

1 proffer of trust other than a declaration in the belief
2 in the existence of God, shall the Legislature describe
3 any other office other than prescribed by this Constitu-
4 tion. There is a provision that looks very nice and
5 sound, very nice, but it isn't any longer constitutional
6 under the United States Constitution, and it would be
7 ridiculous to attempt to preserve any such language or
8 sentiments.

9 THE CHAIRMAN: Go ahead with the Section.

10 MR. GENTRY: Try the second line of Section 3,
11 No person shall be restricted in the free exercise of
12 religious profession and worship, nor shall any person
13 be disqualified from holding public office or rendered
14 incompetent as a witness or juror because of his opinion
15 on matters of religious belief.

16 The feeling there is, it has now been held by
17 the Supreme Court that in the cases cited in the comment
18 there on Page 7 of the Report, held in those cases that
19 no such test as is called for in Article 37 is permissible,
20 and we permit in Section 3, we permit or we prohibit a
21 disqualification on either as a witness or juror because