

"no sectarian;" still he had his prepossessions. But it would be congenial to his own feelings, as it surely would be to the spirit of the age in which we lived, that all these harsh and invidious restraints should be blotted out from our statutes. He referred to the former history of the State, to show how little sympathy her people had manifested in that bigoted and intolerant spirit which would inflict punishment upon men for the mere sake of religious opinion, and expressed the hope that the Representatives here assembled, for high and solemn purposes, would follow the glorious example held up to them by our sister States, and place upon an equality all men who believed in the existence of a Supreme Being.

Mr. MERRICK obtained the floor, but yielded for the moment to,

Mr. TUCK, who suggested to the gentleman from Baltimore county, (Mr. Ridgely,) that the more appropriate place for his amendment, would be the thirty-sixth article.

Mr. RIDGELY intimating his intention to adhere to the amendment at this point.

Mr. TUCK proceeded to remark, that the question involved in it, was one of much delicacy and importance, and that any provision, in relation to it, which might be engrafted in the Constitution, should be drawn with great circumspection and care. It seemed to him, however, that the most appropriate place for the amendment, was the thirty-sixth article, and he would, therefore, move that the pending article be informally passed over, (as had been done with a previous article, on a former day,) in order that it might hereafter be taken up.

My own opinion, (continued Mr. T.) is that the true question to be put to a witness, should be whether, according to his religious faith, whatever that faith might be, he believed in a state of future rewards and punishments. Every man ought to be presumed to have some religion—a religion which teaches him to look up to a Divine Being—to a First Great Cause—and to acknowledge his belief in Him. And I say that every man who comes upon the stand, and avows his belief in a Divine Being—who acknowledges himself responsible for deeds done upon earth—ought to be allowed to testify, for, as has been well said, the most respectable men in the community, whose word, in any matter of business, would be taken in preference to the oath of some men, are turned from the witness stand, whilst the testimony of any one, however worthless, is admitted, if he will only say that he believes in a future state of rewards and punishments.

Mr. T. thought that the better way was to leave these questions, as to the competency of witnesses, to be regulated by the Legislature. But if this Convention is to pronounce its judgment of the question, he thought the appropriate place was the thirty-sixth article, and he therefore moved to lay aside this amendment for the present.

Mr. MERRICK said, that gentlemen had argued the question as if this were a proposition to engraft on the Bill of Rights, a religious test. No

such idea existed. On the contrary, the whole scope and object of the article was to proclaim the largest possible latitude to all persons as to their religious opinions. Gentlemen get up, talked about religious liberty, and invoked the genius of Maryland, as if some great outrage were in contemplation. Such arguments were totally inapplicable. The amendment actually proposed to restrict and limit the natural force and efficacy of the article as it stood in the Bill of Rights. Such, was the import of the language of the amendment, whatever its object might be. Whatever evils existed could be better left to the general action of the Legislature, than be specially provided for by the organic law. God forbid that it should be supposed that he would place restrictions upon any class of our citizens on account of their religious opinions. Nothing could be further from his wishes. All he desired was to bring the Convention to consider the nature of the work they had in hand, in order that they might confine themselves to it—and leave all matters proper for future deliberation and general legislation to the action of the Legislature. This was certainly one of these matters.

Mr. CHANDLER desired to say a few words in explanation. He held that every man had the right to worship God, according to the dictates of his own conscience. To whichever of the many religious creeds into which men have divided themselves, he may belong, he has this right. But the object of the remarks he had made was that those who do not worship God in any form, and who have no hope of future rewards, nor fear of future punishments to influence their conduct, ought not to be permitted to act as jurors. He did not concur in opinion with the gentleman from Frederick, that persons who acknowledge no moral responsibility are more to be relied on than those who do.

Mr. HARBINE stated his intention to vote against the amendment, not because he was opposed to the fullest extent of religious toleration, or to the principle that every man should be permitted to exercise his own conscience in matters of religious faith, without forfeiting any of his rights; but for the reason assigned by the gentleman from Charles (Mr. Merrick) that it was not necessary to engraft such a provision in the organic law. It was a power within reach of the Legislature. It had been said by his colleague (Mr. Fiery) that it has been used for the purpose of preventing a respectable class of citizens from being sworn as witnesses. If he thought such a construction would be put on the provisions of the new Constitution, he would go in favor of the amendment. But the new Constitution will not admit of the same construction as the old one. He referred to the change which had been made in the thirty-third article of the Bill of Rights to shew that the construction put on that article in the old Constitution would not be applicable to the new one. The other reason for opposing the amendment had been better explained by the gentleman from Charles than he could explain it. It is within the competence of the Legislature to make such laws on the subject as