

The constitution of Maryland was framed at an early period of the revolution, when ancient prejudices had a strong influence over the mind, when it was considered as going far in the work of reformation to declare, that there should be no established church in the state; and it certainly required great exertions to effectuate that object, for in Maryland, as well as in other states, even christian sects, catholics particularly, had formerly been proscribed, and we may at once see now strongly these prejudices influenced the minds of the wise and worthy framers of the constitution, when in one breath they declared, \* "that it is the duty of every man to worship God in such manner as he thinks most acceptable to him;" and in the next, that it was only professing christians who were entitled to protection in their religious liberty.

When the revolutionary war was at an end, and the people of the United States had time to give to the principles of government, and of civil and religious liberty, a fair and full examination; when the immortal Washington, and his illustrious compeers, selected from every state in the union, met in convention to frame a constitution, which was ratified by the people of the United States, they unanimously declared, that "no religious test shall ever be required as a qualification to any office or public trust under the United States." Such a declaration, at such time, and from such an assemblage, comprising a greater share of talents, virtue and patriotism, than our own, or perhaps any other country will ever again exhibit, calls loudly for our admiration; they broke the last link of religious tyranny, and put an end to the dominion of superstition; the people, the free, sovereign and independent people of the United States, echoed, and re-echoed, the noble sentiment, "no religious test shall ever be required." Even Maryland joined in the general acclamation, and hailed the glad tidings with joy. And we find the names of a M'Henry, a Jenifer, and a Carroll, attached to that instrument, under which the United States have risen to glory and greatness.

The only state which imposes a restriction, in any degree similar to that of Maryland, is that of Massachusetts, which was also adopted during the revolutionary war; and even that is only applicable to a few offices. The state of Maine, which formed part of Massachusetts, and which was received into the union a few years past, has made it a part of her constitution, that no religious test shall ever be required as a qualification for office. The adjoining state of Delaware, was the first to follow the footsteps of Washington in this respect, and to use the same words in her constitution, as in that of the United States. Tennessee, Ohio, Illinois and Alabama, have all incorporated the same declarations in theirs; and all the other states have recognised religious liberty, as a "natural unalienable right" (1); as "an inestimable privilege" (2); as a "right to be enjoyed" without discrimination or preference (3); "to cause no abridgment of civil rights" (4); that "no human authority can in any case whatever, control or interfere with the right of conscience" (5); "that no person shall be denied the enjoyment of any civil right, merely on account of his religious principles" (6); "that civil rights and privileges shall not be diminished or enlarged on account of religion" (7); and whenever they have not recognised the most perfect freedom in religious matters, they do not require, as a qualification for office, any other test than a simple oath. Maryland, therefore, stands alone in this respect. And your committee ask with confidence, why should Maryland continue to retain this feature in her constitution, since it has been virtually abolished by the constitution of the United States, and is at once inconsistent with the dictates of reason and common sense, and is not sanctioned by any authority human or divine. We have no right to interfere with the religious opinions of others; we have no right to punish or proscribe those who differ from us on religious subjects; we are all answerable in this respect to our great Creator; to God, and not Man.

Shall that religion, which was announced to humble shepherds on the plains of Bethlem, as the "glad tidings of great joy," as proclaiming "on earth, peace and good will toward men;" that religion which commands us to love our neighbors as ourselves; shall that religion be used any longer in Maryland as a political instrument to deprive worthy and virtuous citizens of their just rights? "Principles are eternal," and whether we proscribe from office ten, or ten thousand citizens, it amounts to the same thing, and is equally contrary to the law of God, which is written in every heart, and directly at variance with that precept which proceeded from the lips of our Divine Lord and Master: "Whatsoever you would that men should do unto you, do you even so to them;" and whosoever controverts this sacred command, may call himself a christian, may be a recorded christian, but he is not a christian in deed and in truth, he is not a real disciple of the meek and lowly Jesus, who declared that his kingdom was not of this world.

Situated as Maryland is, in the midst of large and powerful states, who have universally thrown open the doors of office and honor to all whose talents and merit entitle them to the confidence of the people, it becomes our interest, as well as our duty, to let the world know, that in Maryland, as well as in the other states, civil and religious liberty is enjoyed in its fullest extent, nor can we hope for prosperity as a state, until we do justice to all men.

Your committee will only further call the attention of the house to the inconsistency of retaining in the constitution a provision which is at war with the principles of civil and religious liberty, and remark, that the same citizen whom the people cannot choose to represent them in the state legislature, may be, by the same people, elected to congress; and may also be elected to the presidential chair; that he who cannot be a justice of the peace in Maryland, may be chief justice of the United States; and he who cannot be an ensign in the militia, may command the army of the nation. Such inconsistency is too glaring, too ridiculous, to be longer tolerated by a free people.

\* Declaration of Rights, 33d article.

(1) Vide, constitutions of North-Carolina and New-Hampshire. (2) New-Jersey. (3) New York and South-Carolina. (4) Vermont. (5) Pennsylvania. (6) Georgia. (7) Kentucky and Mississippi.