

RELIGIOUS TOLERATION.

It Was Not First Established in the State of Maryland.

There are two facts that conspire to make the history of religious toleration in Maryland of surpassing interest to the student of American history. One is that the lord proprietor was a Roman Catholic; the other is that Maryland, it is claimed, was the first of the original thirteen colonies to establish religious toleration by statute. The statute to which reference is here made was passed by the Maryland assembly in 1649, thirteen years after Roger Williams and others who had suffered persecution in Massachusetts had established, at Providence, as Dr. A. A. Bancroft says, "a pure democracy, which for the first time guarded jealously the rights of conscience by ignoring any power in the body politic to interfere with those matters that alone concern man and his Maker." It was not, however, until March 11, 1643, six years before the act of toleration was passed in Maryland, that the "Patent for Providence Plantations" was issued, prior to which time the legislation of the colony was without royal sanction.—See "Patent for Providence Plantations," and foot-note for same, in "Charters and Constitutions," Vol. 2, page 1594.

Confronted by the history of centuries of intolerance in other countries, Roman Catholics turn with satisfaction to the history of Maryland, and point to it with pride as an evidence of the tolerant character of "the church."

After exhausting the very meager materials found in the Old World with which to support the papal claim that "the church" is tolerant, Cardinal Gibbons says:

"Turning to our own country, it is with no small degree of satisfaction that I point to the State of Maryland as the cradle of civil and religious liberty and the 'land of the sanctuary.' Of the thirteen original American colonies, Maryland was the only one that was settled by Catholics. She was also the only one that spread aloft over her fair lands the banner of liberty of conscience, and that invited the oppressed of other colonies to seek an asylum beneath its shadow." ("Faith of Our Fathers," page 273; edition of 1893).

There are at least two fatal errors in this paragraph: First, Maryland was not settled exclusively, nor even principally, by Roman Catholics; and second, religious liberty was never established in that colony, either by Catholics or by Protestants. The act of April 21, 1649, was an act of toleration merely, providing that "no person within this province professing to believe in Jesus Christ shall be in any ways troubled, molested, or discontinued, for his or her religion, or in the free exercise thereof." (Bancroft's "United States," Vol. 1, part 1, chap. 10, page 168).

The same act provided that "whatsoever person shall * * * deny the Holy Trinity, or any of the persons thereof, shall be punished with death." And that "whatsoever person or persons shall from henceforth use or utter any reproachful words or speeches concerning the blessed Virgin Mary, the mother of our Saviour, or the holy apostles or evangelists, or any of them, shall in such case for the first offense forfeit to the lord proprietor the sum of five pounds sterling or the value thereof. * * * And every such offender or offenders for every second offense shall forfeit ten pounds sterling or the value thereof. * * * And every person or persons before mentioned offending herein the third time shall for such third offense forfeit all his lands and goods and be forever banished and expelled out of this province." ("Archives of Maryland Assembly," Vol. 1, page 244. See also Bancroft's "History of the United States," Vol. 1, part 1, chap. 16, pages 168 and 169).

It will be readily conceded that this was very far short of religious liberty; it was simply toleration for believers in the Christian religion. It is true that it was far in advance of any other colony except Rhode Island, but it was not religious liberty. In practice it did not secure even toleration to all believers in Jesus Christ. "The Quakers were persecuted in Maryland as badly as in Virginia and Massachusetts." For example: "In 1658 Joseph Coale and Thomas Thurston, preachers belonging to that body, were treated with great severity by the authorities and compelled to flee the country." ("History of the United States," by Edmund Ollier, Vol. 1, page 77; published by the Cassell Publishing Company, New York).

Roger Williams was expelled from Massachusetts in January, 1636. "Within two years," says Bancroft, "others fled to his asylum. The land which he occupied was within the territory of the Narragansetts. In March, 1638, an Indian deed from Canonicut and Miantonomah made him the undisputed possessor of an extensive domain." (Bancroft's "United States," Vol. 1, part 1, chap. 15, page 254). This, it should be remembered, was eleven years before the Maryland act of toleration. Moreover, Rhode Island had religious liberty from the first day of its settlement; and five years before the Maryland act of toleration Williams published and defended in England his views of religious liberty. Bancroft says:

"The principles which he [Williams]

first sustained amid the bickerings of a colonial parish, next in the general court of Massachusetts, and then introduced into the wilds on Narragansett Bay, he found occasion, in 1644, to publish in England, and to defend as the basis of the religious freedom of mankind." (Id., page 155).

But let us consider briefly the question to whom belongs the credit for a measure of religious toleration in Maryland. As before stated, Maryland was not settled by Roman Catholics, but very largely by Protestants. The charter was issued on the 20th day of June, 1632, to Cecil Calvert, the second Lord Baltimore. The following November, Leonard Calvert, brother of the proprietary, sailed from the Isle of Wight with two hundred colonists, to effect a settlement in Maryland. The vessels, the Ark and the Dove, sailed by way of Fortune Island, Barbados, and St. Christopher's, and did not reach Maryland until March, 1634. After cruising about in the Chesapeake Bay and the Potomac river, they dropped anchor in St. Mary's river. Leonard Calvert gained the good-will of the natives, who were preparing to abandon that particular locality, and purchased from them for some cloth and a few axes their right to the soil. Bancroft says:

"Upon the 27th [of March, 1634] the emigrants, of whom at least three parts of four were Protestants, took quiet possession of the land which the governor had bought." (Id., Vol. 1, part 1, chap. 10, page 161).

It is probable that the relative proportion of Catholics and Protestants in Maryland remained about the same, and, though the government was in the hands of the lord proprietor, who was a Catholic, it would have been quite impossible for him, even had he desired to do so, to deny toleration to so large a majority of his subjects. Bancroft says:

"In the mixed population of Maryland, where the administration was in the hands of Catholics, and the great majority of the people were Protestants, there was no unanimity of sentiment out of which a domestic constitution could have harmoniously risen." (Id., page 166).

This was about the time of the conflict in England between the parliament and Charles I., and Lord Baltimore had to look well to his rights in order to retain any authority at all. Leonard Calvert, the proprietary's deputy, went to England in 1643 to consult with his brother, Lord Baltimore, about affairs of the colony. Claybourne was still claiming Kent Island, and the Presbyterians, Episcopalians and Puritans, who formed a large proportion of Lord Baltimore's subjects, were restless under the power of a Catholic, and were desirous of establishing Protestantism, so called, as the religion of the colony. In 1645 a petition was presented to the house of lords asking that the government of Maryland might be settled in the hands of the Protestants. For some reason this petition was not acted upon, and the "politic Lord Baltimore," says Bancroft, "had ample time to prepare his own remedies. To appease the parliament, he removed Greene [the Roman Catholic governor], and in August, 1648, appointed in his place William Stone, a Protestant of the Church of England." (Id., page 167). A very significant fact in this connection is that Lord Baltimore required Governor Stone to take and subscribe the following oath:

"I do further swear I will not by myself, nor any other person, directly trouble, molest, or discountenance any person whatsoever in the said province, professing to believe in Jesus Christ; and, in particular, no Roman Catholic, for or in respect of his or her religion, nor his or her free exercise thereof within said province, so as they be not unfaithful to his said lordship, or molest or conspire against the civil government established under him." (Id., page 168).

This shows very clearly that, instead of being in a position to dictate to others in matters of faith, had he been so disposed, Lord Baltimore was apprehensive lest religious toleration might be denied to his co-religionists; as, indeed, there was a manifest disposition in the colony to do, and as the charter would have warranted, for at that time popery was outlawed in England.

It was in April of the following year that the act already referred to establishing religious toleration was passed. Bancroft says: "To quiet and unite the colony, all the offenses of the late rebellion were effaced by a general amnesty; and, at the instance of the Catholic proprietor, the Protestant governor, Stone, and his council of six, composed equally of Catholics and Protestants, and the representatives of the people of Maryland, of whom [only] five were Catholics, at a general session of the assembly, held in April, 1649, placed upon their statute books ("History of the United States," Vol. 1, part 1, chap. 10, page 168) this act of toleration. It is not our purpose to deny that Lord Baltimore himself was a liberal-minded man; and it is very probable that he entertained charitable feelings toward Protestants. But, even had this not been the case, his environment and the circumstances under which he received and held his charter were such that he could not well have taken any other course than that which he did take in securing for his subjects

religious toleration. England was at that time Protestant, so called, and the charter granted Lord Baltimore by Charles I. established in effect the Anglican church as the church of Maryland. It gave the lord proprietary authority to found "churches and chapels, and places of worship in convenient and suitable places within the province, and of causing the same to be dedicated and consecrated, according to the ecclesiastical laws of our kingdom of England."

Speaking of this phase of the charter, Bancroft says: "Christianity, as professed by the Church of England, was established [by the charter]; but the patronage and advowsons of churches were vested in the proprietary; and, as there was not an English statute on religion in which America was specially named, silence left room for the settlement of religious affairs by the colony." ("History of the United States," Vol. 1, part 1, chap. 10, page 158). But it would have been in flagrant violation of the charter to establish Roman Catholicism, for an express provision of that instrument was that all acts concerning religious establishments were to be "according to the ecclesiastical laws of our kingdom of England."

It will be seen at once that it was quite out of the question for Lord Baltimore to establish the Catholic religion in Maryland; he did the only thing that was possible for him to do under the circumstances to secure even toleration for those of his own faith: he established religious toleration for all who professed faith in Christ—and the fact that representative Catholics appeal to the history of Maryland in proof of the tolerant spirit of Catholicism demonstrates the paucity of such evidence. But even if all that is claimed for Maryland were true, it would by no means establish the claim that is made in behalf of Rome. Cardinal Gibbons himself states the principle which dominates Rome everywhere. He says:

"Many Protestants seem to be very much disturbed by some such argument as this: Catholics are very ready now to proclaim freedom of conscience because they are in the minority. When they once succeed in getting the upper hand in numbers and power, they will destroy this freedom, because their faith teaches them to tolerate no doctrine other than the Catholic. It is, then, a matter of absolute necessity for us that they should never be allowed to get this advantage."

"Now, in all this, there is a great mistake, which comes from not knowing the Catholic doctrine in its fullness. I shall not lay it down myself, lest it seem to have been gotten up for the occasion. I shall quote the great theologian Becanus, who taught the doctrine of the schools of Catholic theology at the time when the struggle was hottest between Catholicity and Protestantism. He says that religious liberty may be tolerated by a ruler when it would do more harm to the state or to the community to repress it. * * * This is true Catholic teaching on this point, according to Becanus and all Catholic theologians." ("Faith of Our Fathers," pages 268, 269).

This is, indeed, as the cardinal states, "the true Catholic teaching upon this point," and it ought to be universally recognized as such by Protestants. When Rome grants toleration she does not do it as a matter of principle, but as a matter of policy; and as a matter of policy partial religious toleration was established in Maryland.

SOME REFERENCES. "Federal and State Constitutions, Colonial Charters, and Other Organic Laws of the United States," compiled under the order of the United States senate, by Ben: Pooley Poore, page 812. The original charter is in Latin, but an excellent translation of a portion of it may be found on page 72 of "The Relation of Religion to Civil Government," published by G. P. Putnam's Sons, New York.

"The American Cyclopaedia," article "Calvert," says: "It does not appear that Lord Baltimore, or any of the settlers, had any intention on founding the colony of proclaiming absolute religious freedom, and one of the first acts of the assembly of 1639 was to make the Roman Catholic religion the creed of the state." We have not verified this statement, but the assembly of 1640 declared that the "holy church, within this province, shall have and enjoy all her rights, liberties, and franchises, wholly and without blemish." See Bancroft's "History of the United States," Vol. 1, part 1, chap. 10.—American Sentinel.

Tempted By a Priest.

A passenger conductor on the main line of the Louisville & Nashville Railroad, who has for years been in the service of the company, said the other day: "You can't tell me anything about those d—d priests. I know them from way back, and I tell you they are a corrupt set. I have hauled many of them in my time, and upon one occasion one of them tried to make a thief of me. He got on my train to ride a distance of three miles. He handed me a dime. Under the system and rules of the company I was compelled to give him a printed receipt for the cash. I got out my receipt book, and was punching it when the priest said to me: 'Oh, stick that down in your

pocket and get you a cigar with it.' I gave him the blackest look he ever got in his life and said: 'I don't have to get my cigars with that kind of money, and you cannot tempt me to become a thief.' I handed him his receipt, which was also a check against me with the company and passed on through the car. If anybody thinks that the words of that priest strengthened my belief in him or the church he represented, he is badly mistaken. Had I listened to his running attempt to make of me a dishonest man and a thief, I might today have been occupying a felon's cell. I never see one of them now but what it makes me shudder, and they are to me the most disgusting creatures on the face of the earth."—Justice.

Morgan County, Colorado.

"I would rather have one acre of land here under irrigation than ten acres without irrigation in any locality I ever lived in."

This statement is made by Mr. A. J. Morry, a resident of Morgan County, Colorado. It is very much to the point. The more you look into it, the more forcibly it strikes you. Mr. Morry has lived in Wisconsin, Kansas and Wyoming. He has traveled over many other states. He has lived in Morgan County for the past six years—long enough for him to ascertain what drawbacks, if any, are to be found there—long enough to enable him to make money enough to get out of it if he did not like it. He is there yet. And he intends to stay. His experience is interesting. Read what he says:

"My lands here are under the Platte and Beaver Ditches north of Brush. I have been engaged in sheep business chiefly, but have also carried on some farming and take quite an interest in fruit culture. I have 325 fruit trees now growing, which includes apples, plums, cherries, apricots and pear trees. I have never had a tree winter kill, and seldom but what all twigs start from the terminal bud in the spring. All these trees make a thrifty and phenomenal growth, plums and cherries bearing well two years after planting, and many of the apple and crab trees bearing well after the third and fourth year from planting. Locust trees planted at one year old are, after four years' growth, 20 feet tall and 15 inches around. I have thoroughly tested growing currants, gooseberries, strawberries, raspberries, blackberries and grapes, all of which make a prolific growth and yield abundantly, proving to me that small fruit-growing in this locality is a profitable industry. Vegetables produce wonderfully, and last year I grew ten tons of sugar beets on one-quarter acre of land. Many single beets weighed 25 pounds."

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Enthusiastic Open Meeting.

Council 119 of the A. P. A. gave an open session and oyster supper at its hall, corner Ninth and Central streets, Tuesday evening last. The house, halls and banqueting rooms were all crowded to their fullest limits. It is estimated that over five hundred persons were present. The literary program was a decided success and lasted until 11:30 o'clock. After this the guests partook of an excellent oyster supper.

Judge John B. Stone addressed the audience, in language well timed and full of true patriotic sentiments. From the expression of the audience it seemed that the judge was their favored candidate for governor.

The recitations and songs met with hearty applause and were truly of an entertaining nature.

Mrs. John B. Stone, Mrs. Westein and others spoke for the Protestant institutions and the women's American organizations. The last speech of the evening was delivered by Ben T. Harding. Mr. Harding's talk was American to the back-bone and met with round after round of applause. He has the pleasing voice of a Kentucky orator and uses his powers to captivate his hearers by logical statements and witticisms.

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