

Br. Proctor

New York Dec 9. 1846

The enclosed copy of a letter written yesterday to Elder Brother Reuben Hawkins will explain itself and the occasion for it. I have now relieved my mind of what has borne weightily upon it. Whether there will be a feeling to wipe out the plague spot which stains "Christ's holy banner", by returning the polluted stuff whence it was received, and thus cleanse the camp, it is not my province to say.

I do not apprehend there is any further labour in the case called for at my hands at present; having thrown the burden from my shoulders.

The receipt of Pension Money by Believers after it has received such an appellation from Mother and Father Joseph, will be considered by the world who know any thing of the high profession we make, entirely inconsistent. Already has it been cast at me, and I have no shield of clean denial to meet and ward off the charge.

I am writing to Elder Richard offering (if it be united with) to get out an Edition of 500. Copies or more of Dunlavy's Manifesto. I could wish that a copy of this work be placed in every public Library in the world.

In vain have I searched for a spare copy of the Journal of Commerce of Dec. 13. which contains the article signed Peace Lovers. They had but one copy on file, and one copy preserved in the press room & out of the latter they kindly cut the article for me. I enclose it and shall want to borrow it sometime to take to Hancock where some are very desirous to see it. I also send an old Mercury containing The Two Drops. please preserve it — and accept of my abiding Love.

Thine ever  


Thy letters and books have been forwarded to the Secretary of State and to the Editor of the Mercury —

Proctor Sampson  
New Lebanon

Cast. No.  
10, 145

Beloved Elder Brother.

New York Dec 8. 1846

Upon reaching Springfield, I found Jefferson & Bro. George there, and rode with them home; found the Brethren and Sister in common health. In the Meeting the next evening I gave out the Love entrusted to me which was received with thanks. The mid-day line having been discontinued, I took the evening train and arrived here on Friday morning; found my folks in ~~common~~ health much as usual.

We have been house hunting without yet fixing on one to suit all of us. We want a house small, convenient, moderate rent in a pleasant situation, pretty near to Cornell's store; and it is quite doubtful if our wishes in every particular can be answered.

Cornell has commenced business for himself, the necessary arrangements, with some other business and the good company of Bro. William Willards has so occupied me, that I have not had so much time as I could wish for, to write at length my sentiments on the important matter which I purpose to state below; but it being ~~so general~~ necessity to send by W.W. the stove plate which the Sister in the kitchen so much need I think to improve it the best I can.

Upon my visiting Brother John to take my leave of him he showed me a writing purporting to be a communication to him from the Saviour thro an inspired instrument, made I think in December, and recorded in January last. Wherin the Saviour is made to say, that He called Bro. John to go into the revolutionary army to help gain American Independence, or something to this purport. I had no opportunity of speaking to the afterwards on the subject, but felt it to be my duty to take the first convenient time to communicate in writing my disunity there-with - and disbelief in any such thing. He who came not to destroy, but to save I believe has called many out of the battles of the warriors which are "with confused noise and garments rolled in blood" into the Lamb's army of which it was prophesied Christ "the Prince of Peace" should lead in that spiritual warfare that should "be with burning and fuel of fire", and when he came in his first advent was ushered in by the songs of Angels proclaiming "peace on earth and good will to men".

All his doctrines were the doctrines of peace; his whole life

This quotation is from the pub-  
-lished writings of a Brethren

"was spent in ministering peace and good will both by  
"precept and example, and his last gift to his disciples was  
"a gift of peace; Hence no true follower of Christ can take  
"upon him the profession of arms without forfeiting his title  
"to the Kingdom of Heaven, and all his claims to Christianity.  
"War belongs to the prince of this world, but the kingdom of  
"Christ is a kingdom of peace. The doctrine of Christ never  
"did and never can admit of the principles of war."

If St. James's testimony is true as to whence wars and fightings  
come, then most surely He who came to save souls from the power  
of lust, cannot call souls to practice the same things as lust leads  
into - it is blasphemous to say so. The greater part of

men who now call themselves Christians contend that war is jus-  
-tifiable; such as say they have received no testimony to the contrary  
it is not for us to condemn. But we should know better who  
have heard that gospel which was preached and practiced by  
~~himself~~ his immediate followers, which was testified to by  
faithful witnesses in different ages; as in the case of Maximilian  
who was beheaded in the first century for "refusing to bear arms" as  
related in Christ, Second Appearing &c., so down to those forerunners  
and true testimony bearers according to the light then manifested  
George Fox and his companions; thence to Mother Ann and the  
first Elders, who, because they would take no part in the contest  
during the revolution were persecuted as spies and enemies to the  
country.

Now, to pretend that the Saviour who as the head  
and head called Mother and the Elders out of war and the  
spirit of ~~them~~ it, and at the same time called John Patten or  
any one else to be a partaker in blood and carnage, to kill  
slay and destroy his fellow creatures, is horrid to my feelings.

And while I thus express them, I feel not to rebuke an Elder  
but to entreat him to look and examine; to let the candle of  
the Lord shine to the searching out this insidious spirit that  
I believe has crept in and so dim'd the brightness of that pure  
peaceable Gospel; which Gospel if it had been faithfully lived up  
to, would at this day made its professors powerful instruments  
in bringing mankind to a ~~true~~ sense of that true Christian  
Love, that suffers wrong, rather than to do it.

My disapproval of the receipt of pension money for war services I expressed to thee as soon as I heard that such a thing was thought of among Believers, and that such was applied for and received by them with the consent of Elder Nathaniel, was the hardest trial my faith ever endured, and but for the support I received in finding that so far as I could ascertain the feelings of those Brethren who I looked up to as knowing the true principles of the Society, it was heard with surprise & regret, I might have turned away in despair of finding Christs people and Church on earth - I was assured that the like would not occur again.

In a printed Memorial presented to the Legislature of the State of New York in 1830, signed by Galvin Green and others as "a committee in behalf of the United Societies called Shakers of New Lebanon and Waterloot", is this paragraph.

"It may not be improper here to remark, that the sums of money now legally due to the members of this Society for Militia services and services during the revolutionary war, more than \$10,000, besides many hundred acres of militia bounty lands, the amount annual interest of which would far exceed in amount all the militia fines the law could impose upon us, all which has been relinquished for conscience sake, as being the price of blood"

I had been told that Mother Ann had given particular counsel in the case of a Believer at Harvard, and that he, acting agreeably thereto had washed his hands by returning the pension money which he had in possession to the Officers of Government, and that this instance of sacrifice to duty had been so blessed as to be much the means of satisfying the Massachusetts Legislature of the conscientious feeling of Believers in regard to every thing relating to war, and therefore they amended the Militia law to favour Believers; I wrote to Bro. William Leonard asking him to furnish me with some information in the case, and I found on arriving here a letter from him of two sheets nearly filled with the particulars relating to Amos Brittrick, which are interesting and satisfactory to me, I will transcribe a part.

"The American Army was disbanded in 1783." pensions were then talked of, and Amos having embraced the Gospel he referred the case to Mother and the Elders as early as the

"either close of the war; to know whether he might receive a  
 "pension or not, Mother answered him by saying it was the  
 "price of blood, and that if he received it, it would bring him  
 "into bondage. In the beginning of 1792. many of the world  
 "who were friendly to Amos sent him pressing invitations to go  
 "and receive his pension. And he not fully comprehending the  
 "meaning of the words which Mother had spoken to him pre=  
 "vious to her decease, went and took up all the money which  
 "was allowed him by government from the close of the war up to  
 "the period spoken of. As true Church principles were now to  
 "be established which were to stand the test of every kind of in=  
 "vestigation, Father Joseph took this matter up and made it a  
 "serious subject of labour, and was directed by the unerring  
 "Spirit of Truth to shut out all such pension money, together  
 "with pension lands, and all kinds of remuneration for war services.  
 "Amos showed his faith by his obedience, took the silver  
 "and the gold which had been pronounced the price of blood  
 "by the voice of God thro his agents, and returned it"

W. L. gives a copy of the Resolve of the Commonwealth, March  
 8. 1792. and of the receipt of the Treasurer in conformity, dated  
 March 12. 1792. Amos, it is said lived a soldier of Christ  
 in the Chh at Shirley and died Feb. 18. 1844. It further appears  
 by W. L.'s statements, that there is due legally to Brethren of  
 Harvard and Shirley only, for Military Services the sum of  
 \$41,573.<sup>99</sup>/<sub>100</sub>.

W. L. adds, "Before I close this lengthy  
 "epistle allow me to blend my feelings of adoration with  
 "yours; and may they ascend to God in thanksgiving, that  
 "he gave the founders of our Holy Institution light from on  
 "high, to lay the foundation principles of peace eternal  
 "and unshaken in our pure and undefiled Religion. And  
 "may we not justly reverence and bless those venerable saints  
 "who were willing amidst their numerous acts of self denial  
 "to sacrifice the price of blood? and at this age, enable  
 "the Church of the Latter day to show to the world, to a fighting  
 "degenerate world! that neither the honour, fame, gold or  
 "silver that is to be gained by shedding human blood! has  
 "ever stained Christs holy banner of peace on earth and

"good will to men", which pure standard is waving from the  
 "walls of Zion, as an ensign of Righteousness to the nations"  
 Thus, Beloved Elder, I have freely opened my mind in this  
 matter after having first laboured for a qualification to do it in  
 a spirit of meekness and love, and in a manner that I should  
 be willing to receive it from any Brother or Sister who should  
 feel a like concern respecting me. and so I leave it, assuring  
 thee that I cherish no desire further than that what I feel  
 bound to say may pass only for what it is ~~worth~~ found to  
 be worth. There is freedom in the Gospel, I sense it, and  
 claim to speak in it. It is the good of my Brethren and  
 Sisters with my own that I covet and am not the man to  
 say "stand off, for I am holier than thou", but feel that at  
 suitable times and to proper persons a free expression, an honest  
 opening of mind is a duty and a privilege. I have believed  
 this to be the time and myself the person to write what I have  
~~written~~ and now leave it to thy wisdom to dispose of it.

I entertain no sentiments that I hesitate to avow, unless  
 there is prudence and delicacy to be used in spreading them abroad.  
 If thou should think it best to lay it before the Ministry, it  
 will be satisfactory to me.

With this I send my kindest and best love and confidence  
 to the beloved Ministry, for whose strength and support to bear  
 the heavy burdens which fall to their lot I sincerely pray, as  
 also that they may be favoured with a comfortable degree of  
 health according to their circumstances, especially Elders Dana.

Their parental care and indulgence to me has been great  
 and I shall ever feel thankful to them for their kindness, and  
 can assure them that their confidence in me shall never be  
 abused. I also desire my kind love given to all the Elders,  
 Brethren and Sisters as far as there may be a feeling to give it  
 out: to the Second Family in particular, and to thyself very  
 especially —

In Love and Union Robert

Copy  
to Ruben Harpings

2mo 8. 1846.

Concerning the taking  

---

of Penswood.  

---



CAT. NO.  
10206

*Approved of Richard Buswell -  
N. Lebanon*

THE  
**MEMORIAL**

OF THE

*Society of People*

OF NEW-LEBANON, IN THE COUNTY OF COLUMBIA, AND  
WATERVLIET, IN THE COUNTY OF ALBANY,

COMMONLY CALLED

**SHAKERS.**

*To the respectable Legislature of the State of  
New-York.*

WE, the members of a religious society, associated upon the principles of duty to God, and peace and good will to man; feeling ourselves greatly oppressed and aggrieved by the operation of the present militia laws of this state, respectfully submit to the consideration of the Legislature, our sentiments on this important subject, which so nearly affects our religious liberty, and rights of conscience.

We consider the duty of conscience a matter of special concern between a man and his Maker; and in all free governments, it is acknowledged as a self-evident truth, that the liberty of conscience is an unalienable right; consequently, no human authority has a right to claim any jurisdiction over the conscience, either to control or interfere with its sacred re-

quirements, in any manner, or under any pretence whatever. And it is well known, that compulsion in matters of conscience is entirely contrary to those liberal principles, laid down by those venerable patriots of freedom, who formed and established the fundamental laws of our state and nation.

According to these well known and generally acknowledged principles of liberty, we are persuaded that nothing more can be required, than a full proof of sincerity, to entitle any individual, or society of people, to the free enjoyment of any principle of conscience, which, in its nature, can do no moral injury to others.

We therefore come forward, with a confident reliance upon the liberal sentiments of this respectable body, to urge our conscientious objections to bearing arms, and to plead for an exemption from those acts which virtually operate against the free exercise and enjoyment of our rights.

The conscience is formed according to the different conceptions of the human mind, and the different degrees of light planted in the soul; and we believe it to be the indispensable duty of man strictly to obey the light of his own conscience, how much soever this light may lead him to differ from general opinion or practice. It is a well known truth, that, in all ages, the greatest portion of virtue has been found among a chosen few; and hence, agreeable to the measure of divine light revealed to us, we do, in many important things, make a sacrifice of that which is most agreeable to our natural inclinations, for conscience' sake; and we believe that there are many, among the children of men, to whom some of these things have never yet been revealed; such therefore, may be justified where we cannot.

Until the appearance of Jesus Christ upon earth, we have no account that the lawfulness of war was ever called in question. But when Christ came, he taught, both by precept and example, to love our enemies, to render good for evil, and to do to others as we would that they should do to us. He declared that his kingdom was not of this world; but was a kingdom of peace; and therefore his immediate servants would not fight. Ever since that period, there have been many who have considered these precepts binding upon them, as the most positive injunctions. Agreeable to these principles, thousands have chosen rather to sacrifice all things, even life itself, than to bear arms, and shed human blood. And such as have maintained this character, have been acknowledged, even by their enemies, as the most honest and upright in their conduct of any class of men whatever. These facts are too well known to be disputed, being confirmed by the history of all ages since the Christian era. Our faith is sincerely and firmly established upon these principles; and since it is supported by so ancient and respectable authority, is it not entitled to respect from the government of this enlightened state, although it may not accord with the opinions of the individuals who compose this government?

According to the predictions of scripture, mankind are looking for a day of universal peace, when nations shall learn war no more. We believe this work is begun in this our day, and that Christ has called us into this kingdom, wherein dwelleth righteousness, peace and good will to man; and he has impressed upon us that feeling in regard to our fellow creatures, that we can by no means injure them; even if we are smitten, we may not smite again; much less learn the arts of war, or shed human blood under any pretext whatever; indeed we should lose our own lives rather than take the lives of others.

We believe that Christ is come to save life, and not to destroy it; and that he has called us, in a special manner, to follow his example, and to stand as living witnesses that the kingdom of peace has come nigh unto man; therefore we count all things of this life, yea, even life itself as dross in comparison to a justified conscience. We believe it to be our indispensable duty to improve our time and talents, while in this world, in such a manner that we may leave it in peace; therefore our labor is to do good, in our day and generation, to all men, as far as we are able, by faithfulness and frugality in the works of our hands; by relieving the necessitous; by setting examples of virtue, humanity, and charity; by works of public convenience and utility, and by promoting good order in society.

We sincerely respect the government and those benign institutions, established in this land, for the security of civil and religious liberty. The good and wholesome laws, established for the punishment of evil doers, are no terror to us; for those laws we have never violated; and we do give special heed to the voice of the rulers of our land, by peaceable obedience to all wholesome laws, and by cheerfully rendering every support to government that we are able to do, short of infringing upon our duty to God by the violation of our consciences. But this we cannot do; because we consider that no human authority can palliate nor take away the guilt caused by a breach of this divine law planted in the soul.

We desire to follow peace with all men; and herein do we exercise ourselves to have always a conscience void of offence towards God and man. Agreeable to this faith, we have conscientiously sacrificed all our natural inclinations which stand in competition with our duty to God, and have devoted ourselves and all that we possess, to minister in the *Temple of*

*Peace*, which we are confident that Christ is establishing in this our day, and from whence we fully believe the blessed influence of peace will, in due time, extend to all nations. Therefore, since we have consecrated ourselves and all our property to religious and charitable purposes, upon the principles of peace, we consider it the highest degree of sacrilege to devote either to the cause of war.

It is well known that in all ages of the world, dedicated property has been regarded as sacred; and at the present day, in this state, a certain portion of the dedicated property of other societies is not even taxed, although many of them hold property to a much larger amount than ours; yet we freely admit our property to be equitably assessed to support the poor, and all other necessary charges of a just and wholesome government; and we believe that it yields a greater amount in taxes than it would do, if parcelled out among the members according to the ordinary state of society. And when it is considered that, in ancient days, and even under heathen monarchs, the ministers and all the servants of the Jewish temple, (which was but a type of the temple of peace,) were exempted from all custom or tribute, we cannot believe that the government of a free state, in this enlightened age, will think it unreasonable that we should be exempted from military services, and from all fines and taxes in lieu thereof, since this is all we ask.

That we have honestly devoted ourselves and our property to labor in that kingdom which is not of this world, and to minister in the things of peace, and have no motives of worldly gain, or of screening ourselves from any expense which we conceive may be beneficial to mankind, must appear from the following considerations:

1st. We abstain from all the politics of the world, and from all posts of honor, trust and profit; and also from all commercial and other speculations, from which wars generally originate.

2d. From the nature and tendency of our institutions, we are enabled to save the towns to which we belong from the burden of supporting the poor of our denomination; and in addition to this, we pay our equal proportion of the poor rates.

3d. Our public donations, since the establishment of our society in this state, have amounted to more than four thousand dollars.

4th. Our labor and expenses on the public highways, over and above our legal assessments, have amounted to five thousand dollars.

5th. We have never been chargeable to any other people, in any mission or any other emergency whatever.

Lastly, All that we gain by honest industry, more than for our own support, and for the support of gospel labors, we bestow to charitable uses, agreeable to our covenant.

Since, therefore, we have devoted ourselves and all that we possess, for the sole purpose of doing good, can it be just or constitutional to require any thing of us as a penalty for refusing to violate our consciences? We consider it unjust for us to bear the imputation of crime, which is necessarily attached to fines and imprisonments to which we are exposed; nor can we consider a tax, as an equivalent, in any other light than as muster-fines in disguise—a price to be paid for the liberty

of conscience, to which we have a natural and constitutional right. As we cannot, in conscience, bear the arms of war, to be compelled to pay military fines, or to have our consecrated property exposed to distraint, is to us a grievance and an oppression; and can we view such an oppression of conscience in any other light than as persecution?

God, in his all-wise providence, has put it into the hearts of the patriotic framers of our state and national constitutions to secure to the people of America those civil and religious rights of man which are the fundamental principles of the American government. The Declaration of Independence has asserted these truths to be self-evident: That liberty and the pursuit of happiness are unalienable rights; and that governments derive their just powers from the consent of the governed. The constitution of the United States declares, that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." The constitution of this state declares, "That the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall for ever hereafter be allowed within this state to all mankind."

Is it possible to find words more expressive of free and perfect liberty of conscience? Liberty and the pursuit of happiness are unalienable rights; any thing, then, of a coercive nature, under whatever name, practised against conscience, must be a pointed violation of these rights. Fines, taxes, or imprisonments, imposed upon conscience, can be nothing less than an abridgment of these rights; then where is liberty and the pursuit of happiness? can they be any thing more than an empty name?

*Legislatures Matters*  
B *Better be reserved*

It reflects honor upon the states of Massachusetts and New-Hampshire, that they have for many years, recognized the rights of conscience established by the constitution, and exonerated our brethren in those states, from all military requisitions, and from any equivalent whatever; and upon the state of Kentucky, which has recently done the same. And we confidently trust, that the enlightened state of New-York, so eminent for its liberality of principle, and so distinguished in its regard for the liberties of its citizens, will not hesitate to recognize a right which constitutes the very first principle of liberty, and from whence all other rights originate. And we hope that, upon due consideration of the subject, as it respects our society, the respectable Legislature will exempt us from those requisitions so contrary to all our views of religious liberty, and so grievous and oppressive to our consciences.

Signed by order, and in behalf of the society.

RICHARD SPIER,  
MORRELL BAKER,  
PETER DODGE,  
CALVIN GREEN,  
SETH Y. WELLS, } *Trustees.*

*Watervliet, February 13, 1816.*

---

---

*Churchill & Abbey, Printers, 95 State-street. Albany.*

---

---



Cat. No.  
10,144

# IN SENATE,

January 10, 1826.

---

(Presented by Mr. JORDAN.)

## The memorial of the United Society, (commonly called Shakers,) of New-Lebanon and Watervliet.

TO THE LEGISLATURE OF THE STATE OF NEW-YORK.

The memorial of the United Society, (commonly called Shakers,) of New Lebanon and Watervliet,

RESPECTFULLY SHEWETH—

That whereas in consequence of the ninth section of the act, entitled "an act to organize the militia," passed April 23d, 1823, and also an amendment of said act, passed April, 1824, all such members of our society as are liable, according to law, are subjected to militia fines, or a commutation in lieu thereof, or in default, to suffer imprisonment; which must, of course, have a peculiar bearing upon the religious feelings of the Society, and cause affliction to its members. We therefore feel it our duty to make known our sentiments, and request the candid consideration of the legislature on this subject, and earnestly solicit relief.

Many members of this honorable body are doubtless unacquainted with our faith and practice respecting this subject; it may therefore be necessary to state our conscientious objections to the militia system, as far as it respects our society.

We consider our duty to God as paramount to all other duties. Hence, in obedience to the light of God implanted in our souls, through the influence of the Divine Spirit, precepts and example of HIM whose mission was "peace on earth and good will to men," the United Society, from its first rise, have abstained from violence and war, and from all warlike pursuits. Admitting that it may appear right, and even necessary, for those whose consciences have never dictated otherwise, to engage in military pursuits; still it cannot alter the dictates of Divine Light to us, nor lessen our obligations of obedience to it. That God who "hath made of one blood all nations of men," hath, in his infinite mercy, implanted in us that sense of duty and love to our fellow men, which utterly prohibits us from seeking their destruction, or injuring them in any manner whatever. Why then should we be required to violate this Divine law.

It is strenuously urged by some, that, as we are protected by the government, it becomes our duty to bear our equal proportion towards its support and defence. The former we admit; but we view the latter in a very different light. It is well known that no people in the state are more ready to render to the government all its just claims upon them, nor any who pay their taxes more promptly, than this society. It may with propriety be asserted, that, in conse-

quence of this promptitude in the payment of their taxes, and the compact situation of their property, it yields a far greater amount to the support of public burdens than it would do if parcelled out as in the ordinary state of society; not only because there are no losses attending the expense of collection; but because the articles exempted from taxation are much less numerous in proportion to the amount of property. In this view, it must be admitted that our institutions are beneficial to the public.

It is also well known, that we invariably maintain our own poor, exclusive of paying our full proportion of taxes for the support of paupers. Including those members who have taken their residence out of the state, to avoid the oppression of the militia laws, the Society consists of about 700. Allowing but one pauper to every seventy persons, we must of course support ten. And allowing each to be supported at the moderate rate of fifty dollars a year, the amount would be 500 dollars. Taking the state at large, and considering all circumstances, we think this must be admitted as a moderate estimate. But as it respects our Society, the true estimate is found to be much greater than is herein stated. The greatest amount of our militia fines has never exceeded 160 dollars in any one year; consequently the above mentioned sum of 500 dollars is more than three times the amount of an equivalent. Is it then reasonable that the whole Society should be harrassed and oppressed, year after year, for this small pittance?

Another subject worthy of consideration is, the amount due to those of the Society who are entitled to military pensions and bounty lands, which have been relinquished by the legal claimants. These pensions, at a moderate calculation, amount to 10,000 dollars, exclusive of the bounty lands, which are very considerable. This sum, at the moderate rate of five per cent interest, would produce an income of 500 dollars a year. During the sessions of 1823, 4 and 5, committees of the legislature, after due examination, reported that they had sufficient evidence of the justice of these claims; and it has been generally acknowledged, that these considerations furnished much more than an equivalent for any demands that the militia laws could have upon the Society. And since an equivalent of some sort has been so strenuously insisted upon, we would ask why these things cannot be considered as such by the government?

As a large portion of the burdens of the general government is borne by this state, we should suppose that the quota saved to the state would at least be equal to the commutation required. And does the fact, that this relinquishment proceeded from a principle of conscience, render it impossible that the government should consider it as an equivalent? Or does the fact, that the support of our own poor is a voluntary act of the Society, proceeding from the nature of its institutions, and not from legal compulsion, render it unworthy of any consideration? It is the nature of our institutions which enables the Society to accomplish this, as well as other benevolent acts, which are generally acknowledged, exclusive of paying its poor rates and all other civil taxes. And can it be supposed that voluntary acts, proceeding from a principle of virtue, are not worthy of more consideration than those which are the effect of compulsory laws?

The last amendment of the militia act directs that the commutation money shall be paid over for the use of the poor. If, then, more than this is voluntarily rendered, how can there be any reasonable claim for any thing further? Sums of money are often granted by the government, as compensations to individuals, and for the purpose of assisting companies and institutions; in all of which we bear our proportion. Yet it is a fact, that no member of our Society has ever received any of the public monies for any purpose whatever; nor have we ever asked any thing of the kind. We have ever abstained from all political and commercial speculations, from which wars generally originate. We engage not in the pursuits of ambition; we desire neither posts of honor, trust nor

profit. All we ask is, that natural and inherent right which is denied us by the present militia law—the *free exercise and enjoyment of our consciences*. This will cost the state nothing.

Should the legislature admit a continuance of the fore-mentioned voluntary acts to be sufficient without any other equivalent, they will doubtless grant the exemption we claim, or enact some law for our relief; but if not, under whatever name or in whatever shape fines may be imposed, whether called militia fines, or a commutation for the support of government, or for the use of the poor, since the object is the same, in our view it remains the same thing in effect—an *oppression of the conscience*, which we can consider in no other light than as *persecution*. For what is a commutation in this case, collected by a compulsory process, but muster fines in disguise, or a legal infliction of penalties as the forfeit or punishment for the exercise of conscience? Can people in this enlightened age and nation be influenced by names and sounds, and not see the reality?

As the exemption solicited is supposed to be inconsistent with a particular clause of the constitution, and as that clause is considered by some as binding the legislature in this respect, it may be proper to add a few remarks on the subject.

The 3d section of the 7th article declares, that "The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this state to all mankind." Here is liberty of conscience without restraint, and greater liberty we do not ask. And altho' we had enjoyed this liberty for a season, previous to the adoption of the present constitution; yet, in consequence of an article in the present militia law, which was predicated on the 5th section of the said 7th article of the constitution, our liberty of conscience has again been abridged. If the conscientious man must be deprived of the free enjoyment of his religious profession by virtue of this section, then it must appear obvious that the 3d and 5th sections stand in pointed contradiction to each other. The former guarantees the *free exercise and enjoyment of religious profession*, as well as that of *worship*, without discrimination or preference. In the latter, it is first premised that the conscientious shall be excused from bearing arms, for conscience' sake, it would seem; but what follows? A tax is to be levied upon him for the exercise of conscience; therefore the *free exercise of conscience* is not tolerated.

Again: If this tax be not paid, the person is liable to suffer an arbitrary restraint of property or imprisonment. For what? For the exercise of conscience. Can this, with any consistency, be termed the "free exercise and enjoyment of religious profession, without discrimination or preference?" Is it not rather setting a price upon the liberty of conscience, and holding its subjects in bondage? The imposition of a fine implies a transgression. What then is a fine imposed upon the exercise of conscience but a legal declaration that obedience to the law of Christ, manifested through the sacred dictates of conscience, is a transgression punishable by law? Can any professor of the christian name give sanction to such a principle as this? Those who are conscientiously averse to bearing arms, feel the most undoubted confidence, that every thing pertaining to the nature and practice of war is incompatible with the nature of Christ, and that they are utterly forbidden by his gospel to have any part therein. Yet, for the exercise of this profession, they must be subjected to fines and imprisonment. Can any thing be more inconsistent with the free exercise of their religious profession?

According to the 5th section, those who are averse to bearing arms from scruples of conscience, by paying an equivalent in money, *shall be excused therefrom*. Excused from what? From bearing arms. And is not every citizen excused upon the same conditions? None are compelled to bear arms, provid-

ed they will pay an equivalent. Where then is the difference? Certainly it is not in favor of the conscientious man: for although it is alleged that he is legally excused, yet he must pay an equivalent or suffer the legal penalty. What more is required of any man? Hence, according to this construction, it appears evident that this section holds out a *pretended* liberty of conscience, while in reality it *allows none*, and of course stands in direct opposition to the 3d section, which expressly allows it to all mankind without discrimination.

In this view of the subject, it appears impossible to support both of the above mentioned sections. If then, the legislature are bound to support the constitution, which of these sections ought they to maintain? Is it not that which stands first, and is of the most general import? We understand it to be a maxim in law, that, in points of doubtful construction, the interpretation of the law shall incline to the side of mercy, even in criminal cases. Is not then the conscientious man entitled to as much favor as a criminal? Who then can hesitate to decide between two clashing principles, when one is in favor of religious liberty, and the other directly against it? In a government professedly founded upon the principles of civil and religious liberty, are we not reasonably to expect the most liberal construction to be put upon the constitution? Can it then be possible that such a government will hesitate to decide in favor of that construction which supports liberty of conscience?

But we are fully persuaded that whoever takes a just and liberal view of the constitution, will be convinced that it does not bind the legislature to impose fines or commutations upon those who are conscientiously averse to bearing arms. It declares that they shall be excused therefrom by paying an equivalent; but does not say they shall *not* be excused *without* paying an equivalent. The true import of this clause appears to be, that the conscientious shall not be compelled to personal service; but it is left entirely to the option of the legislature whether they shall pay an equivalent or not, or whether they shall be exempted on account of whatever the legislature may consider as an equivalent. If it be not so, the conscientious cannot be considered as having an equal privilege with other citizens: for it is well known that the legislature do enact laws for the exemption of any class of citizens they choose, on account of benefits (real or supposed) which such citizens confer on the public. And can it be supposed that the constitution has interposed an insurmountable barrier against exempting the conscientious man, whatever may be the benefits which he renders to the public, merely because he is conscientious? Shall a man's conscience be the only bar against exemption? for this must certainly be the case, if the foregoing construction of the constitution be not admitted.

But it is worthy of remark that the constitution of this state does not expressly authorise the exemption of any class of citizens excepting the conscientious, who are expressly exempted from personal service. Yet the power of exemption rests in the legislature; because it is not prohibited by the constitution; and this power is recognised by the militia law of the United States. This law, upon which the militia law of this state is predicated, expressly states what citizens shall compose the militia, and points out several classes of exempts, and among the exempts are included "all persons who now are or may hereafter be exempted by the laws of the respective states." By this it appears that the legislatures of the respective states have full power to exempt whom they may think proper. The forementioned section of the constitution of this state refers to the militia only. If therefore the legislature should pass a law to exempt the members of this Society, they could no longer be considered as a part of the militia, any more than any other class of exempts; consequently this section of the constitution could not take cognizance of them.

But even admitting the most rigid construction of the forementioned section, we would ask what article of the constitution authorises laws of discrimination against the United Society, to distrain their consecrated property for the de-

delinquency of individuals? Is it consistent with the free exercise of religious profession, *without discrimination*? It is well known that there are many religious and charitable institutions which hold joint property; but perhaps there is no society whose members, strictly speaking, hold all their property in common; certainly this is not the case with our society. If, then, this law should be enforced, according to the principles of the constitution, which pointedly disallows any discrimination, would it not equally expose to distraint the joint property of every such society and institution, for the delinquency of its members? Who cannot foresee the effects that such a principle is calculated to produce upon society.

Will not the operation of this law violate an important article of the constitution of the United States, which expressly declares that "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated." And what more unreasonable seizure of effects can take place among a free people, than the seizure of the consecrated property of a society, for the delinquency of an individual, who, perhaps, has never contributed one cent to that property, and never had any legal or just claim to it? It is a fact that the most of those who have entered our society, are of the poorer class of people; and we know of very few who are liable to militia duty, that ever brought any property into the Society; and none of them, consistent with their own religious covenant, can claim, by law, any property belonging to the Society. How then can the property of the Society be legally seized, on account of any individual, when that individual himself has no just nor legal claim to it?

But if it must be considered that the constitution interposes an insurmountable barrier against granting relief to the conscientious, would it not be much more honorable to the state, and far more consistent with the genius of our government, to have the objectionable clause repealed, or so amended, that the conscientious may be relieved from oppression, that the state may not fall behind her sister states in liberal principles.

In the constitution of the state of Maine, provision has been made to exempt those who are conscientiously averse to bearing arms, from all military requisitions. The same has been done in the constitution of the state of Connecticut. The states of Massachusetts, New-Hampshire, and Kentucky, and we believe several other states, have done the same by law. That the state of New-York has power to do the same, there can be no reasonable doubt; and for the honor of the state, and the sacred cause of rational and religious freedom, we hope it will do it.

It is not from avaricious motives that we object to a compliance with the militia system, but from a full conviction of its total opposition to the nature and spirit of the Christian religion; knowing that we are called by the gospel of Christ, who is the Prince of Peace, to abstain from all acts of violence against our fellow men. He hath promulgated a law, which is binding upon us, and which no human authority can disannul. "My kingdom is not of this world; if it were, then would my servants fight.—Put up thy sword into its place—All they that take the sword, shall perish with the sword." Hence his immediate servants will not fight. Ever since he appeared on earth, a people have existed under his name, who have constantly maintained the principles of peace and abstained from war and all its pursuits. And it is worthy of remark, that for more than two centuries after his appearance on earth, such a character as a *soldier*, under the *Christian name*, was not known; and this was one principal cause of the severe persecutions raised against the primitive Christians, by a contentious world.

Impressed with a firm belief that we are called into the kingdom of Christ, to be his true followers, we feel ourselves under the most sacred obligations to

obey his precepts—to abstain from all warlike pursuits, and to *follow peace with all men*. This is our faith and profession, which is most firmly established in our minds, without the least doubt or scruple. And this principle of peace is dearer to us than life itself; it is a principle which we can never consent to violate. We are willing to submit to every requirement of government which is consistent with the sacred principle of conscience. We are willing to “render to Cæsar the things that are Cæsar’s;” but we must also “render to God the things that are God’s.” And should we, in compliance with any law of government, do that which our consciences forbid, we should thereby render to Cæsar the things that are God’s. This we cannot do. The conscience is the throne of God, or the seat of Divine Light in man; he, therefore, who usurps authority over the conscience, usurps the throne of God. We claim the liberty of conscience as our natural and inherent right, given us of God, which no human authority can have any just right to control or take away. We are fully persuaded that the very source from whence the foundation of all the liberal institutions of our state and nation first proceeded, was this sacred principle; and but for this, the people of these United States would never have been a free nation. Why then should this most invaluable principle ever be violated by any law whatever?

Impelled by conscientious motives, and urged by the solicitations of liberal-minded men, we have made repeated applications for relief; and since we have failed of success, those members of the Society who were exposed to the operations of the militia law, have taken their residence in Massachusetts, and become citizens of that state, where they can enjoy the free exercise of their consciences. But their removal was a painful and afflicting event to the Society, and still remains a grievance of which we think we have just cause to complain, and which cannot be considered honorable to the character of this state.

We now solemnly appeal to the candor and good sense of this respectable and enlightened legislature; and seriously ask, how long shall peaceable and conscientious people be oppressed in their religious rights by the laws of a state so greatly famed for its liberal improvements, and which boasts so highly of the freedom and liberality of its institutions? Can the legislature of such a state refuse to grant us the only favor we have ever asked of it—a favor which we never should have asked, but for the love of peace and the sacred principle of conscience?

In behalf of the United Society of New-Lebanon and Watervliet, we subscribe ourselves the friends of justice, equity and peace.

CALVIN GREEN,  
STEPHEN MUNSON,  
DANIEL J. HAWKINS,  
JOSEPH HODGSON,  
FREEGIFT WELLS.

*New-Lebanon, January 2, 1826.*

