

So the Convention decided that the section should not be stricken out.

The question then recurred and was taken on the adoption of the said thirty-fourth article, and having been decided in the affirmative, the article was adopted.

The thirty-fifth article was then read, and no amendment having been offered thereto, was adopted as follows:

*Art. 35.* That no other test or qualification ought to be required, or admission to any office of trust or profit, than such oath of support and fidelity to this State and the United States, and such oath of office as shall be directed by this Convention or the Legislature of this State.

The thirty-sixth article was read as follows:

*Art. 36.* That the manner of administering an oath to any person ought to be such as those of the religious persuasion, profession or denomination of which such person is one, generally esteemed the most effectual confirmation by the attestation of the Divine Being, and that the people called Quakers, and those called Tunkers, and those called Menonists, and all others conscientiously scrupulous of taking an oath on any occasion, ought to be allowed to make their solemn affirmation in the manner that Quakers have been heretofore allowed to affirm, and to be of the same avail as an oath, in all such cases as the affirmation of Quakers hath been allowed and accepted within this State, instead of an oath. And on such affirmation, warrants to search for stolen goods, or the apprehension or commitment of offenders, ought to be granted, or security for the peace awarded, and Quakers, Tunkers, Menonists and such others ought also, on their solemn affirmation as aforesaid, to be admitted as witnesses in all criminal cases.

Mr. PARKE moved to amend it by striking out all after the word "being," in the fourth line, to the end of the said article, and inserting in lieu thereof the following:

"And all persons who are conscientiously scrupulous about taking an oath on any occasion, shall be allowed to make their solemn affirmation, in the manner heretofore practised, which shall be in all cases of the same avail as an oath.

Mr. BOWIE said he understood that the religious creeds of some sects interdicted them from taking an oath. These had therefore been permitted to substitute their solemn affirmation. Formerly, every man was obliged to take an oath. Any man who may choose to say that he is connected with a certain sect, and that his scruples of conscience forbid him from taking an oath, may now escape. It was likely, in his opinion, to open the door to great frauds.

Mr. DONALDSON stated that on reference to the old Constitution, it would be found that all the different sects were enumerated. Quakers, Tunkers or Menonists, are all embraced in the old bill of rights.

Mr. PARKE said that he did not wish to keep this array of names in the bill of rights. He desired to embrace all who were conscientiously scrupulous on the subject of taking an oath. Besides this, he saw no necessity for retaining the last part of the article. That part of the article

seemed to him to be entirely unnecessary. His amendment, if properly understood would be found to contain all that the previous article had contained, and it would have this advantage, that it greatly simplified the former provision.

The question was then taken, and, by ayes 24, noes 32, the amendment was rejected.

The question then recurred on the adoption of the said thirty-sixth article.

Mr. CHAMBERS, of Kent, moved to amend the said article by striking out all after the word "oath," in the tenth line, to the end thereof.

The question was taken and the amendment was agreed to.

Mr. RANDALL moved to amend the said article by adding at the end thereof, the following:

"And that an oath may be legally administered to any person who believes in a state of future rewards and punishments by a Supreme Being in this life or in the life to come."

The PRESIDENT, *pro tem.*, intimated his opinion that the amendment having been once voted down, was not in order.

Some conversation followed on the point of order; when,

The PRESIDENT, *pro tem.*, said he would put the question.

After some further conversation,

The question was taken and the amendment of Mr. RANDALL was rejected.

And then the article, as amended, was adopted.

The thirty-seventh article was read as follows:

*Art. 37.* That the city of Annapolis ought to have all its rights, privileges and benefits, agreeable to its Charter and the Acts of Assembly confirming and regulating the same; subject, nevertheless, to such alterations as have been made by the Legislature or as may be made by this Convention or any future Legislature.

Mr. BISER moved to strike out the said article.

A motion was made that the Convention adjourn.

The convention refused to adjourn.

After some conversation,

The question was taken on the motion of Mr. BISER;

And the amendment was rejected.

The thirty-seventh article was then adopted.

The thirty-eighth, thirty-ninth, and fortieth articles of the report were then read, and no amendment having been offered thereto, were adopted as follows:

*Art. 38.* That the liberty of the press ought to be inviolably preserved.

*Art. 39.* That monopolies are odious, contrary to the spirit of a free government and the principles of commerce, and ought not to be suffered.

*Art. 40.* That no title of nobility or hereditary honors, ought to be granted in this State.

The forty-first article was read as follows:

*Art. 41.* That this declaration of rights, or the form of government to be established by this Convention, or any part of either of them, ought not to be altered, changed or abolished, but in such manner as this Convention shall prescribe and direct.