

Items written by Higgins

Publication/Creation

1819-1826

Persistent URL

<https://wellcomecollection.org/works/gtjgff6t>

License and attribution

You have permission to make copies of this work under a Creative Commons, Attribution, Non-commercial license.

Non-commercial use includes private study, academic research, teaching, and other activities that are not primarily intended for, or directed towards, commercial advantage or private monetary compensation. See the Legal Code for further information.

Image source should be attributed as specified in the full catalogue record. If no source is given the image should be attributed to Wellcome Collection.



Wellcome Collection
183 Euston Road
London NW1 2BE UK
T +44 (0)20 7611 8722
E library@wellcomecollection.org
<https://wellcomecollection.org>

9

LETTER

HOUSE OF COMMONS

A

LETTER,

&c. &c.

(P)

LETTER

TO THE HONORABLE

LETTER

TO THE HONORABLE

TO THE HONORABLE

TO THE HONORABLE

A
LETTER
TO THE
HOUSE OF COMMONS
ON THE
CAUSES OF, AND THE PROPER REMEDIES FOR,
THE PRESENT
Difficulties and Discontents
OF THE
BRITISH EMPIRE.

BY
GODFREY HIGGINS, Esq.

London:
PRINTED FOR JAMES RIDGWAY, 170, PICCADILLY.

1819.

LETTER

HOUSE OF COMMONS

OF THE HOUSE OF COMMONS

THE PRESENT

DISSENTS AND DISCONTENTS

OF THE

BRITISH EMPIRE

BY

GOBERTY HICKING, Esq.

London:

W. Flint, Printer, Angel Court, Skinner Street.

1810.

A
LETTER,

&c. &c.

To the Right Honourable

THE HOUSE OF COMMONS.

GENTLEMEN,

IN submitting to your consideration the thoughts which have occurred to me on the present difficulties of the British nation, and the discontents of the labouring classes, by far the most numerous portion of the people, I feel that no apology is necessary. Without affording grounds for charging me with flattery, it may be permitted me to assure you, that I have no doubt of your wish to listen to their reasonable complaints, and to apply to them an adequate remedy, as far as lies in your power. Under these circumstances, it is absurd to suppose, that an apology can be necessary for any address which may be made, or hints offered to you, by individuals, your constituents, however humble may be

their attempts, so long as they are couched in language decorous and respectful, such as, in the common concerns of life, one gentleman has a right to expect from another. Farther than this I am not disposed to go, and more than this you have not a right to expect. If in the course of this address any thing be said hurtful to your feelings, I shall be sorry, that in the performance of the task which I have imposed upon myself, I should be under the necessity of sacrificing politeness to duty ; because it is unpolite to say any thing which may be offensive to another ; but there are cases, and those very numerous ones, where the law of politeness must give way to the law of necessity. At the same time I beg you to believe, that it is my sincere wish, and shall be my strenuous endeavour, to keep in remembrance the respect which is due to the persons holding the situation of representatives of the British nation.

Previous to any attempts to point out a remedy for the present discontents, it will be wise, in the first place, if possible, to ascertain their causes ; for causes they must have, although they may be well or ill grounded ; if the latter, a remedy would be easily found ; for there is no doubt whatever in my mind, that, if it were fairly explained, this explanation would itself be the remedy desired.

The people of England are remarkably intelligent and clear sighted in every thing which concerns their interest, when they have the information laid before them which is necessary to any one to form a correct judgment upon the matter under consideration.

The principal cause of the present discontent will be found in the misery to which the people are reduced ; and this misery they see, very justly and very clearly, takes its rise from *excessive taxation*, and the *corn laws*. Here, Gentlemen, in one single line you see the cause of all the evils of Britain. Courtly sycophants and hired tools may write, and you may endeavour to disguise the fact as long as you please from yourselves ; but the truth will still remain the same truth ; and, unfortunately for you, this is well known and clearly understood by the great mass of the working people of England, who are reduced by these two causes to ruin and beggary ; themselves in despair and their children starving. This may be a very disagreeable statement ; but you know that it is true. The pill may be very bitter ; but it must be taken, and the sooner it is digested the better for our future health it will be. When I say that *you know it to be true*, I do not mean to insinuate, that you do not properly feel for the miseries of

the unhappy sufferers, and that you are not extremely desirous of applying a remedy. I believe the contrary, most sincerely, of a great majority of your house: though there may be found amongst you some unfeeling men to epigrammatise, and make a scoff of the miseries of their fellow creatures, yet they are but few, perhaps, only one. The great majority of you unquestionably have a proper feeling for the people's distresses, and will never countenance the men who hope by insult to drive them to the courses dictated by despair. But you have flattered yourselves that palliatives, that little bits of regulations would remedy the evil. Self interest, I fear, has prevented you from seeing the magnitude and inveteracy of the disease. It was neither disgraceful nor unnatural in you, to wish to produce the desired effect without a great sacrifice on your own part if it were possible; but if it prove to be otherwise, I hope and trust you will rise to the emergency, and that your characters will be found equal to the difficulty of your situation.

In spite of all the volumes of sophistry which have been written, it is impossible to disguise from the manufacturing classes in the great towns, the notorious fact, that if the taxes were to be most of them taken off, or corn at this moment

to be reduced considerably in its price, they would instantly be greatly relieved. This is a truth which surely no one can deny. And this is the effect, which the people, who attend the meetings for Parliamentary Reform, well know would be the immediate result of such a reform in the House of Commons, as they advocate, and as you fear. They know that the labouring part of the community, would have so much influence in a house returned by ballot and universal suffrage and annually renewed, as would produce those measures which would bring them present relief. Then are you surprised that they should wish for this reform? Will you be surprised, if, when they are starving, they risque their lives to obtain it?

If you doubt, whether a house so constituted would bring them relief, I ask you whether you really think the abolition of the national debt, the repeal of the corn laws passed during the last wars, and the consequent removal of nearly all the taxes, measures such a house would adopt, would not produce the effect? The people know little about *abstract* rights, but they know the rights of humanity, and that they and their unfortunate infants in the midst of riches and plenty, are starving. And you may

not so
now -

be assured, if you can but give them bread, you will hear little more of radical reform. Is it not notoriously the fact, that the meetings in Lancashire, Yorkshire, &c. never take place except when trade is bad ; then the minds of the people are turned to the cause ; and they are too clear sighted not to see, that the articles which they manufacture are sold, in consequence of the dear-ness of provisions and the taxes, by other nations cheaper than they can sell them. They then instantly recollect, that, they have actually loaded your table with petitions against the taxes and the corn laws : and, gentlemen, on your honor, do you really think, that these petitions have been treated with the respect which they deserve ? How many places and pensions have you reduced ?* How many of you have followed the example of the illustrious Camden ? The last parliament treated the petitions of more than a million of persons for reform with contempt ; having refused even to appoint a committee to enquire into them. The people expected better things from you, and what have you done ? You have ordered some new churches to be built, and added three millions to the taxes ! Gentlemen ; the people ought not to be treated thus. You will probably be much offended with

* Vide the Lords of the Admiralty, &c.

me for speaking plainly ; but you may be assured, that, if you have not lost the confidence of the nation, you have not answered its reasonable expectations. It is greatly to be feared, that the opinion of four-fifths of the British empire is against you.

By means of the standing army, you *may* succeed in keeping down the people, till misery and vice, always its concomitant, reduce their numbers ; but will this afford you relief ? Indeed, Gentlemen, it will not ; it will only aggravate the disease. Do you suppose, that, when half the people are gone to the Cape and Canada, that the remainder will be better able to pay the taxes ? Know you not, that it is the industry of the nation which makes it productive ? Do you suppose, that when you have lost half your workmen your produce will be increased ? As well may a farmer suppose that a rot amongst his sheep, and the murrain amongst his cattle, will bring him riches. Gentlemen, you are not so blind. The truth is easily seen : but it is not so easy to find a remedy. Yet I cannot much doubt that you may find it, if you will only look the difficulty boldly in the face, and determine to apply the remedy, let it be ever so disagreeable and unpalatable, even though it may be the most difficult of all to

apply, even though it operate against your own self-interest. You flatter yourselves that time will bring relief. Vice, misery, and emigration, are no doubt at work to relieve you from your clamorous manufacturers: they may be slow, but they are very certain remedies: They will give you peace:—Such a peace as Spain obtained from similar causes. Spain, where now eight millions of people scarcely can live, but where twenty once enjoyed ease and happiness. Such a peace as the gallant Caractacus described when he spoke of the Romans to Agrippa, *when they make a desert they call it peace.* But will this pay the taxes?

It is a very common thing for persons to say, that these prognostics have been made for many years; that they will be just as false now, as they have ever been before. This may be very true; but yet if it should prove otherwise? The borrowing system cannot continue increasing for ever. It must have some end. And were you ever in the state before in which you are now? Had you ever eight millions of poor rates before? Did you ever before undertake to send away your industrious artisans, the bees of your hive? Had you ever a paper money which you could not convert into cash? (of which more hereafter) Were your manufactures ever before undersold in foreign markets; in America,

for instance ?* Did you ever before find yourselves so embarrassed, that, to disguise the disgrace, you were obliged to send your minister into the House of Lords, to palliate the murder of your agents by your former citizens? Twenty years ago, would you have permitted the Americans to have seized the Floridas; thereby to hang the sword of Damocles over the heads of your West Indians? How long do you suppose you can keep peace with these enterprising people, who are preparing to fight you with your own prime sailors, disgusted with your press gangs, and driven from their homes by misery and distress?

It is not necessary to give an opinion upon the justice or injustice of the late war; it does not appertain to the question under discussion; but it has always been said by its defenders, that it was undertaken for the protection of property: then, I have no hesitation in saying, that property ought to pay the debt incurred to carry it on. Gentlemen, I will state a case: Suppose a man to live so extravagantly as to reduce his

* I was told by persons at Liege, that this was actually the case with their cloth sent to America. That they sold a better article than we could sell for less money. That their trade was flourishing very much. They have plenty of coal, steam engines, and all our machinery.

family to distress, you will allow that he is a very wicked and bad man ; but suppose, to supply his wants, he were to mortgage the labour of his children, by hiring them out to work for a number of years, or selling them for slaves, what would you say of him ? But you will reply that neither of these cases is ours : I grant this : ours is worse. For, with our own funds almost untouched, we have sold the children of the poor to pay the price of our extravagance, of our folly, or of the measures necessary to the defence of our persons, or our property ; any one of which cases is shocking to think upon. This, Gentlemen, is really the effect which has followed the measures adopted respecting the national debt. Understand me : it is not my intention to accuse you of wilfully and knowingly causing this effect : I have no wish to assert or to insinuate any thing of the kind, for I have a much better opinion of you, and I do not mean to flatter you. But the effect is as I have stated it. The poor children, toiling in the factories in vain to gain bread enough to support their existence, feel, unfortunately, that it is too true. Their labour is taxed to pay the expences of the late hostilities : they cannot get a drop of beer, an ounce of tea, or a particle of salt to their potatoe, without paying a tax to raise money to discharge the public annuities : the

not
clear {

interest of the debt incurred to carry on the war in defence of the property of the rich. They have borne this long, till at last their trade is ruined and themselves are starving. What is it you wish them to do? Do you wish them to die without complaint? Perhaps some may say they may go to the poor house. I know not what you may feel, but it is horrible to me to see thousands of honest, industrious, high spirited Englishmen, after conquering the conquerors of Europe reduced to the state of paupers. I was on the bench at Doncaster, where I formerly acted as a magistrate, when several labourers in agriculture came to apply for relief. I reproached them, saying, that able-bodied men like them ought to be ashamed of becoming paupers. They replied, they were ashamed. They were willing to work sixteen hours a day for two shillings, which was as little as would maintain their families; but the farmers would not give it. I called for the farmers, they told me that they could get workmen for eighteen pence, and that expences and taxes were so high that they could not pay their rents. I ordered the men relief from the rates. Thus it is that you have a corn law which ruins your trade, and does not protect your farmers; and a poor rate, which very soon will eat up every sixpence of the rent. Persons constantly excuse the poor laws, by saying

that they have been diverted from their original intention. I should be glad if these persons would tell me what I was to do with these poor men, when the farmers would not give the wages I desired them, and which were necessary for their support.

You will perhaps ask me, if I would destroy the corn law. Few men are so blind as not to see, that without some corn law neither rent nor taxes could be paid. Without a corn law, every gentleman would be ruined, because he would get no rent; and every manufacturer of articles for English or home consumption would be ruined, because he would have no customers. Every labourer in agriculture would be in distress, because the land would be thrown into sheepwalks, and he would get no work; and every farmer would be ruined by the taxes and the poor rate, and because he could not dispose of his corn, the foreigners underselling him. With a high corn law, all this ruin is prevented; but your manufactures are undersold, and your manufacturing towns and numerous artisans reduced to beggary; and in consequence of this, again, your taxes cannot be paid. Turn which way you please, the excessive taxation is always the cause of your distress; for this it is which produces the neces-

sity of fixing the import price of corn at its present high rate.

Perhaps you may say, that this is all idle declamation, and that I ought to suggest a remedy. Therefore I will now state what, as it seems to me, would be effectual to remove the evil; though I by no means pretend to say, that some plan, better, and more suitable to circumstances, might not be devised. The war having been carried on for the defence of property, I assume that property alone ought to be made to bear the charge of it; and that no species of it ought to be exempted. But as there are some kinds which it will be found extremely difficult to make pay its proper proportion, without very inquisitorial and vexatious proceedings, and as they are but a very small part compared with all others, tradesmen's stock and furniture for instance, it will be hardly worthy of consideration; at least at present. The war having been carried on full as much for the benefit of the public annuitant, as of any other person, of course he cannot expect any distinction to be made in his favour, and I suppose at last the landholders must have opened their eyes, to the fraud that was practised upon them in the property tax, by making them pay three shillings and sixpence in the pound, when the public annuitant paid only two shillings.

It must not be forgotten, that the public creditor is in fact only an annuitant ; and that he has no right whatever to demand the return of his capital, but only the payment of his annuity.

In furtherance of my proposed plan, in the first place, it would be proper to set apart the whole of the annuity which belonged to foreigners, which should not be brought into the following considerations in any way whatsoever ; but remain precisely as it is ; and such a portion should be set apart also for Ireland, as should be thought to be justly and equitably her due. In the second, to lay a tax of thirty-three per cent. or about one third, upon all lands, houses, and annuities of every kind, nearly in the same manner, that the property-tax was laid on these particulars during the war. I would not be so absurd as to divide the tax betwixt landlord and tenant, so as to make it both their interests, as it was before, to conspire, to defraud the public, without benefit to the landlord ; (except what might arise from this fraud) as in most cases the whole tax evidently came out of his pocket. I would then proceed to ascertain what should be the amount of the tax paid by each individual, precisely as it was done during the late war, for the property tax described in the schedule under

letter A. causing the tenant to make the return, requiring him in every instance to make it, under heavy penalties, both personal and pecuniary. If he should wilfully make a false return, he should be liable to the usual penalties for perjury, besides one hundred pounds; and his lease, or tenant right, should be forfeited, to and for the benefit of the landlord. Under a law thus drawn, there can be no doubt whatever, that the tenants of the land would act very differently, from what they did during the last property tax: they would instantly become the most conscientious men in the world; and the real value of the land, would be ascertained in every instance, and, at the same time, the income of no man could be known. A little more difficulty would take place as to occupiers of their own lands and houses, to ascertain what ought to be their rent; but if the surveyors were paid a pretty heavy per centage on a surcharge, and the owner was directed to make his estimate, upon a comparison betwixt the poor rate, and the rent, the truth would be pretty nearly found. Thus if a man was rated to the poor at five pounds, and the whole rate of the township was twenty pounds, then, it is evident, that his rent ought to be the fourth of that of the whole township. Though the poor rate is never the rental of the parish, yet the parishioners in every case take pretty good

care, that it shall bear a fair relative proportion to them individually. With respect to mortgages, bonds, and notes, the same process should take place which was allowed under the last property tax, as to the interest. If my charge upon lands and annuities was one third per cent. or six shillings and eightpence in the pound, it should be precisely the same with the interest of money: the payer should have a right to deduct it; and, when he came to pay the principal, he should be entitled to do the same thing; to deduct one third from it also. Of course, the owners of money will be greatly against this, because they will, many of them, honestly and conscientiously think it unjust; but before I finish, I shall shew them that it is the contrary.

When the rates are all laid, and the whole plan ready for putting into execution, I have yet one more measure to recommend, which certainly will be very difficult, perhaps more difficult than all the others; but yet, if the country gentlemen will only stand firm, and the people will support them, it might be done. I should hope also, for the support of a great part of the fundholders: I would reduce all places and pensions to the exact amount they were before the war; or I would tax them, the same as other incomes, six shillings and eightpence in the pound.

To the feasibility of the first part of this plan, there can evidently be no objection; because it is really nothing but what has been done before; and by the plan of referring to the poor rate as a guide, and omitting to charge the farmer of the land, probably the true value of all real property would be found as nearly as possible.

As soon as this was adopted, I would simultaneously take off all the most oppressive of the taxes: the leather, the salt, the malt, the assessed, the wool,* lottery, &c. But I would not *yet* make any alteration in the corn laws. I have stated the tax at one-third, but I do not believe that any such amount would be required. And I would not, on any account, impose it for the present purposes of carrying on the government, but only for the purpose of paying the annuity. The principle which I have laid down of the injustice of taxing the labour of posterity to pay the price of our follies, or even necessities, does not apply to the present generation, contributing to the necessary support of the government.

* Surely nothing can equal the mischievous absurdity of the late tax upon this article. It operates as a direct premium upon the manufactures of our rivals, the Flemings. It would not be quite so objectionable, if it were drawn back upon the export of our cloths, &c.

After all this was finished, the property tax laid, and the returns all compleat, which would take upon this scheme very little time, I would then proceed with by far the most important part of the plan. That it will take only a very little time to proceed thus far, will be evident, if persons will only consider, that it is almost entirely exempt from the causes which created the delays and difficulties in the old property tax. But in order to ensure the speedy performance of the different parts of the plan, another measure should be adopted, founded upon a wonderful discovery which I have made; and which from the conduct of all governments, must certainly be totally unknown to them: viz. *That, when a man's interest and his duty combine, the duty will always be the best done.* Upon this principle, the clerks of my new tax should have a per centage, decreasing gradually, as the time they took for the performance of their task increased. Thus, supposing they were allowed three pence in the pound, if their returns were all compleat in a month, they should only have twopence if it were two months, and a penny if it were three months. There would be no returns in arrear.*

* It is the duty of all lawyers to shorten the law proceedings as much as possible; it is their interest, to lengthen them. From the fees, and other emoluments it is the interest of almost all persons connected with the government to go to

By the means here described, the proper proportion which every man ought to bear toward the public exigency, would be discovered ; and the next, by far the most important part of the plan, will be to make each person responsible for his own proper share ; for which purpose, during the time that this was going on in the country, another operation should be going on in London : every individual, possessing or entitled to receive any public annuity, should be required to state in what county, and in what district, and in what township, he would wish to have it charged. Proper commissioners, with clerks, paid like the former, should be directed to apportion this to the different districts, as much as possible to suit the wishes of individuals ; and in the proportion required by the returns, the commissioners of each district should allot and subdivide, till it got to townships, and from townships to the individuals. Thus I should have my share of the debt charged as an annuity upon my estate, in each township where it lay, and instead of my tenant paying it to the government collector he would pay it for ever, on a certain day and place to be appointed, if at that time demanded, to the annui-

war ; it is their duty, to preserve peace. The last Emperor of China, and the late Duke of Queensbury were two great philosophers : they gave their doctor an annual pension ceasing at their decease. Every one knows how long old Q. lived.

tant. The annuitant, or government, had for the last property tax, and all other direct taxes, the best security: the precedence of all other claimants; and this security should be continued. The annuitant should have a right to recover his annuity by distress and sale; the same as, but prior to, the landlord; but he should have a certain additional security; that if the estate should become deserted, he should have power to offer it to sale by public auction, to pay himself his principal; and, if there should be no higher bidder, to buy it himself.

There is yet one part of the public annuity which is not provided for: viz. That of foreigners; but for the security and liquidation of this, I would appropriate the crown lands, and the sale of the church livings which are in the disposal of the government.* The income of these, if they were properly disposed of, there can be no doubt, would be amply sufficient to meet the demand. It is unnecessary to enter into any detail: it is evident, if their value were only large enough, various modes might be adopted to make them available for the public service.

* This last, if I have not been misinformed, would produce a prodigiously large sum.

The same process should take place precisely for Ireland as for England; and thus the rich absentees would be made to bear the burden, instead of the miserable and starving peasantry. By this plan, the noblemen and gentlemen who supported the measures of the ministers for carrying on the late wars, and who have gone abroad to avoid the consequences of their own folly, or wisdom, whichever it may be, will be obliged to contribute their proper share toward the exigencies of the State; an effect which every one must allow to be very desirable.

It may be said, that this is only a renewal of the property tax; to which I reply, that it is essentially different, by charging the land with the annuity; and that the small proprietor could not have the same claim to exemption on account of inability as he had under the last property tax; because its immediate effect was to increase the price of every necessary of life, and the effect of this will be to decrease it.

I have now stated the general outlines of my plan. No doubt many questions may be raised respecting it; but I have also very little doubt that a satisfactory answer may be given to every one of them. It is not to be expected that the

removal of a debt of eight hundred millions, is to be effected without some difficulty, and some hardship upon individuals ; but what is this, compared to the dreadful hardships it is now causing to millions of our poor starving workmen, their wives and children ? At the same time, that a very great, imminent, danger of instant violence is caused by it, both to the holders of stock and land. If the fear of this present danger by the aid of the standing army should prove to be unfounded, there is almost a certainty, that in a few years, and with the first war at the latest, the dreaded evil must arrive.

What has happened to the debt of America, Austria, Holland, France, might surely serve as a warning, if any thing would.

It is obvious that this plan in the detail and minor parts, is capable of a great variety of modifications ; for instance, perhaps it may be thought expedient to carry the subdivision no lower than to townships, and that the payments of each individual should be made to a collector, and by him be remitted to the Bank, from whom annuitant might receive his annuity, and by whom transfers on sales, &c. might be made, as at present. In this case, the landholder may at

any time exonerate his estate in any particular parish, by going to the stock exchange and purchasing exactly as much annuity as equals the sum he pays to the collector. When he goes to the Bank to effect the transfer, he may state the object he has in view in making the purchase, on which the clerk may make a special entry, after which that portion of annuity should be no longer either payable or transferrable. He ought to receive a certificate, which should state, that such a quantity of annuity stood in his name in the Bank book, which he would produce to the collector to shew that his estate was exonerated, and who, upon view of it, should erase his name from the duplicate. By this means the debt would, by degrees, get paid, without the aid of any sinking fund, and so slowly, that no injury would arise from unoccupied capital. I much doubt whether this would not be the most simple and best mode of the two.

I know but two classes of persons who ought from interested motives to object to this plan: The government, who will lose the influence it acquires, by appointing custom and excise commissioners, collectors, supervisors, surveyors, &c. in endless variety; and this class of appointees themselves, for almost the whole of this innumerable tribe of persons will become useless.

No one I think can deny that the security to the stockholder will be very considerably improved ; and his property would, I doubt not, be increased in value. As at present, it would not be paid off by the landholder, except at par ; that is, if the landholder chose to pay a sum of money to clear his estate, he must pay one hundred pounds of capital for every three pounds of annuity, unless he could (as would generally happen) agree to purchase the annuity.* Thus, by imperceptible degrees, these annuities would be bought up ; and the debt in fact discharged, without the inconvenience which would arise from its instant discharge, if it even were possible to effect it. He might have some little additional trouble in collecting his rents ; but this would be most amply compensated by the improvement in the saleable value of his annuity, arising from its increased security. His annuity should be recoverable by distress and sale ; the same as the best secured property in England—the landlord's rent ; and the tenant should be bound to pay it on two fixed days, at the market cross, or some fixed place, between the hours of ten and three in the afternoon ; or subject himself to the risk of a distress, as is the case with all annuities secured upon land.

* Of course, it would be necessary to reduce all the different kinds of stock, to one denomination, which would be an operation of very little difficulty.

It has been said, that the tax on the funds or annuities is a breach of faith with the public creditor. This argument was sufficiently refuted when the old income tax was laid on. But supposing that the creditor, taking advantage of the national distress, extorted some condition from the government, in a former day, can it be held, that its individual property is to be for ever exempt from subscribing to the necessities of the state? Suppose the landholders had done the same thing as to a future land tax, before they had agreed to march to meet the French; will any one maintain that posterity would be bound by this for ever? The fact is, that the argument is good, as applied to foreigners, but not to Englishmen. Besides, if this measure were not adopted with the public annuitant, he would gain a very great, unfair, advantage; in fact, addition to his property; because from the fall in the price of every article, his two-thirds, would buy him as much as his whole did before.

In authorizing the holders of notes, bonds, and mortgages, to deduct a portion from the interest, I am only doing what was done, very justly, under the last property tax; but in giving them authority to deduct a part of the capital, I am going, as it at first will appear, rather farther; but the principle in both cases is precisely the same. When

a man buys an estate, or any other thing, and borrows part of the money to pay for it, is it not evident, that he is only in fact, the property owner of so much as he pays for with his own money? And that as he pays the tax upon the whole estate, both for that part bought with borrowed money, and with his own, he is in fact, paying the tax which the money ought to pay. He has, in short, only paid for the money-man, and is deducting it again from him. The same thing takes place, and the same principle prevails, with the capital as with the interest; and it is equally just; because the tax in the second instance, is in fact a tax, not upon the interest, but upon the capital.

If the landholder see his true interest, he will certainly not object to this plan; but after the way, in which he permitted himself to be duped into paying seventeen and a half per cent, when the stock holder only paid ten before, I have great fear that it will be very difficult to make him understand it. He already pays nearly all the tax, except that which arises from duties on goods exported. The professional men and tradesmen pay none; they lay it on their customers, on him, and the other capitalists, in fact; and, as every article of life would certainly fall in a very great degree, I think he would find, that

in less than two years, he would live better in reality, than he does now. As the consumer pays the whole tax, and as, in consequence of the great expence of collection being saved, a much less sum would require to be really raised than at present, the landholder, the great consumer, would, I think, be benefited.

It may, perhaps, be alledged, that by this plan, the landed interest will take upon itself the burthen which is at present paid by the foreign consumers of our manufactures. This is in part true; but I have no doubt that it will be amply compensated by the increased profit, which the farming, or landed interest, will derive from the renewed prosperity of our manufacturers, who, with an increasing trade, will produce an increased population and demand for all the fruits of the earth. But the sale of our manufactures, is now diminishing, in consequence of their high price; and must continue to diminish, provided the sovereigns on the continent, will permit their subjects to enjoy the blessings of peace; and, therefore, this very resource, which we found in the confusion and distress of the rest of the world, must now fail us. I have no doubt, that by these and other means dictated, by liberality and justice, we may rival all nations in the markets of

North and South America, which will be worth to us more than the markets of all other countries united together.

It is very difficult to make an estimate of the sum per cent which the collection of the taxes costs to the payer, because it is not the mere expence of collection. Upon every tax laid, by way of excise, for instance, the tradesman must have the interest upon the money he advances for the tax, and also a profit upon it ; and when, (as it often happens) it passes through several hands, each must have his profit also, by which necessary steps, the price of the article is prodigiously increased to the consumer. All this would be saved ; and let the payers consider, what a prodigious advantage to them this would be. If the saving in the collection, the part set aside for Ireland and the foreigners, be taken off, the fair proportion of the stock holder be paid, and an honest and fair imposition be laid equally upon the land, as upon my plan it would, I think, unquestionably be, I am pretty certain the land holder would not have to pay more than five shillings in the pound.

The only reason that I can see for the landlord to object to this plan will be, a dishonest

and disgraceful sort of an expectation, rather, I should hope, than a wish, that a sponge may be applied, in consequence of some unforeseen disturbance, which may remove the debt, and leave him his land, *as land cannot run away*. A sort of calculation, that in the case of an universal ferment, he may escape with his land after the storm; as the odds will, in the case of any one individual, be greatly in his favour.

I would appeal strongly to the humanity of the landholders, to induce them to make a great sacrifice for the relief of their fellow creatures, if, in fact, the sacrifice was not in appearance more than in reality; but if they should any of them doubt of this fact, I beg them to consider, that their situation to one another will continue relatively the same; that thousands of their fellow creatures are starving in consequence of the war made in defence of their property; that nothing is wanted to complete their character but this splendid act of liberality, indeed, perhaps of justice, that the world may see, that as they were the most patient, persevering, and dauntless in adversity, when all nations were leagued against them; so in their prosperity, they are, not only the most moderate, but in their dealings the most just, and in their kindness to their countrymen unrivalled in the history of mankind.

It will be objected, that there are several kinds of property, which will not pay their proper proportion to the general contribution. The largest part will probably be the stock in trade of merchants and tradesmen, which may well be excused, when it is considered, that to find the value of it, the most vexatious and inquisitorial proceedings must be adopted; and that, upon the removal of the taxes, which will *have been* already paid upon this stock, such a fall will take place in its value, as will, in fact, amount to a very heavy tax upon its owners, probably fully equal to their fair proportion.

It may be said, in opposition to this proposal, that if the government could once get clear of its debt, by throwing it in this manner upon the land, the way would only be opened for new expence and extravagance; that new wars would be the immediate consequence; that if enemies were not to be found in Europe, they would be found elsewhere, without difficulty; and that, the end of this would only be the sacrifice of another third or fourth of every man's estate. This appears to me to be the strongest argument which can be urged against charging the debt upon the land; and, certainly, the landholders would be the greatest fools in the world, if they were to permit it without some security; that

the court, the contractors, the bankers, the officers of the army and navy, &c. could not run at their pleasure, into foolish and unnecessary wars.

I know but of two kinds of security against this evil: one is absolute inability, without very great present suffering, such as we feel at present;* and the other is, a real reform in the House of Commons; which would give the people, whose interest is peace, an actual power to controul the measures of the court; always desiring to gratify its passion for military glory, and to interfere in continental quarrels, with which we ought to have no concern whatever. The bills for reform, and for laying the debt on the land, ought to proceed *pari passu*; and on *no account whatever* ought the money bill to be read a third time in the House of Commons, till the reform bill had been passed by the Lords.

It is not difficult to foresee several other trifling objections to the measure here proposed, which may I think be easily obviated; but one general answer may be given to them all; by requesting those who make them to produce a better plan, upon the whole; a plan open to fewer objections;

* I do not mean that Britain is deficient in physical power; she never was so strong as at this moment; as her enemies will find, if they provoke her too far.

or to shew that the change would not be better than the system at present existing.

I acted as a commissioner for the collection of the last property tax, in two very populous and extensive districts, and am of opinion, that this plan, if the act were properly drawn, would not be nearly so difficult to execute as the collection of the last tax from the trades and professions.

The corn law should be left at the present time precisely as it is. Of course, I shall be accused here of inconsistency; but I think I can meet the accusation; and I fairly allow, that I ought to be prepared with reasons clear, and simple, such as shall be easily comprehended by the meanest understanding; such as shall convince by far the greater part of the labouring population, that it is for their interest.

In the first place, it must be observed, that I do not set out with the application of a sponge to the debt; if I did so dishonest a thing, of course most of the corn laws must be abolished; but I wish to pay every man his just due. I do by no means desire to see the great numbers of honest and respectable individuals, who at present live upon the public annuity, turned into the street to starve; and this must evidently be the first

effect of the abolition of the corn laws ; for the taxes could not be paid, if they remained as they are at present ; and if my new plan of charging the annuity on the land were adopted, the rent would fall with the price of corn so low, that the landlord would, after paying the charges, and the annuity, receive no rent. He would be totally ruined ; his land, for every beneficial purpose, would be gone from him. I ask the fundholder, the artisan for foreign consumption, whether he thinks the great mass of land owners are likely to submit to this ; and whether they think they have strength enough by the point of the bayonet to carry it ; for that is clearly the only way it could be effected. A moment's consideration will shew the fundholder, that the first day of civil strife probably terminates his annuity. As little consideration must shew that the ruin of every gentleman and yeoman, and the reduction to perhaps a tenth part in value of the stock of the farmers, who are his customers, must inevitably seal the ruin also of every tradesman, and manufacturer of every thing except the bare necessities of life. Every man who manufactures for England's, or home use, would be ruined ; the land would almost every acre be laid down to grass, which would convert the very first dearth into a dreadful famine ; and three-fourths at least of the labourers in agriculture would be thrown, along with the ruined tradesmen, upon the parish, to starve ; or, what is

much the most likely, or indeed certain, to fill the ranks of the landlords, with brave and hardy soldiers to fight for their homes; and at the same time for their own existence, against the effeminate annuitant, and the little squad of artisans, who are workmen, *solely* for foreign consumption; for it would be most clearly the interest of the artisan, who worked half for foreign, and half for domestic consumption, to join the landlords and their labourers. When all this is considered, I ask how numerous are the families who would be benefited by the total abolition of the corn laws? And where is the man hardy enough to propose this dreadful measure of blood and misery?

If it be proposed to admit the importation of corn at a lower price than is now allowed by law, I at once reply, this is quite a different thing; it may very likely prove expedient to do it, and dishonest to refuse it; but until the effects of the other measures are seen, no alteration should be made. The removal of such an immense load of taxes, from every article required either for the poor man's comforts, or for the objects of his manufacture, must be such a great and instantaneous relief, that he may well wait a year or two, to see the effects, and not precipitately run the risk of ruining his best customers and employers. There can be very little doubt, that the last of these laws might be almost immediately abolished;

and the import price reduced to eight shillings, the Winchester bushel, the standard before the last alteration. But I do not limit it to eight shillings, if it can be reduced lower without ruin to the fundholders, gentlemen, or farmers, and, by a re-action, to the manufacturers themselves, it ought to be so reduced; and I think, with a Reformed House of Commons, the people may rest assured, that the thing will be done, which justice, benevolence, and sound policy requires. It must be admitted, that this is founded merely on expediency, not upon principle; for strictly, according to the latter, it ought, with many other laws of restrictions on free trade, to be abolished. Although political expediency too often, lately, has been made the stalking-horse to every kind of iniquity, yet surely no one will be bold enough to say, it ought to be entirely lost sight of; and that abstract principles ought only to be looked to without the *consequences* of acting upon them ever being considered. When I look at the cold springy soil of great part of Britain, and its ungenial climate, and compare them with those of France, and other countries; and then contemplate the immense population of our manufacturing towns, I am perfectly satisfied, that even if we had not a quarter of our taxes, we could not grow corn so cheap as they can; and the consequence of this would be, if we had no corn law at all, that in the first place, our farmers would all

be reduced to the greatest indigence, the whole country would be in pasture, and we must depend upon foreigners for our food : and in the second, we should be constantly liable to the same thing which *used to happen formerly*, when we had probably not half our present population. We should be subject to perpetual famines ; France, and some other countries, would always undersell us in the article of corn, for several plain reasons : A Frenchman requires much less food* or cloathing ; his vines produce him a delicious and cheap beverage, which we do not like only because our palates are corrupted with fiery brandy-dosed port. The land of France is in a very extraordinary degree free from springs : his taxes, compared with ours, are very low ; and above all, in consequence of the fineness of the climate, mildew is very seldom experienced. It is true, that the English soil will generally, in *favourable* years, by the assistance of skill and immense labour and capital, produce a larger burthen than the French ; but they have this in their favour, that with almost no labour, skill, or capital, they can produce a certain quantity, perhaps half, or two-thirds of our crop, which, with their other advantages of abstemiousness, *climate*, &c. will always enable them to undersell us, if they be not weighed down by excessive taxation.

* Or, which is nearly the same thing, he requires, and takes much less *animal* food.

I really think, that if the trading part of the community would only consider this subject coolly, their prejudices must give way ; and they must see, that the ruin of the gentlemen, and the farmers, that is, almost all their customers, would be as unfortunate a thing for them as could happen. It would not be a mere change of property from hand to hand—it would destroy the sources whence our abundance and prosperity arises.

If the manufacturer would only calculate what a quantity of shipping would be required to supply England with six months' consumption of corn, he would at once see the impossibility of our navy affording it to us, and the want of wisdom in depending upon it. Even with all our corn laws, I am informed, that we paid last year thirteen millions of pounds sterling for corn, and yet it was not very cheap. If we are to have absolutely no corn laws at all, we must return, (famines alone would produce the effect) to the state in which we were before corn laws existed. The traveller, with a shepherd for his guide, as in the Campagna di Roma (made desert by the same cause) would wander over heaps of ruins, and would say, here formerly stood Manchester, and yonder was once the magnificent town of Liverpool.

I am induced to dwell on the subject of the corn laws, because, on their proper formation, depends more perhaps than that of any other law,

the welfare of Britian ; and upon their being well understood, the state of content or discontent of the minds of the great mass of the people. The longer I live, the more clearly appears to me the folly of statecraft, or any other craft or falsity of any kind. I am strongly induced to think, that an act of falsity is always an act of folly. When our legislators told the people, who could sell the guinea for twenty-eight shillings in bank paper, that the bank paper was not depreciated, it made itself ridiculous. When the Speaker of the House of Commons pretended to be struck with horror at the very idea that any thing like corruption should take place in the return of members to the Honourable House, he was despised for his hypocrisy ; and when the parliament passed the last corn law, as it said, for the purpose of making *corn cheap*, it made itself detested for its fraud and falsity. How was it possible, for such a parliament to possess the confidence or respect of the people. What could be equal to the impudence of telling them, that it passed the corn law to make it cheap, when every man, on the contrary, knew that its effect would be, and was intended to be, to make it dear ? It was a foolish weak attempt of the parliament to deceive them, when, in fact, it deceived nobody but itself. The people were indignant, not only at the attempted deception, but because they were treated like fools. If the parliament had said, that the act was intended to make corn dear, and therefore,

by causing much to be grown, to make it at a high price plentiful, and in consequence of this, to prevent *excessive high* prices, and the danger of famine, it would have spoken the truth ; but in no case whatever could the law make it cheap. If it be said, that when it became very plentiful, it would become cheap, I say no ; not if this abundance arose from the cultivation of an increased number of acres ; for this would only prove that the proportion of land in corn was too great, and part would instantly go down to grass, to raise the price of the produce of the remainder. * The same effect would take place if the plenty arose from increase of capital on the same land ; and, in short, would take place in every case where corn was cheap, except when the cheapness was produced by the goodness of the seasons producing a more abundant crop than usual ; in which case, the cheapness of the corn brings riches to the farmer.

The people of England would rather submit to oppression than insult. At the same time, that I am not disposed to treat them with either, I am still as little disposed to seek their favour by flattering their passions, or by idle railing at the corn laws. The people want no such proceeding to have a proper esteem for those who respect their rights, and feel for their distresses.

* Still it must lower
the price in the first instance

The peculiar circumstances of England are such that if it be to continue a great manufacturing nation, it must have corn laws. With *proper and wise* corn laws, England may and will continue great ; as she has not feared before, she will not fear again, the union of the world in arms. But without them, like Rome, she will dwindle away, her cities in ruins, and her Campagna a sheep-walk. But to continue her present state, a change of policy is necessary: you must (as I have shewn you may easily do) reduce your taxes, and make your people contented. Return to your old-fashioned constables, and depend more upon them, and less upon a standing army. Treat the people with justice, and they will govern themselves. The people of England want no revolution ; but they want bread and justice. Give that, and you may as well depend upon them against domestic traitors as you did against foreign enemies, when you expected Napoleon, at which time the five hundred thousand men run to arms, denominated by one of those babbling, noisy, accomplished, though venal orators, who so often mislead you, a depository of panic.

Much anxiety has been expressed by an eloquent writer respecting the dangers to the Corinthian capitals of society : gentlemen seem to

forget that if the Doric and Rustic substratum, or basement, be crushed to atoms, both pillars and capitals will suffer in the general ruin. They seem to think that this lower story can never be burthened too heavily. No doubt it can bear much; but there is a point beyond which a single pound will cause it to fall.

I am no enemy, but a friend to the peerage—the Corinthian capitals. I know not in history a more venerable and respectable senate than that of Britain; but, like all other aristocratic bodies, it is fond of power. Its members have obtained an influence and power in the House of Commons which does not belong to them, and they ought to give it up. If some few nobles use this power for the good of the country, there are unfortunately a great majority of them who use it for its detriment.

Gentlemen, I am as little disposed to flatter the people on the subject of their present favourite topic—Parliamentary Reform, as on the corn laws. I hope I am not insensible to the value of their good opinion; but it would be dearly bought by the mean sacrifice of my own sentiments, which, as well as themselves, I have a right to entertain, and declare. Although I know some of those who at present lead them are both honorable and

honest men,* I neither approve the principles they have professed, nor the conduct they have adopted. I sincerely believe that a parliamentary reform, conducted with prudence and discretion, would be the greatest blessing which could be bestowed on our country; but, I am not irrevocably attached to any specific plan; and when gentlemen will tolerate none but those who think as they happen to think at this moment,

* Major Cartwright, for instance: I cannot refrain from doing an act of justice to this much abused, and defamed gentleman. Some years ago, he was bound in many thousand pounds for a friend, who was unfortunate in trade. My father being interested, through the medium of a banker, who had also failed, and wanting a considerable part of it, I was sent to London, at the time Sir James Sanderson, who was, I believe, also interested, was mayor, to enquire about it. I called on the major; and upon telling him the object of my visit, looking at me very stedfastly; he said, "Sir, I am instructed by my law adviser, that the transaction betwixt my friend and the banker, from whom you want this money, was usurious, and that I am not bound by law to pay a single farthing of it." I dare say I looked rather uncomfortable, because my law adviser had instructed me precisely to the same effect; but after a moment's pause, he added, "I was honestly bound for my friend, and I shall honestly pay the money; I only ask time to sell part of my estate to raise it; till when I will pay you five per cent." The estate was sold, and the money paid before the year's end. I cannot believe that this gentleman wants a revolution, that he may profit by a scramble, for the property of the rich.

they forget that they have changed their own opinions half a dozen times in half a dozen years : they will excuse me for saying, that they shew their intolerance, but not their wisdom.

It is not necessary for me to state what in my opinion would be the best plan of reform. The prayer of my petition should be for a committee of the whole house, to enquire into the state of the representation ; and that, upon the enquiry being made, the house would cause such reform, as it, in its judgment, should think most wise. A special committee would be better than one of the whole house, if it were appointed in the same manner, and carried into its chamber the same spirit which actuated the committee on the Bank restriction ; but this is a thing hardly to be expected. I am of opinion, that such a reform as I here allude to, would also satisfy a very great proportion of what are called radical reformers, who are really only such because they think that there is no hope except from them of any reform, which shall controul the war propensity of the court, and check the boundless extravagance of ministers.

When a few thousand men, met in Smithfield, or any where else, presume to dictate to the people of England what sort of reform they shall have, they forget themselves and their own abstract

principles; and they seriously injure the cause they advocate. If they mean to threaten, they forget that their opponents are English as well as they; and it would be well for them to give credit to others for that courage which they possess themselves.

Gentlemen, I pretend not to so high an opinion of you as many profess; but, I hope, that if a great majority of all ranks of the people were properly to call upon you for any specific plan of reform, or for enquiry only, that you would instantly grant it. And without such a majority, as I here contemplate, no great constitutional change ought to take place. If the great majority of the people of England are in a state of apathy, and will not or cannot see their true interest, I may and do regret it exceedingly, and will endeavour by discussion, &c. to enlighten them and bring them over to my opinion; but God forbid, even though I believed that I had a majority on my side, that I should for a moment meditate force, either to make them think, or act with me. That there have been some foolish, unprincipled, or hot headed people, or others driven by despair, who have thought of, and have had recourse to force, it would be absurd to deny; but not more than the constable, and *posse comitatus* was quite adequate to put down. If you fear a Smithfield meeting, and you be conscious

you deserve by your conduct, the confidence of your country, call upon it, and it will rally round you. Did it desert you, when Napoleon threatened? No, it rallied round you like a hive around its queen; and exhibited an example, I am proud to say it, never excelled in any age or nation. If you feel conscious you do not deserve it, retrace your steps, appoint a committee to enquire into, not to screen the abuses of the funds for charitable uses; appoint another committee, *not composed of lawyers*,* to reform the court of Chancery. Commence an enquiry into the abuses in the return of members to your house; and reduce the taxes, which may easily be done, as I have shewn you; and then you will receive, because you will deserve the confidence of your country.

The question of abstract rights having been started, I shall say a few words upon that subject. The people quote Blackstone, and all our best writers for the doctrine, that a man ought not to pay taxes, who by himself, or his representative does not join in the imposition of them; and how do you reply to them, except by exhibiting your bayonets, and throwing the petitions under your table? This is neither wise, just, nor

* Unless you can find lawyers, not like Judge Bailey, that good, though strangely mistaken man; but like Sir W. Jones, Sir S. Romilly, or Sir James Mackintosh: Philosophers as well as lawyers.

humane. Answer their arguments, if they are answerable, if not, at once avow the reasons, if you have any; but if you have not, pray what epithet does your conduct deserve? But I know you have reasons; then deal fairly, candidly, and state them; tell the people that, abstractedly, the doctrine of Blackstone, &c. is right; but that you know, if a house were constituted as they wish it, the destruction of all property would be the consequence:* That, if the landlords and farmers were ruined, the ruin of the tradesmen must inevitably follow; that the labourers in agriculture, the sinews of your empire, must, at least one half of them, perish with hunger, and the other become shepherds. Make the labourers understand this clearly, and you need not fear them deserting you. Shew that your interest is clearly identified with theirs, and you will soon see that they will rally round you. Nothing can be more easy, for nothing can be more true, than that without corn laws (the abolition of which, the radical reformers proposed) our island must be a sheep-walk. Shew the tradesmen and farmers, that the effect of the measures now recommended, would be to ruin the whole empire for the sake of one small part. viz. those who manufacture solely for the use of *foreigners*, and then do you think they would not support you? Without meaning to compare my countrymen to negroes, or to defend

* Vide Smithfield Resolutions.

the slavery of the much injured Africans, I may be permitted to observe, that if instant freedom were given to them, which according to every principle of abstract right ought to be done, the total destruction of all the inhabitants, as well black as white, of the islands would take place: this is an effect which no one can deny, and proves that there are cases, where it would be absolute madness to act upon the doctrine of abstract right, without any regard to expediency, or the effects which were to follow.

The experience of all ages shews, that it is not in the nature of a free country to be stationary; it will be always in a state of change, either becoming more or less free; one part of the people will be acquiring more power daily, which the other part will endeavour to wrest from them or prevent. During the time that this is going on, the state will possess great energy; great talent will be elicited, and noble actions performed, till the party which prevails at last will have consolidated its power beyond all opposition. It was during most violent struggles of this description, as well as others, with their neighbours, that such magnificent cities as Venice, Florence, &c. were built; their galleries, &c. formed; but since the oligarchy in one case, and the duke in the other, had possessed themselves of all power, the states have remained perfectly stationary. Every thing really worthy of notice was the produce of a former era.

This is nothing but what happens in all free governments. Britain is now in the state that those cities were before they lost their liberties : similar causes are producing similar effects. A few individuals have obtained great power in appointing members to the House of Commons, in which the liberty of Britain consists. The people are determined to wrest it from them, if possible ; and they, on their side, are as determined to retain it. When this struggle ceases, and a dead calm (so unwisely wished for by many) shall succeed, the same effects will take place, as in all other instances, when the causes have become similar. Whether the time will be soon or late, no one can tell ; but there can be little doubt, that if a committee of your house, with the same patriotic feelings, and the same disregard to party spirit, as was shewn by the committee on the Bank restriction act, were to take the subject of the national representation into consideration, such a plan of reform would be adopted as would satisfy a very great majority of the British nation ; and the period, when our liberties would cease, probably adjourned to a very distant day.

The argument often used, to reply to the proposal for a committee, that if they once began, they would never know where to end, is too contemptible to deserve notice, it is not expected or intended by those who use it to convince any one.

If you be in doubt, as to the opinion of the people, desire them to meet in their towns, and express to you their sentiments freely, whether or not they desire you to appoint a committee of the nature above-named to effect such a reform, as under all circumstances shall be thought the most advisable for the public welfare ; and you will soon see on which side the general opinion rests, without danger of being deceived.

But, besides the instances of abuse which I have pointed out above, there is yet one great and crying evil, which demands all your care: I need scarcely name the poor laws. This is a grievance much more difficult to conquer than the national debt. However, I do not doubt, that the reduction of the taxes would operate considerably to remove the present evil ; for, with their increase, the rate has regularly increased, and with their decrease, its decrease would as certainly take place.

The poor laws are a wretched code: they both corrupt and increase the numbers of your paupers ; they must be altered in principle. It is difficult to say, whether they be more injurious to the rich, or to the poor. At the same time that they corrupt the morals of the one, they destroy the charity of the other. You have had committees without end to inquire for a remedy ; and I believe no set of men were more industrious,

or more desirous of doing their duty ; but, unfortunately, their attention has been turned to details of practice, and regulations of little importance, in which they have occupied themselves, instead of taking an enlarged view of the subject, and instead of considering well the principles which actuate the human mind ; and thus discovering the source whence the evils flow, without which it is not likely any remedy should ever be found. The committee, in its report, seems to acknowledge the immoral tendency and impolicy of this code of laws ; and at some future period, to contemplate its total and complete abolition. In our present state, this is absolutely impossible : if it were possible, it would be unjust, and *ought not* to be done. In lieu of this plan, I now take the liberty of suggesting what appears to me to be more feasible, as well as somewhat more just ; but this I only propose, because I think that nothing can be more injurious both to the poor and to the rich than to leave them as they are.

Every man, let his station in life be what it may, is by nature inclined and desirous of possessing as many of the comforts and luxuries of life as he can procure, with as little trouble to himself as possible. No man acts without a motive, and if the law can be so contrived, that the motives which influence the conduct of the poor to abstain from applying for relief to the rate, are

more strong than those which move him to have recourse to it, the rate will as certainly decrease in the former case, as it would increase in the latter ; unless there be some unexpected and unusual distress to counterbalance this natural tendency.

For many years the disgrace of being considered a pauper operated in the way here contemplated, to make the relief so disagreeable, that many persons would rather die than become paupers ; but unfortunately circumstances have combined to do away the disgrace attached to pauperism. Our poor laws, in undertaking entirely to prevent the existence of misery and distress, have attempted that which is physically impossible ; and in this impossible attempt, have created misery, instead of having prevented it. In the state of society in this world, it is not in the nature of things for a nation to exist without poor ; and if a plan can be proposed, which shall afford an absolute security that no man shall ever die from want of food, or from want of a home to shelter him from the cold, and this without destroying the charitable feelings of the humane, and drying up the sources of private charity, as the present poor laws do, as much will be obtained as can be expected, if not, as much as can be desired. In the countries in which I have lately been travelling—France, Italy, Germany, Holland, and Switzerland—there are no poor laws ;

and I see nothing like the misery in England : probably as few people die in those countries of hunger as in England, in proportion to their numbers, though there is no poor rate. The appearances which Englishmen see, are very deceptive. in most of these countries mendicity is allowed ; beggars cannot well be put down, where mendicant friars are encouraged, and form part of the state. When an Englishman arrives in a town, he always finds a beggar or two about the door of the inn, to whom he instantly gives a handful of sous ; that is, he hires them, gives them a retaining fee to go as quickly as possible round the town to tell all the poor that a great Milord is arrived, and that they must go and torment him immediately. An Englishman might very easily, by counting them at the inns, know how many beggars there are betwixt Paris and Calais. People must not suppose that the poor are miserable, because they are ragged, in countries where they want a parasol rather than a coat. I had by accident a singular opportunity of ascertaining that some old women, begging in Normandy, lived very comfortably in houses, their own property, in a considerable town. In Rome there is no excuse whatever for begging ; as every person in distress, young or old, may go to an immense building, converted by the French from a convent into a house of refuge for the unfortunate ; where *every* person is received, lodged, cloathed,

and fed, without a question asking, and work procured for them; one-third of the produce of which is given to them, the remainder kept for their maintenance. They are always at liberty to depart at their pleasure. It contained fourteen hundred persons, and was in most admirable order. English, in travelling in the day-time in summer, see the Italians lying on the road-sides, and therefore think them indolent: they forget that they rest in the day, and work at night. I cannot think that a people can be slothful whose country is a perfect garden, which is the case with all Italy, with the exception of part of the papal territory. In most of the towns of Italy, there are societies of persons who associate for the purpose of seeking out and relieving distress. The individuals are never publicly known, but they go about, wearing a large linen dress, which covers them, head, face, and all, (except two eye-holes) to collect alms, and to distribute them afterwards: it is said, that persons of the highest rank often belong to these societies. I have more than once seen a fine white stocking, shoe, and buckle, under this humble, dirty-looking disguise. The money collected has not been suspected of being misapplied.

Upon inquiry into the state of that very curious race, the Lazaroni of Naples, I found them by no means so miserable or so profligate as

I expected, and not so numerous. Indeed, I have no doubt that the English poor, notwithstanding our enormous rates, are in a worse state than the poor of any country which I have seen. If the money expended on them were laid out profitably, there ought to be no such thing as distress ; but I do not deny, that the difficulty of so laying it out, is extremely great. The poor of the ancient Romans were relieved with corn ; why should not something of the same kind be adopted in England ? Instead of abolishing the rate altogether, which I conceive to be absolutely impossible, as well as unjust, an allowance of food might be substituted ; and this would be reduced to the greatest simplicity possible, by giving checks upon the baker or the miller, to such persons as the overseers, the vestry, or the magistrate should think proper. I would divide the poor into two classes : to those above fifty, or perhaps sixty years of age, at this time, the law should remain as it is, because I think they have now strong claims upon society, from living to that age under the present law ; but no relief should be given to the others except in bread, by checks, as named above.* No more than a certain weight of this should be given to each person per day. If the expence of this be calculated upon the present actual numbers of paupers, as stated in the report

* And cottages where necessary.

of your committee, compared with the weight of food given to the soldiers each day, a great and immediate reduction of your rates would take place. A proper application of this principle and mode of relief would immediately reduce the number of our travelling mendicants, because, if they never were relieved by any thing but bread, it would not serve their purpose to ramble from town to town ; for bread in one place would be just as good as bread in another. Upon my plan, a total change should take place in the law of settlement. I am of opinion, that the committee, in attempting to make the acquisition of a settlement more difficult than it was before, have acted directly contrary to sound policy. Their object is to diminish litigation; the course they have taken is the certain way to increase it. What makes gold more sought after than silver, but its scarcity ? And what is the reason that clay is not sought after at all, but its great abundance ? Throughout all the world, the more scarce and difficult of acquisition a thing is, the more it is desired. If a poor man could acquire a settlement in a place where he lived a month, and were never relieved from the rate but by bread, and that the same quantity in all places alike, he would never trouble himself either about gaining or losing a settlement. He would naturally wish to live his latter days in the place where he was born and educated ; and where else ought he to be ? Unless a greater facility of obtaining work, or some similar

cause operated, the dulce domum would mostly bring him thither. But the difficulty thrown in the way of a poor man chusing the place of his residence, is a great and grievous hardship, and ought to be avoided if possible. Surely, the poor man has misery enough ; and you would not wish to increase it by unnecessary or useless restraints ? In order to make the rate fall more justly and equally, and at the same time to make the overseers *keep in view the necessity of economy*, a portion, say three-fourths, of the bread money should be drawn by the overseer from the county rate, and only one-fourth from the parish. It is very evident that this is but a bare hint at a plan ; but I feel little doubt, that upon the principle here laid down, an intermediate course might be taken, betwixt the continuance of the present pernicious system, and a total abolition of it ; which, at the same time that it encouraged the poor man to exertion, instead of discouraging him, as at present, would foster and cherish those amiable feelings of kindness and benevolence in the rich, which the present system tends in every way to counteract.

As the restriction on the Bank of England, and the consequent variations in the value of our currency, and of property, has greatly aggravated the miseries of the people, a few observations on this subject may perhaps not be thought irrelevant. They are the result of much reading and

reflection. To enter fully into the question, would be only to repeat what has been written a hundred times already, and would increase this letter to a volume.

You imagine that you have adopted a plan which will enable you to return to a currency in cash. I wish you may not be disappointed. I confess, I much fear, that before the end of the four years, a combination of circumstances will oblige you to retrace your steps; amongst which the public distress will not be the least. Upon this subject I would recommend the following measures to be adopted. The law respecting a legal tender should be annulled, all annuities and payments for contracts made previous to the passing of the new act, should be discharged at the option of the payer, in silver or gold, or in Bank of England paper. As, when the contracts were made, it is evident a payment in Bank paper was in the contemplation of both parties: there would be no injustice in this. All taxes should be paid in the same way, at the option of the payer. After the passing of the act, all payments should be made according to the terms of the contract. Thus, if I bought a hat for a sovereign, it would be paid for in gold; if for twenty shillings, in silver, if for a Bank pound, in paper; if the kind of money was not specified, the choice should be with the payee. Persons will immediately think they see in this a paper price, and a money price, the former

bearing a great disparity to the latter ; but I think this would not be the case, or in a very slight degree, because it would be for the interest of the directors of the Bank to prevent it, and they would always have it in their power. They should be obliged to pay large sums, as proposed by Mr. Ricardo, in bullion ; and the only difficulty would be to fix the price at which the bullion should be paid. By this means the price of the bullion would be, what would regulate the value, not the coin, which, in fact, would never be either wanted or used except for small payments.

But in order that the Bank might have less inducement to issue too much paper, a stamp might be laid upon their notes, which should be so considerable, as to reduce their profits upon this branch of their concern to almost nothing. The agreement to receive a certain fixed sum, as a composition for their stamp duty might be terminated ; and in lieu of this, they might have some other equivalent advantage ; for I would not wish to rob them of any fair and legitimate source of gain.

When Lord Stanhope's bill passed to make it an offence to pay the guinea for more than its usual price, I told a friend that the act was ridiculous, and that I would set it at defiance in broad day light, and that he might punish me if he could. I went into the shop of Mr. Bright,

jeweller of Doncaster ; and asking the price of a watch, was told it was seven guineas ; I offered him a five pound Bank of England note, and a crown piece ; he refused it, and I went away. After walking up the street, and down again, with my friend, I returned to his shop, and throwing down five golden guineas, I told him, I would give him them for the watch : he immediately took them, and my son wears the watch yet. It was very extraordinary, that a man like Lord Stanhope should have proposed such a foolish dead letter law. It never died, for it was still-born. This fact is important, because it proves that the Bank paper was at that time depreciated more than one-third. In consequence of the measures since adopted, to bring the paper to par, one-third has been added to the national debt, and to all monied property ; and one-third has been taken from all the real property of the country. It now will take one-third more of the produce of every farm to pay the rent, and the taxes ; and the landlords may lower their rents, or the gaols will overflow as they did before, with their unfortunate tenants.

A seignorage of about eight per cent might be laid upon the gold coin. A new copper coinage ought to be issued, and the shilling divided into ten, instead of twelve pence, and twenty half-pence ; and five-penny pieces of silver might be coined. Thus ten half-pennies would make a

five-penny, and ten five pennies, a crown. And in crowns I would in future make all my calculations, and transact all the public business. Thus, instead of talking of the three per cents, we should say the twelve per cents, or the twelve crowns per cent, &c.: and by this means, without any violent change, the decimal mode of calculation would be obtained, which is used at Rome and Naples; and is perhaps the best at this time known. This would be a great advantage to all commercial transactions. You would very soon have abundance of coin for every necessary purpose. If the members of the cabinet, who regulate your Mint, will not profit by the example of France for the last century, in laying a seignorage on the gold, it is very surprising that they will not profit by the example of the Bank with its tokens, which were obliged to be suppressed by a penalty, when the royal coin would not circulate at all.

It has been said, that laying a seignorage on the coin of eight per cent, would operate as an income tax, to that amount in many cases, as for instance in favour of tenants against their landlords. This argument is completely inapplicable to Mr. Ricardo's plan. But allowing the argument its full force, if the measure had been adopted, when there really was no coin, and the guinea was worth twenty-six or twenty-seven

shillings, it would have operated in a slight degree, to counterbalance the lamentable effects, and the injustice which took place in suddenly restoring the paper money to its original value. If the measure here recommended had been adopted ten years ago, a sum of money would have been saved to the public, great beyond all credibility.

The French coin is not melted, because it is no one's interest to melt it; and the coinage of the French, instead of being, like yours, a cause of expence, is a source of profit. They coin for a great part of Europe. Gold coin at Rome or Naples is seldom seen except French; and there you meet with plenty of louis d'ors of Lewis the *sixteenth*, and Napoleons. No one is so absurd as to think of melting a French coin.

When the English nation assumes to be as brave and gallant as any upon earth, probably no *reasonable* person of *any* country will dispute it; but when it assumes to be the *most* enlightened, perhaps, its pretensions may on good grounds be doubted: for this is a pretension which every nation sets up for itself, and of the justness of which it probably is the least capable of judging. The innumerable absurd restrictions upon trade, which only operate against itself, are perhaps no proof, because other nations are equally absurd:

but surely the way in which its monetary system is conducted, exhibits something much behind its continental neighbours.* If I could hope, which I do not, that a great national prejudice could be overcome, I would certainly recommend the French monetary system to be adopted, with the single exception of giving different names to the pieces of coin. This would operate as a little offering to French vanity, which since the battles of Trafalgar and Waterloo, we can well afford to spare. It would tend to rub down asperities betwixt the two nations; and would be a very considerable step toward establishing one universal system for the whole of Europe; the benefit of which will hardly be denied by any one.

The same proceeding should also be adopted with our weights and measures. The French metre is so near the English yard, that the change would hardly be perceptible. It is well known that the institute spared neither expence nor trouble to discover the most eligible standard; and it would surely be very desirable to approximate as nearly as possible, to one general rule, for the whole European family. As we made the French nation a present of the Tuilleries, it would be only common politeness, to accept from them in return, a present of so trifling a thing, as a system of measures and money.

* The Catholic question is another instance of this kind.

It would be a foul libel upon you, to insinuate that you could possess such a contemptible littleness of character; as to refuse the adoption of measures so evidently calculated for general good, merely because they are French.

Gentlemen,—It is evident that if justice were to be done to the several subjects to which I have called your attention, instead of a short letter, several volumes would be required. What has been said, must be considered in the nature of hints, rather than of formed plans: But, if they should have the effect of inducing men of competent talents to engage in their examination, or to give them a trial, though I may be the least qualified to judge of their merits, yet I may be permitted to express a confident hope and persuasion, that they would be beneficial to our country; and that if consequences were to arise from their adoption, now unforeseen, it is almost impossible that their effects could be more calamitous than those are, which are taking place from leaving things in their present situation.

I am well aware, that gentlemen who take a leading part in the conduct of public affairs, have, generally, little time to spare for laboured, and probably, tedious dissertations. And, as I am very much inclined to agree in opinion

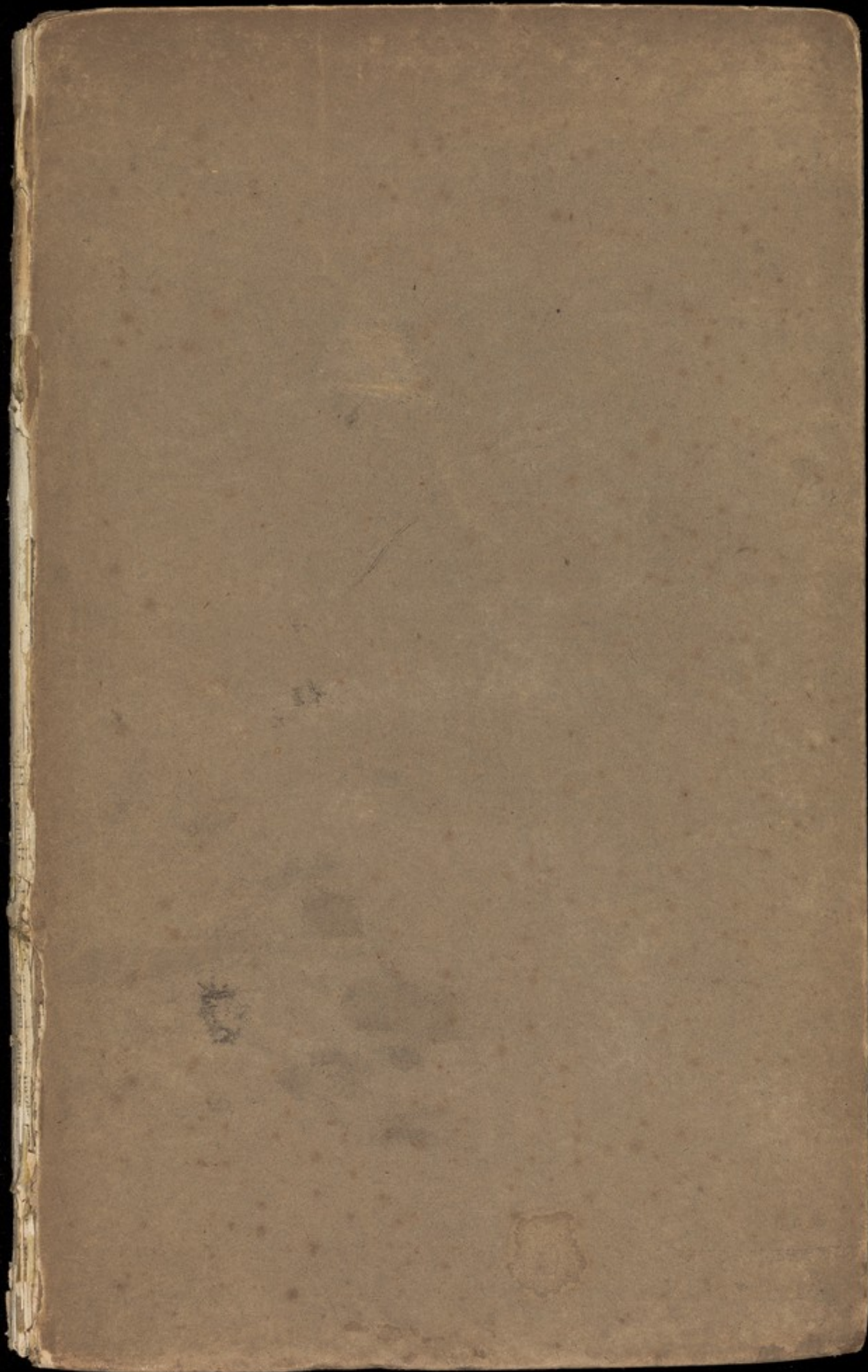
with the late Mr. Horne Tooke, that one of the best qualities which a book can possess, is that of brevity, I shall hasten to conclude; assuring you, Gentlemen, that I remain, with every due, and proper degree of respect,

Your most obedient, humble Servant,

GODFREY HIGGINS.

Geneva, Aug. 28, 1819.

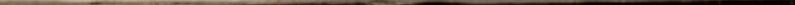
FINIS.



Daniel H. Cuke, M. D.

Eboracum.

This image shows a blank, aged, cream-colored page, possibly an endpaper or flyleaf from an old book. The paper is heavily marked with numerous small, brown, circular spots, which are characteristic of foxing or water damage. There are also larger, faint, irregular stains scattered across the surface. The overall texture appears slightly rough and worn.



Handwritten text, possibly a signature or date, located in the upper right quadrant of the page. The text is faint and appears to be written in dark ink.

HORÆ SABBATICÆ;

W. Sam. L. Luke Callegate
OR,
from the Author
AN ATTEMPT

TO CORRECT CERTAIN SUPERSTITIOUS AND
VULGAR ERRORS

RESPECTING

THE SABBATH.

BY GODFREY HIGGINS, Esq.

OF SKELLOW GRANGE, NEAR DONCASTER.

LONDON:

PRINTED BY A. J. VALPY, RED LION COURT, FLEET STREET.

SOLD BY SHERWOOD AND CO. PATERNOSTER ROW;

AND RIDGWAY, PICCADILLY.

1826.

4/3/7

Mr. Sam. J. Cook
from the Captain

PREFACE.

IN the following Treatise some persons perhaps may think, that too much trouble is taken to refute trifling objections: but the Author's object has been if possible to prevent reply. And he has not attempted to refute any objection, which has not at one time or other, been advanced by persons with whom he has argued on the subject.

He flatters himself that not one word will be found in the whole, which can give just offence to the orthodox or reasoning Christian, or even to the *sincere* follower of Wesley; though no doubt offence enough will be given to members of societies which suppress vice in rags, and cherish it in purple and fine raiment,—*itinerant* attendants at missionary meetings—such as practice *standing in the syna-*

gogues, and in the corners of the streets sounding their trumpet, and making long prayers. (Matt. vi. 2—5. xxiii. 14, 15.) Persons well described in the following epigram, written by a much esteemed friend of the Author.

How well the character agrees

'Twixt new and ancient pharisees ;

A surly, proud, vindictive race,

Who spat upon our Saviour's face ;

Because he told them it was wrong

Either to pray too loud, or long.

20, Keppel Street, Russell Square,

25th Jan. 1826.

their
—5.
fol-
ned

HORÆ SABBATICÆ,

&c. &c.

1. **O**F the various rites which have been established by the founders of the different religions of the world, perhaps there is no one which is so intimately connected with the temporal happiness and comfort of mankind, as that of the observance of one day in every seven as a day of rest. The appropriation of certain days, at short periods of time, to the purposes of devotion, of recreation, and of relaxation from worldly cares, seems to be an institution peculiarly adapted to the improvement of the mind, and to the advancement of civilization. And yet the example of the Turks, the strictest of all the observers of a Sabbath in modern times, proves that excellent as the institution is, human perverseness may prevail, to render it useless, to defeat the ends for which it was probably originally intended, and to destroy the good effects which it was so well calculated to produce.

2. The state of ignorance and barbarism, into which the inhabitants of the countries have fallen, which were formerly possessed by the elegant and enlightened caliphs, makes it evident that this insti-

tution is not necessarily accompanied with improvement and civilization; and after its first institution amongst Christians, it was equally unavailable, to prevent the well-known ignorance and barbarism of the middle ages; but in each case this effect has arisen by the abuse of it, or in opposition to it, not by its means. Its tendency was evidently to produce a contrary effect; and it can only be regretted that its power was not greater and more efficacious.

3. But it is not fair to reason against the use, from the abuse of a thing; and there is nothing in this world which may not be converted to an evil purpose, and the good effects of which may not be destroyed by artful and designing men. A proof of this may be found in the way in which attempts are now making in this country, to convert the institution of which I am treating to purposes pernicious in the highest degree to society—to make use of it to create or encourage a morose and gloomy superstition, the effect of which will be to debase, not to exalt or improve the human mind.

4. The Puritans, Evangelical Christians as they call themselves, the modern Pharisees in reality, a sect answering exactly to the Pharisees of old, finding that the restoration of the Jewish Sabbath, which was peculiarly ordained in the Old Testament for the use of the Jews; is well calculated to serve their purpose, and being precluded by

various circumstances of their situation from having recourse to the expedients of the Catholic priests, to gain possession of the minds of their votaries, have exerted all their power by its means to attain this object.* These are the reasons why we hear more of the heinous crime of Sabbath-breaking, than of all other vices together. And hence every nerve has been strained to the utmost, to extract from passages both in the Old and New Testament, meanings favourable to this design, which the words will not justify. But the fair unsophisticated doctrines on this subject, as taught in these works, are what it is intended here to enquire into and discuss.

5. In the whole of the New Testament, a single passage cannot be discovered clearly directing the observance of a Sabbath. If this institution be of the importance which some persons attach to it in a religious point of view, it seems very extraordinary that not one of the Evangelists should have stated any thing clearly upon the subject:—very strange that we do not find the mode described in which it was kept by the first disciples, or the apostles, in plain, clear, and unequivocal language.

6. It seems reasonable to expect, that if the ear-

* No doubt, amongst the Pharisees of old, as amongst our Evangelical Christians, there were many good, well-disposed persons, the dupes of the knaves.

liest Christians, the apostles or disciples, had considered that the observance of the Sunday was actually an exchange of the Sabbath from the Saturday, by divine appointment, we should find in the Acts of the Apostles all our doubts removed; and removed, not by implication or forced construction, but by a clear and unequivocal statement.

7 By the early Christians at first the Jewish Sabbath was strictly kept, but after some time it seems to have been considered by their immediate followers, along with all other Jewish ceremonies, to have been abolished; but they appear very wisely to have thought, that it would be useful and proper to select one day in the week, which, without neglecting the ordinary duties of life arising out of their respective situations, should be appropriated to the observance of religious duties, of rest and recreation. This does not seem to have been the act of any regular deliberative meeting, but to have taken place by degrees, and to have been considered merely as a measure of discipline, liable at any time to be varied or omitted, as the heads of the religion might think was expedient.

8. From a variety of passages in the Gospels, Jesus appears in his actions to have made no distinction betwixt the Sabbath and any other day; doing the same things on the Sabbath that he did on any other day. In reply to this it is said, that what he did on the Sabbath was good and useful—

such as healing the sick: this is true; but he did nothing on any other day which was not good and useful; and therefore nothing in favour of the Sabbath can be inferred from this. Every thing which is not bad is good; and it is wrong to do any thing on any day which is not good. One of the most important of all the Jewish rites, and one of the most strictly enforced by the Pharisees, was the observance of the Sabbath; and it appears evident, that Jesus performed various actions for the express purpose of making manifest his disapprobation of the strict observance of this rite, or indeed of its observance at all.

9. After he had healed the sick man at the pool of Bethesda, he ordered him to remove his bed on the Sabbath-day; and it appears from John v. 10, 11, 12, that a very correct and marked distinction was made by the Jews, betwixt healing the man and carrying away the bed: they say,

It is the Sabbath; it is not lawful for thee to take up thy couch.

Afterward, when the Jews charged Jesus with having broken the Sabbath in this instance, his reply was very extraordinary: v. 17.

My Father worketh until now, and I work.

10. If the doctrine of Jesus be deduced by implication from his conduct, from this very instance

the Sabbath must be held to be abolished. He expressly says to the observation on the subject of the couch, "*I work.*" The answer of Jesus clearly applies to the moving the bed as well as healing the man; because the expression is, "these things," in the plural number; and there were but two acts which could be referred to.

11. But another observation offers itself on this subject: here is the fairest opportunity afforded to Jesus to support the Sabbath, if he had thought proper. If he had thought it right that the Sabbath should have been continued, he would have said to the sick man, Arise, and walk, and remove thy bed when the Sabbath is over. He would then have taught in the clearest and shortest terms possible, the propriety of doing good works of necessity, and the impropriety of doing such as were not works of necessity on the Sabbath. In every one of the following texts, an opportunity is afforded to Jesus, so favourable for the inculcation of the observance of the Sabbath, that it is very difficult to account for his neglect of it, if it were his intention that it should be continued.

Luke xiv, 4, 5. xiii. 14. vi. 6—10. Matt. xii. 2. Mark ii. 27. John vii. 22. ix. 16.

12. Jesus constantly evades the attacks of the Jews on the ground of necessity; but in no instance does he drop a word expressive of disapprobation, of *doing even unnecessary* works on the Sabbath. This

is named, though it is not necessary to the argument; because if he had expressed himself against doing unnecessary works on the Jewish Sabbath, no consequence could be drawn from this circumstance respecting the Christian observance of Sunday.

13. In Luke xviii. Jesus has an opportunity of a different kind from the above, of supporting the Sabbath; but he avoids it.

18. A certain ruler asked him, saying, Good Master, what shall I do to inherit eternal life?

19. And Jesus said unto him, Why callest thou me good? none is good, save one, that is God.

20. Thou knowest the commandments, Do not commit adultery, Do not kill, Do not steal, Do not bear false witness, Honour thy father and thy mother.

21. And he said, All these have I kept from my youth up.

22. Now, when Jesus heard these things, he said unto him, Yet lackest thou one thing; sell all that thou hast, and give to the poor, &c.

14. Here Jesus not only avoids directing the observance of the Sabbath; but in actually specifying the commandments by name which are necessary to insure salvation, and omitting the Sabbath, if he do not actually abolish it the neglect of the opportunity of inculcating it, raises by implication a strong presumption against it. But, indeed, in not adding the observance of the Sabbath to the one thing more which was lacking, he actually abo-

This is quibbling - Jesus does not here mention even the first & great commandment - He is evidently mentioning a few by way to try the Ruler & the inference cannot fairly be made that the rest are not equally binding -

lishes it, if the common signification of words is to be received.

15. The ordering the bed to be removed was one breach of the Sabbath, and the following passage exhibits a second example of a premeditated breach of it by Jesus.

16. At the first verse of the sixth chapter of Luke it is written,

And it came to pass, on the first Sabbath after the second day of unleavened bread, that he went through the corn-fields; and his disciples plucked the ears of corn, and did eat, rubbing them with their hands.

17. In this passage it appears, that the disciples of Jesus, with his approbation, reaped the corn on a Sabbath-day. It also appears that he was travelling on that day. The Pharisees, as usual, reprimanded him for breaking the Sabbath, which he justified, saying, "The Son of man is Lord even of the Sabbath," ver. 5.

18. It cannot be supposed that provisions were not to be had in Judea. It is represented to have been almost incredibly rich and populous: and if Jesus had not thought the reaping the corn on the Sabbath justifiable, he would have provided against the necessity of doing it, if any necessity there was. He might also have made use of this occasion to inculcate the doctrine, that though acts of necessity were permitted, all others were expressly forbidden on the Sabbath-day. It is very evident

Certainly
not

that he was travelling. The road probably as at this day passed through the open corn-fields.

And it came to pass that he went through the corn-fields on the Sabbath; and his disciples began as they went to pluck the ears of corn; and the Pharisees said unto him, See, why do they on the Sabbath that which is not lawful? ¹

19. The conduct of his disciples he defends, upon the example of David eating the shew-bread, which it was lawful only for the priests to eat; and adds, that the Sabbath was made for man, not man for the Sabbath. But not a word is said which can be construed in favour of *keeping* the Sabbath.

20. It has been observed that only the burthen-some parts of the Jewish law were abolished, but that the observance of the Sabbath is not a burthen. Where is the authority for this? Is it not a burthen to be refused permission to cut the wheat when it is shaking, or to carry it from the approaching storm? all which is expressly forbidden on the Jewish Sabbath.

21. The abolition of the Levitical law was intended, but Jesus nowhere expressly declared it to be so. The same reason operated in the case of the

¹ By this it was not meant that they were doing an unlawful act because the corn was not their own, but by Sabbath-breaking. To pluck the ears of corn is permitted by Deut. xxiii. 25.

abolition of the Levitical law as in the abolition of the Sabbath, to prevent him publicly declaring it.

22. If Jesus had expressly declared that people were to work on the Sabbath, and that it was to be abolished, he would have offended against the 31st chapter and 15th verse of Exodus.

Whosoever doeth any work in the Sabbath-day, he shall surely be put to death.

23. Indeed the strongest charges brought by the Jews against him were, that he had broken the Sabbath, and attempted the overthrow of the Levitical law. John says, v. 18.

Wherefore the Jews sought the more to kill him, because he not only had *broken* the Sabbath, but said also, that God was his Father.

24. If any Jew attempted to destroy the law and constitution as established by Moses, he was clearly by that law liable to suffer the punishment of death. Exod. xxxi. 15. Numbers xv. 32. Deut. xiii. xxx. xxxi. 14—18.

25. And that such was the intention of the mission of Jesus is clearly proved by the result, with which we are all acquainted, as well as by the decision of the Apostles detailed in the book of their Acts, by which the whole of the old law is abolished, except four things, which are called necessary.

26. The Apostles must have known from Jesus what was his intention ; besides, acting under the

direction of the Holy Spirit, they could not err. When Jesus abolished the old law, of course he abolished every part of it which was not expressly excepted.

In Matt. v. 17. Jesus says, *Think not that I am come to destroy the law, &c.* but to fulfil it.

27. This expression appears peculiarly clear and appropriate; and it seems extraordinary, that the learned and ingenious Unitarian, Mr. Evanson, should have found any difficulty in it.

28. According to the account given of Jesus in the Gospels, it was evidently not his inclination to surrender himself to the Jews, until a particular period, when his mission had become fulfilled; for this reason it was, that he repeatedly withdrew from them privately, when their rage threatened his life: for the same reason, he constantly spoke equivocally when he saw there was danger in speaking clearly, until the last moment, when he openly avowed himself to Pilate to be the Messiah. The question whether he came to abolish the old law was evidently a snare; and if he had answered it in the affirmative, he would have been instantly liable to suffer death, according to the law given by God in Leviticus, and which he came to abolish: but the answer he gave was ambiguous to the Jews at that time, although clear to us now, if the correct meaning of the words be attended to.

29. God entered into a covenant with the Jews to continue until the coming of the Messiah.¹

30. Suppose I enter into a covenant with a man, to take a farm of me on certain terms for seven years. At the end of this time, is the covenant abolished? No. Are the terms or laws on which he held the farm abolished? No. The law or terms, as well as the covenant, are fulfilled, not abolished; and, as the lawyers would say, the demise is determined. The word fulfilled is the proper and true word to use, and if the word abolished or destroyed had been substituted, it would have been wrong and untrue; and as the institution of the Sabbath was a part of the revealed law, or commandment of God, and was in no other way obligatory than the remainder of the old law, of course it falls under exactly the same rule, and as it was not excepted, was with it fulfilled.

31. It has been said that the instances produced of Sabbath-breaking by Jesus and his disciples, are of so trifling a nature, that nothing can be implied from them. On the contrary, they were evidently done for the sake of *agitating* the question of the Sabbath; and if something important did not depend upon them, they are much too trifling to have been noticed at all. In each of the cases they are named, evidently for the sake of affording an opportunity, to record the expression of Jesus

¹ See Matt. v. 17.

to the Pharisees, which came from him in the conversation which followed his act. The removal of the bed was no part of the miracle, and was totally and absolutely unnecessary, and directly in defiance of the old law. The act of pulling the corn, allowed by Deut. xxiii. 25, was equally an unnecessary act; for if it belonged to his disciples, their residence must have been within a few minutes' walk; and if it did not, it must have been in the centre of a populous country; and if it were further than about one mile (a Sabbath-day's journey) from the place where Jesus rested the preceding night, he must have been guilty of a breach of the Sabbath, of a most remarkable and unequivocal description, in travelling further than allowed by the law on the Sabbath-day.

32. In order to form a judgment of the great consequence, which ought to be attached to the act of breaking the Sabbath by Jesus, it will be useful to consider, in what light it was viewed by the old law, and by the Jews with God's approbation: the reader will then see, that the act of Jesus must in him be considered of the first consequence; not as a trifle, as we at this day consider reaping corn or moving a bed. The following verses will set this in its proper light. Numbers xv.

32. And while the children of Israel were in the wilderness, they found a man that gathered sticks upon the Sabbath-day.

33. And they that found him gathering sticks brought him unto Moses and Aaron, and unto all the congregation :

34. And they put him in ward, because it was not declared what should be done unto him.

35. And the Lord said unto Moses, The man shall be surely put to death : all the congregation shall stone him with stones without the camp.

36. And all the congregation brought him without the camp, and stoned him with stones, and he died ; as the Lord commanded Moses.

33. If the character of Jesus be considered, it is very absurd to contend, that any act of his, recorded by the pen of an inspired writer, ought to be lightly estimated : this is actual profaneness in a Christian. It is incumbent on every believer in his divine mission to look upon each action of his life as an action recorded for the purpose of example, or of affording an opportunity of inculcating some doctrine : and as such, the moving of a bed, or travelling, or pulling corn on the Sabbath, become circumstances of great moment, when recorded by the pen of an inspired writer.

34. It has been said, that Jesus by preaching in the synagogue on that day kept the Sabbath. If this argument be good for any thing, it shows that the Saturday, not the Sunday, ought to be kept. But in fact this proves nothing with respect either to the Saturday or Sunday ; for in preaching on the Sabbath-day, he only did what he did on every

other day of the week ; and he evidently went into the synagogue because there the Jews were collected together. He was circumcised, and kept *all* the Jewish feasts and rites of the old law (unless the Sabbath be excepted); then if the Sabbath ought to be kept by Christians because he kept it, all the rites and ceremonies of the old law ought to be followed, because he followed them. This is the necessary consequence if persons reason consistently from cause to effect. As Dr. Paley correctly observes,

‘ If the command by which the Sabbath was instituted be binding upon Christians, it must bind as to the day, the duties, and the penalty ; in none of which is it received.’

35. The fact is, that his conduct appeared to be so equivocal to many of the Jewish Christians at that time, that they continued to observe the Jewish law with all its burthensome rites and ceremonies, until the council of the Apostles at Jerusalem, acting under the direction of the Holy Ghost, and speaking by the mouth of St. Paul to the citizens of Antioch, abolished the whole except four things.

36. It appears from chapter the 15th of the Acts, that it was proposed that the Gentile converts should observe the law of Moses. Upon this a difference of opinion arose. Now there can be no doubt that if the Sabbath, or any other part of the old law were to be retained, it would have been here ex-

pressed: but the Apostles only require from the Gentiles to observe four things, which they call necessary, and expressly absolve them from the remainder; and the observance of the Sabbath is not one of the four excepted.

37. The Sabbath is a Jewish rite, not a moral law, and every such rite is expressly abolished. As the Decalogue, which is a part of the Jewish law, is not excepted, and depends on precisely the same authority as all the remainder, it must be held, *unless it be specifically excepted* as a CODE of law, to be abolished also: and the moral laws which are intermixed with the Jewish rites which it contains, must be held to depend upon their own truth or the commands of Jesus.

28. For it hath seemed good to the Holy Spirit and to us, to lay upon you no greater burthen than these necessary things:

29. That ye abstain from things offered to idols, and from blood, *and from things strangled, and from fornication*; from which if you keep yourselves, ye will do well. Acts xv. 28, also xxi. 25.

38. It is here worthy of observation, that the part marked in Italics is no part of the Decalogue.

39. Again, in Acts xxi. 25, the question respecting the observance of the old law is alluded to, and it is expressly forbidden.

25. As touching the Gentiles which believe, we have written and concluded, that they observe no such thing,

save only that they keep themselves from things offered to idols, and from blood, and from strangled, and from fornication.

40. Here, as it is a part of the old law, it is actually expressly forbidden. The Apostles, acting under the influence of the Holy Spirit, and speaking of the old law—the whole of it—say, *We have concluded that they observe no such thing.*

41. How can words of prohibition be more clear than these? NO SUCH THING; save only, &c. If by explanation the Sabbath can be shown to be continued, there is no expression in any language which may not be explained to mean directly the reverse of what the speaker intended.

42. This is quite enough to decide the question; but we will see what St. Paul thought of it.

43. Of course all Christians of the present day will allow, that where a doubt shall exist respecting the meaning of the Gospels, or of Jesus himself, if St. Paul have expounded it or explained it, his authority must be conclusive and binding upon them. In the following two verses, St. Paul has actually declared that the Sabbath was abolished.

8. Owe no man any thing, but to love one another: for he that loveth another hath fulfilled the law.

9. For this, Thou shalt not commit adultery, Thou shalt not kill, Thou shalt not steal, Thou shalt not bear false witness, Thou shalt not covet; and if there be any other

commandment, it is briefly comprehended in this saying, namely, Thou shalt love thy neighbour as thyself. — Rom. xiii. 8, 9.

44. If there be any other commandment, it is what? Not the observance of the, or a, Sabbath. How can any thing be clearer than this? Besides, it is evident that in this letter of instruction to the Romans, he would have told them that they were to keep a day in lieu of it, if he had thought it imperative on them so to do. If St. Paul be authority, every commandment in Genesis or elsewhere in the Old Testament is expressly abolished.

45. But in the following passage St. Paul goes much further, and not only abolishes the Sabbath, but actually declares himself against the compulsory use of days altogether as *necessary* appendages or parts of religion. St. Paul could not fail to know that the observance of days might be converted to the purposes of superstition, the same as all other forms and ceremonies had been by some of the Pharisees, and other hypocritical pretenders to superior sanctity, to the exclusion or neglect of true devotion and the moral law.

5. One man esteemeth one day above another; another esteemeth every day alike. Let every man be fully persuaded in his own mind.

6. He that regardeth the day, regardeth it unto the Lord. And he that regardeth not the day, to the Lord he doth not regard it—Rom. xiv. 5, 6.

46. Here, unless we distort the meaning of plain words, St. Paul abolishes the compulsory observance of days, or states the observance of them not to be necessary; but as the observance of certain days may evidently have no guilt in it, he says, If you think it right to keep them, it is well; but if you think otherwise, it is also well. In both cases, *it is to the Lord*, to use his mode of expression.

47. In the second chapter of the Epistle to the Colossians, verse 16, is a passage in which St. Paul again expresses himself against the observance of fixed days, or Sabbaths.

48. Dr. Paley prefaces his quotation of this text with the following observation: and no person but as degraded a fanatic as Johanna Southcote, or the modern ranters, will treat the opinion of the venerable Paley with disrespect. He says,

‘St. Paul evidently appears to have considered the Sabbath as part of the Jewish ritual, and not obligatory upon Christians.’

49. If St. Paul have *evidently* decided the question, surely Christians may safely rest upon his authority: he says,

16. Let no man therefore judge you in meat, or in drink, or in respect of an holiday, or of the new moon, or of the Sabbath-days;

17. Which are a shadow of things to come: but the body is of Christ.

50. By the use of meats or drinks, he must allude

to the use of them on fast-days, because the use of them on other days no man ever said was wrong. The same argument must apply to the neglect of feast-days regulated by the state of the moon. The same of the Sabbath; for it is not maintained that there was any guilt in keeping a day of rest: the offence was in breaking it: and here St. Paul must be construed to mean, Let no man condemn you for the breach of the Sabbath. It seems absurd to construe it to mean, Let no man condemn you because you choose to keep a Sabbath or day of rest. If it be so construed, then it must also be said, (to be consistent,) Let no man condemn you for merely taking necessary food. If it do not mean, Let no man condemn you for taking meat on some days when it is forbidden, it is actual nonsense. But in a few verses he seems to explain his own meaning.

20. If ye be dead with Christ from the rudiments of the world, why, as though living in the world, are ye subject to ordinances,

21. (Touch not, taste not, handle not :

22. Which all are to perish with the using,) after the commandments and doctrines of men?

23. Which things have indeed a show of wisdom in will-worship and humility, and neglecting of the body; not in any honour to the satisfying of the flesh.

51. In the next chapter he goes on to direct the Colossians to seek those things which are above.

Mind the things above, not the things below, &c.

52. The whole of this train of reasoning is consistent with itself, and also with what he has said in the Epistle to the Romans, xiv.

He who regardeth the day, regardeth it to the Lord; and he who regardeth not the day, to the Lord he regardeth it not.

53. The whole of St. Paul's preaching goes to inculcate that the observance of feasts and fasts is a matter merely optional, and that the observance or non-observance of them is no offence, and consequently he is directly against the compelling their observance by law.

54. In the whole of the Epistles, there does not seem to be a single clear, unequivocal passage in favour of the Sabbath. In almost numberless places breakers of such of the commandments as are in themselves moral rules, independent of the law of Moses, are condemned in the strongest terms: for example, 1 Cor. vi. 9, 10. Gal. v. 19—21. 2 Tim. iii. 2.

55. But in not one of them is a Sabbath-breaker named. How does this happen? The reason is sufficiently plain. The breach of the Sabbath under the old law was a breach of the covenant with God, and therefore a high offence; but the Sabbath being abolished, under the new law it was none.

56. Although Dr. Paley does not agree with the author entirely respecting the Lord's-day, he makes several admissions, which, coming from him, are very important. He says,

'A cessation upon that day (meaning Sunday) from labour, beyond the time of attendance upon public worship, is not intimated in any passage of the New Testament; nor did Christ or his Apostles deliver, that we know of, any command to their disciples for a discontinuance upon that day of the common offices of their professions.'

57. Upon this it may be observed, neither is the necessity of attendance upon public worship intimated particularly upon that day, in preference to any *other*. Nothing is said upon the subject, therefore nothing can be inferred. So that the proof of the necessity of attendance on divine worship must be sought for elsewhere.* In fact, the

* In the four Gospels, no person can point out a single passage which, in clear unequivocal terms, directs the observance of *public* worship. One text may be shown where it is tolerated :

Where two or three are gathered together in one place, I will grant their request.

And one where it is discouraged, at the least, if it be not expressly prohibited ; and where such persons as may not think it necessary, are expressly justified for its non-observance :

5. And when thou prayest, thou shalt not be as the hypocrites are : for they love to pray standing in the synagogues, and in the corners of the streets,

non-inculcation of public worship *in the passages alluded to above*, proves nothing either for or against it: only it goes to prove that it was not particularly ordered on the first day, more than on the seventh or any other day, and leaves the times for its observance open to be fixed on what days the government, or the rulers of the churches think proper.—What is said here must not be construed as a wish to prohibit all public worship; but only to place it on a correct footing as a right of discipline, and to discourage the fashionable pharisaical doctrine, that all merit is included in praying *in the synagogues, and at the corners of the streets*, and making long speeches at Bible Society meetings, &c.

Again, Paley says, ‘The opinion, that Christ and his Apostles meant to retain the duties of the Jewish Sabbath, shifting only the day from the seventh to the first, seems

that they may be seen of men. Verily I say unto you, they have their reward.

6. But thou, when thou prayest, enter into thy closet; and when thou hast shut thy door, pray to thy Father which is in secret; and thy Father, which seeth in secret, shall reward thee openly.—Matt. vi. 5, 6.

Except these two texts in the Gospels, the author knows not one which alludes to public worship;—a thing with pageantry, &c. &c. as much abused sometimes by Christians, as ever it was by Jews or Heathens. The attendance of Jesus in the synagogues can no more be cited to support it, than his observance of the passover and other Jewish rites can be cited to support the rest of the laws of Leviticus abolished by the Acts.

to prevail without sufficient proof; nor does any evidence remain in Scripture, (of what, however, is not improbable) that the first day of the week was thus distinguished in commemoration of our Lord's resurrection.'—Mor. Phil. p. 337. Ed. 8vo.

58. Certainly in *Scripture* there is no evidence.

59. In this view of the doctrines of St. Paul, the author is happy to have so learned and respectable a divine as Michaelis of his opinion. And indeed as the opinion of Michaelis is not objected to by Bishop Marsh, his translator, in his usual way by a note, where he disapproves any thing, the author seems to have a right to claim him also.

Michaelis, chap. xv. s. 3. says, 'The Epistle to the Colossians resembles that to the Ephesians, both in its contents and in its language, so that the one illustrates the other. In all three, the Apostle shows the superiority of Christ to the Angels, and warns the Christians against the worship of Angels. *He censures the observation of Sabbaths*, rebukes those who forbid marriage, and the touching of certain things, who deliver commandments of men concerning meats, and prohibit them.'

* It gives the author great satisfaction to have an opportunity of bearing his humble testimony to the conduct of Michaelis and Bishop Marsh. In reading their works, his pleasure is never diminished by the fear of wilful misrepresentation, economical reasoning, or false quotation. They are as superior to most of their predecessors or cotemporaries in integrity, as they are in talent. His Lordship has been seldom out of

60. Some well-meaning persons, looking about for any thing which might aid them in the support of the early prejudices of their nurseries and education, have fancied, that they could find a Sabbath in the practice of the Apostles of meeting together on the first day of the week. This question we will now examine, and see whether they, on that day, did meet, and if from these meetings a rite of such prodigious importance as the renovation of the Jewish Sabbath can be inferred.

61. There are only three passages in the New Testament, which make mention of the Apostles' being assembled on the first day of the week. The first is on the day of the resurrection, John xx. 19.

19. Then the same day at evening, being the first day of the week, when the doors were shut where the disciples were assembled for fear of the Jews, came Jesus, and stood in the midst of them.

62. Jesus Christ is described to have risen that day before day-light in the morning, and after all the various events which in the course of the first

polemical warfare, and has experienced the usual vicissitudes of victory and defeat (the latter for instance by Gandolphy); but conqueror or conquered, he has never stooped to the meanness of a pious fraud. It is one of the misfortunes of the author, never to have had the opportunity either to speak to or to see the venerable Bishop, one of the greatest ornaments of the bench in the present day.

part of that eventful day had happened to several of them, it was very natural that they should assemble together as soon as possible, to confer respecting them, and to consider what was the proper line of conduct for them to pursue. It is absurd to suppose that this assembly could be held to celebrate the rites of the religion, before the Apostles were all of them satisfied that he had risen, and that his body had not been stolen, as it is stated that some of them at first suspected. The peculiar accidental circumstances evidently caused this meeting to be as soon as possible after the resurrection, and it would have been the fourth or any other day, if Jesus had happened to have arisen on that day.

63. But it is necessary to observe, for the information of such persons as have not made the Jewish customs and antiquities their study, that the computation of time amongst the Jews was very different from ours; and it is evidently necessary to consider the words of the texts with reference to their customs, not to ours. Our day begins at or after twelve o'clock at night, theirs began at or after six o'clock in the evening. In Genesis it is said, And the evening and the morning were the first day. If the day had begun as ours does, it would have said, The morning and the evening were the first day; and in Levit. xxiii. 32. it is said, *From even to even shall you celebrate your Sabbath*; consequently, the Jewish Sabbath began on Friday

evening at about six o'clock, and their supper, or, as it is called, their breaking of bread, took place immediately after ; the candles being ready lighted, and the viands being placed on the tables, so that no work by the servants might be necessary ; and there they remained on the tables till after six the next evening. The custom of breaking bread in token of amity and brotherly love, was an old custom of the Jews, something like the giving of salt amongst the Arabians, and is continued amongst them to this day.

64. By the word day two clear and distinct ideas are expressed ; it means the light part of the twenty-four hours, in opposition to the dark part of them, and it means the period itself of the twenty-four hours—one revolution of the earth upon its axis.

65. In the expression here, *the same day at evening*, the word day must mean, the day-light part of the day, in opposition to the dark part of it—the night ; because Jesus *could* not have appeared literally on the evening of the first day of the week ; that is, after six o'clock on the Saturday evening, he not having risen at that time ; therefore this meeting, being probably after six o'clock in the evening, on account of the return of the two Apostles from Emmaus that day, the day of the resurrection, Luke xxiv. 30 ; it, in fact, must have taken place, though on the first day-light day, a

little before sunset ; yet, on the second, not on the first Jewish day of the week. It is not surprising that persons should find a difficulty in clearing their minds from the prejudices, created by long habit and education, respecting the question and expression of the first day of the week. But if they will only give themselves the trouble *carefully* to examine, the truth must prevail.

66. For these various reasons, whether the meeting named in John xx. 19. be considered the first day of the week, or the second, no inference in favour of a Sabbatical observance of the Sunday can be deduced : for it was merely accidental whether it were the first day or the second.

67. In the 26th verse of the twentieth chapter of John, it is said,

And after eight days, again his disciples were within, and Thomas with them.

68. Whether the meeting above alluded to was on the first or second day of the week, it does not seem clear how this, the day after eight days, should be the first, i. e. the eighth day. It may have been the ninth in one case, and the tenth in the other ; but in no case can it have been the first or the eighth day. If this passage meant to describe the meeting to have been on the first day of the week, it would have said, On the first day ; or, After seven days ; or, On the day after the Sab-

bath. The expression evidently proves that it could not be the first.

69. The next passage, which is in the Acts of the Apostles, xx. 7, is as follows :

And upon the first day of the week, when the disciples came together to break bread, Paul preached unto them (ready to depart on the morrow), and continued his speech until midnight.

70. As a learned layman, in his controversy with Dr. Priestley, has justly observed : This meeting, according to the Jewish custom, and form of language, and computation of time, could have taken place at no other time than after six o'clock on Saturday evening : there was but one time, viz. the evening of each day, when they met for the purpose of breaking of bread ; and it therefore necessarily follows, that the preaching of Paul must have taken place on the Saturday night, after six o'clock, by our mode of computation, ready to depart on the morrow, at day-break. Surely the preaching of Paul on Saturday night, and his travelling on the Sunday, cannot be construed into a proof that he kept the Sunday as a Sabbath.

71. In the only subsequent passage where the first day of the week is named, 1 Cor. xvi. 2, the same gentleman has shown, that if any inference is to be drawn from the words contained in it, they go against the observance of it as a

Sabbath, and imply that a man on that day was to settle his accounts of the week preceding, that he might be able to ascertain what he could lay up in store against Paul came.

Upon the first day of the week let every one of you lay by him in store, as God hath prospered him, that there be no gatherings when I come.

72. How can any one see in this verse, a proof that the first day of the week was to be kept by Christians as an obligation, as a Jewish Sabbath? It is well known that at first the Christians strictly kept the Jewish Sabbath; therefore they could not make a weekly settlement of their accounts till the day after the Sabbath, which was the first. It is observed by the same learned person, in his controversy with Dr. Priestley,

* I would as soon misspend my time in attempting to prove that the sun shone at noon-day, to a person who should persist in affirming it to be then midnight-darkness, as I would contend with any one who will assert, that an express precept for a man to lay by money, *in his own custody*, signifies that he should deposit it, *in the custody of another person*: or who, well knowing that, in the time of the Apostles, the hour of assembling together, both for their ordinary chief meal, and for the celebration of the Lord's supper, was in the evening, at the beginning of the Jewish day, persists in maintaining, that a predication which St. Luke informs us took place at that particular time, did not commence then, but at an hour when they

never assembled for those purposes. I will, therefore, only remark, on the latter instance, that I am sorry to appear so ignorant to Dr. Priestley, as not to have known, that amongst the Jews, as in every other nation, the word day was used sometimes to denote the periodical revolution of twenty-four hours; at others to express *day-light*, in opposition to darkness or night. I am sure the force of my argument required that it should be so understood. And I only quoted the beginning of Acts iv. to convince Subsidiarius, whose head seemed to be prepossessed with modern English ideas, that though the word morrow, or morning, in our language signifies the next civil day, because our evening and subsequent morning are in different days, yet, amongst the Jews, when opposed to the preceding night or evening, it meant the same civil day; because, with them, the evening and following morning were in the same day.'

73. The texts here cited being disposed of, it is only necessary to observe, that there is not the smallest evidence to be found, either positive or presumptive, that the *Apostles or disciples* of Jesus considered the first day of the week in any way whatever different from the following five.

74. In the two first Epistles of John will be found many passages inculcating obedience to the commandments of God, and of Jesus in general terms, and specifying some ordinances as commandments, which are not to be found in the Decalogue, v. 15: whence it appears that the word commandment cannot be construed to apply exclusively to the Decalogue, or to mean any one

commandment in particular; especially one like the observance of the Sabbath, that is not binding by any moral law,—one which must depend entirely, either in the old or new law, upon a specific revelation, and not upon the general principles of morality which have been acknowledged in all ages and nations,—one which is actually, as has been shown in the Acts, xv. 28, specifically abolished by Jesus,—and one which, by the instances of the miracle of the pool of Bethesda and the reaping of the corn, is also abolished, if any rule of conduct can be deduced from his actions.

75. If there be two ways of construing the New Testament, or any work whatever, one of which makes it totally inconsistent with itself, and the other consistent, common sense dictates, that the latter should be adopted. Now if we maintain that by commandments all the Decalogue or the orders in Leviticus are meant, we expressly contradict the passage of the Acts, where all the old law is abolished except four particulars, and we make the book inconsistent with itself. But if we construe it, that in this passage of John the word commandment only means these which are excepted, and those given in addition by Jesus, the whole is consistent.

76. It cannot be said that by this the laws of morality laid down in the Decalogue are abolished, because if they did not remain firm on the

general principles of the moral law of all nations, yet every law of morality essential to the welfare of mankind, is excepted from the abolition in various places ; for instance, in 1 Cor. vi. 9, 10, Gal. v. 19, 20, 2 Tim. iii. 2, where particular parts of the old law are alluded to and re-enacted, and in 1 John iii. 23, iv. 21, where new commandments of morality are given much superior to some of the old ones, and the meaning of the word commandment is actually explained.

77. By this reasoning we are no longer encumbered with some parts of the Decalogue, which, to say the least of them, it is not easy to explain in a manner satisfactory to the minds of young persons, and even of many serious thinking persons of more mature age ; who find a difficulty in reconciling their minds to such passages, as that relating to a jealous God ; a passage merely applicable to the Jews.

78. Some persons have supposed, that the word commandments in the Old Testament necessarily means the Decalogue, and the Decalogue exclusively. This interpretation cannot be supported, because the word commandment is used in its common usual sense as a command or order of God, before the Decalogue was given, as in Exod. xvi. 28.

And the Lord said unto Moses, How long refuse ye to keep my commandments and my laws ?

79. The pious Christian will not forget, that the moral law is not entirely dependent either on the law of Moses or of Christ ; though they have confirmed it, yet it was binding on all mankind before Moses or Jesus were either of them born. Although there were no Jews or Christians, can it be supposed that the moral law, the law of right and wrong, was unknown to Abraham and the patriarchs before him ? This would indeed be absurd enough. It must be also recollected, that the whole law of morality is not contained in the Decalogue ; and yet the breach of this law, although in instances where it is not named in that code, is a sin, both to Jews and others.

80. Nor will a man be held blameless if he keep *all* the laws of the Decalogue, and commit some sins not therein named. For there are several HEINOUS SINS not named in that code. All the sins against the moral law prohibited in the Decalogue, and several others therein not named, are forbidden by Jesus and Paul over and over again. Therefore, *as a code of law*, what loss can the abolition of the Decalogue be ? Is not the new law which God delivered by Jesus, as binding as that delivered by Moses ?

81. It is well known that the version of the Pentateuch called the Septuagint, was anciently translated from the Hebrew into the Greek language, by certain Jews, either for the use of Ptolemy

Philadelphus, or of their countrymen residing at Alexandria. When these persons came to the translation of the word Jehovah, they found themselves in a difficulty; for it was an acknowledged doctrine of their religion, never disputed by any of their prophets or priests, that this name, by which God had thought proper to designate himself in the third verse of the sixth chapter of Exodus, ought never to be written or spoken upon any occasion, except the most awful and important. And it is the use or abuse of this particular name of God, to which the Jews always understood the command of the Decalogue to apply, which we render by the words, *Thou shalt not take the name of the Lord thy God in vain.* But which ought to be rendered, *Thou shalt not take the name of JEHOVAH thy God in vain.* This word, Jehovah, was inscribed on the golden plate on the forehead of the High-priest, when he entered the Holy of Holies, and also on his breast-plate: and lest it should suffer any change, it was written in the Samaritan letters, those in which the Pentateuch was originally written, and from which it was translated into Hebrew by Ezra, after the Captivity. In the time of St. Jerom, it still continued written in many Hebrew and Greek Bibles in the Samaritan character. When the Jews came to this word in their translation, in order to avoid the profaneness of writing it literally, they adopted the

word *Kúrios*, or Lord; and thus got over the difficulty. But this contrivance does not in any way alter the nature of the command of the Decalogue, which still continues in all its original force applicable to the Jews, and to all Christians too, if they maintain the Decalogue to be excepted from the abolition of the other commandments of God in Exodus and Leviticus. Christians say this interpretation of the word is only an idle superstition of the Jews. It is no more idle superstition to them, than is the prohibition to sow blended corn, or plough with an ox yoked to an ass. It is an idle superstition to the Christian, because Jesus abolished it in not excepting it. If Jesus did not abolish the Decalogue as a code of law, then we must no more write the word *Jehovah*: for the Decalogue applies solely to the use of the word *Jehovah*, and not to our disgraceful and odious habit of profane swearing, to which our modern translators have applied it. Does the considerate and unprejudiced Christian really think, that Jesus intended this doctrine respecting the use of the word *Jehovah* to be continued by Christians? What has been said respecting the word *Jehovah* in the Decalogue cannot be disputed; and when Christian priests call the construction given to it by the Jews an idle superstition, they surely can neither be praised, for their piety nor for their prudence. The reverence for the peculiar name *Jehovah* commanded to the Jews, was one of those

things not intended to be continued under the Christian dispensation, and therefore was not excepted by Jesus, when he was abolishing the Jewish code. And the very circumstance shows that the Decalogue as a code of law was not intended to be continued. In translating the Old Testament, Christians do wrong in not translating the word Jehovah literally. The Jews were not only excusable in translating it by the word Lord, but they would have been sinful if they had translated it literally.

82. Persons must not entertain the idea, that because the ten laws in the Decalogue were intended solely for the Jews, the laws of *morality* were not binding upon others. They were bound by them just as much as if the Decalogue had never been promulgated. If the Decalogue as a CODE of law were binding upon the Gentiles, then were they bound to keep the Sabbath; and surely no one can pretend that that was ever intended, or that a single word in all the Bible can be shown expressive of disapprobation of the conduct of the Gentiles in not keeping it. Persons reasoning correctly, must remember that the observance of a Sabbath is not a *moral* law, but a rite of discipline.

83. The Decalogue was no more binding on the Jews, than any other of God's commands. There can be no distinction or preference of one com-

mand to another. *All the commands of God are alike entitled to instant unqualified obedience.* Nor can any doctrine so contrary to the character of God, be deduced from the giving of the Decalogue by him to the Jews, as that, of one command being more worthy of obedience than another.

84. The state of the case with the Decalogue is precisely like what often takes place with the English law. The Parliament, for reasons sometimes good and sometimes bad, passes a declaratory act to declare what the law is, or perhaps to increase the penalties for an offence. This act then becomes a part of the English code. It afterward passes an act to repeal this act; by this the law reverts to its original state, as if no such act had ever been passed. This was the case with respect to the doctrine of the Trinity; an act was passed to declare or to increase the penalties for impugning it; that act has been repealed; but the judges have declared, that though that act has been repealed, it is still, at common law, an offence to impugn the Trinity, and that it is punishable by them. Thus, when the Decalogue as *a code of law* was abrogated, the laws of morality reverted to exactly what they were in the time of Abraham; and as such they remain to Christians, unless Jesus added any thing to them; and this we know that he did; for he expressly says, A new commandment give I unto you, LOVE ONE ANOTHER.

85. At this day no Christians will maintain that the laws of Moses are any longer obligatory upon them; and yet Jesus has not expressly made any declaration to that effect. He obeyed them all strictly, with the exception of that law relating to the Sabbath, which he took various opportunities of violating; and most absurdly, this is the only part of the ceremonial, or not strictly moral law, which is now attempted to be retained by the modern Pharisees. His doctrine was so equivocal respecting the old law, that the Apostles themselves did not understand it, even after they had received the Holy Spirit. For we find the inspired Peter defending the old Jewish law at Antioch; and this must have been many years after the death of Jesus; because the Apostles remained at Jerusalem some years before they separated on their missions to the Gentiles, if the early fathers are to be believed, twelve years.

86. If there be yet any persons who believe that the Sabbath was not abolished by Jesus Christ, they are requested to observe, that they are bound to keep it as the Jews kept it; they can neither light a fire nor cook meat on the Sabbath; and for the punishment to which they render themselves liable, if they do, they are referred to Numbers xv. 32—36, already quoted.

87. At this day no Christians will maintain that the laws of Moses are any longer obligatory upon them; and yet Jesus has not expressly made any declaration to that effect. He obeyed them all strictly, with the exception of that law relating to the Sabbath, which he took various opportunities of violating; and most abundantly, this is the only part of the ceremonial, or not strictly moral law, which is now attempted to be retained by the modern Pharisees. His doctrine was so equal vocal respecting the old law, that the Apostles themselves did not understand it, even after they had received the Holy Spirit. For we find the inspired Peter denouncing the old Jewish law at Antioch; and this must have been many years after the death of Jesus; because the Apostles remained at Jerusalem some years before they separated on their missions to the Gentiles, if the early fathers are to be believed, twelve years.

88. If there be yet any persons who believe that the Sabbath was not abolished by Jesus Christ, they are requested to observe, that they are bound to keep it as the Jews kept it; they can neither light a fire nor cook meat on the Sabbath; and for the punishment to which they render themselves liable, if they do, they are referred to Numbers xv. 32—36, already quoted.

HORÆ SABBATICÆ.

PART II.

HOME SABBATH

PART II

I. From the following words in the second chapter of Genesis:

And God blessed the seventh day, and sanctified it: because that in it he had rested from all his work which God created.

HOME SABBATH

2. Many persons have maintained, that the Sabbath was instituted at the beginning, and that it is a law of nature, and not confined to the Jews. This would seem a fair inference, if the contrary were not expressly declared; and since the book of Genesis must be considered to have been written by Moses within the second thousand five hundred years after the event prophetically. And it is a very strong circumstance in favor of this, that it cannot be shown from the sacred books, that any one of the Patriarchs before the flood, or after it, ever kept a Sabbath, or that it ever was kept until ordered by Moses on the journey of the Israelites from Egypt to Sinai.

By J. W. Alden, 1840.

HORÆ SABBATICÆ.

PART II.

1. **F**ROM the following verse in the second chapter of Genesis :

And God blessed the seventh day, and sanctified it; because that in it he had rested from all the work which God created and made,

2. Many persons have maintained, that the Sabbath was instituted at the creation, and therefore that it is binding on all mankind, and not confined to the Jews. This would seem a fair inference, if the contrary were not expressly declared; and therefore the book of Genesis must be considered to have been written, by Moses writing the account two thousand five hundred years after the event, prophetically.¹ And it is a very strong circumstance in favour of this, that it cannot be shown from the sacred books, that any one of the Patriarchs before the flood, or after it, ever kept a Sabbath, or that it ever was kept, until ordered by Moses on the journey of the Israelites from Egypt to Sinai.

¹ Paley's Moral Philosophy.

If the first Patriarchs had kept it, in the history of more than two thousand five hundred years, from Adam to Moses, it must have been noticed or alluded to. The lives and domestic transactions of Noah and his family, of Abraham, Isaac, Jacob, and Joseph, are very particularly described; but not a single word is ever said of their keeping a Sabbath, or censure upon them for neglecting it, or permission for them in Egypt, or elsewhere, to dispense with it. Upon the meaning of the above passage of Genesis, the Rev. Dr. Paley says:

‘Although the blessing and sanctification, i. e. the religious distinction and appropriation of that day, was not actually made till many ages afterwards. The words do not assert, that God *then* ‘blessed’ and ‘sanctified’ the seventh day; but that he blessed and sanctified it *for that reason*: and if any ask, why the Sabbath, or sanctification of the seventh day, was then mentioned, if it was not *then* appointed, the answer is at hand; the order of connexion, and not of time, introduced the mention of the Sabbath, in the history of the subject which it was ordained to commemorate.’

3. When the author of Genesis was giving an account of the orders of God to Adam to erect a tabernacle, or place of worship, to the east of Eden—to Cain and Abel to offer sacrifice—to Noah also to sacrifice when coming out of the ark, and to the latter to abstain from eating blood, &c.; and when he was describing the institution of circumcision, and the paying of tithes by Abraham, he would certainly have said something respecting the

Sabbath if it had been then instituted. For of all the rites and ceremonies, there was not one of any thing like the importance of this to the inhabitants of the world, either before or after the flood.

4. An attempt has been made to remove the objection which arises from the omission of any notice of the Sabbath, by the writer of the Pentateuch, before the time of Moses, by observing that the very notoriety of a custom may be the reason why it is never named : and as an example of this kind, the circumstance of circumcision never having been named, from the settlement of the Israelites in Canaan down to the circumcision of Jesus Christ, has been produced. But this argument, the whole of the seventeenth chapter of Genesis completely refutes. All the circumstances there detailed, evidently show that it had not been commonly used before that time. If the observance of the Sabbath had been a common thing, like the observance of circumcision, it would have been named without further notice, as circumcision is named when Jesus was circumcised. The difference in the treatment of the two cases is decisively in favour of the author's argument. When the circumcision of Jesus is named, the history of circumcision is not given as the history of the Sabbath is given in Exodus. If circumcision had been then first instituted, its history would have been given. And the reason why it was not

named in the interval alluded to was this, that there was no occasion for it, as it was universally practised during all that time, both by Jews and the *other nations*. The reason why the Sabbath was not named as being kept by the Patriarchs was, because it was not kept by them, they knew nothing about it.

5. Archbishop Magee says, note 57, on the Doc. of At. : " But in what way is the divine appointment of the Sabbath recorded? Is it any where asserted by Moses, that God had ordered Adam and his posterity to dedicate every seventh day to holy uses, and to the worship of his name; or that they ever did so, in observance of any such command? No such thing. It is merely said, that having rested from the work of creation, *God blessed the seventh day*, and sanctified it. Now, so far is this passage from being universally admitted to imply a command for the sacred observance of the Sabbath, that some have altogether denied the Sabbath to have been instituted by divine appointment: and the Fathers in general, and especially Justin Martyr, have been considered as totally rejecting the notion of a patriarchal Sabbath. But although, especially after the very able and learned investigation of this subject by Dr. Kennicot in the second of his two dissertations, no doubt can reasonably be entertained of the import of this passage, as relating the divine institution of the Sabbath, yet still the rapidity of the historian has left

this rather as matter of inference: and it is certain, that he has no where made *express* mention of the observance of a Sabbath, until the time of Moses."

6. Mr. Beausobre, in his Introduction to the New Testament, expressly allows, and gives his reasons for believing, that the Sabbath was not instituted till the time of Moses. He admits also, that when it was instituted, it was a festival, not a fast; and he points out the circumstance of Jesus going to a feast on that day, Luke xiv. 1. He asserts that it was given as a sign of the covenant; and was limited to one people, the Jews. He shows that the conduct of Jesus on the Sabbath places it on the same footing as the other Jewish ceremonies. He allows, that in Genesis the sanctifying the Sabbath-day was spoken by way of anticipation. He says, feastings and rejoicings were also thought essential to the Sabbath, according to Philo, Josephus, and the Thalmudists. —Beaus. Int. Part i. p. 193, &c.' He further says,

'The account of the creation was not given till after the coming of the children of Israel out of Egypt, with a design to turn them from idolatry and the worshipping of creatures. Moses takes from thence an occasion of giving

¹ This book is peculiarly used as a lecture book, by the University of Cambridge, and therefore it is fair to conclude, that this learned body, in which several of our most learned bishops are included, has no objection to its doctrines.

them to understand, that this is the reason why God hath sanctified the seventh day, and appointed this festival, to be by them celebrated every week. Upon this supposition, the sanctifying of the Sabbath does not relate to the creation of the world, where we find it mentioned, but to after ages.—Ibid.

7. If the expression in the second chapter of Genesis had been understood by Moses or any of the Prophets to be applicable to all mankind, when they were reproaching the Gentiles for their sins in innumerable instances, and enumerating their offences seriatim, (to warn the Israelites against them,) they would some time or other have reproached them for their neglect of the Sabbath. The Bible is almost filled with the reproachings of the Israelites for their imitations of the vices of the Gentiles, and for their neglect of the Sabbath; but in no one instance is it ever hinted, that the neglect of the Sabbath was one of these examples of imitation. It also is quite incredible, that the *Gentiles* should not have been even once reproached, for the neglect of this very important rite, if it had been considered applicable to them; and if it were not applicable to them, it evidently cannot be applicable to us.

8. We will now proceed to examine the passages in the Old Testament relating to this subject.

9. In the sixteenth chapter of Exodus the Sabbath is first instituted: as it is said in the fourth

verse, in order that the Lord might know whether the Israelites would walk in his way or not. And in the fifth verse it is said, that twice as much manna was sent on the sixth day as on other days. In the twenty-second and twenty-third verses, the rulers come to Moses for an explanation of the reason of the double quantity coming on the sixth day; and then Moses explains to them that the seventh day is to be a Sabbath, or day of rest; but he there gives them no reason why the seventh day was fixed on, rather than the sixth or any other day; and in this chapter it is merely stated to be ordered to try them if they would walk in the way of the Lord or not.

22. And it came to pass, that on the sixth day they gathered twice as much bread, two omers for one man; and all the rulers of the congregation came and told Moses.

23. And he said unto them, This is that which the Lord hath said, To-morrow is the rest of the holy Sabbath unto the Lord: bake that which ye will bake to-day, and seethe that ye will seethe; and that which remaineth over lay up for you, to be kept until the morning.

24. And they laid it up till the morning, as Moses bade; and it did not stink, neither was there any worm therein.

25. And Moses said, Eat that to-day; for to-day is a Sabbath unto the Lord: to-day ye shall not find it in the field.

26. Six days ye shall gather it; but on the seventh day, which is the Sabbath, in it there shall be none.

27. And it came to pass, that there went out some of the people on the seventh day for to gather, and they found none.

28. And the Lord said unto Moses, How long refuse ye to keep my commandments and my laws?

29. See, for that the Lord hath given you the Sabbath, therefore he giveth you on the sixth day the bread of two days: abide ye every man in his place; let no man go out of his place on the seventh day.

30. So the people rested on the seventh day.

10. In several places of the quotation above, a mistranslation has taken place; the definite or emphatic article has been used instead of the indefinite one. Thus, in the twenty-third verse it is said, *the* rest of *the* holy Sabbath, instead of *a* rest of *a* holy Sabbath. Again, in the twenty-sixth verse it ought to have been said, on the seventh day, which is *a* Sabbath, in it, &c., not *the* Sabbath, &c.

11. In the twenty-ninth verse the emphatic or definite article is correctly used, *the* Sabbath, according to the Hebrew text, the Sabbath being there spoken of as instituted. The author has been the more particular in the examination of these texts, because he has met with several clergymen, not learned in the Hebrew language, who have maintained, that from the use of the emphatic article in the places in question, a previous establishment, and an existence of the Sabbath must be necessarily inferred. But the fact is, that the contrary infer-

ence must be drawn from the Hebrew text : and no Hebrew scholar will doubt a moment on the correctness of what is said respecting the Hebrew definite article. It is not one of the points of this language about which there has been any dispute.

12. If this related merely to the common affairs of life, no one would doubt that the coming of the rulers of the congregation to Moses showed clearly that they were ignorant of the Sabbath—that they had never heard of such a thing before : for if they had known that it was unlawful to provide food, or gather sticks to light a fire to cook it, or to do any other act of work or labour, how could they have had any doubt what the double quantity was sent for on the day before the Sabbath ? And the answer given by Moses in the next verse, This is what the Lord hath said, implies that the information given to them was new. If the practice of keeping the Sabbath had prevailed with the Israelites when in Egypt in their bondage, (a thing very unlikely,) or if it had been known to them that it was their duty to keep it when in their power, the book would simply have told us, that they gathered twice as much on the sixth day, because the next was the Sabbath : there would have been no coming together of the elders, or of speech-making by Moses. Besides, the text says, that it was ordered here to try them, whether they

would walk in the way of Jehovah at this particular time or not. This is directly contrary to the idea of its being an established ordinance from the creation. It was here given as a test of their obedience—it was continued afterwards, as a sign of the covenant entered into betwixt God and them. Nor is there any where an intimation, that the appointment of the Sabbath was the renewal of an ancient institution, which had been neglected, forgotten, or suspended.

13. In the Decalogue which is ordained in the twentieth chapter of Exodus, the Sabbath is first given in all its plenitude; but it is with the remainder of the Decalogue expressly limited to the children of Israel. God begins with saying, I am the Lord *thy*¹ God, which have brought *thee* out of the land of Egypt, out of the house of bondage. Here he calls the Israelites *thee*; and he goes on throughout the whole addressing them in the second person singular, *Thou* shalt have no other Gods but me, &c. If the language is to bear its common and usual signification, the law as here given is limited to the Israelites. Upon the meaning of

¹ The pronoun is here very correctly translated from the Hebrew: it is precisely as it is in English. Not, the Lord God, as he is usually called, but, *the Lord thy God*. But it would have been still more correct to have said, *Jehovah thy God*, instead of, *the Lord thy God*.

this passage may be applied, the very excellent rule of criticism laid down by Bishop Horsley in his controversy with Dr. Priestley.

'It is a principle with me, that the true sense of any phrase in the New Testament is what may be called its standing sense, that which will be the first to occur to common people of every country and in every age.'—Horsley to Priestley, p. 23; Priestley's Letters to Horsley, p. 289.

14. In the twentieth chapter of Exodus, at the tenth verse, the emphatic or definite article has been substituted for the indefinite one, the same as has been done in the sixteenth chapter, as was before shown.

15. In this place, where it means to describe that the seventh day is to be a day of rest, it says, *A Sabbath*; but where it has reference to what had passed before, viz. to its previous institution, it says, *THE Sabbath*. This is all consistent with the arguments of the gentlemen before referred to. When the text is correctly translated, their arguments are in fact decisively against themselves.¹

¹ The Hebrew is remarkable for its brevity, and words are often obliged to be inserted to make sense in our language; in almost innumerable places the helping verb is obliged to be added. Thus in the tenth verse it is said, *but the seventh day is*. There is no authority in the Hebrew for the word *is*. The literal translation of the words is, *but the seventh day a Sabbath*. The helping verb is here evidently wanting; and it must

16. Again, the Sabbath is ordained, in the thirty-first chapter of Exodus and fourteenth verse; and it is here again expressly limited to the children of Israel, and declared to be for a sign of the covenant. God says, it is holy *unto you*, not unto all the world. Again, he says,

Wherefore the children of Israel (not all mankind) shall keep, &c. for a perpetual covenant, &c. It is a sign betwixt me and the children of Israel for ever.

17. How can more clear words of limitation be used? And, as Dr. Paley says,

‘It does not seem easy to understand how the Sabbath could be a *sign* between God and the people of Israel, unless the observance of it was peculiar to that people, and designed to be so.’

13. Speak thou also unto the children of Israel, saying, Verily my Sabbaths ye shall keep: for it is a sign between me and you throughout your generations; that ye may know that I am the Lord that doth sanctify you.

14. Ye shall keep the Sabbath therefore; for it is holy unto you: every one that defileth it shall surely be put to death: for whosoever doeth any work therein, that soul shall be cut off from among his people.

be discovered from the context, what part of the verb must be used. It is submitted to the Hebrew scholar, whether it would not be perfectly justifiable in this case to use the words will be, or shall be? and write, But the seventh day shall be a (day of rest) Sabbath. This would strengthen the argument. It is not of any consequence. But no one could say it was mistranslated, if it said, The seventh day *shall be* a Sabbath.

15. Six days may work be done; but in the seventh is the Sabbath holy to the Lord: whosoever doeth any work in the Sabbath-day, he shall surely be put to death.

16. Wherefore the children of Israel shall keep the Sabbath, to observe the Sabbath throughout their generations, for a perpetual covenant.

17. It is a sign between me and the children of Israel for ever: for in six days the Lord made heaven and earth, and on the seventh day he rested, and was refreshed.

18. In the fourteenth verse God does not say that it is *holy*, but it is *holy unto you*. A clear limitation to the children of Israel.

Exod. xxxiv. 28.—And he was there with the Lord forty days and forty nights; he did neither eat bread nor drink water. And he wrote upon the tables the words of *the covenant*, the ten commandments.

19. How, after reading these passages, can any one deny, that the Decalogue was given as a sign of the covenant betwixt God and the Israelites? and it seems to follow, that when the covenant was fulfilled, the sign was abolished.

20. Upon the reason assigned in Exodus for the institution of the Sabbath, Dr. Paley justly observes:

‘It may be remarked, that although in Exodus the commandment is founded upon God’s rest from the creation, in Deuteronomy the commandment is repeated with a reference to a different event. ‘Six days shalt thou labour, and do all thy work; but the seventh day is the Sabbath of

the Lord thy God: in it thou shalt not do any work, thou, nor thy son, nor thy daughter, nor thy man-servant, nor thy maid-servant, nor thine ox, nor thine ass, nor any of thy cattle, nor the stranger that is within thy gates; that thy man-servant and thy maid-servant may rest as well as thou. And remember that thou wast a servant in the land of Egypt, and that the Lord thy God brought thee out thence, through a mighty hand, and by a stretched-out arm: *therefore* the Lord thy God commanded thee to keep the Sabbath-day.' It is farther observable, that God's rest from the creation is proposed as the reason of the institution, even where the institution itself is spoken of as peculiar to the Jews. 'Wherefore the children of Israel shall keep the Sabbath, to observe the Sabbath throughout their generations, for a perpetual covenant. *It is a sign between me and the children of Israel for ever: for* in six days the Lord made heaven and earth, and on the seventh day he rested, and was refreshed.'

21. In the following places the order to keep the Sabbath is repeated; but in every one it is limited to the Israelites: Exod. xxxv. 2, 3. Lev. xxiii. 3. 15. xxv.

22. The limitation of the Sabbath to the children of Israel, and the making it a sign of the covenant betwixt God and them, expressly negatives the construction put upon the expression in Genesis, that by it the Sabbath was instituted. It is making God act most absurdly, to make him first institute the Sabbath for the whole world, and then give it as a sign limited to the Israelites,

when, from its being previously established, it could most clearly be no such thing.

23. From several of these passages we see that the Sabbath was ordained as a sign of the covenant, made betwixt God and the Israelites. To be a sign was the reason of a Sabbath being instituted, not the resting of God from his work : though the selection of the seventh, instead of the third or fourth or other day of the week, was made to remind the Israelites of that event. As we have seen in Exodus, that it was given as a sign of the covenant, so it was understood by Ezekiel, who says,

10. Wherefore I caused them to go forth out of the land of Egypt, and brought them into the wilderness :

11. And I gave them my statutes, and shewed them my judgments, which, if a man do, he shall even live in them.

12. Moreover also, I gave them my Sabbaths, to be a sign between me and them, that they might know that I am the Lord that sanctified them.—Ezek. xx. 10—12.

24. On this Dr. Paley says: Here the Sabbath is plainly spoken of as *given* ; and what else can that mean, but as *first instituted* in the wilderness?

25. The Prophet Nehemiah also expressly declares, that the Sabbath was first made known to them, or instituted on their exod from Egypt. He says, ix. 13.

13. Thou camest down also upon Mount Sinai, and

spakest with them from heaven, and gavest them right judgments, and true laws, good statutes and commandments:

14. And madest known unto them, thy holy Sabbath, and commandedst them precepts, &c.

26. How could it be said that he made known to them the Sabbath there, if it were known to them before? The language of Scripture must not be so wrested, from its plain obvious signification, to gratify prejudice, or serve particular theories.

27. When God fixed the seventh day for the Sabbath with Moses, he chose the seventh to commemorate the finishing of the creation. In the same way afterward we shall find that, when Constantine wished to fix upon one day, to be set apart for divine worship, he chose the first to commemorate the day of the resurrection. But neither the Sabbath nor the Sunday as a holy day was established, till long after the events, in honour of which they were fixed upon, had been passed.

28. But the observance of the seventh day of the week as a Sabbath, is only a small part of the Sabbatical law. In the twenty-fifth chapter of Leviticus a Sabbatical year is ordained: how absurd to take one part of the law relating to Sabbaths and not the other! If a Sabbath be kept because it is ordained by God; consistently, one Sabbath must be kept as well as the other.¹

¹ It is curious to observe how some persons can make diffi-

29. The Sabbath, we have seen, was given as a

culties in dispensing with the words of the law, when thereby they gratify their passions, their prejudices, or their interest; and how easily in other cases they can dispense with them, or, rather say, set them at defiance. They say, the law of the Sabbath cannot be abolished, because it was given by God before the Israelites existed, and therefore is binding on all mankind, and not on the Israelites only. If this argument be good in one case, it is good in every other similar case. In the fourth verse of the ninth chapter of Genesis, it is said,

4. But flesh with the life thereof, which is the blood thereof, shall ye not eat. This was said to Noah.

This is confirmed in the seventeenth chapter of Leviticus, where it is said,

10. And whatsoever man there be of the house of Israel, or of the strangers that sojourn among you, that eateth any manner of blood, I will even set my face against that soul that eateth blood, and will cut him off from among his people.

In the following verses, to the end of the fifteenth, this order is several times repeated, *including strangers*; and in Deuteronomy xii. 16, it is again repeated.

16. Only ye shall not eat the blood; ye shall pour it out upon the earth as water.

And in Acts, when all the other laws of Moses are expressly abolished, this is excepted by name. And yet Christians of every denomination eat blood and animals strangled every day.

What does all this prove? It proves that, generally, reason has nothing to do with religion. And that men are of that religion, which their priest and their nurse happen accidentally to profess. This observation will offend many persons; but it is, notwithstanding, perfectly true.

sign of a covenant betwixt God and the Jews, which covenant was expressly abolished by the coming of Jesus Christ; then it necessarily follows, that the sign of the covenant should no longer be observed.

30. If a Sabbath be kept, because it was ordained by God previously to the time of Jesus, it must be kept as he ordained it; and how he ordained it, we can only know from the books and the practice of the Jews.

31. They were to do no work on that day, not even to light a fire; no victuals could be dressed, or even put on or taken off the table on that day: the candle was lighted before the day began; and if it went out, it could not be lighted again; and if a draught of water was wanted, it could not be fetched.

32. It has been observed to me, that it appears from Acts xiii. 42. xvi. 13. xviii. 4. that the primitive Christians did not relax in their observance of the Sabbath. True; nor did they relax in the observance of any other part of the Jewish law for some years. They certainly kept the Sabbath until it, with all other Jewish rites, was declared to be abolished by the Apostles assembled at Jerusalem. They might meet on the Sunday, as Christians who are devout at this day have prayers in their houses morning and evening, or fast on

Fridays and Saturdays. They assembled also in the evening to celebrate their love-feasts, and again to sing hymns before day-light. If these times were not chosen in order that the day might be given to worldly duties; pray let any divine tell what they were selected for?

33. It cannot be said that they assembled at those times to avoid persecution; for they must then all have been in the state of "lapsed;" that is, of those who had denied their Saviour, or refused the honours of martyrdom, and were therefore excommunicated. It is well known that a great feud arose in the church, respecting the readmission into it of those who had withdrawn from persecution. Some refusing to admit them on any terms; and others being willing to receive them again after severe penance. So far from attempting to avoid the honours of martyrdom, by secreting themselves; it is well known that these honours were sought for by the Christians with eagerness:—Vid. Pliny's Letters to Trajan. It has been said that they fled to the catacombs to conceal the rites of their religion, and to avoid persecution. This surely was a most dangerous expedient; for as there was only one road into them, by closing it, their enemies might have destroyed them with the greatest facility.

34. The truth of the matter was this—they frequented the catacombs to celebrate there the services

to the dead; as they were afterward celebrated in the crypts under the choirs of our ancient cathedrals: for which purpose these crypts were beautifully ornamented, as may still be seen in the cathedral at Canterbury. The Council of Elvira, by one of its canons, forbid the use of candles in the catacombs, in the celebration of the services for the dead; for this wise reason,

‘ That they might not disturb the souls of the deceased.’

35. The assembling in the evening and early in the morning, was evidently done to leave to slaves, servants, tradesmen, and all others, the means of pursuing their usual avocations during the remainder of the day.

36. If it be clearly shown, by quotations and fair argument, that the Sabbath was abolished by the New Testament, it is not of much consequence, what the persons called the Fathers of the church say upon the subject; or what was their practice: we have as much right to judge for ourselves as they had. But it may be said, that they may have adopted a practice from the Apostles, as they lived so near them. Then we will enquire what was their practice and opinions.

37. The works of the apostolic fathers, the apostolical constitutions, and indeed all the works of the ancient fathers of the church before Justin Martyr, are allowed, by the first divines and

bishops of the present day, to be forgeries ; therefore, though their works contain passages favourable to the argument, they will not be used.

38. It cannot be denied, that Justin Martyr must have known perfectly well, what was the doctrine of the early Christians upon this subject. He is the very first of the Christian fathers of whom we have any entire works, whose genuineness is not disputed. In his dialogue with Trypho the Jew, he says :

‘ The new law will have you keep a perpetual Sabbath ; and you, when you have passed one day in idleness, think you are religious, not knowing why that was commanded you. The Lord our God is not pleased with such things as these. If any among you is guilty of perjury or fraud, let him cease from these crimes ; if he is an adulterer, let him repent, and he will have kept the kind of Sabbath pleasing to God.’ Again :—‘ Do you see that the elements are never idle nor keep a Sabbath ? Continue as you were created. For if there was no need of circumcision before Abraham, nor of the observation of the *Sabbaths*, and *festivals*, and oblations before Moses, neither now likewise is there any need of them after Jesus Christ, &c. Tell me why did not God teach those to perform such things, who preceded Moses and Abraham, just men, of great renown, and who were well-pleasing to him, though they neither were circumcised nor observed Sabbaths ?’ Again :—‘ As therefore circumcision *began* from Abraham, and the *Sabbath*, sacrifices, and oblations *from Moses* ; which it has been shown were ordained on account of your nation’s hardness of heart,

so, according to the council of the fathers, they were to end in Jesus Christ the Son of God.

39. Similar passages might be selected from Irenæus and Tertullian, intending to prove that the Sabbath was a special ordinance confined to the Jews, as a sign of a covenant betwixt God and them.

40. That the Christians assembled on the Sunday in the time of Justin Martyr, one hundred and fifty years after the birth of Jesus, for the purpose of divine worship, cannot be denied, if it were desired so to do, as the following curious passage proves. But it was not compulsory, nor esteemed a sin to neglect it, or do any ordinary business on that day.

41. The following is a copy of Section 89, of Justin's Apology :

' Upon Sunday we all assemble, that being the first day in which God set himself to work upon the dark void, in order to make the world, and in which Jesus Christ our Saviour rose again from the dead : for the day before Saturday, he was crucified ; and the day after, which is Sunday, he appeared to his Apostles and disciples, and taught them what I have now proposed to your consideration.'

42. It is a curious circumstance, that the Christians, according to Justin, did not keep the Sunday, because God had ended his work, but because he had begun it, on that day.

43. In the passage here cited, Justin is giving the reasons why the Christians observed the Sunday. He was one of the most celebrated of the early Christian martyrs. We are told that he was a heathen philosopher, converted to Christianity. This passage is from a well-known apology, written in order to convert the Emperor Antoninus Pius. It is not possible to believe, that if the observance of Sunday had been of divine or apostolical appointment, he would not here have stated it. In other parts of his works he quotes the authority of the Apostles for the doctrines which he teaches. If it had been considered by the Christians in his day as a divine ordinance, in lieu of the old Sabbath, we should here most certainly have been informed of it. It was evidently a municipal or fiscal regulation, a part of their discipline established by themselves, and nothing more; and his authority, the best and earliest in the Christian church, decides the question beyond dispute.

44. The earliest of the Christians, who kept the Sunday, always kept it as a festival with joy and gladness, to celebrate the glorious resurrection of their Saviour. Tertullian declares it unlawful to fast on a Sunday, *or to worship on the knees*¹ on that

¹ Die dominica jejunare nefas ducimus, vel *de geniculis adorare*. Tertul. De Cor. cap. 3.

day. The sixty-sixth of the apostolical canons declares, that if an ecclesiastic should fast on a Sunday, he should be deposed; and if a layman should do it, he should be excommunicated. Mr. Whiston thought with the Catholics, that these canons were not forgeries: but whether forgeries or not, they show all they are quoted for; namely, the opinion of Christians in a very early day. St. Augustine¹ condemns fasting on a Sunday, for the reason given above; namely, because it was a day of joy and gladness.—Ep. 86. ad Casulan.

45. It may be doubtful what authority the Protestants of this day may choose to allow to the canons of the Council of Nice; but as they adopt the Nicene Creed, they will not deny that they are entitled to some respect in the decision of the question. Of what was the general opinion of the Church in their day, in such cases as this opinion shall be clearly stated by them. The following is an extract from the 16th canon:

Caput 16. de Adoratione seu Genuflexione.

.... in sanctis dominicis diebus sacrisque aliis solennitatibus nullæ fiant genuflexiones, quia tota Sancta Ecclesia in hisce lætatur, et exultat diebus, genuflexiones autem afflictionis tristitiæ, timoris et moeroris tessara sunt

¹ Called by Dr. Lardner, the glory of Africa.

et signum, ideo omittendæ sunt diebus festis, ac maxime die resurrectionis Domini nostri Jesu Christi a mortuis. Hoc autem caput sine anathemate est. Hist. Philip. Labbei conc. Nic. ad Can. 16. A.D. 325. Pap. Silvester. I.

46. In the Sacrosancta Concilia Philip. Labbei et Gabr. Cossartii, tom. 2. p. 385, the Sabbatarians are placed the first amongst seventy-seven named sects:

It is said, 'Rerum obliti erant isti Dei vocem per Isaiam prophetam ita contestantem: Odio habuit anima mea Sabbata vestra, et neomenias vestras, et facta sunt mihi gravia.'

47. The Manicheans and Marcionites, sects of heretics to whom the modern Puritans or Evangelical Christians probably would not like to be compared, kept the Sunday as a day of humiliation. This gave great scandal to the orthodox of that day, and to most, if not all, other heretics. Pope Leo the First, in his fifteenth Epistle to Turibius, says, "The Manicheans have been convicted in the examination which we have made, of passing the Sunday, which is consecrated to the resurrection of our Lord, in mortification and fasting."

48. By a decree of the Council of Gangres in Paphlagonia, about the year 357, all those are anathematised who, from devotion and mortifica-

tion,' pass the Sunday in fasting.—See Pagi. Crit. Bar. An. 357 and 360. Though Protestants may despise the authority of these ancient Popes and Councils, yet they cannot deny, that they prove what were the early opinions of the Church, which is all they are quoted for.

49. God forbid, that the characters of Constantine and Eusebius should be held up as examples worthy of imitation; but yet it cannot be denied, that the edict of the former, by which the observation of Sunday as a day of rest was first ordained by law, and made imperative on Christians, bespeaks in every part of it sound discretion. His edict says,

'Let all judges and towns-people, and the occupations of all trades, rest on the venerable day of the sun. But let those who are situated in the country, freely and at full liberty, attend to the business of agriculture; because it often happens, that no other day is so fit for sowing corn, or planting vines, lest the critical moment being let slip, men should lose the commodities granted them by the providence of Heaven.'²

¹ Concil. Gang. Canon. xviii. *Διὰ νομιζομένην ἄσκησιν.*

² Omnes iudices urbanæque plebes et cunctarum artium officia venerabili die solis quiescant. Ruri tamen positi agrorum culturæ libere licenterque inserviant, quoniam frequenter evenit, ut non aptius alio die frumenta sulcis aut vineæ scrobibus mandentur, ne occasione momenti pereat commoditas cœlesti provisione concessa. Dat. Nonis Mart. Crispo 11. et Constantino 11. Conss. Corp. Jur. Civ. Codicis, lib. 3. tit. 12.

50. When Constantine was passing this law, with Eusebius and the clergy of his newly-established religion to assist and advise him, can it be believed, that he would not have stated, that it was done in obedience to the command of God, as handed down by tradition, or by writing, if such it had been considered? The contrary cannot be believed, whether he be considered as a hypocrite, or a devotee.

51. Though Dr. Paley considers the Sabbath to be abolished, he thinks that,

‘The *assembling* upon the first day of the week for the purpose of public worship and religious instruction, is a law of Christianity of divine appointment:’

but he goes on to qualify this by adding,

‘The resting on that day from our employments, longer than we are detained from them by attendance upon these assemblies, is to Christians an ordinance of *human institution*.’

52. Now the question, whether the assembling for public worship on *the Sunday* differently from any other day, be of human or divine appointment, has nothing to do with the appointment of *divine worship generally*, but only to its being fixed to that particular time. His inference is merely drawn from the apparent assembling of the Apostles and disciples on the first day of the week, as described in the three places quoted in the first Part; whence he infers that there must have been

some appointment by divine authority unknown to us. This it has been shown that not one of the texts will warrant. Granting, for the sake of argument, that they were assembled all the three times alluded to by previous appointment, and not by accident, and that this was fixed to the first day of the week, the fair inference is, that the fixing of this day was not of divine, but of human invention only: for it cannot be believed, that an ordinance of such great importance would not have been stated to be of divine authority, if it had been so considered. It is quite absurd to suppose afterward, when great and even bloody feuds were taking place, respecting the observance of the Sabbath on the seventh day, that not one of the Fathers or parties should have stated, that the Apostles had established the observance of the Sunday *instead* of it. Nothing could have been more favourable to the anti-sabbatarians; and in no other way can their silence be accounted for, than by the supposition, that they did not allege this, because the falsity of their allegation would have been notorious. If the case had been doubtful even, they would have availed themselves of it, as far as was in their power.

53. Some persons have imagined, that the day of the Sun, dies Dominica, the first day of the week, the day peculiarly dedicated to the Sun by the heathens, was called the Lord's-day, out of honour

to Jesus Christ. And Dr. Priestley had this idea : he says,

‘That before the death of John, it had obtained the epithet of the Lord’s-day. As John did nothing more than use the epithet *κυριακή*, to distinguish the day he alluded to, and wrote for the use of Christians in general, of that and all succeeding ages, it is evident, that he knew they wanted no other mark to discover what day he meant, and that, therefore, it was a name universally given to the first day at that time by Christians.’

54. No doubt he knew that the Christians would understand him, and the Doctor might have added, the heathens also. For it was known by this name before Jesus was born, in honour of the Sun, who was always called Dominus Sol, and the day, dies Dominica.—See Dupuis sur tous les cultes, vol. 3. p. 41. ed. 4to. The Persians called their God Mithra always the Lord Mithra; but it is well known, that Mithra was nothing but the Sun. Dr. Paley has fallen into the same mistake with Dr. Priestley.

55. The Syrians gave to the Sun the epithet of Adonis, or Lord. Adon is yet the word for Lord in the Welsh Celtic language. Porphyry, in a prayer which he addresses to the Sun, calls him Dominus Sol. And in the consecration of the seven days of the week to the different planets, the day of the Sun is called the day of the Lord Sol, or dies Dominica; when the others are called only by

their names, as dies Martis, &c.—See Porphyry, de Abstinencia, l. 4. Dupuis, v. 3. p. 41—55. ed. 4to. Every one of the ancient nations gave the Sun the epithet of Lord or Master, or some title equivalent to it, as *Kúpios* in Greek, Dominus in Latin. As the Sun was called Dominus, the Moon or Isis was called Domina. On the side of a church in Bologna, formerly a temple, the following inscription still remains: *Dominæ Isidi Victrici*.

56. The multiplication, by the laws of society, of artificial offences, which are in themselves no crimes, such as those created by the excise laws, and the prohibition of innocent amusements on the Sunday, have a very strong tendency to corrupt the public morals.

57. To convert an act pleasurable and agreeable to the youthful mind, and innocent in its own nature, such as a game at cricket, on a Sunday evening, into a crime, is to treat the Lord's-prayer with contempt. It is to lead into temptation the uncorrupted; who, by the nature of their youth, are the most open to it. Another objection arises, from the circumstance that the labouring orders of mankind, who are obliged to work all the six days of the week to earn their subsistence, are consequently much more exposed to temptation than the higher orders, to whom every day is a Sabbath, or day of rest; and who increase the temptation

to the others to break it, by breaking it with impunity themselves whenever they think proper.

58. The temptation is also much greater to the labourer, who works all the other six days, than to the rich man, to whom they are all Sabbaths or days of rest. The rich man, who has never worked, can scarcely form an idea of the pleasure of the Sabbath to the poor labourer.

59. In sermons, and in books of different kinds, put into the hands of young and ignorant persons, Sabbath-breaking is constantly held up as a most heinous and terrible sin; and when persons thus taught to consider it as a sin of magnitude, equal to the commission of real crimes, are once tempted to a commission of the offence, they become hardened. An effect is produced upon their minds, very different from what it would be if they were merely told that Sabbath-breaking was wrong, because it was a breach of a municipal regulation, of little consequence: and that if they persisted in it, they should be made to pay the penalty of the law, *three shillings and fourpence*.

60. It is the very acmé of impolicy, and has the strongest tendency to corrupt the morals of a people, to teach them that trifling offences, which from any peculiar circumstance they are constantly exposed to daily and almost insuperable temptation to commit, are of a heinous nature. The mind by repeatedly committing a minor offence,

coloured to it as an atrocious act, becomes hardened and prepared by a species of apprenticeship for the commission of the worst crimes. Hence it is we constantly find culprits at the gallows charging the sin of Sabbath-breaking, as they call it, with the origin of their abandoned course of life ; and there can be no doubt that they are correct in so doing.—By considering the Sabbath or day of rest in the point of view in which it has been placed, merely as a municipal regulation, it is evident that the occasional breach of it will not be attended with the same pernicious consequences as attend the breach of it when considered as a divine ordinance. The persons who sincerely appropriate the whole day to the observance of religious duties, no doubt will be more pious than those who appropriate only part of it : as those are more pious, who pray morning and night, than those who only pray once a day. But the minds of those who, either by business or pleasure, are induced to neglect it, will not be hardened in vice : and a person of good common sense will know, that if he perform the duties of prayer and thanksgiving on some other day, when he has been induced to neglect them on the day fixed by the law of the land, the offence, further than merely the breach of a trifling municipal regulation, valued at 3s. 4d., will be in a great measure atoned for.

61. If the Sunday be considered as a divinely-appointed substitute for the Jewish Sabbath, the consequence follows, that it must, or at least ought, if consistency be attended to, to be kept in every respect as the Jewish Sabbath was ordained to be kept. In the multifarious and complicated concerns of a great commercial nation, it is not possible to keep it as strictly as ordained by the letter of the old law. Hence it must be violated every day, both by governments and individuals. In consequence of considering this institution of divine appointment, many persons of the best dispositions are placed almost daily in situations the most painful. The distressing nature of these situations evidently proceeds from the mistaken idea that it is of divine, and not of human, appointment. If it be the former, it evidently admits of no modification ; but if it be only the latter, it as evidently may be varied, or even dispensed with, as circumstances require. Being ordained to be kept by the magistrate, it is wrong not to keep it ; but the offence in the former case is far greater than in the latter.

62. In the neighbourhood of the author, an honest, respectable, industrious man lived at an inn as hostler, and after some time his master obtained a share in a mail coach, and he had the horses to prepare and take care of. It is evident that this man must break the Sabbath every Sunday, or abandon the situation by which he maintained

his family in comfort ; a situation for which he was much better qualified than for any other. He applied to the author for advice, having read his Bible, and wishing to do his duty ; but not wishing to ruin himself, and send his wife and children to the parish. He was recommended to go to his parish priest. What passed is unknown to the author, except that he returned with a perfect contempt for the wretched sophistry of his ghostly adviser, who happened to be one of the *Evangelical* Christians, as they call themselves. He was a man of strong common sense ; it was not likely that he should do otherwise.

63. Very good men amongst both the French and English have wished the observance of the Sunday to be abolished. But surely they have reasoned very incorrectly. Some have said that it is unwise to lose one seventh part of the labour of the industrious classes of mankind, and that on this account it would conduce greatly to the riches of a state to abolish it. This is the argument of the West India planter, and no doubt is true. It is the reason why postmasters never wish to have their horses stand still in the stable ; and no doubt it is true : but it requires no comment.

64. Others have said, it is a great hardship, to deprive a poor man of the produce of the seventh part of his voluntary labour, for the support of his family. This is no doubt true also, if the argument be applied to one family only ; but if it be applied to

a whole nation, nothing can be more untrue. And nothing is more easy than to shew, that if in a whole nation the observance of Sunday were to be abolished, though the rich would be greatly benefited, no poor man would be bettered in point of pecuniary concerns to the amount of a single farthing, and in many respects the comforts and enjoyments of the poor would be very greatly abridged.* Some persons have maintained that a day of rest is a day of idleness and dissipation, alike destructive to the purses and the morals of the industrious part of the community. This is to reason against the use, from the abuse of a thing. It only shows the necessity of proper regulations. A person may as well argue against the planting of vines or barley, because people get drunk.

65. As a human ordinance, nothing can be more wise than the observance of a periodical day of devotion, rest, and recreation : but, as a Sabbath, in the strict sense of the Jews and Calvinists, nothing can be well more pernicious. The practice of the Roman Catholics seems to be not only the most consistent with Scripture, but the most rational. After their devotions are over, they have no scruple to join in any innocent recreation and amusement. How different this is to the conduct of our modern Pharisees ! Many persons will not on any account read a newspaper on a Sunday, or allow a little

* See Edinburgh Review, No. LXVII. p. 23.

music in their house on that day on any consideration. An instance is known to the author, where a Scotchman informed a young man, visiting at his house, that it was not usual with them to laugh on the Lord's day, and he hoped he would abstain from it. All this arises from the mistaken idea, that the observance of the Lord's day is a renewal of the Jewish Sabbath.

66. The author feels a pleasure in stating, that the old law of England, before its late corruption by the modern Pharisees, was perfectly accordant with his view of the subject. The Sunday is classed amongst the *festivals*, not the fasts. All *works* of necessity were permitted, and only such as were not necessary were forbidden; vid. Act of Charles 2d, c. 2. s. 7: and by King James's Book of Sports, such amusements were allowed as at that time were thought necessary and innocent; such as DANCING, archery, leaping, vaulting, May games, Whitson ales, morris dances, a species of dramatic entertainment, &c.: vid. Dalton, c. 46. It is very much to be desired that they were re-enacted, that the people might be encouraged after divine service to apply to cheerful amusements, instead of the ale-house, or what is as bad, the petty conventicles of morose Calvinistic fanatics,* who fancy they have a call to preach up,

* Calvin, the founder of the doctrine of these people, who burnt Servetus for differing in opinion with him, declared he

what in their hands is nothing better than a *prava immodica et exitiabilis superstitio*,² to their gaping auditors, almost as ignorant as themselves, for which there is no remedy but silent contempt.

67. The following injunctions were published by Queen Elizabeth and Edward the Sixth; and as no doubt they speak the opinions of the leading reformers of that day, they are curious, and deserving of respect.

‘All parsons, vicars and curates shall teach and declare unto the people, that they may with a safe and quiet conscience, after their common prayer in time of harvest, labour upon the holy and festival days, and save that thing which God hath sent. And if for any scrupulosity or grudge of conscience they shall abstain from working upon those days, that then they shall grievously offend and displease God.’

68. It is necessary to observe that festival days, according to act of parliament, include all Sundays. It is a thing very much to be desired, that the generality of persons engaged in business would be content with the religion of their ancestors, at least until they can produce some good reasons for

believed in what he taught, *quia incredibile est, because it is incredible*. He was quite right; it is the only ground on which it can be believed, because it is contrary to the moral attributes of God.

² Pliny, Tacitus, Suetonius.

making a change; leaving the task of expounding difficult texts of the Bible to the divines and polemics.

69. A learned traveller, speaking of France, says,

‘Methodists and enthusiasts there are none; and nothing more astonishes a Frenchman than to describe the ascendancy of methodism in England, the death-like gloom of an English Sunday, and the vagaries of the jumpers and other such fanatics, who disgrace the intelligence of the British people. It was repeated to me at least fifty times in reply to my observations—‘though men are forbidden to work on a Sunday, they are not forbidden to play;’ ‘and if,’ said a French priest to me, ‘you would keep Sunday out of respect to our Lord’s ascension, instead of keeping the Sabbath, surely that ascension is a subject rather of gaiety than sadness.’

70. When a Frenchman has performed the devotional exercises required by his religion, he does not think there is any thing wrong in doing such occasional labour or work on a Sunday, as may offer itself or be required. He does not consider that he is acting against the word of God; he is only giving up part of his own enjoyment, the recreation which is allowed to him: and if he have a family, he thinks he is making a meritorious sacrifice, rather than otherwise. And this is perfectly consistent with the idea of it, as a day of festivity ordained by the church.

71. It has been said that Jesus wept, but never

laughed ; but for all this, he had no objection to cheerful society, and that to a pretty liberal extent, or he would not by a miracle, at Cana in Galilee, have provided more wine, when the guests had already taken as much as the host had thought proper to provide for them. Nor would he have attended a feast on the Sabbath-day, as described Luke xiv.

72. The people of Geneva appear to keep the Sunday more correctly than any other persons. During divine service all the wine-houses, shops, &c. are closed, and the gates of the town opened to none but surgeons and accoucheurs, except some very urgent case is made out to the satisfaction of the magistrate. The labours of husbandry are permitted in harvest, and at other times, when the magistrate gives permission for them, and thinks it proper. After the day's devotion is over, the evening is spent at dramatic entertainments, or in visiting, dancing, playing at athletic games, such as foot-ball, &c.

73. It is constantly the boast of Christians, that their religion is a religion of cheerfulness, in opposition to objectors, who have charged it with being the contrary. Surely the objection must be considerably strengthened by the conversion of fifty-two days (one-seventh of the whole year) from days of festivity into days of mourning and sadness. Though the fanatic may approve this conversion,

the philosophic Christian, the real philanthropist, must view it with sorrow and regret.

74. Thus, when the day is considered as it ought to be, merely as a human ordinance, it can be regulated without difficulty, by the governors of states, as is most suitable to times and circumstances. But if it be considered as a divine command, it is evidently out of their reach or controul. However pernicious an effect may arise, they have no means to obviate it, without what ought never to be seen—the government intentionally violating the laws which it tells its people are sacred, and cannot be violated without the commission of a great sin.—The governors despatching mail-coaches in all directions, and fining poor men for being shaved before they go to church, on a Sunday morning.¹

75. It will now probably be demanded, whether a wish is entertained to abolish the observance of the Sunday or not: to which the reply is, certainly not. The Jewish Sabbath was abolished by Jesus; and if it were in the power of the Author, it should

¹ Strain not your scythe, suppressors of our vice,
Reforming saints! too delicately nice!
By whose decrees, our sinful souls to save,
No Sunday tankards foam, no barbers shave;
And beer undrawn and beards unmown display
Your holy reverence for the Sabbath-day.

BYRON, *English Bards and Scotch Reviewers*.

not be restored by him. But the question is not about the seventh day of the week, but about the Sunday, the first; and concerning the latter, the question is, not whether it is to be abolished, but whether it is to be kept, subject to the regulation of the government, as a fast or a feast—whether it is to be made for man, or man is to be made for it:—whether, with the modern Pharisees, it is to be kept like Ash Wednesday and Good Friday, or, with Bishop Cranmer, Edward the Sixth, Elizabeth, and all our early reformers, it is to be kept like Easter Sunday and Christmas-day; and it may be added also, with all the Catholic and Greek Christians, and many of the followers of Luther and Calvin, at Geneva, and several parts of Germany, beyond all comparison much the greater part of the Christian world.

76. If it were observed to our little, though increasing junto of Puritans, that it is incumbent upon them to pay some attention to the great majority of the Christian world, who entertain an opinion on this subject different from them, and that they ought not to be too confident in their own judgment, but to recollect that it does not become them in fact, though perhaps not in name, to assume to themselves that infallibility which they deny to the united church of Christ with the Pope at its head; they would probably reply, that they have a right to judge for themselves, that they will

not be controulled by Antichrist, or the scarlet whore of Babylon. With persons who can make this answer, the author declines all discussion; he writes not for them, but for persons who, having understandings, make use of them: and to these persons he observes, that he does not wish their opinions to be controulled by any authority; but he begs them to recollect the beautiful story of theameleon—that others can see as well as themselves; and that when a great majority of the Christian world is against them, it is possible that they may be in error; and that therefore it is incumbent upon them to free their minds from passion or prejudice as much as possible, in the consideration of this very important subject. That on the decision respecting it depends the question, whether the Christian religion is to be a system of cheerfulness, of happiness, and of joy, or of weeping, wailing, and gnashing of teeth.

77. It is unnecessary to add any thing more upon this subject. It has been shown, that the intention of the writer of the first chapter of Genesis, and of the remainder of the Pentateuch was, to teach that the institution of the Sabbath was expressly limited to the children of Israel; that it was a sign of the covenant betwixt them and God; and that the sign and the covenant went together. It has been shown, that it was abolished by Jesus, when he did not enumerate the Sabbath

amongst the commandments which he ordered to be retained, and by his conduct in breaking it on various occasions. It has been shown, that it was abolished at the first council of the Church, held by the Apostles at Jerusalem; and that St. Paul has in the clearest terms, and repeatedly, expressed his disapprobation, not only of Sabbaths, but of the *compulsory* keeping of set-days as an ordinance of religion. Not a single passage can be produced from the Gospels or Epistles, in approbation of the continuation of the Sabbath, or of the substitution of any day in its place. Nor can it be shown, that the early Christians considered the observance of Sunday as the renewal of the Jewish Sabbath, or in any sense as an institution of divine appointment; and therefore, from a careful consideration of the whole argument, and of all the circumstances relating to it—its antiquity—its utility when not abused—and the many comforts which it is calculated to produce to the poor and working-classes of mankind, it may be concluded, that the observance of Sunday is a wise and benevolent *human*, but not *divine* ordinance; a festival, which it is on every account proper and expedient to support, in such due bounds as will make it most conducive to the welfare of society. That with Christians it ought not to be a day of penance and humiliation, but of happiness, joy, and thanksgiving, as it was established by Edward the

Sixth at the Reformation; a festival, to celebrate the glorious resurrection of their Saviour to life and immortality.

WHEN THOU PRAYEST, ENTER INTO THY CLOSET:
AND WHEN THOU HAST SHUT THY DOOR, PRAY
TO THY FATHER WHICH IS IN SECRET; AND THY
FATHER, WHICH SEEST IN SECRET, SHALL REWARD
THEE OPENLY.¹

¹ One of the quotations from the Gospel of Luke is not taken from the orthodox version. The Author being in the habit of consulting different versions, copied it from the wrong version by mistake, and did not discover it till the sheet was printed off. It is of no consequence whatever to the argument; and he only notes it that he may not give a handle to ill temper, to accuse him of misquotation.

FINIS.

By the same author.

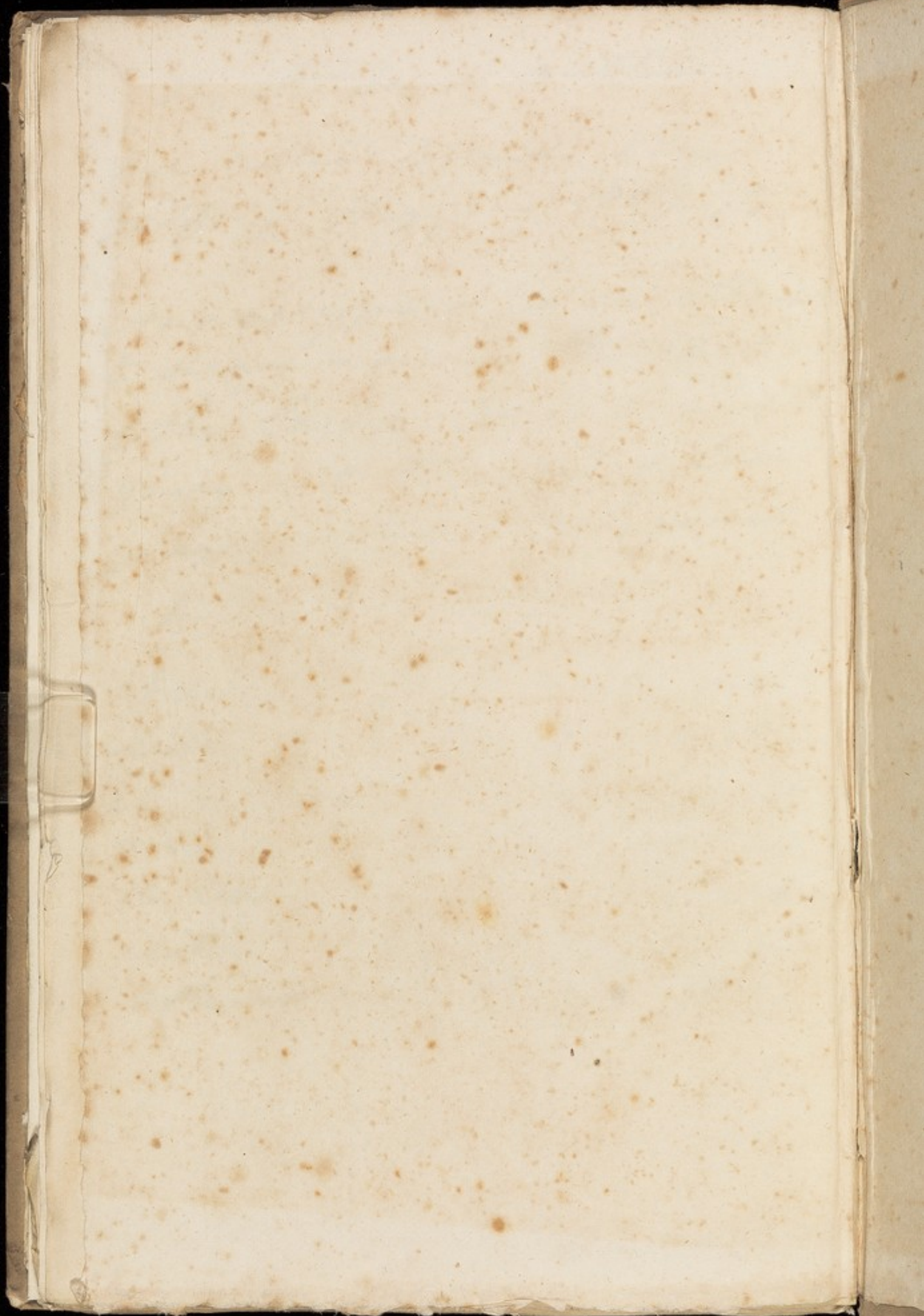
The Celtic Druids. By
Godfrey Higgins 1827 4to.

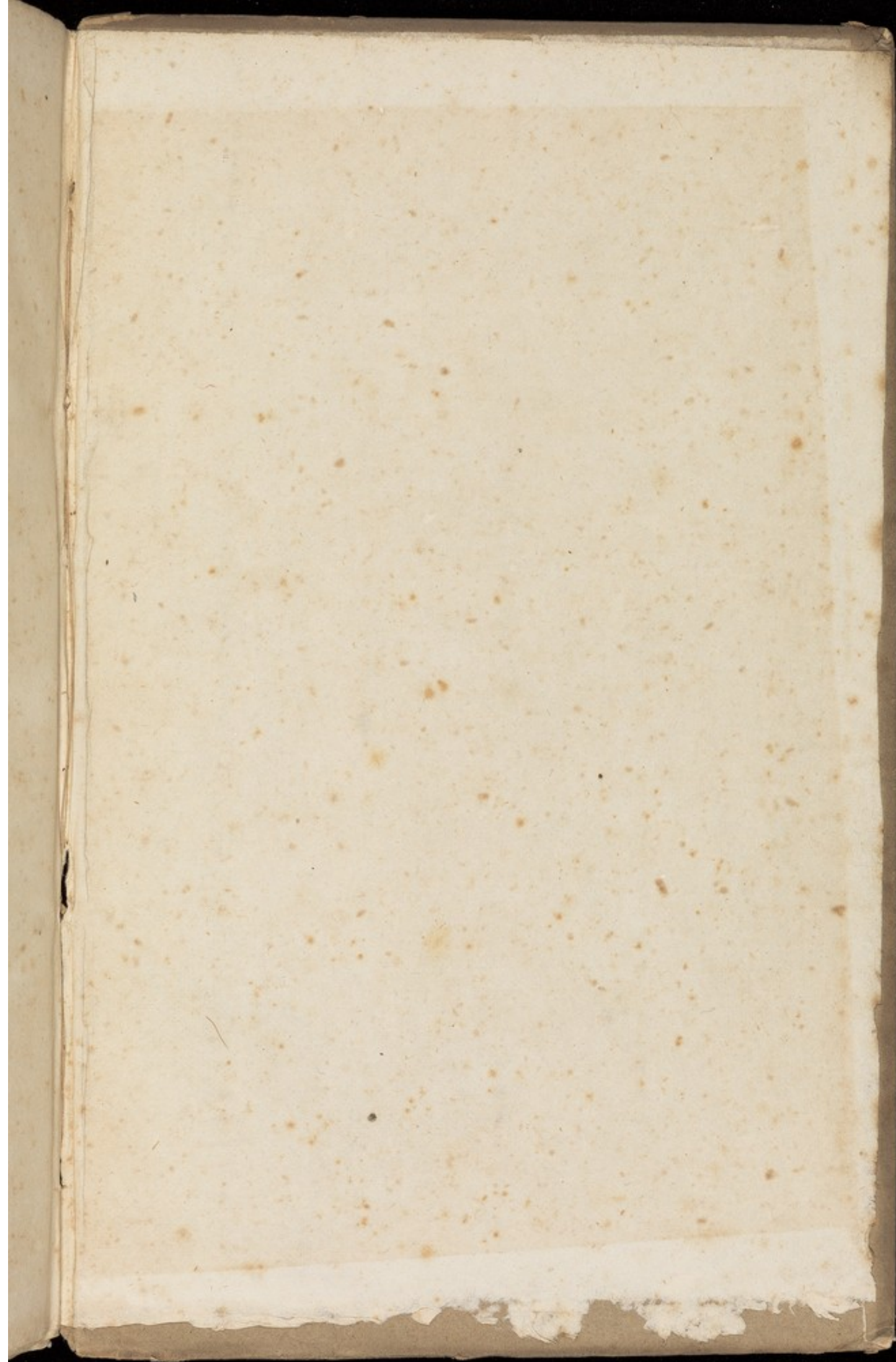
Anacalypsis, or an attempt
to draw aside the Veil
of the Saitic Isis; or an in-
quiry into the origin of Lan-
guages, nations Religions

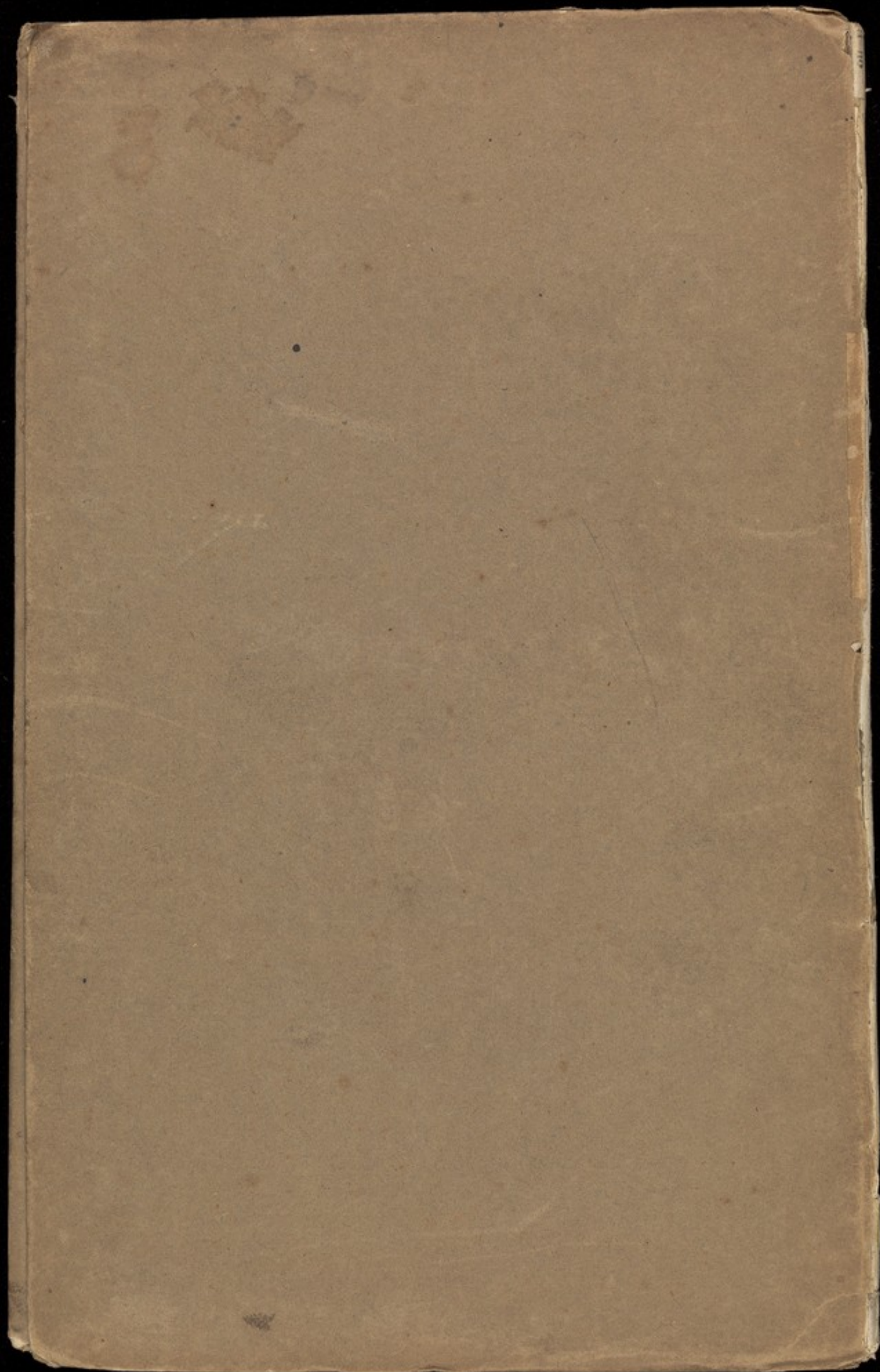
London 1836 2 vols 4to.

"I never could quite make out
whether G. H. took that system
wh. he traced to the Buddhists
to have a Divine origin, or to be
the result of good men's med-
itations." Prof Dr Morgan
Athenaeum Feb 27. 1864.

to.
temp
il
in
er
s
h
ten
its
w
ed
er
l.







7 May 1824

My Dear Sir

Read
WMT

(8)

Almost many years I may
say have passed since I had the
pleasure of seeing you and your family
but I assure you that tho' I have not
seen you I have recollected you very
often, and have not seldom talked
about you, and to shew that I am
not disposed yet to forget you I
propose to avail myself of the kind
offer you formerly made to me of a bed
when I came to York, and to sleep at
your house on the Monday and Tuesday
in the assize week, if it should be
perfectly convenient to you. But if it
should be in the slightest degree inconvenient
I hope you will be kind enough to say so

Twice I had the pleasure to see you
my life has been an unceasing series
of misery vexation and extreme
anxiety: but thank God the whirlwind
in which I seemed to be involved has
pretty well ceased. My remaining
daughter tho' very delicate is yet
much better and I hope will finally
recover. and my law suits are nearly
finished, at least so near as not
to be attended with much anxiety.
for account of my daughter I shall
go abroad again in May, where I
shall remain over the following winter.
I have let my house at Mellow for
two years and am at present at this
place where I will thank you to
direct to me.

I beg to be most kindly remembered
to Mr. T. and remain

Yours very truly

Godfrey Higgins

Doncaster

7 Mar 1824

W. L. Tucker
Castle Gate
Portland
York