

any denomination, or of any religious persuasion, society or sect, while he continues to serve as such; and no person holding any civil office of profit, or profit and trust, under this State, shall be eligible to the office of senator or delegate."

Mr. DANIEL. I move to amend this section by striking out these words:

"No minister or preacher of the gospel of any denomination, or of any religious persuasion, society, or sect, while he continues to serve as such; and."

That merely admits the preachers.

Mr. ROWNLY. That is just what I am opposed to.

Mr. DANIEL. I will state some of the reasons which induce me to offer this amendment. In the first place I think this prohibition ought to be erased from our Constitution, because it creates an improper, unjust, and unreasonable distinction against ministers of the gospel in this State, for which I can conceive no good reason. I think we might just as well say that a minister shall not vote, or that a minister shall not write anything in allusion to politics, as to say that a minister shall not for a few weeks sit in the Legislature of the State and take part in the enactment of laws. It is creating a distinction against them as a class, putting a ban upon them that is unjust and invidious.

I know that reasons will be urged against this amendment. It will be said that ministers should not interfere in politics, because that will interfere with their religious vocation. Now, I say that no man, and no set of men have a right to come between a minister's conscience and his God upon this matter. It is for him, and him alone, to judge whether taking a seat in the Legislature, any more than voting at an election, will interfere with the proper discharge of his duties as a religious teacher. That is a matter for him to decide, as he must decide a thousand other questions that arise in his every day life, whether he shall or shall not do a particular thing, because it may or may not injure his ministerial influence and his religious character. There is no more reason for our interfering in the one case than in the other.

Again, I am opposed to this restriction because I believe that a great proportion of our legislation is not political in its character. The Legislature is called upon to determine very few questions of a political character. They are called upon to consider questions affecting morals, affecting the good of the community, in which a minister, without doing any injury to any class, may more properly act than very many classes that are sent to the Legislature, for he will act for the good of the people he may represent, and the good of the State. There is the temperance question, the question of public schools, and other questions of mor-

als, in reference to which a minister, desiring the good of the community in which he lives, would feel more interest, and perhaps be more likely to judge properly and rightly, than two-thirds or three-fourths of the men who are sent to the Legislature, and who do not feel any such responsibility to the community, either religious or otherwise.

I say, therefore, it is not right that we as a Convention, or any class of men who as a body are perhaps not to be compared in point of conscience to ministers, should set up our consciences as a rule to determine all such questions for ministers of the gospel. It is simply saying to them that they are not fit to determine for themselves what would injure their religious character and standing in the community, and that we are better qualified to determine that matter for them. We say, therefore, that while we will allow the veriest drunkard, the most wicked and profligate men in the country to come here to the Legislature if the people choose to elect them, yet we are so tender about this matter of conscience, and fear that the ministers will not have that matter so much at heart as we have, we will interfere and come in between their consciences and their God, in a manner which we do not consider necessary in regard to anybody else.

I can conceive a reason why this provision was originally put in the Constitution. It may have originated in times gone by, from some fear of too close a union between Church and State; an old idea derived from affairs in England in former times. But there can be no fear or apprehension upon this point at this day.

And, in addition to what I have said, one of the most conclusive arguments to my mind against this provision is the fact that upon a careful examination of all the Constitutions of the States of this Union, as well as of the United States, I find no such prohibition in any of the Constitutions of the free States, or in the Constitution of the United States. But I do find that the same prohibition is in the Constitution of every slave State, except the State of Arkansas. I cannot, of course, tell exactly what reasons operated in all those Southern States for putting this prohibition in their Constitutions, while it has never been deemed necessary or proper to put it in the Constitution of any free State. And not only has it not been deemed proper to put it in the Constitution of the United States, but in both Houses of Congress ministers of the gospel have served with great acceptability. Has Congress received any detriment from it? Has the Church received any detriment? Have the free States received any detriment because ministers of the gospel have been admitted to an equal participation in their legislatures?

South Carolina, the mother of the rebellion, gives as her reason for this prohibition that—