented
7 it to you so it would be flexible because we knew at the
8 time that the Whitehill case was pending in the Supreme
9 Court and not being able to second-guess which way the
10 Supreme Court would rule, and knowing that that rule, what-
11 ever it may be, would be final, we have deliberately re-
12 worded the oath section so that it would not affect it.

13 THE CHAIRMAN: Any further questions for
14 purposes of clarification? Delegate Lord?

15 DELEGATE LORD: Mr. President, I would like to
16 further comment as a member of the Subcommittee on the
17 question raised by Delegate Sickles about the meaning of the
18 term, "office of profit or trust".

19 In the final report of the Commission, at
20 Pages 558 and following, there is a lengthy excerpt from
21 an opinion of Judge Barnes of the Court of Appeals of