

A HISTORY OF THE BAPTISTS

By Thomas Armitage

THE AMERICAN BAPTISTS

II. BANISHMENT OF ROGER WILLIAMS

The first Baptist of America., like the first of Asia, was the herald of a new reign; hence it was fitting that he should have a wilderness education, should increase for a time and then decrease, that the truth might be glorified. Roger Williams, according to the general belief, was born of Welsh parentage about the year 1600. While young he went to London and, by his skill in reporting, attracted the attention of Sir Edward Coke, the great lawyer who framed the Bill of Rights and defended the Commons in their contest with the crown. By his advice and patronage Williams entered the famous 'Charter House School,' and afterward the University at Cambridge, where Coke himself had been educated, and which was decidedly Puritan in its tone. He was matriculated a pensioner of Pembroke College July 7th, 1625, and took his degree of Bachelor of Arts in 1627. For a time he is supposed to have studied law, and this legal training undoubtedly prepared him for his after legislative career. His bent, however, was toward theology, and he finally took orders in the Church of England, together with a parish, probably in Lincolnshire, under the liberal John Williams, afterward Archbishop of York.

Roger was a stern Puritan, opposed to the liturgy and hierarchy as Laud represented them, and being acquainted with John Cotton and other emigrants to America, he determined to make his home in Massachusetts. He left Bristol December 1st, 1630, and reached Boston February 5th, 1631. His ample fortune, learning and godly character commended him, and he was invited to become teacher in the church there, under the pastoral care of John Wilson. He was a sturdy Puritan when he left England, but when he reached Boston he had become a Separatist, and declared openly that he would not unite with the Church there, as he 'durst not officiate to an unseparated people.' The Puritans held the Church of England to be corrupt in its government, ceremonies and persecuting spirit, and having discarded episcopacy and the ritual, had formed Congregational churches in Massachusetts, and therefore he thought that they should not hold fellowship with that Church. After a great struggle he had cut loose from that Church, and says: 'Truly it was as bitter as death to me when Bishop Laud pursued me out of this land, and my conscience was persuaded against the national Church.' He denounced that Church in strong language, but not a whit stronger than every Puritan had used, and this would have given no offense had he rested there. But he administered sharp rebuke of their inconsistency in stopping short of full separation. Others shared his views in this respect, and denounced them as 'semi-Separatists,' insisting that as the principal end of the new plantation was to enjoy a pure religion, the separation should be complete. When Williams found in his refuge a semifellowship with the English Church and the Congregational Churches put under the control of the magistrates, he foresaw at a glance, that corruption and

persecution must work out in America the same results that they had wrought in England. At once, therefore, he protested, as a soundminded man, that the magistrate might not punish a breach of the first table of the law, comprised in the first four of the Ten Commandments.

This was the rebuke that stung the authorities of Massachusetts Bay, and from that moment he had little rest until his banishment. In April, 1631, he was invited to become teacher to the Church at Salem, the eldest Church in the colony, organized August 6, 1629. At once, six members of the court in Boston wrote to Endicott at Salem, warning the Salem people against him as a dangerous man, for broaching the foregoing novel opinions, and asking the Church there to confer with the Boston Council in regard to his case. Upham, who wrote the history of this Church, reports that it was organized 'On principles of perfect and entire independence of every other ecclesiastical body.' Hence, it acted independently of this advice from Boston and received Williams as its minister on the 12th of April. Felt says: 'Here we have an indication that the Salem Church, by calling Williams, coincided with his opinions, just specified, and thus differed with the Church in Boston.' 'This fact accounts for the long struggle between the Salem Church and the colonial government in relation to Williams. That Church and the Church at Plymouth refused communion with members of the Church of England. The first ministers of the Salem Church were Skelton as pastor and Higginson as teacher. Higginson drew up its Articles of Faith, which Hubbard pronounces 'a little discrepant from theirs of Plymouth,' yet not so different but that Governor Bradford, the Separatist 'delegate' from Plymouth, gave the hand of fellowship when the Salem Church was recognized. For a considerable time the other Churches of the Bay looked askance at the Salem Church. Winthrop arrived at Salem from England, in the Arbella, on Saturday, June 12th, 1630, where he and others went ashore, but returned to the ship for Sunday, because, as Cotton says, Skelton could not 'Conscientiously admit them to his communion, nor allow any of their children to be baptized. The reason of such scruple is, that they are not members of the Reformed Churches, like those of Salem and Plymouth.'

This treatment of Winthrop drew forth a severe letter from Cotton to Skelton, dated October 2d, 1630, in which he says that he is 'not a little troubled' 'That you should deny the Lord's Supper to such godly and faithful servants of Christ as Mr. Governor, Mr. Johnson, Mr. Dudley, and Mr. Coddington. . . . My grief increased upon me when I heard you denied baptism to Mr. Coddington's child, and that upon a reason worse than the fact,' namely, that he was not a member of one of the Reformed Churches. He then argues that both Skelton and John Robinson were wrong in taking such ground. Robinson and Brewster had taken this position in their letter to Sir John Worsingham, January 27th, 1618: 'We do administer baptism only to such infants as whereof the one parent at the least is of some Church.' Coddington was a member of a National Church, and not one of 'saints by calling,' as Robinson's in Leyden and Skelton's in Salem; and therefore, the latter would neither christen his child nor allow him at communion. Truly had Robinson said: 'The Lord has more truth yet to break forth out of his holy word,' which light was

beginning to gleam in Salem. These facts greatly assist us in understanding the animus of resistance to Williams at every step, and why Morton says that in one year's time he had filled Salem 'with principles of rigid separation, and tending to Anabaptistry.' The soil had been prepared to his hands under the ministry of Skelton and Higginson, who despite themselves had drifted to the verge of Baptist principles without intending to be Baptists.

Williams was not permitted an undisturbed life at Salem, although his services were greatly blessed in that community. The Massachusetts Court could not forget its unheeded advice to that Church, and he had no rest. In his magnanimity, rather than contend with them, he withdrew at the end of the summer to Plymouth, beyond the jurisdiction of the Bay Company, where he found warm friends, and employed his high attainments in assisting Ralph Smith, pastor of the Mayflower Church. The Bay men spared no efforts to make the Plymouth Church restless under its new teacher, and even kindhearted Brewster, the ruling elder of that Church, became set against him, stern Separatist as he was and had been from Scrooby down. He saw something in Roger which reminded him of John Smyth. 'Anabaptistry' had always acted on the good old elder's nerves like a red flag on the masculine head amongst cattle, and Williams's principles raised his honest fear that Roger would actually 'Run the same course of rigid separation and ana-baptistry which Mr. John Smyth, the Se-Baptist at Amsterdam, had done.' At this time Skelton's health failed, in August, 1634, he died, and Williams was called back to Salem, first as supply then as his successor. He returned, accompanied by members of the Plymouth Church, who could not forego the 'more light' which was breaking in upon them through his ministry. He was made a great blessing to the Church, but outsiders could not let him alone, and their constant interference tried his patience to the uttermost. Upham says: 'He was faithfully and resolutely protected by the people of Salem, through years of persecution from without, and it was only by the persevering and combined efforts of all the other towns and Churches that his separation and banishment were finally effected.'

In December, 1633, the General Court convened to consult upon a treatise of his, in which he disputed the right of the colonies to their lands under their patent. This work is not extant, and we can only judge of it from the account given by Winthrop and Cotton, aided by his own statement that he had a troubled conscience that 'Christian kings (so-called) are invested with a right by virtue of their Christianity to take and give away the lands and countries of other men.' Winthrop himself says, that when the treatise was examined, it was found to be 'written in very obscure and implicative phrases,' of uncertain interpretation. It seems to have been a mere theoretical speculation, was submitted to the Court at Winthrop's request, in manuscript and unpublished; and it was agreed to pass over his offense on retraction, or taking an oath of allegiance to the king. The practical importance which Williams attached to it is seen in the fact, that he offered to burn the treatise, and that he wrote the Court 'submissively' and 'penitently.' They took his offer to burn his manuscript as the abandonment of his honest principles; with him it had done its work. So, this terrible affair in which James I was charged with public

blasphemy and falsehood, and that other delectable character, Charles I, was likened to the 'frogs' and 'dragon' of Revelations, came to an end and still Massachusetts lived. After this, he was cited to appear before the Court on three different occasions, once to account for further remarks made in a sermon in regard to the patent, once to answer for his opposition to the Freeman's Oath, and finally, to meet the charges on which he was banished in October, 1635. The following is his sentence:

'Whereas Mr. Roger Williams, one of the elders of the Church of Salem, hath broached and divulged divers new and dangerous opinions, against the authority of magistrates, as also writ letters of defamation, both of the magistrates and Churches here, and that before any conviction, and yet maintaineth the same without retraction, it is therefore ordered, that the said Mr. Williams shall depart out of this jurisdiction within six weeks now next ensuing, which if he neglect to perform, it shall be lawful for the governor and two of the magistrates to send him to some place out of this jurisdiction, not to return any more without license of the Court.'

A clear view of the case may be gathered from the specifications as summed up before the Court by the governor, who said: 'Mr. Williams holds forth these four particulars: 1st. That we have not our land by patent from the king, but that the natives are the true owners of it, and that we ought to repent of such a receiving it by patent, 2d. That it is not lawful to call a wicked person to swear, to pray, as being actions of God's worship, 3d. That it is not lawful to hear any of the ministers of the parish assemblies in England, 4th. That the civil magistrate's power extends only to the bodies and goods, and outward state of men, etc.' In his letter to Endicott, Williams explains the bearings of the 4th point in the governor's summing, in these words: 'The point is that of the civil magistrate's dealing in matters of conscience and religion, as also of persecuting and hunting any for any matter merely spiritual and religious.'

As partisanship has greatly distorted this historical event, it is needful to examine it carefully and somewhat at length, with due regard to the exact facts: 1st. Touching the then existing form of government.; 2d. The records of the case ; and, 3d. The representations of the several parties who were concerned in the decision. Viewed within these limits, it is folly to claim that either the authorities or Williams can be justified in all that they did. One extreme position assumes that Massachusetts Bay was purely a business corporation, and so its Court might exercise as arbitrary a power of expulsion as that of a commercial association; which interpretation in view of the legislative, executive and judicial prerogatives, exercised by the colony, is a very flimsy absurdity. It is especially so in view of the warlike preparations of the colony for rebellion against English power, and the setting up of an independent sovereignty if necessary. On the other hand, this primitive government was necessarily crude, and did many things which were summary and arbitrary, as judged by present standards. Its acts were frequently directed to accomplish

particular objects then in view, as political necessities, without much regard to the general and primary principles of law.

As to Williams himself: It is clear that he was carefully feeling his way to the stand which he took so grandly in after life, our modern conception of the proper relation of Church and State; namely, that each is absolute in its own sphere and without mutual interference.

It is quite as clear also, that during his Salem troubles he had not yet arrived at this full conception. While under citation to appear before the General Court, to answer charges which it deemed heretical, the Salem people petitioned that Court to grant and assign to them certain lands on Marblehead Neck, which petition was refused. This was a purely civil matter, which the Court only could control. But Williams made a Church matter of it, and availing himself of what was known amongst the Churches as the 'Way of Admonition,' induced his Church to send a general letter to the other Churches of which the magistrates who had refused the Salem petition were members, asking them to 'admonish' these magistrates, and 'require them to grant without delay such petitions, or else to proceed against them in a Church way;' or as Cotton expresses it: 'That they might admonish the magistrates of scandalous injustice of denying this petition.' If this account can be relied upon, as the letter itself does not seem to be in existence, then the spiritual power of the Salem Church was used to influence the magistrates to do a political act.

Probably, this is the letter of 'defamation' of magistrates referred to in his sentence. In the matter of the test oath blame lodges against Williams, but this is not so clear as in the matter of the Salem petition. The General Court had ordered that each man above twenty-one years of age, who resided in the colony, should take the Resident's Oath of obedience to the laws, to promote the peace and welfare of the colony, and to reveal all plots against it coming to their knowledge. This was a fair and wise requirement, provided, that it contravened no previous legal act or right of the citizen. In May, 1634, the General Assembly, meeting in Boston, revoked the former oath of a freeman, which required his obedience to laws that should be made 'lawfully,' and substituted for it an oath of obedience to 'wholesome' laws. By many the change was unnoticed, it was so slight; but it was made, as Cotton says, to guard against 'Some Episcopal and malignant practices,' and this left it very loose. There is little room for doubt that the real reason was, that in case of necessity the new oath might be interpreted to transfer allegiance from the English crown to the local government, and to make it one step in that series of shrewd movements by which the colony finally became independent. Williams's mistake lay in that he began to preach against it earnestly from a religious point of view. The old oath was an oath, and was administered to 'unregenerate men,' and the new oath did not affect him personally as an unregenerate man, so that he need not to have preached about it at all. To him the oath was an act of worship, and he might have left the unregenerate man to judge for himself as to whether or not it were an act of worship to him also. His view of the civil oath was clearly a mistake, yet it is unfair to judge either him or the Court by the practice of the present day, in the

use of the oath. Until recent years, men have been excluded from testifying in courts of justice because their religious belief or unbelief failed to qualify them to take certain oaths or forms of oath. Inasmuch as he was not an 'unregenerate' man he could have taken the new oath or not, as an act of worship, and have left other men to follow their own consciences. But both he and the Court had come to that point of contest where each stickled stubbornly for little things and magnified them to a wondrous importance.

A charge is also made that Williams instigated Endicott to cut the red cross out of the flag of England, on the ground that it was given to the king by the pope as an ensign of victory, and so was a superstitious thing and a relic of antichrist. Whoever did this committed a grievous political offense against the crown, but Williams is not conclusively identified therewith, nor is it even charged against him by the Court, so that if this charge were a mere report, and yet was allowed to weigh in his condemnation, to that extent the Court treated him unjustly. Endicott was tried and punished for cutting out the red cross. He pleaded that he did this not from any motives of treason to the crown, but from his hatred of idolatry, whereupon he was excluded from the magistracy for one year, a light punishment, because as the examining Committee of the Court reported: 'He did it out of tenderness of conscience, and not of any evil intention.' Roger Williams might have held the same opinion, but in this he was not singular, nor has it been alleged that he was suspected of treason on any point. If however, as Hubbard affirms, he 'Inspired some persons of great interest that the cross ought to be taken away,' he only shared a very popular opinion in the colony at the time. The governor himself had called a meeting of all the clergy of the colony, in Boston, January 19th, 1635, and submitted to them this question: 'Whether it be lawful for us to carry the cross in our banners?' They warmly discussed this query, all the pastors being present, except Mr. Ward, of Ipswich, and 'For the matter of the cross,' says Winthrop, 'they were divided, and so deferred it to another meeting.' Felt treats fully of the affair, saying: 'Some of the congress, though not large in number, yet of vital consequences in their advice, approve the display of such a sign, and others think it should be laid aside. Both parties are fully aware that its omission is calculated to bring on the colonists a charge of treason against regal supremacy.'

When Endicott was called to account, the authorities were obliged to defer the question to the next session, because they were undecided 'Whether the ensigns should be laid by in regard that many refused to follow them.' Meanwhile, the Board of War required 'That all the ensigns should be laid aside;' and in May, 1635, a motion was made to exchange the red cross for the red and white rose, being a symbol of union between the houses of York and Lancaster. They recommended that an attempt be made to 'Still their minds, who stood stiff for the cross,' until harmony should ensue concerning the matter. It appears that this cross in the banner was a subject of universal agitation amongst the colonists, that the Court and pastors were divided about it, that Hooker had sent forth a treatise on the subject, and that the 'assembled freemen' seriously proposed to supplant it by the 'roses,' while the 'Board of War' had actually laid it aside for the time being. Still,

Roger Williams, who did not cut it out, is made the greatest sinner of all in the 'Bay,' perhaps, for not doing this. Joseph Felt, no friend to Williams, artlessly shows with what light seriousness this grave Court took the punishment of Endicott for his high crime :

'While many of the colonists entertained an opinion like his own about the cross, he expressed his in the overt act of cutting it from the standard, and therefore was made an example. State policy rendered it needful for him thus to suffer in order to appease the resentment of the court party in London, for such a seeming denial of the royal supremacy. But for this, there is reason to believe that he would have received applause rather than blame. As evidence that the same body, while so dealing with him by constraint for the sake of keeping the commonwealth from a far greater evil, sympathized with him in his affliction, they place him on a board of surveyors to run the line between Ipswich and Newbury. . . . The ministers had engaged to correspond with their friends in England for advisement in the controversy.'

Of course it was essential to the very existence of the colony that the loyalty of the colonists should not be suspected in England, lest the charter might be revoked, as already the Privy Council had issued an order for its production. But who had done the most to create ill-feeling between the crown and the colony, Roger Williams or the magistrates? He had insisted that they must break fellowship with the English Church; they had driven its members out of the country with the Prayer-Book in their hands, and had made membership in Congregational Churches the test of citizenship in the Bay. He declared, that neither the king nor the Court, in Massachusetts, had any control over the First Table of the Law of God, their power extending only to the body, goods and outward state of men. They had formally resolved, that if the king sent a general governor to rule over them and their goods, they ought not to accept him, but would defend their lawful possessions against him, and they fortified their strongholds to that end. He had an inchoate conception that a separation between Church and State should take place both in England and America; they had a settled conviction and policy that they would be separate from the control of the English Church, with bishops and a king at its head, cost what it might; yet, that he should be compelled at like cost, to submit to the Congregational Churches of Massachusetts, with a governor and Council at their head. Which party was the most exasperating to the crown does not appear; nor does it appear that England ever suspected Roger Williams of disloyalty. On the contrary, it threatened the colony with the withdrawal of the patent and the appointment of a governor; whereas, it gave him a new patent for Rhode Island, without question.

The third and fourth offenses charged against Williams were purely on religious subjects. It was quite severe in him to refuse to listen to the parish priest of England, when in England, and quite likely to give offense there; but was it soothing in the extreme to the English government to be told by these Congregational authorities, that its Episcopal ordination was scouted and cast aside

in Massachusetts Bay, that its churches were not allowed there at all, much less that its own Episcopal colonists were not allowed to hear their own ministers preach on this side of the water, 'lawful' or unlawful? Both these were religious opinions, 'Broached and divulged' equally, but why Roger should be banished for refusing a hearing to the Episcopal clergy in England, from their own pulpits, and the Massachusetts Court should not banish itself for refusing them even a Prayer-Book or a pulpit to preach from in that colony, is not easily seen.

So candid man acquainted with the subject can doubt that the Church and State were blended in Massachusetts Bay, that the magistrates there were expected to punish 'breaches of the First Table,' and that every man's religious convictions with their free expression were understood to be within the purview of the civil authorities. So skillfully mixed were the charges against Williams, that under such a government they could scarcely be separated. It is apparent that both his political and spiritual offenses entered into the considerations for his banishment and were intended to enter into it, so that it is impossible to say, whether one set of the charges would have been sufficient to secure this end without the other. The common understanding of their own times and of after times has been, that the chief reasons for his banishment were of the religious character. This is suggested in the undeniable fact, that to hold and utter Christian sentiments opposed to theirs was a crime with them, both before and after the banishment of Williams. The manner in which they sentenced others to banishment, purely for their religious 'opinions,' with the stress laid upon his religious positions, shows conclusively, that the gravamen of his offense was not political but religious. They had determined from the time of banishing the Browns, that all should conform to their form of religion or leave the colony. Early in 1635 the Court entreated: 'The brethren and elders of every Church within this jurisdiction, that they will consult and advise of one uniform order of discipline in the Churches, and then to consider how far the magistrates are bound to interpose for the preservation of that uniformity and peace of the Churches.' The Court, at the time of Williams's banishment, pronounced the same sentence upon John Smyth, a Dorchester miller: 'For divers dangerous opinions, which he holdeth and hath divulged.' The fair inference is, that they were the same opinions with those of Williams, as Smyth became one of the founders of Providence, and of whom Williams himself says: 'I consented to John Smyth, miller at Dorchester (banished also), to go with me.' Whatever his 'opinions' were, they were merely 'opinions;' and no overt acts of civil wrong are alleged against him. Smyth and Williams were banished October, 1635; and on March 3d, 1636, the General Assembly ordered that it would not thereafter 'Approve of any companies of men, as shall henceforth join in any pretended way of Church fellowship, without they shall first acquaint the magistrates and the elders of the greater part of the Churches in this jurisdiction with their intentions, and have their approbation therein. . . . No person being a member of any Church which shall hereafter be gathered without the approbation of the magistrates and the greater part of said Churches, shall be admitted to the freedom of this commonwealth.'

The animus of all this is clearly seen in their subsequent acts, as well as in the wording of these laws. On the '30th of the 3d month, 1636,' the Council sent a command from Boston, 'to the constable of Salem,' to inform 'divers persons' there, that their 'course is very offensive to the government here and may no longer be suffered.' What had they done? They do 'within your town' 'disorderly assemble themselves both on the Lord's day and at other times, contemptuously refusing to come to the solemn meetings of the Church there, (or being some of them justly cast out) do obstinately refuse to submit themselves, that they might be again received; but do make conventions, and seduce divers persons of weak capacity, and have already withdrawn some of them from the Church, and hereby have caused much (not only disturbance to the Church, but also) disorders and damage in the civil State.'

Here we see that they regarded disorder and damage to the State, to consist in withdrawing from the Church, 'hereby' they have 'caused' the 'damage.' And what should be done with these transgressors? The constable must command them to 'Refrain all such disorderly assemblies, and pretended Church-meetings; and either to conform themselves to the laws and orders of this government, being established according to the rule of God's word; or else let them be assured that we shall by God's assistance take some such strict and speedy course for the reformation of these disorders, and preventing the evils which may otherwise ensue, as our duty to God and charge over his people do call for from us.'

This document is signed by Vane, governor, Winthrop, deputy, and Dudley. What they found it their duty to do with these wicked folk, who would worship God elsewhere in Salem than at the State Church, is stated in the records of the General Court of 1638, thus: 'Ezekiel Holliman appeared upon summons, because he did not frequent the public assemblies, and for seducing many, he was referred by the Court to the ministers for conviction.' Holliman, as we shall see, was another of the founders of Providence and the person who baptized Williams there. When in Salem neither of them were Baptists on the subject of ordinances, which leaves the implication that their views were one on the question of liberty of conscience and the power of the magistrates to interfere with religion. And the conduct of the magistrates themselves, in punishing the Salem Church, shows that they were actuated chiefly by religious considerations in the whole transaction. That Church had neither denounced the patent, nor cut out the cross, nor denied the oath to unregenerate men, much less had it incurred the wrath of England. It had, however, alleged its rights as a Church to choose its own pastor without consulting the civil authorities, and had protested against the right of the Court to disturb its pastoral relations with him, for which it must be chastised. This unpardonable offense entered even into the Marblehead land affair, whatever mistake the Salem Church fell into, in writing to the other Churches concerning the Church discipline of their members in the Court. Concerning the petition of the 'Salem men,' which Winthrop says: 'They did challenge as belonging to that town,' he also bluntly adds: 'Because they had chosen Mr. Williams their teacher while he stood under question of authority, and so offered contempt to the magistracy, etc., their petition was

refused,' Again he says, that the act of the Salem Church in calling him to the office of a teacher 'at that time was judged a great contempt of authority. So in fine there was given to him and the Church of Salem to consider of these things till the next General Court, and then either to give satisfaction to the Court, or else to expect the sentence.' Nor is this all, but he writes that the Court and ministers were of this mind, namely: 'That they who should obstinately maintain such opinions 'would run the Church' into heresy, apostasy or tyranny, and yet the civil magistrates could not intermeddle.' This shows that Williams had struck a blow at the authority of the civil officers to interfere in Church matters, which they felt keenly, as well as the fact that the Court reached this result on the 'advice' of the ministers. What had the ministers to do with the case if it only concerned civil authorities? The correspondence of the Salem Church conducted by Williams and Elder Sharpe, with the Boston and other Churches, was between purely religious bodies, though it involved a political subject. But the Court must needs meddle with the matter, declare Salem 'rebellious' and 'insubordinate,' and their three deputies were sent home, leaving that town without representation, and requiring them to report what citizens of Salem had indorsed these steps there. It decreed that: ' If the major part of the freemen of Salem shall disclaim the letters sent lately from the Church of Salem to several Churches, it shall then be lawful for them to send deputies to the General Court.' Williams was expelled in the absence of the Salem deputies, and then Elder Sharpe was required to report whether Salem acknowledged its offense or not. Salem was thus brought to humble submission, and Williams was excluded from the Church there; not for 'sedition,' but because he denied the 'Churches of the Bay to be true Churches;' so says Hugh Peter, his successor.

Soon after Williams's banishment a controversy excited the colony concerning the preaching of a Mr. Wheelwright, at Braintree, about a covenant of grace and a covenant of works, involving antinomianism and he was banished. Winthrop in justifying the Court in his case, 1637, against those who complained said: 'If we find his opinions such as will cause divisions, and make people look to their magistrates, ministers and brethren as enemies to Christ, antichrists, etc, were it not sin and unfaithfulness in us to receive more of their opinions which we already find the evil fruit of? Nay, why do not those, who now complain join us in keeping out such, as well as formerly they did in expelling Mr. Williams FOR THE LIKE though less dangerous.' Here the governor tells us, in his honest bluntness, that Williams was 'expelled' for his opinions on religious subjects, which were less dangerous than those of Wheelwright. The plea of all persecutors has ever been that they persecuted no man for his religion, but for 'sedition' and 'disturbance of the public peace.' This was the pretense of the pagans when they tormented the early Christians, of the Catholics in the case of the Waldensians, the Hollanders and the Lollards, and now the apologists of the Puritans put in that plea for them. When the Browns and their Prayer-Books were packed off to England, Endicott said that they 'endangered faction and mutiny;' and when Thomas Painter of Bingham was whipped in July, 1644, for refusing to have his child christened, his judges said, that it was 'not for his opinions, but for reproaching the Lord's ordinance;' as if his

opinion of infant baptism was not the very reproach which he threw upon it and for which he was punished.

The same pretense is now set up against Roger Williams, in the allegation that he was banished for civil cause alone, directly in the face of his sentence, which charges upon him: 'New and dangerous opinions against the authority of the magistrates.' Yet, in no instance did he dispute their right to civil office, or charge them with civil usurpation, nor did he refuse to obey them in purely civil matters; but he dared to question their assumption of religious authority outside of their proper sphere as civil officers. Joseph Felt bewails his sentence, as disturbing 'the benevolent feelings of every heart,' and regrets it, 'as a serious impediment to the prosperous progress of the commonwealth, and a dark omen that its hopes of spirituality and duration may be soon scattered.' Then he says of the authorities: 'Believing themselves bound to exclude persons who, they suppose, entertain principles subversive of their civil and ecclesiastical polity, the General Court engage in so unpleasant a service.' Neither did the Court itself proceed against him as against a civil criminal. Trial by jury is more than once insisted upon in Magna Charta, as the principal bulwark of an Englishman's liberty, but especially does Chap. xxix insist that no freeman shall be hurt in his person or property 'except by the legal judgment of his peers and the law of the land.' Hence, the royal charter granted to Massachusetts could not abridge the great rights of British freemen which had been secured by Magna Charta, nor could it deprive a colonist of the right of trial by jury; a right which had been a vital part of the British Constitution from the time of King John. Neither could the charter authorize the governor and company of Massachusetts Bay to inflict unusual penalties in punishment of sedition, or the disturbance of the public peace, without the form of a public trial. On the contrary, all the rights of Englishmen were secured to the colonists by the charter, but Roger Williams was simply persecuted out of the colony, without the due observance of even this form. In a word, there is no precedent for this trial, no authority for it in common law or the chartered rights of the colony. A new process or procedure appears to have been invented on the spot and at the time for his case, the effect of which was, that he suffered under an ex post facto law. Instead of proceeding as a court of civil jurisprudence to produce and examine witnesses, about the first step which they took was to appoint Hooker, the pastor at Newtown, to 'dispute' with him. This he did, but found it impossible 'to seduce him from any of his errors' (not crimes), for that he 'maintained all his opinions.' Dr. Dexter says of Williams: 'They asked him whether he would take the whole subject into still further consideration; proposing that he employ another month in reflection, and then come and argue the matter before them.' Again, he says, that the Court 'appointed Thomas Hooker (a brother pastor) to go over these points in argument with him; on the spot, in the endeavor to make him see his errors. One single glimpse of this debate is afforded us by Mr. Cotton.' This last word expresses the bearings of the whole proceeding. It was a 'debate,' an argument concerning certain alleged religious errors, and not a trial in any proper legal sense of the word. Winthrop says that Williams maintained 'all his opinions;' and Williams

understood the same thing, for he says, that he was not only ready to be 'banished, but to die also in New England, as for most holy truths of God in Christ Jesus'

Barry, in his 'History of Massachusetts,' says (p. 239): 'Meanwhile the elders continued to deal with him for his errors and to labor for his conversion; and Mr. Cotton spent the great part of the summer in seeking, by word and writing, to satisfy his scruples. Informing the magistrates of their desire to proceed with him in a Church way before civil prosecution was urged, the governor replied: "You are deceived in him if you think he will condescend to learn of any of you.'" The first element of a trial for civil wrong-doing does not appear in the whole process, nor can a like case be found in the records of civil trials under English law, outside of the Star Chamber.

Not a witness was examined, no counsel was heard, and none of the forms of law invariably observed in sedition or disturbance of the public peace, were had. His banishment was a religious and not a State necessity, which Williams well characterized, when he declares it to have been 'Most lamentably contrary to the doctrine of Jesus Christ.' The apologists of the Puritans make a great outcry against Williams for saying that the king had no right to grant the lands to the colonists, because they belonged to the natives. And was he singular in this opinion? No. Cotton writes: 'There be many, if not most, that hold, that we have not our land merely by right of patent from the king, but that the natives are true owners of all that they possess or improve. Neither do I know any amongst us that either then were, or now are, of another mind.' Yet, he says that these freemen 'Are tolerated to enjoy both civil and religious liberties amongst us.' Then, why was Williams banished for believing what Cotton says every body else believed? Cotton tells us that he was guilty of these two things, he was 'violent' in preaching against the patent, and he presented the matter unfairly, for they had not taken the lands on the king's patent. Cotton claims that the lands were 'void places,' made so 'by pestilence, which had swept away thousands of the natives' 'a little before our coming.' They therefore took nothing from the king or the natives, but inhabited the country by the 'law of nature.' Williams somehow got it into his head, that if the small-pox had swept away thousands of the Indian fathers 'a little before our coming,' the land on which their bones fell might possibly belong to their children; and so he had religious scruples on the point, and ventured to state them vehemently in the pulpit, when he ought to have held his tongue; and for which he was banished. It had been better for Cotton to be quiet than to disgrace the magistrates by such petty special pleading as this. He calls Williams 'violent' and 'vehement:' but Winthrop who knew him intimately pronounces him 'A man lovely in his carriage.' Our best historians find his banishment as purely a religious affair as it could be under that union of Church and State which Massachusetts has now repudiated as unworthy of retention.

Bradford holds the magistrates 'Inexcusable in their treatment of Roger Williams . . . merely for his honest independence of opinion.' Peck thinks him 'A very troublesome man for bigotry to manage. . . . When he entered Massachusetts, he

was in advance of the general sentiment of the Puritans on the question of religious liberty. . . . Roger Williams was more than a Puritan. He was the great mind ordained of Providence to advance beyond the position of indignant protest against oppression, to the revelation that the highest right must itself be the result of a freedom which might be abused by consenting to the deepest wrong. He was the first true type of the American freeman, conceding fully to others the highborn rights which he claimed for himself. This was further than Puritanism could lead the race; and, for the present, it was not ready to follow. He denied the right to coerce a man to take a freeman's oath; but would not he himself be compelled to take it? No, he refused: and such was the firm dignity of his bearing, that the government was forced to desist from that proceeding. But he was living under a religion established by law, not Prelacy, but Puritanism, in which intolerance was just as vile to him, and just as determined against a Non-conformist.' The unvarnished fact seems to be, that like honest Saul of Tarsus they meant to be men of God, but like him allowed all their religion to run into personal conscience, without much regard to the consciences of others. " Their primary blunder lay in overlooking the spiritual laws of the Church of Christ, and applying both to Church and State the judicial enactments of Moses, which were made for the government of a civil nation 1,500 years before the Christian Church existed. Roger Williams himself well expresses their mistake in these words: 'Although they professed to be bound by such judicials only as contained in them moral equity, yet they extended this moral equity to so many particulars as to make it the whole judicial law.' But the Christian law for the government of the commonwealth leaves a punishment to be governed under the sway of the natural rights of man and the highest good of the States where they are used. Hence, in adopting the Mosaic penalties they not only cast aside, in some cases, what was known as 'crown law,' but with it the common law of England. Barry puts the case forcibly, saying: 'Puritans as well as Episcopalians assumed their own infallibility; and, as Church and State were one and inseparable in Old England, they were bound together in New England; and the purity of the former was deemed indispensable to the safety of the latter. This policy was resolutely adhered to, and the laws which sanctioned it were as inflexible as the laws of the Medes and Persians.' Governor Winthrop saw his mistake when it was too late. Barry says: 'He regretted the harshness with which Roger Williams was treated; and though a zealous opponent of Mrs. Hutchinson and the enthusiastic Gorton, as he advanced in life his spirit became more catholic and he lamented the errors of the past; so that, when urged by Mr. Dudley to sign an order for the banishment of one deemed heterodox, he replied, "I have done enough of that work already."' "

Since Jesus was sentenced to death in Asia, on the cool verdict that he was a 'just man' in whom no 'fault' was found, a sublimer sight has not appeared to man than that revealed in America on that crisp October morning in 1635. This master in Israel looms up head and shoulders above his Puritan judges. Without a stammer or a blush he reaches the full height of manhood; whereupon the Bay sentences him to a new leadership. In Salem God threw the mantle of William the Silent upon the shoulders of the brave Welshman. What, if Massachusetts did lay her political

sins on his head, and send her scapegoat to bear them into the desert? He was strong to carry the burden of her congregation and elders. He remembered Pilate, and quietly held the bowl for this ancient Court of the Bay to sink its sins in the shallows of a basin. He watched the experiment in the simplicity of a child's faith, in the firmness of a martyr's will, in the resignation of a cavalier, in the calmness of a hero; for God was with him.

For that hour God brought him into the world. The persecution of two worlds inspired him to discover a third, where the wicked should cease from troubling, in that sort. A veteran before his sun had readied noon, nerved with a judicial love of liberty, fired with a hallowed zeal to liberate all the conscience-bound, he is now ready to give life to a new age. Roger, get thee gone into the woods to thy work! And when alone with God may he work his will in thee!

'Speak, History. Who are life's victors? Unroll thy long annals and say, Are they those whom the world called victors, who won the success of a day? The martyrs, or Nero? The Spartans who fell at Thermopylae's tryst, Or the Persians and Xerxes? His judges or Socrates? Pilate or Christ?'