

THE PRESBYTERIAN REVIEW.

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I.

THE TEACHING OF OUR LORD REGARDING THE SABBATH AND ITS BEARING ON CHRISTIAN WORK.

ON several occasions during our Lord's ministry, the Sabbath came into special notice, and the record of His instructions on the subject, forms an important part of the Gospel history. Of thirty-three miracles, of which we have a detailed account, no less than seven were performed on that day, while another is supposed by many to be referred to in one of His discourses (John vii. 21-23), and probably there were many others, not specifically mentioned. Those specially recorded are, the healing of the impotent man at Bethesda, on the second Passover of His ministry (John v. 9); of the demoniac in the synagogue of Capernaum, at the commencement of His Galilean ministry (Mark i. 23-26; Luke iv. 33-36); of Simon's wife's mother, the same afternoon (Matt. viii. 14, 15; Mark i. 29-31; Luke iv. 38, 39); of the man with the withered hand (Matt. xii. 9-13; Mark iii. 1-5; Luke vi. 6-11); of the man born blind, who sat begging at Jerusalem (John ix. 14); of the woman with the spirit of infirmity (Luke xiii. 11-14); and of the man who had the dropsy, at a feast given by one of the chief Pharisees (Luke xiv. 1-4).

The number of these cases, as well as the whole circumstances connected with them, indicate that our Lord had important designs to serve by this procedure. To appreciate this, we must notice that all these cures were unsolicited. The people made no application to Him on the Sabbath. We read that on the evening of the same

II.

THE SEPARATION OF CHURCH AND STATE IN VIRGINIA.

IN a relation so intimate as that of the union of Church and State, it is not strange that in former times civil magistrates should have had a sense of responsibility not only in relation to the people's temporal affairs, but also in respect to the salvation of their souls. In regard to the latter phase of their duties, though unable to define it clearly, it is evident that in the performance of their official acts in matters pertaining both to the people and the Church, they were more or less influenced by a sense of this responsibility. Here is the germ from which has sprung, and often honestly, much of the interference of temporal rulers with Church affairs. On the other hand, those who willingly or otherwise contributed aid in the form of taxes to the support of the Church, wished to have a share in the advantages of its ordinances; and, though they might not be Christians in a Scriptural sense, and could not fully comprehend their relationship to a *Church spiritual*, they deemed themselves entitled to the privilege of participating in its rites, including that of the Lord's supper. Thus, even in the present day, where there is a union of Church and State, in such relation that the former receives pecuniary aid from the latter, we see a great laxity in the admission of persons to that sacred ordinance. Much more in former times, if there were any advantages to be gained in coming to the communion-table, this class wished to secure them, since they paid their share of the expense. This was a natural, though a grovelling view of the question, and the more intelligent of the unconverted had evidently misgivings on the subject, and, not being satisfied with their own moral condition, partook of the communion with a confused sense, that it might in some way benefit them spiritually.

The influences that in process of time brought about the separation of Church and State in this country may be traced to the preaching of Jonathan Edwards and to the principles developed in his controversy in respect to what was termed the "Half-way Covenant," by

which persons making no pretension to being Christians in a *spiritual sense* were admitted, among other Church privileges, to the communion. This custom grew out of the union of Church and State more than from any other cause. The objections of Edwards were based on moral and spiritual grounds alone; arguing that none but the regenerate or converted had a right to come to the Lord's table. In time this truth permeated the minds of religious people, but more effectually, it would seem, the Presbyterians than the Congregationalists; having its share of influence on the separation of Church and State in Virginia, nearly forty years before a similar effect was produced in New England. This phase of the subject for obvious reasons was scarcely noticed in the debates in the Legislature during the struggle in Virginia, though in that controversy the undercurrent of this sentiment influenced the minds of the religious people outside the State or Episcopal Church and strengthened their opposition to such laxity in the admission of persons to Church privileges, which custom they believed to be injurious to pure spiritual religion.

In his early ministry Edwards was the pastor of a Presbyterian church in New York, and he seems to have been partial to the form of Church government practiced in that denomination; and, also, he agreed with their views on the non-interference of the civil magistrate with spiritual affairs. He afterward expressed his opinion of the form of Church rule then prevalent in New England, saying: "I have long been out of conceit of our unsettled, independent, confused way of Church government in this land" (Gillett's "History of the Presbyterian Church," vol. i., p. 3). On assuming the Presidency of Princeton College he connected himself with the Presbyterians.

Up to the time of Edwards there seems to have been little doubt as to the advantage to both parties of the union of Church and State; the prevailing sentiment being that the former could not be supported without the aid of the latter. The idea of sustaining the Church by the voluntary contributions of its own friends had found lodgment only in the minds of the advanced few. We see prominent among the arguments used in behalf of this alliance, that the Church ought to be supported by the secular power, on the ground of the general well-being of society, as its influence would promote in the community honesty, industry, and material interests as well as good morals.

It is proper to notice why the contest in Virginia partook so much of bitterness, and why the "Dissenters" were treated so harshly in that colony. We can thereby divine why these outrages, continuing for

nearly a century, produced their legitimate results in the final retribution which came upon the Established Church when it retained only its church buildings, while its rectories and glebes were sold under the sheriff's hammer for the benefit of that public from whom originally nearly all the funds to purchase them had been extorted in the form of taxes. The Church of England was established by law in the colonies of New York, Virginia, and the Carolinas. In the first the royal governors were the most intolerant toward "Dissenters," while the churchmen, or its adherents, were more indifferent on the subject. Perhaps they were somewhat influenced by their surroundings—the tolerant spirit of the Dutch residents—and, moreover, the Episcopal element in that colony did not comprise, it is said, more than one-seventh of the population. In the latter three, on the contrary, intolerance was instigated for the greater part by the clergy and lay churchmen, the governors being disposed to connive at the exercise of religious freedom; that is, they were not very energetic in enforcing the illiberal laws on that subject. Why the churchmen of Virginia were so in contrast with those of New York may be accounted for, since great numbers of royalists—cavaliers—in the times of the troubles preceding and during the Commonwealth fled to Virginia, where they were cordially welcomed. They afterward gave tone to Virginian society by diffusing their sentiments of loyalty to the King and to the Church, which so ardently espoused his cause; they looked upon the "Dissenters" as enemies to both.

In those days the spirit of intolerance was not found in the Established Church nor in royal governors alone, as it was the natural outgrowth of the union of Church and State and the misdirected zeal of secular rulers. In 1742 the Connecticut Legislature passed a law forbidding a minister preaching in any parish except the one over which he had special charge, unless by invitation of the settled minister or a majority of the congregation. Ministers not residents of the colony thus preaching were to be arrested as *common vagrants*. Under the latter law Samuel Finley, afterward President of Princeton College, and others were driven from the colony, being characterized as "strolling preachers that were most disorderly." These *vagrants* were Presbyterian clergymen, and no doubt such high-handed measures roused in them an antagonism to the union of Church and State. In consequence of these proceedings and the experience of Presbyterians in the colony of New York, this antagonism spread among that class of Christians in the middle colonies and further South.

The Presbyterians had been specially annoyed in their earlier days when struggling for existence as a religious denomination, both in

New York and Virginia, by the intolerance of the Church of England. They associated the State as the immediate power behind the persecution; though the latter, as it was well known, was frequently urged to this course of action by the clergy of the Establishment. "For many years," says a chronicler of the times, "in New York, Maryland, Virginia, and South Carolina, the growth of the Presbyterian Church was checked by persecution and intolerance."

The laws were grievous and illiberal in Virginia—more severe than in any other colony. The Established churches were built at the public expense in each county town, or where there was a courthouse, thus occupying the positions of influence, and the "sects," or "Dissenters," as they were contemptuously called by self-complacent churchmen, were compelled to locate their church buildings elsewhere. For three-fourths of a century rigid laws had been enforced against those who did not conform. It is said that until the commencement of the Revolution there was not a Presbyterian or Baptist church building in a village in Virginia, yet the ministers of the former denomination were the most learned of any class of preachers in the colony. The rule of the presbyteries of that Church was then, as it is to-day, to license only those to preach who have been classically and theologically educated, unless under extraordinary circumstances. Though "Dissenters" were permitted to have church buildings only outside the towns, and even to have these unless under annoying restrictions they were sometimes denied, they were, however, *graciously* warned by the civil authorities to "take the oaths enjoined, and to register the places of their meetings, and behave themselves peaceably toward the Government." This discourteous language was used in respect to those Presbyterians who, among other reasons, in order to avoid the annoyances to which they would be subjected in the eastern portion of Virginia, migrated from Pennsylvania to the back part of that colony and settled in the fertile valleys of the Shenandoah and other streams west of the Blue Ridge. As long as these settlers served as a protection against hostile Indians they were unmolested, and were permitted to have meeting-houses where they pleased. In time Germans and Quakers, also from Pennsylvania, and for the same reasons, perhaps, migrated thither; thus increasing the number of the inhabitants as well as the thrift of the several communities. When these settlements had grown in population and prospered, the Establishment wished to occupy the ground, and accordingly the colonial authorities compelled these "backwoods dissenters" to pay taxes in order to build edifices for the Established Church, and to support incumbents when

there were very few of that denomination in the region. The first settlers here possessed remarkable worldly as well as church-militant qualities; they being for the most part Scotch and Scotch-Irish. These characteristics developed themselves when the attempt was made to carry this law into effect.

The Presbyterians did not come as a body to this country to form isolated settlements, as did the Puritans in New England, the Dutch in New York, the Quakers in Pennsylvania, and the Catholics in Maryland. When persecuted in England, they preferred, rather than emigrate in a body, "to struggle for liberty at home; a struggle which eventually was crowned with success" (Dr. Charles Hodge's "Hist. of Presbyterians," vol. i., p. 21). This may account for the fact that they were so free from a clannish ecclesiasticism; though strong in their opinions, they fell in with the religious people of the colonies and promoted the cause without arrogating to themselves any special pre-eminence. They held that Jesus Christ had established a form of government for the Church "distinct from the civil authority." When Parliament, in accordance with "the English idea that the church of any denomination was the creation of the State," abolished Episcopacy and established Presbyterianism, the latter Church, as such, had nothing to do with that action; and, on the same principle, they were opposed to *any interference whatever in spiritual matters by the civil magistrate*. When the arbitrary measures of Charles I. drove the English nation into rebellion, the partisans of the Court were Episcopalians; the opposite party was, or became in the main, Presbyterian (Dr. Hodge, vol. ii., p. 26). These were their traditions, and, true to their influence, the Presbyterians harmonized with the other denominations in the colonies in the effort of spreading the Gospel, irrespective of the patronage or opposition of the civil authority.

In the earlier days of Virginia, the College of William and Mary was established ostensibly "to educate a domestic succession of Church of England ministers," as well as to teach the children of the Indians. But for nearly a half century preceding the time of which we write, the education of native clergymen was rather discouraged than otherwise. There was, in truth, no special inducement for pious young men to qualify themselves for the sacred office, as so many of the ministers in the Established Church in the colony were from England. The latter were appointed by the Home Government at the suggestion of the Bishop of London, to whose diocese the colonies were assigned, and who ordained them, as there was no bishop in America till after the Revolution.

Meanwhile, the "Dissenters," and notably the Presbyterians, were making strenuous efforts to educate young men for the sacred office. Early in the eighteenth century the latter established schools to educate young men for the ministry, and persistently refused to license any to preach who had not a classical and theological training, knowing that the influence of an educated ministry must ever be beneficial. In 1748 it was proposed in the Synod of New York and Philadelphia—then the highest judicature in the Church—to relax the demands for the classical, literary, and theological qualifications of candidates for the ministry. This proposition was voted down by a large majority. Instead of diminishing the time assigned for such preparation, the Synod added another year to the prescribed course of study for their theological students. This same spirit as much influences the Presbyterians of to-day as it did those of nearly one hundred and fifty years ago. They now excel all others in the number of their Theological Seminaries and in the richness of their endowments. This strictness in demanding a thoroughly educated ministry has had a marked effect in raising the plane of general intelligence among the private members of their denomination.

Says Benedict, in his *History of the Baptists of that day in Virginia*: "Their preachers were without learning, without patronage, generally very poor, plain in their dress, unrefined in their manners, and awkward in their address." Dr. Foote, when writing of the same period in his sketches of Virginia (p. 375), says, though generally without education, "the zealous Baptist ministers, with all the energy of excited spirits inflamed by their contemplation of Divine truth and visions of the spiritual world," preached and labored, and by their fervid exhortations, multitudes were brought to believe and be saved. Dr. Robert Baird, in his *"Religion in America,"* makes a similar statement, both as to their education and their zeal. The ministers of this denomination, especially in the earlier portion of the eighteenth century, suffered more from harsh treatment than the other preachers. Their comparative lack of education may have been the occasion of their being treated so contemptuously by the Establishment and the civil authorities. Oftentimes, when imprisoned for proclaiming the Gospel in their way, they preached to the sympathizing people from the grated windows of the jails in which they were confined. Let their unflinching Christian zeal and self-denial be honored and emulated.

Previous to the time of which we write occurred many struggles between the "Dissenters" and the civil authorities, because of the intolerance of the latter. These controversies continued for more than

a third of a century, and, by eliciting discussion, prepared the minds of intelligent people for the grand result—the separation of Church and State. In Hanover County—“the birthplace of Presbyterianism in Eastern Virginia”—were several churches of that denomination, and here labored and preached the celebrated Samuel Davies. His ministrations were interfered with by the Governor and Council; they being urged on by the clergy of the Establishment. On one occasion the matter came before the General Court; when Davies argued with great force and eloquence in opposition to Peyton Randolph, the King’s Attorney—afterward Attorney-General in Washington’s Cabinet. Davies contended that the English “Act of Toleration” applied to the relief of “Dissenters” in Virginia, as well as to the same class in England. He won, by his eloquence and learned arguments in favor of religious freedom, the admiration of the better portion of his opponents, who complimented him by saying he “was a good lawyer spoiled.” The Presbyterians determined to test the question, and when Davies afterward went to England to solicit funds for Princeton College, they authorized him to bring the case before the King in Council. He did so, and obtained the decision that the “Act of Toleration” did apply to the colony of Virginia (1748). In consequence of this decision the General Court of the colony permitted the Presbyterians to establish three new places for preaching. These church buildings were twelve or fifteen miles apart. Under the circumstances, this concession was an immense gain, and it was obtained by the perseverance and learning of the ministers belonging to the Hanover Presbytery. The other denominations—Baptists and Quakers—were deeply interested and did all they could to promote the cause of religious toleration by petitions, but the Presbyterians had the boldness to demand religious freedom as a *natural right*, and to argue the question before civil courts, or with the Legislature, and, after a long struggle, gain the ultimate result in the separation of Church and State. This was the legitimate effect of their being able to enforce their own arguments and refute those of their opponents.

In no country where the union of Church and State existed, did the civil authorities ever appear to have clear conceptions of that religious liberty which arises from the spiritual condition of man. The magistrates, from their official acts, seem to have had only a dim perception of that all-important qualification of a preacher of the Gospel—a change of heart, or to be a Christian. It is not unreasonable to suppose the main cause of this has been that they, themselves, for the most part, were, individually, strangers to spiritual religion.

No matter how pure in their private life, and evangelical in doctrine preachers were, these essential qualifications were oftentimes unrecognized by the secular rulers in appointing them to parishes. The prevalence of these deficiencies was one of the objections alleged against the clergy of the Established Church in Virginia at a much earlier period than that of which we write. Sir William Berkeley—that staunch churchman—complained, nearly a century before the final struggle began, when writing of the clergy, that “as of all commodities so of this—the worst are sent us—and we have few that we can boast of.” The Legislature of Virginia found it necessary to prescribe by law certain negative qualifications of a minister of the Established Church. “He was not to give himself to excess in drinking or riot, and spending his time idly by day or night; but to hear or read the Holy Scriptures, catechise the children, and visit the sick.” A writer states that “many clergymen of profligate lives had found a home in these unfortunate colonies, and found impunity in crime from the want of a power able to correct them.” These evils were so glaring that it was assumed that those sent to the colonies as clergymen were not exemplary Christians, and the evil was not limited to Virginia, as it was enjoined that “on the arrival of any ship in the waters of Maryland, the nearest clergyman (of the church) was to make inquiry whether any minister was on board, and, if so, what his demeanor had been upon the voyage.” The clergy themselves complain (1755) that “so few from the two Universities (Oxford and Cambridge) came to the colony,” and that “so many who are a disgrace to the ministry find opportunities to fill parishes” (Dr. Hawks, vol. i., p. 117, and vol. ii., pp. 80–101). At a still later day it was charged that “these gentlemen clergy spent much of their time fox-hunting and aping the sports of the aristocracy at home, and in company with the more dissolute of their parishioners.” Says Bishop Meade (vol. i., p. 10): “It is a well-established fact, that some who were discarded from the English Church yet obtained livings in Virginia.” As these ministers were appointed by the civil government, their theological education and their moral worth were not scrutinized as they should have been. These deficiencies had much influence in forming a sentiment by no means favorable to the clergy of the Establishment in the minds of the truly religious, not only among “Dissenters,” but among the same class of churchmen themselves; and a tacit protest existed against a system that permitted men of such character to enter upon the sacred office. It must not be inferred from these statements that there were no excellent Christian men in the Establishment, who labored faithfully in their parochial duties; especially could this be said of the native-born.

It has been charged that on the part of the "Dissenters" there was an unwarranted hostility toward the Establishment. The Presbyterians found no fault with the doctrines of the Church of England as set forth in her Articles, nor did they with her mode of worship or government, as her own members preferred. They demanded for themselves the same religious privileges that they were willing to concede to other denominations, but they denied most emphatically the right of a Legislature to interfere, in any manner whatever, with "the spiritual concerns of religion." Said the Rev. Samuel Davies: "Had the doctrines of the Gospel been solemnly and faithfully preached in the Established Church, I am persuaded there would have been few 'Dissenters' in these parts of Virginia, for their first objections were not against her peculiar rites and ceremonies, and much less against her excellent Articles."

It was a grievance of which intelligent Christian churchmen complained, that their preachers were appointed by the Crown without reference to the wishes of the people of the parish. In Virginia and Maryland the vestries might present or recommend a preacher who had not been thus appointed, but even then the Governor had the *absolute* right of inducting or putting him in actual possession. Under the more liberal system of the union of Church and State in Massachusetts and Connecticut, the churches were built where needed and the money raised from the whole people of the town or district, who voted the amount and taxed themselves to pay it. The minister was chosen by the members of the church, and in consequence he was acceptable to the majority, and if not, he could be changed for another; but, as a general rule, he remained for life or during a long pastorate. This was quite in contrast with the arbitrary system that obtained in Virginia and Maryland.

The Church of England was established in Maryland by the act of King William in 1691, and in North Carolina fifteen years later; the population being composed of "Presbyterians, Independents, Quakers, and other evil-disposed persons." This, it was said, was accomplished by a Legislature illegally chosen. The taxes imposed in consequence roused a bitter feeling in the minds of the "Dissenters," who by the same Legislature were deprived of many of their civil rights; the latter were not recovered until the close of the Revolution. The same Church was established in South Carolina in 1704 by a majority of one vote in the Legislature, while two-thirds of the population were "Dissenters." Meanwhile it had been established in the colony of New York (1693), and was supported by taxes from all the people in proportion to their wealth, though seven-tenths of them were not

in sympathy with the favored denomination. In New Jersey special favor was asked for the Church of England, but was never fully granted, and in this anomalous condition it remained till the Revolution. There was never any union of Church and State in Pennsylvania. This freedom from annoyance may account somewhat for the rapid progress made in the growth of Presbyterianism in both these colonies.

The comparatively superior education of the Presbyterian ministers gave them a commanding influence in New Jersey and Pennsylvania as well as in Virginia and in the Carolinas. Their zeal and name were identified with the movements leading to more religious freedom, particularly during the period from the close of the French war (1763) till the commencement of the Revolution. For years they had been ardently inculcating these principles in the back counties of Virginia and North Carolina, and, in the end, prepared the minds of their hearers to issue the famed Mecklenburg Declaration (May 11, 1775). In the convention which issued it were several Presbyterian ministers and elders. This influence had already been recognized in England, and the threat was often made by the "Church party" that "Bishops should be settled in America in spite of all the Presbyterian opposition." The objections of the latter, as often explained, were not against bishops in their spiritual character, but in the temporal power inherent in an Established Church, as then existing in England and Virginia and the Carolinas. They believed that civil and religious liberty should go hand in hand, but saw the reverse of this in "Lords spiritual," being supported to a great extent by the hard earnings of those who did not sympathize with the ritual and doctrines of the Established Church.

During this period there were frequent contentions between the Virginia Assembly and the clergy of the Establishment in respect to the latter's salaries and their payment. This unseemly contest alienated more or less the public sympathy from the latter. A law of Maryland demanded a poll-tax of "forty pounds of tobacco" for the benefit of the clergy, but did not specify the quality of the article in which it was to be paid. Many of the planters manifested their view of the justice of the law by furnishing the full weight, but of a villainous quality of tobacco. One of these contests in Virginia was the famous "Parson's case," 1763, in which Patrick Henry performed a part so important.

In the earlier colonial days the "Dissenters" contented themselves with protesting against the infringement of their rights as citizens and the burdens imposed upon them in the form of taxes by the

colonial authorities, oftentimes, as they believed, at the instigation of the clergy of the Established Church. The Presbyterians, Baptists, and Quakers all chafed under this tyranny, that compelled them to aid in supporting a Church whose system they did not approve. These annoyances—many of them by no means petty—led finally to one of the most interesting episodes in our history; the struggle to separate Church and State in Virginia. This contest really lasted about twelve years, from 1773 to 1786, covering more than the entire period of the war of the Revolution, and within one year of the adoption of the Constitution of the United States. Owing to the stirring times of which it was contemporary, this remarkable movement has been overshadowed and has not received the attention which its importance deserves. *To establish the principle of supporting the Gospel by the voluntary contributions of its own friends, was as unique in sustaining the Church as two years afterward, was the anomaly in history of founding a Republic composed of States independent in the administration of their own affairs, and yet under a united National Government. In each case it was the application of great principles, and both have been equally successful.*

This contest assumed tangible form in October, 1776, though three years before the Presbytery of Hanover began the agitation in respect to church privileges or religious rights by appointing commissioners to lay the matter before the Virginia Assembly, but "nothing was done in the Assembly that year to remedy the disabilities of 'Dissenters.'" The commissioners took action on the subject during the two following years, but with a similar result. The Presbyterians were thus the first in taking measures to secure the separation of Church and State, nor did they desist till the end was accomplished twelve years afterward.

When the Declaration of Independence was made, the ground was changed, and, at the first meeting of the Presbytery of Hanover after July 4, 1776, that body memorialized the Legislature or House of Assembly to dissolve the union of Church and State, and thus leave the support of the Gospel to its own friends. This memorial discussed the principles on which they demanded the separation. Their arguments were not successfully controverted, and their cogency in the end compelled the Assembly to comply with the demand. It showed that such union conflicted with the Declaration of Rights, on which, as the Magna Charta of the Commonwealth, all the privileges and rights of the people, both civil and religious, depend; that in the frontier counties in the valley of the Shenandoah, in which region were very few Episcopalians to aid in bearing the expense, those not

in communion with the Establishment were compelled by law to bear heavy burdens in building church edifices and rectories, purchasing glebes, and in supporting the Established clergy. As *all* the colonists were now engaged in a contest with the mother country on account of infringements of their rights, it was inconsistent that *all* the people should not be protected in the freedom of conscience. They expected their representatives in the House of Assembly to remove every species of religious and civil bondage. They argued that this oppression retarded immigration to Virginia, and also the progress of the arts and sciences of the State and of its manufactures. In proof of this statement they instanced the rapid growth and improvement of the Northern colonies compared with Virginia, and at the same time directing the attention of the Assembly to the many advantages of soil and climate of the latter, yet men refused to migrate to a colony where they could not enjoy the rights of conscience.

They argued that the Gospel asked the support of only its own adherents, and did not in that respect need the secular aid; that Christianity would prevail and flourish by its own merits under an all-prevailing Providence. They did not ask ecclesiastical establishments for themselves, nor did they think them desirable for others, as such must of necessity be partial, and in the main injurious to the people at large. They demanded that every law that countenanced religious domination should be immediately repealed; that every religious sect should be protected in the full exercise of its mode of worship; that all invidious distinctions in respect to religious denominations should be abolished, and every person be free to support any one he chose by his voluntary gifts. Such were the sentiments the Presbytery of Hanover advanced on the subject of religious freedom; their arguments cover the whole ground, enunciating the principles held and practiced to-day as truisms throughout the Union.

With other petitions on the subject this memorial was referred to a committee on religion and morality; of this committee Thomas Jefferson was chairman. As evidence of the difficulties with which the memorialists had to contend, and how little the members of that Assembly appreciated their true relation to the preachers of the Gospel, may be cited the following resolution passed November 19, 1776, "That provision should be made for the continuing the succession of the clergy [of the Establishment] and for superintending their conduct" (Randall's "Life of Jefferson," vol. i., p. 205). This resolution, designed to forestall or control action on the subject, was passed after the petitions and memorial had been received and referred by the Assembly to the committee, and on which the latter had not yet reported.

The year before (1775) the Baptists petitioned the Assembly, "That they might be allowed to worship God in their own way without interruption; to maintain their own ministers separate from others, and to be married and buried without paying the clergy of other denominations,"—meaning the Establishment—(Dr. Baird, p. 219). The Quakers also petitioned to the same effect. The Presbyterians took higher ground; that it was their *right* to do this. They did not ask for a similar permission, but, on the contrary, demanded that *an end be put to the assumption of any such authority in the Legislature by dissolving the union of Church and State*. The struggle did not soon end. The Episcopalians presented counter-memorials and so did the Methodists, who in that day deemed themselves in a measure allied to the Church of England, and were known as the Wesleyan Connection. When the Revolutionary contest began great numbers of the Church of England clergymen, who had come from England, went back to that country and left their parishes vacant. These parishes in large numbers were filled by Methodist ministers; the latter falling heir in a measure to the emoluments of the parishes. The Methodists maintained that the State violated its pledges given in the early days of the colony to the Established Church, and that its claims were in the form of a vested right. In truth they never were "Dissenters"; on the contrary, their sympathies and Church interests were with the Establishment; while their ministers in Virginia, during this struggle, were for the most part Englishmen. These were sent first (about 1770) by the London Conference, America being constituted on that occasion as the *fiftieth* circuit. (Dr. Stevens' "Hist. of Methodism," vol. i., p. 442.)

The brunt of this conflict fell upon the ministers and laymen of the Presbyterian Church. As preachers and exhorters the Baptists were very successful, but it required better-educated men to cope with the lawyers and statesmen in the Virginia Assembly, and to repel the arguments for the continuance of the union of Church and State. "The Baptists," says Dr. Hawks, "though not to be outdone in zeal, were far surpassed in ability by the Presbyterians. The latter's ablest memorials came from the Presbytery of Hanover" (vol. i., p. 140). To sustain their views the Church advocates pointed to the history of such union as existing from Constantine onward, while the prospective good effects of a separation was at best only a conjecture, as the experiment had never been tried, while the arguments in respect to the injurious moral influence of appointing improper men rectors of parishes, had but little influence with the Legislature.

The attempt to support the ordinances of the Gospel by voluntary

contributions of its own well-wishers, appeared to the members of the Assembly visionary in the extreme, especially as the "Dissenters" in comparison were poor indeed. The wealthy land and slave holders belonged almost entirely to the Established Church, and from this class a large majority of the members of the Legislature were chosen. "The Establishment," says Jefferson, "was truly of the religion of the rich, the dissenting sects being entirely composed of the less wealthy people." And again, "Although two-thirds of our citizens were 'Dissenters,' a majority of the Legislature were churchmen." "Among these, however, were some reasonable and liberal men, who enabled us on some points to obtain feeble majorities." "A majority of the inhabitants were obliged by law to pay contributions to support the pastors of the minority. This unrighteous compulsion was grievously felt during the royal government when there was no hope of relief."

The advocates of the system in the Assembly were met on their own ground by Presbyterian clergymen, who, by their superior knowledge of the subject in all its bearings, won their cause, and the influence of the example banished the system of the union of Church and State from the land. One of the positions honestly taken by good men, was that injury would be done the cause of religion; they assumed that unless aided by the State the Church would languish and fail because of insufficient support. On the contrary, the opponents of the system argued that the true friends of a pure Gospel would, as a matter of duty, support the Church; and moreover, there would not be so much inducement for those who were not governed by the genuine principles of religion to connect themselves with the Church—this would be a great gain. The arguments for the continuance of the system had greater weight then than they would have to-day, since the results of voluntary contributions for the support of the Gospel and its ordinances have proved their fallacy; as well as the remarkable development of the principle of personal responsibility in its influence upon individual Christians in making them more benevolent and more zealous in aiding the cause of religion. This principle now pervades the minds of American Christians to an extent impossible under a system of the union of Church and State, where the responsibility of supporting the Gospel is shared between its friends and the world at large, or State.

On the 5th of December, 1776, an act was passed by the Assembly which repealed the laws making it an offence to hold any particular religious opinions, and also removing the penalties inflicted upon those who did not attend the service of the Established Church or

worshipped elsewhere. This act, though imperfect, virtually dissolved the union between Church and State, by repealing all former laws relating to that union; it also exempted "Dissenters" from contributing to the support of that Church, but left the latter in possession of all the wealth it had acquired by taxation in the past—this wealth consisted mostly in glebes, parsonages, and church edifices.

The following is the text of the bill: "*We the General Assembly do enact*: That no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities."

In relation to minor points the contest continued, and the bill for the separation did not go fully into effect till ten years afterward (1786); Jefferson was a member of the Assembly in 1776, and chairman of the committee when this partial repeal was made. During the two years following many memorials or petitions were presented by both parties to the Assembly; some of these asked for a general assessment or tax for the benefit of all denominations, and some in opposition; while other petitioners stepped back a century and asked that the "sectaries" be prohibited from holding meetings, and none but "licensed preachers" (meaning of the Establishment) be permitted to conduct public worship.

After the commencement of the war of the Revolution a strong prejudice was roused against the Established clergy, as the great majority of them were ardent Loyalists, or "Tories"; the Presbyterians and Baptists were even more ardently "Whigs"—their ministers preached with great zeal the doctrine of resistance to tyrants. The Quakers were, for the greater part, from principle opposed to war in any form, and thus they were often misjudged as to their motives. Under the circumstances, which we of to-day cannot fully appreciate, it was not strange that so many of the clergy were Tories; the traditions of that Church were in favor of royalty, and, moreover, a large majority were Englishmen by birth. Unfortunately they influenced their parishioners almost as much in favor of royalty as the dissenting pastors did their flocks in favor of liberty.

The advocates for the union of Church and State did not relax their efforts to retain the secular advantages which the Establishment had already, but earnestly contended to secure emoluments, however small. First the attempt was made to have a general assessment of

taxes to support all the denominations alike. The Baptists and Quakers as well as the Presbyterians opposed this system ; the latter especially, on the ground that aid for the Gospel in that form was *injurious* to spiritual religion. Accordingly the Presbytery of Hanover came forward with another of their well-reasoned memorials (1778); and after courteously thanking the Assembly for what they had done in repealing some of the offensive and illiberal laws, they proceeded to oppose the "plan of a general assessment." They argued that the only proper object of civil government was to promote the happiness of the people by protecting them as citizens in their rights ; to restrain the vicious by wholesome laws and encourage the virtuous by the same means ; that the obligations which men owe their Creator are not a proper subject of human legislation, and the worship of God according to the dictates of conscience was an inalienable right. "Neither does the Church of Christ stand in need of a *general assessment* for its support ; and most certain we are persuaded that it would be no advantage, but an injury to the society to which we belong ; and we believe that Christ has ordained a complete system of laws for the government of His kingdom, so we are persuaded that by His providence, He will support its final consummation." This memorial was also seconded by the urgent protests of the Baptists ; the result was that the following year the proposed plan of general assessment was abandoned for the time being. We, to-day, take for granted the principles here enunciated, they having been so thoroughly discussed, while experience has as clearly proved their soundness and utility. These Christian men were fully convinced that the effect of the union of Church and State was, for many reasons, injurious to spiritual religion. Many of these legislators, though they talked so learnedly, were unable to appreciate the question in its spiritual bearings, and for this reason alone, the authors of these memorials never urged to much extent the arguments derived from this phase of the subject, but judiciously waived them, though they were so convincing to themselves, and to the Church members whom they represented.

It was only in general terms that the law of December, 1776, dissolved the union of Church and State, and the clergy of the former "still retained the glebes—the lands belonging to the parishes—and also claimed the right of performing marriage ceremonies with the accustomed fees." Therefore the Assembly found it necessary (1780) to enact : "That it shall and may be lawful for any minister of any society or congregation of Christians to celebrate the rights of matrimony, and such marriage, as well as those hereafter celebrated by

dissenting ministers, shall be and are hereby declared good and valid in law." Yet under this law the Episcopal clergy were, *ex officio*, authorized to celebrate marriages throughout the State, while the ministers of other denominations had to obtain a license, and in addition, were limited to certain districts or counties. In answer to this insulting legislation, the Presbytery of Hanover came forward with a carefully prepared argument covering the whole ground of controversy, in which the wrong of the law in relation to performing the rites of matrimony was thoroughly discussed and shown. In due time the law was so modified as to be virtually repealed.

The Presbytery also complained that, "the security of religious rights was left to the precarious fate of common law, instead of *being made a fundamental part of our Constitution as it ought to be.*" They likewise complained that the Episcopal Church was the only one incorporated and could hold property, while all other denominations "were obliged to trust to the precarious fidelity of trustees chosen for the purpose," and they, asking nothing for themselves, demanded that these inequalities in the treatment of Christian denominations should be removed. The Assembly continued from year to year to suspend *Church levies*; this policy necessitated continual watchfulness on the part of the "Dissenters," till in the latter part of 1779 these levies were abolished, but this action was not acquiesced in sincerely, for after the return of peace the Virginia Assembly again attempted legislation (1784) on the subject; the intention now being to incorporate "all Societies of the Christian religion, which may apply for the same." The reason for this apparent liberality cropped out when to the bill was added an amendment authorizing a *general assessment* "to establish a provision for the teachers of the Christian religion." The Hanover Presbytery took measures to oppose this renewal of that project; but meanwhile, though secretly, its friends had been so active that it was apprehended it would pass in spite of all their efforts in opposition. The question was now in a new form, and in it was a temptation. As all would receive aid from the public funds, and the experiment of voluntary support might possibly result in failure, it was not strange that a few Presbyterian ministers for a time wavered, but in the end they came back with still greater force to their former convictions of the truth, that the ordinances of the Gospel ought to be supported as a matter of Christian duty by its own adherents, who should in this action be free and untrammelled by any secular or legislative influence whatever.

Consistent with the original movement was another. A bill was brought forward in the Assembly to incorporate the "Protestant

Episcopal Church"—the name assumed after the close of the Revolution. This measure was designed to secure to that Church the absolute ownership of all the glebe-lands and the buildings thereon erected—all obtained at the public expense. The persistent Presbytery of Hanover appeared again before the Legislature in opposition to this revived measure with its still more objectionable features. The celebrated Dr. John B. Smith, who at one time was inclined to favor the "general assessment," was heard at the bar of the House in an exhaustive argument in opposition to the enactment of the bill. He continued his address for three days; in which the whole subject was so thoroughly discussed, and the evil effects of the proposed law were so clearly pointed out, that the scheme was abandoned forever.

The Presbytery took high ground, saying: "We hope that no attempt will be made to point out articles of faith, or to settle modes of worship, or to interfere in the internal government of religious communities, *or to render the ministers of religion independent of the will of the people whom they serve.*" Again, that body protested (August, 1785) against "the incorporation of the Protestant Episcopal Church," so far as *to secure* to that Church "properties procured at the expense of the whole community." The truth is, that in this controversy, lasting for nine years, the Assembly having a majority of its members churchmen, did not keep faith with their opponents outside that denomination. From their point of view they thought the ordinances of the Gospel would be unsupported and Christianity crippled in its influence. They had never fully realized as individuals their personal responsibility in the duty of supporting the Gospel, as the "Dissenters" had done during the many years in which the latter, as a matter of conscience, sustained their own ministers and the ordinances of the Gospel, while at the same time, paying, in the form of arbitrary taxes, their share in supporting a church Establishment, whose ritual and form of government they deemed "unscriptural." It is strange that the self-respect and Christian manhood of the churchmen of that day did not induce them to decline receiving money thus wrung from their neighbors, whom they were pleased to characterize as "Dissenters." Some of the best minds among the Virginia statesmen were in favor of the "general assessment," such as Patrick Henry, who thought an assessment "should be made for some form of worship or other." Edmund Pendleton—"an honest man, but zealous churchman," whom Jefferson characterized as, "taken all in all, the ablest man in debate he had ever met," and Richard Henry Lee, who wrote that "avarice is accomplishing the destruction of religion for want of a legal obligation to contrib-

ute something to its support," and even George Washington wrote to George Mason (1785), "that he was not much alarmed at the thought of making people pay toward the support of that which they profess." On the other hand, the assessment was opposed by James Madison and George Mason (the intimate friend of Washington), and others—Jefferson being abroad at that time as Minister to France. In 1799 all laws made for the benefit of religious societies were repealed, and, in 1801, "the *'glebes,'* as soon as vacated by existing incumbents, were ordered to be sold by the overseers of the poor."

We would not detract one iota from the merit of the Baptists and the Quakers in this struggle, but from the nature of the case—as they presented only petitions and protests—their efforts were not as influential as the Presbyterians, who, from their position on a higher plane of education, both ministers and laity were able to meet their opponents in open debate or by written arguments well put; thus they became the controlling force in bringing about the reform. The latter never wavered in their determination to secure the desired end, but, amid discouragements and false faith, they calmly persevered in refuting the arguments of their opponents, and, in the end, winning to their sentiments the more enlightened and liberal-minded churchmen, not only in the Assembly, but in the State.

The question of the glebes, which grew out of the repealing act, was also strongly contested, and deserves a passing notice. It was argued that the glebes should be retained by the Episcopal Church, as some of the funds applied in their purchase had been donations. On the other hand, it was contended that the glebes and parsonages were public property, bought almost entirely by funds raised by unjust taxation—the donations being a very small portion of the whole amount. Moreover, the Established Church had had, up to that time, the exclusive use of the funds thus raised, the advantages of which use far overbalanced the loss of these limited donations, even if they could be separated from the common fund; and in addition it retained its church buildings, though erected by means of moneys derived from taxes imposed upon the whole community. It was suggested that the churchmen were mostly wealthy land and slave holders, and it was much easier for them, by voluntary contributions, to sustain their own Church than for the other denominations of Christians to support theirs.

On the subject of selling the glebes for the benefit of the whole people, the Baptists were more strenuous than any of the other "Dissenters." Says Dr. Hawks: "There was a bitterness of hatred

in this denomination (Baptist) toward the Establishment, which far surpassed that of all other religious communities in the colony; and it was always prompt to avail itself of every prejudice which religious or political zeal could excite against the Church" (vol. i., p. 121). One reason of this hostile feeling may have been that the Baptists had been persecuted more than the other denominations, and in more degrading forms. The remembrance of these outrages came down from generation to generation, and roused a feeling that was closely allied to righteous indignation. The Presbyterians appear to have viewed the dissolving of the union of Church and State as the all-important question at issue, and when that was accomplished they looked upon that of church property as secondary. In accordance with this general sentiment of rejecting secular aid in any form, the Presbytery of Hanover refused incorporation for their denomination, as had been granted the Episcopal Church, on the ground that it was contrary to their views of propriety, and, from principle, they declined any advantage to be thus obtained. The Assembly reconsidered its action, and finally (1787) repealed the law incorporating the Episcopal Church.

The Presbyterians also remembered that their church members and ministers had labored for more than half a century under disabilities caused by the intolerance more or less instigated by the Church of England; that in the colony of New York ministers of their denomination had been imprisoned and otherwise maltreated. Notably was this the case of Rev. Francis Makemie, who, when on a visit to that colony from Maryland, was sent to jail by the Governor—Lord Cornbury—because he dared preach in a private house when every hall or church building had been denied him by the same authority; that at the instigation of the "Rector and Church Wardens of Trinity Church," they were not permitted to have a "charter of incorporation" for their then only church building, but were compelled to resort to the General Assembly of the Church of Scotland (1730), in whose name as legal trustees the building and land belonging to "the First Presbyterian Church" was held till the Revolution changed the order of things. They had met the same hostile feeling in Virginia, and in a still more repugnant form. Yet in the famous Memorial presented by the Presbytery of Hanover to the Virginia Assembly (October, 1776), and in the many which followed, no bitterness was expressed, but, on the contrary, reasoning on the injurious effects of the union of Church and State, on religious freedom, on the spread of the Gospel and its pure and holy influence on the minds of the people.

It is often urged by way of apology that these intolerant proceedings were characteristic of the times; but why were not churchmen as liberal as the "Dissenters"? The latter did not interfere with the Church of England in its ordinances; they never were the aggressors; but, as best they could, only defended themselves from the assaults of the former. The truth is, this self-complacent age, though thus apologizing, is scarcely justifiable in assuming to be perfect examples of tolerance in religious matters, when we take into consideration the higher plane on which all denominations of Christians are presumed to stand at the present time in respect to religious freedom. Is not the spirit which to-day manifests itself, sometimes even in evangelical denominations, of virtually unchurching those who do not use the same mode as themselves in their rites, or in ordaining preachers of the Word, as intolerant in proportion to the light they are presumed to have on the subject of religious liberty, as those who figured so ignobly more than one hundred years ago?

Justice and the truth of history demand that the services of those who accomplished this important result—the separation of Church and State in Virginia—should be recognized. If the statements of certain authors are implicitly received, the inference would be, that Thomas Jefferson originated the measure and carried it to a successful issue. In proof of this theory, they cite the bill he drew up to secure religious freedom, which, as chairman of the committee, he introduced into the Legislature. This measure was not brought before the Assembly until some weeks after the first memorial of the Presbytery of Hanover was presented to that body, and referred to a special committee (October 11, 1776), "to take into consideration all matters and things relating to religion and morals." Of this committee Jefferson was appointed chairman, and in that capacity he drew up the bill and presented it to the House. There is no historical evidence that he would of his own motion have introduced a bill of that purport, had not petitions and the memorial furnished him an occasion. This memorial was the first to intimate the necessity for the separation of Church and State. The arguments which it contained covered the whole ground of religious freedom; discussing the questions in a manner lucid and terse, leaving nothing more to be added. There is not an idea in Jefferson's preamble and bill that is not expressed or clearly implied in the memorial; the latter is concise and to the point; the former is clothed in easy-flowing terms of generalities; a sort of *theoretical style*—if the term is admissible; a characteristic of the author's manner in treating similar subjects.

The *preamble* consists of one sentence, containing fifty-two lines of small print, on an octavo page.

The Presbyterians leading, the "Dissenters" were the first in that colony or State to move in this reform; Jefferson joined them, not they him. It is well known, however, that he held liberal, and now deemed correct, views on the general subject of free thought and its free expression, and that the presentation of the memorial gave him an opportunity of which he availed himself to express his sentiments. There is no evidence that he debated the question in the Assembly; his influence was exerted privately and by writing. In 1784 he went to France on public business, and the bill which bears his name, when modified by amendments, was passed in 1786—after the lapse of ten years; thus going into full effect through the exertions of George Mason and James Madison, especially the latter, who was an accomplished debater and writer.

During the ten years mentioned the advocates of the union of Church and State in the Assembly, changed their tactics almost every session, and under different forms sought to gain advantage however small. These various phases of the contest were counteracted by the persistent efforts of the Presbytery of Hanover. Jefferson, in his "Notes on Virginia," as quoted by Randall (vol. i., p. 204), charged the Presbyterians with intolerance toward other denominations in the Northern colonies. He cites no authority for the charge, but he ought to have known that they were, and had been, consistent advocates for all to enjoy the same religious freedom which they *demand*ed for themselves; and this right, they argued, was derived from a higher authority than that of the civil magistrate. This vital idea was in the first memorial they presented to the Assembly, and, moreover, he ought to have borne in mind, that even if the Presbyterians wished, they had no opportunity to practice intolerance, as they stood aloof—*never desired and never had any control in the civil government of the colonies*. Jefferson, afterward, expressed his gratification that: "All beliefs, whether Christian or Infidel, Jew or Mohammedan, were put on an equality." It does not follow from this statement, as has been charged, that Jefferson held that one system of belief was as worthy of respect as another, but rather that he had in his mind the abstract theory of the freedom of thought and its free expression.

The Presbyterian Church has ever been on the side of religious freedom and against intolerance. Throughout her entire history, and in all her records, "there is not an act on this great subject that received her sanction, for which she need offer an apology" (Gillett,

vol. i., pp. 169-170). They were equally as explicit in regard to their patriotism. The Synod, their highest court at that time, when in session in Philadelphia, in May, 1775, as patriots declared: "That they did not wish to conceal their sentiments, either as ministers or citizens." Looking forward to a conflict of arms, they say: "That man will fight most bravely who never fights till it is necessary, and who ceases to fight as soon as the necessity is over." This was the position taken and maintained by them throughout the Revolutionary struggle.

Their liberal principles were not limited to religious freedom alone. In 1787 the United Synod of New York and Philadelphia expressed the views of that Church, by resolving that they were in favor of "promoting the abolition of slavery"—a sentiment they had expressed again and again—and closed by "recommending the people under their care to use prudent measures consistent with the interest and state of civil society in the parts where they live, to procure eventually the *final abolition of slavery in America*." This was the same year in which the Constitution of the United States was formed. The convention which framed it, met on the 14th of May, in Philadelphia, and continued in session four months. The Synod met also in the same city, and at the same time, and its published utterance on the subject was not without influence. Six years later (1793), when the Presbyterian Church had been organized on a National basis, the General Assembly—then as now its highest judicature—reaffirmed the same utterance in respect to the system of slavery.

An important element of influence—that of personal responsibility in relation to religious duties—was strengthened by this separation, as the Church was thus thrown for its support entirely upon its individual members. From the time of Edwards forward the true position of the individual in regard to personal religion became more fully understood, and the responsibility for the souls of those whom they governed, which we have seen assumed by the civil magistrate, was gradually shifted from the latter to the individual himself. Consistent with this view, evangelical denominations have demanded only one qualification, entitling a person to the privilege of the communion—that of being converted or a Christian. In addition, this sense of responsibility was still further strengthened and made practical when individual members, irrespective of the State, learned to sustain the ordinances of the Church of Christ, and labored to extend the blessings of the Gospel; to this principle may be traced that remarkable spirit of benevolence which in various forms has made

our times, when compared with the past, the golden age of the world.

The "Dissenters" in colonial times in their hard discipline acquired the grace of being benevolent. In their zeal for what they believed the truth, they made immense sacrifices; they paid their share not only in supporting a religious establishment with which they had no sympathy, but, in addition, sustained their own Church ordinances—thus manifesting a self-denial which, because of their exertions, American Christians, since that time, have had no occasion to practice. The churchmen of that day were strangers to such self-denial. They had never been in a school where it was taught; nor had they learned the truth of each one's responsibility in proportion to his means, to aid in supporting the Gospel. In the broadness of liberal sentiments they were far behind the "Dissenters," and it became a great blessing to the spirituality of that Church when its entire support was thrown upon its own members.

The voluntary principle, based as it is on individual responsibility, has pervaded the whole Union, the beneficent results of which are seen not only in the support of the Gospel in all its special relations, and in aiding institutions of learning, but in originating and sustaining the benevolent operations of the day—greater in proportion than ever before—while the whole missionary enterprise in the land may be attributed to the same principle. These "Dissenters" were far advanced in the great principles of religious freedom and Christian charities. To them the purity and the free preaching of the Gospel was paramount to all other considerations. They held the doctrine, which obtains to-day among the Protestants of the Union, that the Church should not dominate the State, nor the State the Church, but that they should mutually sustain each other—the one by inculcating good morals and obedience to law, and the other by protecting the free preaching of the Gospel, and the practicing of its principles.

J. HARRIS PATTON.