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OF THE

Struggle for Religious Liberty in Virginia.

BY

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[Memorial of Convention at Bethel, August, 1785.]

To the Honorable the General Assembly of the Commonwealth of Virginia :

The ministers and lay Representatives of the Presbyterian church in Virginia, assembled in convention, beg leave to address you.

As citizens of the State, not so by accident, but by choice, and having willingly conformed to the system of civil policy adopted for our government, and defended it with the foremost at the risk of everything dear to us, we feel ourselves deeply interested in all the measures of the Legislature.

When the late happy Revolution secured to us exemption from British control, we hoped that the gloom of injustice and usurpation would have been forever dispelled by the cheering rays of liberty and independence. This inspired our hearts with resolution in the most distressful scenes of adversity, and nerved our arm in the day of battle. But our hopes have since been overcast with apprehensions when we found how slowly and unwillingly ancient distinctions among the citizens, on account of religious opinions, were removed by the Legislature. For although the glaring partiality of obliging all denominations to support the one which had been the favorite of government was pretty early withdrawn, yet an evident predilection in favor of that church still subsisted in the acts of the Assembly. Peculiar distinctions and the honor of an important name was still continued ; and these are considered as equally partial and injurious with the ancient emoluments. Our apprehension on account of the continuance of these, which could have no other effect than to produce jealous animosities and unnecessary contentions among different parties, were increased when we found that they were tenaciously adhered to by government, notwithstanding the remonstrances of several Christian societies. To increase the evil, a manifested disposition has been shown by the State to consider itself as possessed of supremacy in *spirituals* as well as *temporal* ; and our fears have been realized in certain proceedings of the General Assembly at their last sessions. The ingrossed bill for establishing a provision for the teachers of the Christian religion, and the act for incorporating the Protestant Episcopal church, so far as it secures to that church the churches, glebes, etc., procured at the expense of the whole community, are not only evidences of this, but of an impolitic partiality which we are sorry to have observed so long.

We, therefore, in the name of the Presbyterian church in Virginia, beg leave to exercise our privilege as free men in remonstrating against the former absolutely, and against the latter under the restrictions above expressed.

[We oppose the bill—

Because it is a departure from the proper line of legislation ; because it is unnecessary, and inadequate to its professed end—impolitic, in many respects—and a direct violation of the Declaration of Rights.]

The end of civil government is security to the temporal liberty and property of mankind, and to protect them in the free exercise of religion. Legislators are invested with powers from their constituents for this purpose only ; and their duty extends no further. Religion is altogether personal, and the right of exercising it unalienable ; and it is not, cannot, and ought not to be, resigned to the will of the society at large ; and much less to the Legislature, which derived its authority wholly from the consent of the people, and is limited by the original intention of civil association.]

We never resigned to the control of government our right of determining for ourselves in this important article ; and acting agreeably to the convictions of reason and conscience, in discharging our duty to our Creator. And, therefore, it would be an unwarrantable stretch of prerogative in the Legislature to make laws concerning it, except for protection. And it would be a fatal symptom of abject slavery in us were we to submit to the usurpation.

The bill is also an unnecessary and inadequate expedient for the end proposed. [We are fully persuaded of the happy influences of Christianity upon the morals of men ; but we have never known it, in the history of its progress, so effectual for this purpose, as when left to its native excellence and evidence to recommend it, under the all-directing providence of God, and free from the intrusive hand of the civil magistrate. Its Divine Author did not think it necessary to render it dependent on earthly governments. And experience has shown that this dependence, where it has been effected, has been an injury rather than an aid. It has introduced corruption among the teachers and professors of it wherever it has been tried for hundreds of years, and has been destructive of genuine morality, in proportion to zeal, of the powers of this world, in arming it with the sanction of legal terrors, or inviting to its profession by honors and rewards.]

It is urged, indeed, by the abettors of this bill that it would be the

means of cherishing religion and morality among the citizens. But it appears from fact that these can be promoted only by the internal conviction of the mind and its voluntary choice, which such establishments cannot effect.

[We further remonstrate against the bill as an impolitic measure ; it disgusts so large a proportion of the citizens that it would weaken the influence of government in other respects, and diffuse a spirit of opposition to the rightful exercise of constitutional authority, if enacted into a law.]

It partially supposes the Quakers and Menonists to be more faithful in conducting the religious interests of their society than the other sects—which we apprehend to be contrary to fact.

It unjustly subjects men who may be good citizens, but who have not embraced our common faith, to the hardship of supporting a system they have not as yet believed the truth of ; and deprives them of their property for what they do not suppose to be of importance to them.

It establishes a precedent for further encroachments by making the Legislature judges of religious truth. [If the Assembly have a right to determine the preference between Christianity and the other systems of religion that prevail in the world, they may also, at a convenient time, give a preference to some favored sect among Christians.]

It discourages the population of our country by alarming those who may have been oppressed by religious establishments in other countries, with fears of the same in this ; and by exciting our own citizens to immigrate to other lands of greater freedom,

It revives the principle which our ancestors contested to blood, of attempting to reduce all religions to one standard by the force of civil authority.

[And it naturally opens a door for contention among citizens of different creeds and different opinions respecting the extent of the power of government.]

The bill is also a direct violation of the Declaration of Rights, which ought to be the standard of all laws. The sixteenth article is clearly infringed upon by it, and any explication which may have been given of it by the friends of this measure in the Legislature, so as to justify a departure from its literal construction, might also be used to deprive us of other fundamental principles of our government.

For these reasons, and other that might be produced, we conceive it our duty to remonstrate and protest against the said bill, and earnestly urge that it may not be enacted into law.

We wish also to engage your attention a little farther, while we request a revision of the act for incorporating the Protestant Episcopal Church, and state our reason for this request. We do not desire to oppose the incorporation of that church for the better management of its *temporalities*; neither do we wish to lessen the attachment of any of the members of the Legislature in a private capacity to the interest of that church. We rather wish to cultivate a spirit of forbearance and charity towards the members of it, as the servants of one common Master who differ in some particulars from each other. But we cannot consent that they shall receive particular notice or favor from government as a Christian society, nor peculiar distinctions or emoluments.

We find by the Act that the convenience of the Episcopal Church hath been consulted by it in the management of their interest as a religious society, at the expense of other denominations. Under the former establishment there were perhaps few men who did not at length perceive the hardships and injustice of a compulsory law, obliging the citizens of this State, by birthright free, to contribute to the support of a religion from which their reason and conscience oblige them to dissent. Who then would not have supposed that the same sense of justice which induced the Legislature to dissolve the grievous establishment would also have induced them to leave to common use the property in churches, glebes, etc, which had been acquired by common purchase.

To do otherwise was, as we conceive, to suppose that long prescriptions could sanction injustice, and that to persist in error is to alter the essential difference between right and wrong. As Christians, also, the subjects of Jesus Christ, who are wholly opposed to the exercise of the spiritual powers by civil rulers, we conceive ourselves obliged to remonstrate against that part of the incorporating act which authorizes and directs the regulation of spiritual concerns. This is such an invasion of Divine prerogative that it is highly exceptionable on that account, as well as on account of the danger to which it exposes our religious liberties. Jesus Christ hath given sufficient authority to his church for every lawful purpose, and it is forsaking his authority and direction for that of fallible men, to

expect or to grant the sanction of civil law to authorize the regulation of any Christian society. It is also dangerous to our liberties, because it creates an invidious distinction on account of religious opinion, and exalts to a superior pitch of grandeur, as the church of the State, a society which ought to be contented with receiving the same protection from government which the other societies enjoy, without aspiring to superior notice or regard. The Legislature assumes to itself by that law the authoritative direction of this church in spirituals, and can be considered in no other light than its head, peculiarly interested in its welfare, a matter which cannot be indifferent to us, though this authority has only as yet been extended to those who have requested it, or acquiesced in it. This church is now considered as the only regular church, in view of the law, and it is thereby raised to a state of unjust pre-eminence over others. And how far it may increase in dignity and influence in the State by these means at a future day, and especially when aided by the emoluments which it possesses, and the advantages of funding a very large sum of money without account, time alone can discover. But we esteem it our duty to oppose the act thus early, before the matter be entangled in precedents more intricate and dangerous. Upon the whole, therefore, we hope that the exceptional part of this act will be repealed by your honorable House, and that all preferences, distinctions and advantages contrary to the fourth article of the Declaration of Rights will be forever abolished.

We regret that full equality in all things, and ample protection and security to religious liberty, were not incontestibly fixed in the constitution of the government. But we earnestly request that the defect may be remedied as far as it is possible for the Legislature to do it, by the adopting the bill in the revised law for establishing religious freedom. (Chap. 82 of the Report).

That heaven may illuminate your minds with all that wisdom which is necessary for the important purposes of your deliberation, is our earnest wish. And we beg leave to assure you, that however warmly we may engage in preserving our religion, free from the shackles of human authority, and opposing claims of spiritual denominations in civil powers, we are zealously disposed to support the government of our country, and to maintain a due submission to the lawful exercise of its authority.)

Signed by order of the Convention.

JOHN TODD, Chairman.

Attest :—Daniel McCalla, Clerk, Bethel, Augusta County, 18th August, 1785.