

THE STAR

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TERMS.

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STATE CONVENTION.

DEBATE

On the Thirty-Second Article.

Tuesday, June 30.

Gen. DOCKERY rose to make a suggestion to the gentleman from Craven, who had just addressed the House eloquently, viz: That the propriety of amending this article be submitted to the People in a distinct and separate proposition.

Gen. D. said, it had become very fashionable here, and fashion was contagious, for gentlemen to give an exposure of their Religious tenets. The gentleman from Buncombe, (Governor Wilkes) said he belonged to the Presbyterian Church, if he had never been tried out. He (Gen. D.) belonged to the Baptist Church, and was certain he had not been turned out.

Gen. D. repeated that he wished to know that he did not deserve to be regarded as a bigot; for, if an opportunity were afforded him for voting to amend the Article at the polls, he would do so. He would do so in Conscience, but from a conviction, that the people would reject the Constitution if it were altered.

Mr. GASTON said, that having expressed his views so fully, it was with extreme reluctance he rose to say another word. He had intended, when a similar suggestion to that now made by the kind gentleman from Richmond, was thrown out by the gentleman from Greene (General Speight) to have said word in reply.

Mr. HARRINGTON did not rise to deliver a speech on the committee, but simply to say, that 12 years ago, having had the honor to propose that this stain should be blotted from our escutcheon, he was now, as then, disposed to incur any responsibility which might rest upon him.

Dr. SMITH regretted that he should be again called to address the committee on this question, but circumstances rendered it necessary he should appear either in person or by Attorney. He would seem that the Convention had assembled to discuss the expediency of establishing some new Religion, or to witness the trial of the county of Orange and her Delegates on this floor.

In 1823, he was a member of the informal Convention, held in this City, to which the gentleman from Craven had alluded. This Article was discussed in that Convention, and was retained in the Constitution presented to the people.

Dr. S. said he was willing to yield to the voice of the people; and if this was deemed so important a matter, why not submit it to them, as a separate proposition? If they would do it, at the next August election, his word for it, the question against expunging the Article would be decided by an overwhelming majority.

Dr. S. said, that for the remarks which he had previously submitted on this question, he had been called a bigot; but he imagined that he was about as free from the influence of Priestcraft as any gentleman on that floor.

Sir, said Dr. S. there is no reason why this Article should be amended—there is no emergency which demands it. What persecutions have been attempted, that gentlemen are so excited? He had said nothing in disparagement of Roman Catholics; he had as much respect for some Catholics that he knew, as any member in this Convention.

Mr. JOINER rose, he said, to make speech, but it should be a short one. He expressed himself perfectly satisfied with the article of the Constitution under consideration, and therefore opposed to any amendment of it.

Religion; but if he thrusts himself into our Civil Compact, he ought to worship as Christians worship. And whatever the gentleman from Craven might think, he could not concur in his latitudinarian doctrines of Religious freedom. As an American citizen, and a native-born son of North Carolina, he was willing that every sect should indulge in their own peculiar species of worship; but he was not willing that they should fill the high places of the land.

The gentleman from Craven had charged the West with holding out false colors to the East as an inducement for them to meet in Convention. The West wanted nothing but sheer right, and if the East have aided them to obtain it, they did so doubtless from correct principles.

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Wednesday, July 1.

The Convention took up the Report of the Committee of the whole on the 32d Section; when Mr. EDWARDS moved to amend the Report by inserting the following, viz:

That all men having a natural and unalienable right to worship Almighty God, according to the dictates of their own consciences, all religious tests as qualifications for office, are incompatible with the principles of free Government.

Mr. JOINER rose, he said, to make speech, but it should be a short one. He expressed himself perfectly satisfied with the article of the Constitution under consideration, and therefore opposed to any amendment of it.

Yeas and Nays have been already published, and negatived 87 votes to 36.

Gen. JACOBS then offered an amendment, in the following words:

No person who shall deny the being of a God, shall be capable of holding any office or place of trust or profit in the Civil Department within this State, provided that the liberty of conscience here secured shall not be construed to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of the State.

The question on this Amendment was taken without debate, by Yeas and Nays (already published) and was negatived by 83 votes to 42.

Mr. HOLMES then proposed the following substitute: That no person who shall deny the being of a God, shall be capable of holding any office, or place of trust or profit, in the Civil Department within this State.

The question on this Amendment was taken without debate, by Yeas and Nays (already published) and was negatived 78 votes to 46.

Governor SWAIN observed, that as it appeared evident, from what had taken place, that no other amendment to the section in question would be adopted, than that moved by the gentleman from Wilkes, which had been reported by the Committee of the Whole, he hoped the Members of the Convention would forbear to offer any further amendment, and act at once on that.

Governor BRANCH said, it was not his intention to vote for the amendment reported by the Committee of the Whole. He had voted in favor of every liberal proposition for amending this objectionable section; but he did not consider the amendment proposed by the gentleman from Wilkes as removing the stain from our Constitution, and would not, therefore, vote for it.

Judge DANIEL wished to offer the Amendment which he had brought forward in Committee of the Whole, in order to obtain the Yeas and Nays upon it.

Resolved, That it is expedient to remove the disabilities for office contained in the 32d Article, from all who do not deny the being of a God and an accountability to Him for the deeds done in the body.

The question on this amendment was taken without debate, by Yeas and Nays and negatived 80 votes to 46.

The Report of the committee of the Whole being under consideration:

Mr. FISHER said, he should vote for the amendment which was reported from the committee of the whole—namely to strike out of the 32d section of the Constitution the word Protestant, and instead thereof insert the word Christian, so as to allow all who believe in the truth of the Christian Religion to hold civil office in the State.

Mr. F. said he had listened with very strict attention to all that had been said on this subject; and, of all debates he had ever witnessed, this had taken the widest range. As regards time, it had swept over eighteen centuries, and as regards space, it had travelled round the globe; its range has been circumscribed only by the limits set to human imagination.

the punishment of recusant Papists—that the merciless Auto de fe itself, was to be kindled up in the midst of this Protestant community. Now, sir, is this so? Is it true, that we are about to establish a TEST OATH? Is it true, that we are about to commence the work of persecution against a class of people for conscience sake? No, sir, it is not so.

Among the arguments advanced by those who are for striking out altogether, one is, that the 32d Article comes in direct conflict with the 19th section of the Bill of Rights, which says: That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own conscience.

Mr. F. said, let us take up the 32d section itself, examine its parts, and see if it be so very objectionable as some would make it out to be. The first clause is in these words: That no person who shall deny the being of God, shall be capable of holding any office, or place of trust or profit in the civil department within this Government.

Mr. F. said, he would now state what to his mind was a very strong argument against striking out the 32d section. If we take up the Constitution and examine it, we will find that there are four Articles in it which have reference to the Christian Religion—that is, the 19th section of the Bill of Rights, and the 31st, 32d and 34th sections of the Constitution.

If the 32d Article was expunged from the Constitution, and the instrument then placed in the hands of an intelligent Turk, judging from it, what would he suppose our Religion to be? He would first read the 19th Article of the Bill of Rights, from which he would see that all men, Christian, Turk, and Jew, stand precisely on the same footing, and consequently, so far as this goes, in North Carolina, the Christian has no advantage over the Turk.

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