

SKETCHES  
OF  
V I R G I N I A  
HISTORICAL  
AND  
B I O G R A P H I C A L.

BY THE  
REV. WILLIAM HENRY FOOTE, D. D.  
Pastor of Presbyterian Church, Romney, Virginia.

PHILADELPHIA:  
WILLIAM S. MARTIEN, 142 CHESTNUT STREET.  
1850.

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Entered according to Act of Congress in the year 1849,  
By WILLIAM S. MARTIEN,  
In the Clerk's office of the District Court for the Eastern District of Pennsylvania.

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agreeable to the tastes and consciences of the parties concerned. The Presbyterian settlements, in the Valley of the Shenandoah, were greatly relieved, by the provisions of the law, from acts that were becoming habits, and doings that were rapidly becoming customs, under the report of which their civility and delicacy were suffering, in the estimation of others unacquainted with their necessities. There being but few ministers of the Church of England in the Valley,—and their demands for riding any distance to perform the marriage ceremony exorbitant, and their often refusing to leave their homes at all, wedding parties often rode in company to the minister's house for the ceremony; these rides became occasions for dissipation of that kind, and exhibition of manners of that sort, as fastened upon the people of the Valley imputations not justified by the real facts in the case. What was done, by necessity of law, was neither vulgar or immodest in those suffering the compulsion.

In the month of April 1780, the Presbytery of Hanover met in the Tinkling Spring congregation, in Augusta county;—present Rev. Messrs. Todd, Brown, Waddel, Rice, Irvin, Smith and Crawford. On the 28th of the month, being at Mr. Waddel's—"A memorial to the Assembly of Virginia, from this Presbytery,—to abstain from interfering in the government of the church—was prepared, and being read in Presbytery, is appointed and directed to be transmitted to the House."

"The Presbytery do request Colonel McDowell and Captain Johnson to present their memorial to the Assembly, and to second it by their influence; and Mr. Waddel and Mr. Graham are appointed to inform these gentlemen of the request of Presbytery."

At a meeting of the Presbytery of Hanover, held at Bethel, Augusta county, May 19th, 1784;—present Rev. Messrs. Graham, Scott, Wilson, Houston, Smith, Montgomery, Irvin, Brown, Carrick and Rankin;—with—Samuel McCutchin, Robert McNutt, and Samuel Craig, elders;—"On motion made by Mr. Smith that a committee be appointed to prepare a memorial to the Assembly at their present session upon certain infringements of religious liberty, which exist in this State,—the Presbytery agreed to appoint him and Mr. Waddel to that business, and that they make their report to-morrow. May 20th, Mr. Smith from the committee appointed yesterday produced a draught of a memorial, which Presbytery approved of; and appointed Messrs. Smith and Waddel to have it presented to the Assembly, and to preserve a copy for the inspection of Presbytery at our next stated meeting.

## MEMORIAL OF THE PRESBYTERY OF HANOVER IN MAY, 1784.

*To the Honourable Speaker, and House of Delegates of Virginia.*

Gentlemen,

The united clergy of the Presbyterian Church in Virginia, assembled in Presbytery, request your attention to the following representation. In the late arduous struggle for every thing dear to us, a desire of perfect liberty, and political equality animated every class of citizens. An entire and everlasting freedom from every species of ecclesiastical domination, a full and permanent security of the unalienable rights of conscience, and private judgment, and an equal share of the protection and favour of government to all denominations of Christians, were particular objects of our expectation, and irrefragable claim. The happy Revolution effected by the virtuous exertions of our countrymen of various opinions in religion, was a favourable opportunity of obtaining these desirable objects without faction, contention, or complaint. All ranks of men, almost, felt the claims of justice, when the rod of oppression had scourged them into sensibility, and the powerful band of common danger had cordially united them together against civil encroachments. The members, therefore, of every religious society had a right to expect, and most of them did expect, that former invidious and exclusive distinctions, preferences, and emoluments conferred by the State on any one sect above others, would have been wholly removed. They justly supposed that any partiality of this kind, any particular and illicit connexion or commerce between the State, and one description of Christians more than another, on account of peculiar opinions in religion, or any thing else, would be unworthy of the representatives of a people perfectly free, and an infringement of that religious liberty, which enhances the value of other privileges in a state of society.

We, therefore, and the numerous body of citizens in our communion, as well as in many others, are justly dissatisfied and uneasy, that our expectations from the Legislature have not been answered in these important respects. We regret that the prejudices of education, the influence of partial custom, and habits of thinking confirmed by these, have too much confounded the distinction between matters purely religious, and the objects of human legislation, and have occasioned jealousy and dissatisfaction by injurious inequalities, respecting things which are connected with religious opinion, towards different sects of Christians. That this uneasiness may not appear to be entertained without ground, we would wish to state the following unquestionable facts for the consideration of the House of Delegates.

The security of our religious rights upon equal and impartial ground, *instead of being made a fundamental part of our constitution, as it ought to have been*, is left to the precarious fate of common law. A matter of general and essential concern to the people, is committed to the hazard of the prevailing opinion of a majority of the Assembly at its different sessions. In consequence of this, the Episcopal church was virtually regarded as the constitutional church, the church of the State, at the Revolution; and was left by the framers of our present government, in that station of unjust pre-eminence which she had formerly acquired under the smiles of royal favour. And even when the late oppressive establishment of that church was at length acknowledged an unreasonable hardship by the Assembly in 1776, a superiority and distinction in name was still retained, and it was expressly styled the *established church* as before; which title was continued as late as the year 1773, and never formally disclaimed: our common danger at that time not permitting that opposition to the injustice of such distinction which it required and deserved.

But "a seat on the right hand of temporal glory as the established mother church" was not the only inequality then countenanced, and still subsisting, of which we now have reason to regret and complain. Substantial advantages were also confirmed and secured to her, by a partial and inequitable decree of government. We hoped the time past would have sufficed for the enjoyment of these emoluments, which that church long possessed without control by the abridgment of the equal privileges of others, and the aid of their property wrested from them by the hand of usurpation; but we were deceived. An estate computed to be worth several hundred thousand pounds in churches, glebes, &c., derived from the pockets of all religious societies, was exclusively and unjustly appropriated to the benefit of *one*, without compensation or restitution to the rest, who, in many places, were a large majority of the inhabitants.

Nor is this the whole of the injustice we have felt in matters connected with religious opinion. The episcopal church is actually incorporated, and known in law as a body, so that it can receive and possess property for ecclesiastical purposes, without trouble or risk in securing it, while other Christian communities are

obliged to trust to the precarious fidelity of trustees chosen for the purpose. The episcopal clergy are considered as having a right, *ex officio*, to celebrate marriages throughout the State, while unnecessary hardships and restrictions are imposed upon other clergymen in the law relating to that subject passed in 1780, which confines their exercise of that function to those counties, where they receive a special license from the court by recommendation, for recording which they are charged with certain fees by the clerk; and which exposes them to a heavy fine for delay in returning certificates of marriages to the office.

The vestries of the different parishes, a remnant of hierarchical domination, have a right by law to levy money from the people of all denominations for certain purposes; and yet these vestrymen are exclusively required by law to be members of the episcopal church, and to subscribe a conformity to its doctrines and discipline as *professed and practised in England*. Such preferences, distinctions and advantages granted by the Legislature exclusively to one sect of Christians, are regarded by a great number of your constituents as glaringly unjust and dangerous. Their continuance so long in a republic, without animadversion or correction by the assembly, affords just ground for alarm and complaint to a people, who feel themselves, by the favour of Providence, happily free; who are conscious of having deserved as well from the State as those who are most favoured; who have an undoubted right to think themselves as orthodox in opinion upon every subject as others, and whose privileges are as dear to them. Such partiality to any system of religious opinion whatever, is inconsistent with the intention and proper object of well directed government, and obliges men of reflection to consider the Legislature which indulges it, as a party in religious differences, instead of the common guardian and equal protector of every class of citizens in their religious as well as civil rights. We have hitherto restrained our complaints from reaching our representatives, that we might not be thought to take advantages from times of confusion, or critical situations of government in an unsettled state of convulsion and war, to obtain what is our clear and incontestable right.

But as the happy restoration of peace affords leisure for reflection, we wish to state our sense of the objects of this memorial to your honourable house upon the present occasion; that it may serve to remind you of what might be unnoticed in a multitude of business, and remain as a remonstrance against future encroachments from any quarter. That uncommon liberality of sentiment, which seems daily to gain ground in this enlightened period, encourages us to hope from your wisdom and integrity, gentlemen, a redress of every grievance and remedy of every abuse. Our invaluable privileges have been purchased by the common blood and treasure of our countrymen of different names and opinions, and therefore ought to be secured in full and perfect equality to them all. We are willing to allow a full share of credit to our fellow citizens, however distinguished in name from us, for their spirited exertions in our arduous struggle for liberty; we would not wish to charge any of them, either ministers or people, with open disaffection to the common cause of America, or with crafty dissimulation or indecision, till the issue of the war was certain, so as to oppose their obtaining equal privileges in religion; but we will resolutely engage against any monopoly of the honours or rewards of government by any one sect of Christians more than the rest; for we shun not a comparison with any of our brethren, for our efforts in the cause of our country, and assisting to establish her liberties, and therefore esteem it unreasonable that any of them should reap superior advantages for, at most, but equal merit. We expect from the representatives of a free people, that all partiality and prejudice on any account whatever will be laid aside, and that the happiness of the citizens at large will be secured upon the broad basis of perfect political equality. This will engage confidence in government, and unsuspecting affection towards our fellow citizens. We hope that the Legislature will adopt some measures to remove present inequality, and resist any attempt, either at their present session or hereafter, to continue those which we now complain of. Thus by preserving a proper regard to every religious denomination as the common protectors of piety and virtue, you will remove every real ground of contention, and allay every jealous commotion on the score of religion. The citizens of Virginia will feel themselves free, unsuspecting, and happy in this respect. Strangers will be encouraged to share our freedom and felicity; and when civil and religious liberty go hand in hand, our late posterity will bless the wisdom and virtue of their fathers. We have the satisfaction to assure you that we are steady well wishers to the State, and your humble servants.

THE PRESBYTERY OF HANOVER.