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I.

From the home-land of Luther two theologians have come who have prominently aided in the building up of the Lutheran Church in America in the nineteenth century. Their work has left on the particular organization with which they cast their lot an impress that will not soon be effaced, though in the onward rush of years the memory of their names and personalities may become dimmed.

Walther's work in the Missouri Synod was nearly done when Stoeckhardt arrived. Between the landing of the Stephanists and Stoeckhardt's election to the chair of Exegesis at Concordia Seminary there lies a full half century. The Missouri Synod's battle for existence among the older Lutheran bodies in America had been fought, its *raison d'être* established.

1) Born February 17, 1842, at Chemnitz, Saxony; preparatory education in a private *Lateinschule* at Tharandt; 1857—62 at *Fuerstenschule* at Meissen; 1862—66 studies theology at universities of Erlangen and Leipzig; 1866—70 tutor at Ladies' Seminary at Tharandt; 1870—71 assistant pastor at the German Lutheran Church des Billettes at Paris, and, temporarily, at the Sedan Hospital; 1871—73 private tutor in Old and New Testament Exegesis at University of Erlangen, and instructor at Gymnasium of that city; 1873—76 pastor of a state church at Planitz, near Zwickau, Saxony; 1876—78 pastor of the independent St. John's congregation of same city; 1878—1887 pastor of Holy Cross Church, St. Louis, and lecturer on Old and New Testament Exegesis at Concordia Seminary; 1887—1913 Professor of Old and New Testament Exegesis at Concordia Seminary; 1903 created Doctor of Divinity by the theological faculty of Luther Seminary, Hamline, Minn.; died January 9, 1913.

RELIGIOUS TOLERATION IN MARYLAND COLONY.

(The struggle between Protestantism and Romanism in Maryland,
1634—1660.)

Was Maryland intended by the Calverts to be an asylum for Roman Catholics as Plymouth was for the Puritans? Was religious toleration granted the settlers of Maryland for unselfish reasons, in a spirit of true magnanimity? Many of the popular Histories of the United States and most School Histories answer these two questions with a decided and positive

"Yes," and Roman Catholics always refer with pride to the fact that religious toleration was granted to the settlers in Maryland before it was thought of in any other colony of America.

Lossing, in his widely-read *Our Country*, writes: "Lord Baltimore (Sir George Calvert) desired to provide an asylum for them (the Roman Catholics of England) in America"; though of Cecil Calvert, the son, and the real founder of Maryland, he says: "Young Lord Baltimore set about the business of colonizing his domain, not for an asylum for his persecuted coreligionists, but chiefly for pecuniary gain." (Book II, chap. V, pp. 230. 232.) Chambers, in his *Higher History of the United States*, p. 112, writes on this point: "The coming of the Pilgrim Fathers to New England suggested to Sir George Calvert, the first Lord Baltimore, a Catholic nobleman, the idea of establishing a refuge in America for the persecuted of his Church," and in the course of his narrative implies that the first settlers of Maryland, namely, those coming over in the *Ark* and *Dove* with Leonard Calvert, were all Roman Catholics. Scudder's *History of the United States*, p. 120, also declares: "One of their number (Roman Catholics of England), George Calvert, Lord Baltimore, determined to plant a colony in America which should serve as a refuge for his brethren." Barnes's *Brief History*, p. 72, says: "Lord Baltimore (Cecil Calvert), a Catholic, was anxious to secure for the friends of his Church a refuge from the persecutions which they were then suffering in England." Marcius Wilson speaks in a similar strain in his *History*. Eggleston and Anderson, in their *School Histories*, while not in so many words declaring that the Calverts' purpose in founding Maryland was above all a religious one, yet so present the matter as to leave that impression upon the mind of the unbiased reader.

In his *Discourses and Sermons on Various Subjects*, Cardinal Gibbons says: "This (Maryland) colony was the first to establish the blessings of civil and religious liberty on

American soil. In the mother country the colonists had drunk the bitter waters of persecution, and now, when they enjoyed the luxury of freedom, instead of having recourse to measures of retaliation, or of restricting this precious boon to themselves, they determined to share it with others. While the Puritans of New England persecuted other Christians, and while the Episcopalians of Virginia proscribed Puritans, Catholic Maryland gave freedom and hospitality to Puritans and Episcopalians alike. In the words of Bancroft: "The foundation of this Colony of Maryland was peacefully and happily laid. Within six months it had advanced more than Virginia in as many years. But far more memorable was the character of the Maryland institutions. Every other country of the world had persecuting laws, but through the benign administration of the government of that province, no person professing to believe in Jesus Christ was permitted to be molested on account of religion. Under the munificence and superintending mildness of Lord Baltimore, a dreary wilderness was soon quickened with swarming life and activity of prosperous settlements. The Roman Catholics who were oppressed by the laws of England were sure to find a peaceful asylum in the quiet harbors of the Chesapeake, and there, too, Protestants were sheltered from Protestant intolerance. Such were the beautiful auspices under which Maryland started into being. Its history is the history of benevolence, gratitude, and toleration.'"

What, really, was the purpose of the Calverts in founding Maryland, and for what reasons was religious liberty granted the settlers of this colony? It will be well worth our time to find the correct answers to these two questions. And I feel certain that a conscientious examination of the records and facts will show that Maryland was founded for economic reasons above all things, and that economic and political reasons alone prompted the Calverts to grant religious toleration in their colony.

Under Elizabeth, the last of the Tudors, Catholic intrigues challenged royal authority, which the queen met with an ever-

increasing policy of coercion. Under James I the laws against the Catholics were relaxed, but the Puritans became the special objects of royal hostility. James, a devoted Erastian, had shown his hatred of Puritanism in Scotland before he ascended the throne of England. Soured by his experience with Scottish Presbyterianism, which, he said, "agreed as well with monarchy as God with the devil," he was induced to be particularly severe toward the Puritans of England. As Puritanism increased, we find the seemingly impossible take place: the Established Church, Romanists, and Arminians practically join hands against the common enemy. The hostility of James against the Puritans and his good will toward the Romanists was still more openly shown when, in the year 1616, he entered upon negotiations for the marriage of his son Charles to the Spanish Infanta. For seven years the negotiations dragged on before they were finally broken off. During these years the laws against Catholics were practically a dead letter, and many Catholic noblemen enjoyed positions of high public trust, among them also George Calvert, who at this time already projected his scheme of founding a colony in America. In the year 1620, he received the grant, and in 1623, the charter for a portion of Newfoundland, which was erected into a province and given the name Avalon. At this period a writer reported that "Master Secretary Calvert is beginning to draw back yearly some benefits" from his colony, and all the evidence goes to show that Calvert obtained his grant for purposes of gain. There is not even a hint of any religious purpose on the part of Calvert. In 1627 and 1628, Calvert visited Avalon in person, and coming to the conclusion that it was a bad investment, he wrote a letter to King Charles asking for a grant of land in Virginia, with the same privileges James had granted him in the charter for Avalon. Charles, the son and successor of James, finally granted the charter sought for, but before the royal signature was affixed, the first Lord Baltimore died. In their main features this second charter, that of the new Maryland Colony, and that of the Avalon patent agree. Both con-

tain empty phrases about the grantee's pious purposes, and both contain ambiguous passages leaving the way open to toleration.¹⁾ And if it cannot be claimed that the Newfoundland Colony was founded as a refuge for Roman Catholics, there is no more reason to claim this to have been the founder's purpose with regard to Maryland, unless it could be shown that Calvert's change of religion took place during the period intervening between the planning of Avalon Colony and that of Maryland. It is, however, reasonably certain that George Calvert was a Romanist at the time he was granted the charter for Avalon in 1623. His son Cecil, several years before, had married Anne Arundel, a member of the Romish Church, and the influence of his intimate relations with the Spanish Ambassador during the negotiations for the marriage of Prince Charles with the Infanta of Spain, which he as Secretary carried on, soon wrought a change in Sir George's religious thoughts. His strong advocacy for the Spanish marriage on the floor of the House of Commons and his highly colored account of their proceedings in the matter plainly showed his predilection, if not his adherence, to the Church of Rome. By the resignation of his secretaryship he did not at all wish to publicly acknowledge his fidelity to Rome, it was rather a mask to cover his defeat by Buckingham in the proposed alliance with Spain. Calvert had carried on all the negotiations in the proposed Spanish alliance, and when he now saw the utter defeat of his plans through the shrewdness of Buckingham, he openly avowed his adherence to Rome, and pretending

1) Prof. Geo. P. Fisher writes in his *Colonial Era*, p. 64: "Only two references to religion are to be found in the Maryland charter. The first gives to the proprietary the patronage and advowsons of churches. The second empowers him to erect churches, chapels, and oratories, which he may cause to be consecrated according to the ecclesiastical laws of England. The phraseology of these passages is copied from the Avalon patent that was given to Sir George Calvert (first Lord Baltimore) when he was a member of the Church of England. Yet the terms were such that recognition of that church as the established form of religion does not prevent the proprietary and the colony from the exercise of full toleration toward other Christian bodies."

to have religious scruples against longer holding office, resigned his office.

His resignation, however, in no way caused a rupture in his personal relations to James and his son. On the contrary, he was soon after given an Irish peerage and created Lord Baltimore; and left free to pursue his own plans, he now turned with greater application than ever to his "empire beyond the sea," and so finally received the grant of Maryland, "a grant the most ample and sovereign in its character that ever emanated from the English Crown." Eggleston, in *The Beginnings of a Nation*, p. 236, shows plainly that the interest in gain was Calvert's moving purpose in founding Maryland, that he designed to secure for himself and his successors the dignity and authority of the counts-palatine in the Middle Ages, a dignity and authority that the charter of Maryland actually and expressly confers upon the proprietor of the colony.

Never did the first Lord Baltimore claim that he was actuated chiefly by the desire of promoting the spiritual welfare of his coreligionists in founding Maryland, and it is dishonest to make that claim for him in our day. With him the founding of Maryland was a business proposition pure and simple, nothing more.

Cecil Calvert, the son and heir of the first Lord Baltimore, carried out his father's plans, and in doing so plainly shows the purposes and religious temper of Sir George Calvert. The first colonists came to Maryland in 1634 in charge of Leonard Calvert, the brother of the second Lord Baltimore. A considerable number of these first colonists, if not an actual majority, were Protestants, though the balance of power was in the hands of the Catholics because of their social, intellectual, and financial supremacy. The Jesuit Henry More reported to Rome that by far the greater part of the colony consisted of heretics, and less than seven years after the founding of the colony, the Jesuit provincial wrote that "three parts of the people, or four at least, are heretics." This great number of Protestants in the original expedition to Maryland shows

plainly that the colony was not intended by its founder to be a refuge for the persecuted Romanists of England. What Calvert considered in founding his colony was, above all, to get good, hard-working colonists, and he knew that without Protestants his colony would be but a poor success. However, he also foresaw that no Protestant settlers would come without the guarantee of religious freedom, and that the Protestant king or the Puritan Parliament of England would never tolerate the founding of an exclusively Romish colony within its jurisdiction.²⁾ A desire for Protestant colonists and toleration of Protestant worship were therefore a part of Calvert's policy. That George Calvert had led the Jesuits to believe that they should have all the privileges of a Catholic country, that the spiritual authority should not be subordinated to the temporal, is indicated by letters of the Jesuits to the Calverts at various periods; that such, however, was never the earnest intention of the Calverts seems equally plain from all that we have learned and shall yet learn.

Not five years after the founding of the colony, the proprietor was forced into a struggle with the Jesuits by the discovery that they had secretly secured lands from the Indians within the prescribed limits of his territory. When taken to task for such action, they persistently disputed his authority and dominion, and protested bitterly against his presumption in subordinating the spiritual to the temporal power. This rebellious spirit of the Jesuits decided Baltimore to use coercive measures, and finally led him to embody an act for toleration in a code of sixteen laws sent over by him in 1648 for passage

2) *Ibid.*, p. 65: "Any attempt to proscribe Protestants would have proved speedily fatal to the existence of the colony. In a document which emanated partly from Baltimore himself, it is declared to be evident that the distinctive privileges 'usually granted to ecclesiastics of the Roman Catholic Church by Catholic princes in their own countries, could not possibly be granted here (in Maryland) without great offense to the King and State of England.'" — Bishop Perry correctly says: "The Maryland charter of toleration was the gift of an English monarch, the nominal head of the Church of England, and the credit of any merit in this donative is due the giver and not to the recipient of the kingly grant."

by the assembly of freemen or their proxies, which, according to the charter, must consent to, and approve, all laws before they could become binding. But in the meantime toleration had been the unvaried custom in the colony for fifteen years for the reasons given above. The Toleration Act sent over as one of the sixteen laws is to be regarded as the factor in Baltimore's scheme of curbing the rising power of the Jesuits, and circumventing their traitorous machinations. Baltimore's scheme against Jesuit influence comprised three factors: 1. By the Toleration Act Protestant immigration was to be encouraged. 2. Under William Stone of Virginia he set up a Protestant administration. 3. He forced through the passage of a strict law which prohibited any trust, society, or corporation to acquire or own any land in Maryland except by express permission of the proprietor, and by this law he crushed the Jesuits' hopes of spiritual independence based on material riches. This was Baltimore's scheme, and it embraced the sixteen laws already mentioned, the restrictive measures against the Jesuits, and such favorable conditions to be held out to Protestant settlers as would secure their preponderance in the colony. The people, however, did not accept the entire scheme till 1650. Here, then, we have an explanation of much which otherwise would be quite inexplicable. The passage of coercive laws against Catholics will be more easily understood, and the blame placed where it belongs. We shall see that the struggle in Maryland was chiefly a struggle of Catholic against Catholic, a struggle of Lord Baltimore and his supporters against the Jesuits and their followers, and not so much, at least not from 1634 to 1650, between Protestants and Catholics.

The documents show that from 1634 to 1638 no less than sixty Jesuits were brought into Maryland. No doubt, the Jesuits expected to have a fine feast in this colony founded by an adherent of their church. They soon, however, found Cecil Calvert more difficult to manage than they had been led to expect. Their expectations not beginning to materialize, they

soon began to make their protests and express their amazement because of the alleged bad treatment they received at the hands of the proprietary and his lieutenants. They insisted upon those privileges which "Holy Mother Church" claims as hers by divine right, and Baltimore, with equal insistence, refused to grant what they coveted. A long struggle ensued between the civil government and the usurping Jesuits, between the minions of him who calls himself the servant of servants while demeaning himself as the lord of lords, and a self-respecting government. To counteract the machinations of the Jesuits, who sought to enrich themselves by the purchase of land from the Indian chiefs within the limits of the Maryland Grant, as early as 1638 the acceptance of Indian lands for anybody's use but that of the proprietor was forbidden, and the Romish clergy was also prevented from encroaching upon the rights of the proprietor by the introduction of the old English laws of *praemunire*³⁾ and the Statute of Mortmain.⁴⁾ "Uses," *i. e.*, secret trusts, were also proscribed, the lord proprietor holding that "uses" were a circumvention of the laws of mortmain. The earliest code of laws for Maryland, at least the earliest code preserved, that of 1637/38, is chiefly concerned with the subordination of the spiritual to the temporal power. Baltimore regarded all papal interference as a challenge to his rights, and continued to ignore and defy all threats of priestly coercion to the day of his death.

In 1638, the Jesuits held at least one of the "manors" into which the province had been divided, and twice was their superior, with two other members of the society, summoned to the provincial assembly which passed the anti-ecclesiastical laws. That the Jesuits refused to attend cannot surprise any one.

3) *Praemunire* is the name given in English law to offenses of the nature of a contempt against the sovereign and his government, and punishable with forfeiture and imprisonment. The name is derived from the first word of a writ originally introduced for the purpose of repressing papal encroachments on the power of the crown.

4) The object of the *Statutes of Mortmain* was to prevent priests and others from importuning the dying to convey their land to the Church.

Some time after the Jesuit Copley, in writing to Lord Baltimore, complains bitterly of the treatment accorded his order, and predicts the ruin of the colony. He also thinks it tyrannical on the part of the proprietor that he should denominate it a crime punishable with death if any one in the colony were to exercise authority indefinitely without a lawful permit from the proprietor. "Things have come to a dreadful pass," exclaims Copley, "when even by Catholics a law is provided to hang any Catholic bishop that should come hither, and also every priest, if the exercise of his functions be interpreted to be beyond his jurisdiction or authority." This remark of the Jesuit is important and should not be lost sight of. These laws, so obnoxious to the Jesuits, were passed by an assembly under Catholic control, and while it is probable that they were odious to most Catholics, yet it remains true that not a Protestant legislature, but one controlled by the agents of a Catholic proprietor, passed these coercive measures.

Many attempts have been made to prove that as the Protestants were in the majority in the first expedition, they continued in the lead, and that it was due to the Protestants that these laws, so repugnant and inimical to the Romanists, were passed. But the numerical strength of the Protestants proves nothing of the kind. Neither the anti-Romanist laws of 1637/38, of 1640, nor of 1642 could in any way owe their origin or passage to Protestant majorities, because of the simple fact that at least for fifteen years after the founding of Maryland the control of the colony was in the hands of the Catholics, as an unprejudiced examination of the records will show. While the records show that the Protestant population was the greater in point of number from the very first, yet this, as has been said, proves nothing. The Protestants that came over in 1634 were plain laborers and mechanics, and belonged to the class of redemptioners and indentured servants. Such as were mechanics and skilled laborers became freemen in three years, and were therefore eligible to sit in the assembly of 1637/38; but unskilled laborers did not become freeholders in time for

this session, and hence there can be no doubt that its membership was overwhelmingly Catholic. But even to concede a Protestant majority in the Provincial Assembly during the early days of the colony, would by no means necessarily mean Protestant control, because of the ingenious manipulation of proxies possessed by the Catholics. By a shrewd use of the proxy, Catholics were able to control the vote of the assembly for a long time after the Protestants were in the majority. More than this, the most powerful proxy rights were in the hands of the proprietor's agents. This power of proxy was naturally used to the utmost limit, and often resulted in the passage of laws unwelcome to Catholics as well as Protestants. The assembly of 1637/38, which passed the first anti-Jesuit laws, was thus controlled by thirteen men. In the assembly of 1640 these very laws, so odious to the Jesuits, would have been repealed but for the strenuous efforts of such good Catholics as Brent, Gerard, and Greene. More than once Governor Leonard Calvert, who did not share his older brother's suspicions of the Jesuits, and the Secretary, John Lewger, a convert from Protestantism, were alone against all the other Catholics in the assembly. It was only after being severely taken to task by Cecil Calvert that the Governor was finally induced to pass no more grants of land to the Jesuits under any pretense whatever.

From the Assembly Proceedings it is apparent that the whole vote of the assembly of 1642 was controlled by fourteen persons; yes, very often by two persons, Brent and Cornwallis. Of Brent it is known that he was an unswerving Catholic and had the whole vote of the county of Kent in his hand in this assembly of 1642; and while the religion of Cornwallis is doubtful, it is certain that he was the attorney and champion of the Jesuits of the province. The combined strength of these two men was 120 votes out of a total of 191 voices actually represented.

What the question was between the proprietor and the Jesuits has already been hinted at,—it was concerning the

possession of land. Namely, from the very beginning the Jesuits contended for those privileges which in England had been withdrawn from religious societies by constitutions and statutes dating from 1164 to the dissolution of monasteries in 1540, and they hoped to gain these privileges, which were tantamount to full spiritual independence, by the possession of great tracts of land. Therefore they so eagerly sought to secure such possessions as to arouse the suspicion and well-founded fears of Lord Baltimore. Indeed, there can be no doubt that, had the society's program been fully carried out, the proprietor would have been shorn of every bit of his territorial sovereignty. The society openly disputed Baltimore's title to land not ceded to him by the Indians. They declared that the English Crown had no right to grant lands belonging to the Indians, and denied the claims of the Calverts as against the Indian "kings." They professed themselves ready to shed their blood in defense of the faith and liberty of the Church, *i. e.*, of course, in defense of their rights to lands acquired from the Indians behind the backs, and in direct opposition to the rights conferred upon Baltimore by his charter from the English Crown.

Baltimore had reason to be jealous of these actions of the Jesuits and to judge them as seditious. He also had reason to regard their wholesale acquisition of land from the Indians within the limits of Maryland as repugnant to his rights, and to look upon their assumption of independence as a challenge to his authority. He felt that he could not enter upon a compromise with these lurking coreligionists of his with safety, that he must, to save himself, refuse them spiritual privileges, and that any previous intimation or promise that Maryland was to be governed as a Catholic country must be repudiated. The society's plea for exemption from the jurisdiction of civil courts and for the "benefit of clergy"⁵⁾ he does not heed, con-

5) *Benefit of clergy* practically meant the exemption of the clerical order, with respect to crimes and offenses, from the jurisdiction and authority of the secular magistrate.

sidering them demands for extravagant privileges. This as early as 1638, four years after the founding of the colony. He determines upon a spirited and aggressive campaign against the society; and when we consider the nature of the foes, it cannot seem strange to us that he determines to fight them with secret weapons and by underground methods.

In 1641, Baltimore established the old English Statutes of Mortmain in Maryland, and required of every freeholder in the colony that he renounce all claims to lands acquired from the Indians. There can be no doubt that these two provisions were aimed directly at the Jesuits, since the proprietor in letters and dispatches to his brother, the Governor of Maryland, bitterly complains of the great injury the members of the society have done him by acquiring great tracts of land in the manner forbidden by these two provisions. And that the Jesuits felt and knew that these two measures were aimed at them became quite apparent in the assembly of 1647/48. The proceedings of this assembly were nothing less than seditious. The spirit of rebellion ruled supreme; every action of the legislature plainly showed that some power of darkness had been busy. Defiance to the proprietor's authority was openly shown again and again. Measures dear to the proprietor were thrown out, while resolutions that must be odious to Baltimore were passed with enthusiasm. That Lord Baltimore had a very definite opinion concerning the chief source of this rebellious spirit of the assembly of 1647/48 is apparent from a letter written by him in 1649 to his officials when he heard of the actions of the assembly. Four fifths of this important letter was missing until 1883. It is in this missing portion that the proprietor declares that the rebellious spirit of the assembly is to be attributed to the machinations of the Jesuits, whom he refers to as "subtle Machiavellians pretending religion."

We have already previously heard of the sixteen laws proposed by Baltimore as constituting one of the factors in the triple scheme to overcome the threatening power of the Jesuits. In the missing portion of his letter of 1649 the proprietor re-

fers at some length to these laws, and makes the threat that if the assembly will not pass these laws in the form submitted, certain burdens previously imposed will not be removed. In this connection Baltimore plainly hints that he is well aware of the fact that the machinations of the Jesuits lay at the root of the obstreperous behavior of the late assembly.

The assembly was now, indeed, between the horns of a dilemma. Among the sixteen laws were some necessary to the well-being and prosperity of the colony, and again others for which the colonists had no liking. But since the burdens under which they groaned would only be removed if all the laws were passed, the assembly found itself forced to give its assent. Among the sixteen laws proposed by Baltimore was also the now celebrated Act of Toleration, which guaranteed the free exercise of religious opinions to all believers in Jesus Christ and the Trinity. Its passage was neither due to the tolerance of the Catholics nor to the majority of the Protestants, but simply forced through by the threats of the proprietor. Baltimore wanted the law to induce Protestant immigration, and he wanted Protestant immigration to counteract the influence of the Jesuits, and to populate his province with people desirable from an economical point of view. At this same time the proprietor also established a Protestant government, and thus completed his scheme against the Jesuits. He had succeeded in preventing their wholesale acquisition of land; he had set up a Protestant administration; he had swamped their influence by opening wide the gate to Protestant immigration.

In 1649, Charles I was beheaded, and the so-called Commonwealth was established in England. This government lasted until the restoration of monarchy in 1660, Charles II, the son of Charles I, ascending the throne. When Charles I lost his head, Baltimore became a republican, his politics being as easy-fitting as his religion. Parliament, however, does not seem to have trusted the quondam royalist, and put little faith in his new political profession, for it appointed a commission to govern Maryland, and made Clayborne, an old foe of Bal-

timore, a member of this commission. These commissioners removed Stone, the Protestant governor, and his subordinátes from office, appropriated the official records, and declared Baltimore to have forfeited his proprietorship. Some time after, Stone was reinstated in his office of governor, but Clayborne was given possession of the islands of Kent and Palmer, properties which he had always claimed as his own.

We have already seen that Baltimore, in his opposition to the Jesuits, did all he could to counteract their influence by opening wide the door to Protestant immigration. It was therefore wholly in conformity with the proprietor's wishes when Governor Stone invited Puritans of Virginia, then distressed by the persecution of the Church of England governor, Berkeley, to cross over into Maryland. Stone made to these Puritans very liberal promises of local self-government and freedom of conscience, and even led these persecuted Puritans to indulge in dreams of an independent colony of their own on the soil of Maryland. Naturally, the emigration from Virginia was greatly augmented and stimulated by these promises. When they learned, however, that their dreams of an independent state had been too premature, they were very much wrought up over the matter. They seemed fully determined to erect their dreamed-of "*civitas Dei*" on the shores of Chesapeake Bay, and had even chosen a name for the future church-state, that of "Providence." For a whole year they remained outside the bounds of the government of Maryland, haggling at the words "absolute dominion," and demurring at the obedience due Roman Catholic officials as being against their conscience. Finally, however, everything seemed to be properly adjusted, and they appeared ready to submit. But it was not for a long time. Already in 1651 we find them stubbornly refusing to send representatives to the assembly, and earnestly protesting against Stone's hostile advance upon the Indians of the Eastern Shore. Stone now proceeded to declare their acts subversive to the government, and demanded of them that they take an oath of fidelity, or else forfeit their lands. The stubborn Puritans refused to take the oath, claim-

ing that it was against their conscience to do so and also contrary to their rights as free subjects of England. They even went so far as to denounce and deny the authority of the proprietor.

So far things had gone when, in 1653, Cromwell dissolved the Long Parliament, and restored to Lord Baltimore the full powers of authority. But Governor Stone now acted very unwisely and headlong. Not only did he give notice that all writs and warrants should no longer be made out in the name of the Commonwealth, but in the name of the proprietor; he also proclaimed the actions of the commissioners appointed by the Long Parliament to have been rebellious. This so incensed the former commissioners that they returned, deprived Stone of his authority, and vested the government in a Board of Commissioners. The Puritan settlers, who had already prepared for war in consequence of the actions of Stone, postponed resort to arms for the time being, but their passions were still so aroused that they, in the next year, 1654, caused the assembly to pass an act which disfranchised the Roman Catholics and the members of the Church of England. This act, never strictly enforced, has left an ugly stain on the records of Maryland. But let it not be lost sight of that this whole movement against the Roman Catholics and Churchmen was essentially political, not so much directed against them because of their religion as, rather, as representatives of monarchical principles and an absolute proprietorial government.

When Cromwell heard of this high-handed action of the assembly, he at once assured Baltimore of his disapproval of what the assembly had done, and ordered the Board of Commissioners not to concern themselves about religion, but to settle the civil government. Thus encouraged, Baltimore proceeded to assert his rights. Stone was ordered to gather an army, and restore the authority of the proprietor. A civil war was the consequence, and in April, 1665, a sharp battle was fought on the River Severn, near the present site of Annapolis. Stone was defeated and taken prisoner; about fifty of his men were killed or wounded. A trial for treason followed, and

though Stone's life was spared, four of his lieutenants were hanged. The proceedings at the trial, however, showed that the army of Governor Stone which had opposed the Puritans at the River Severn was by the latter regarded as a royalist army and not as a force of Roman Catholics, while the Puritans looked upon themselves as the vindicators of the democratic principle in Maryland, and whatever actions were taken against them were taken against them as exponents of principles opposed to self-government.

For two years after the battle of the Severn, bitter strife continued to rage between the people and the agents of the proprietor. When the latter finally made important concessions, the governor appointed by him, Josias Fendall, was permitted to exercise his office. Fendall soon gained the confidence of the people by his prudence, and Lord Baltimore was already beginning to flatter himself that he would at last have peace, when Cromwell died, and events began to point to a change of government in the mother country. The people of Maryland did not wait for the movements in the mother country, but some months before the restoration of monarchy there (in May, 1660) assumed the whole legislative power of the colony, and gave Fendall their own commission as governor.

The Restoration in England brought to Baltimore the restoration of his colony. But as a wise ruler he proclaimed a general pardon for all political offenders. Peace reigned for a number of years, and the colony prospered. Yet the last word had not been spoken. When Lord Baltimore died, in 1675, signs of discontent were again noticeable, and when Charles Calvert, in 1681, annulled an act of the assembly passed in 1678, which had extended the right of suffrage, great unrest was produced among the people. Fendall, the former governor, planned a rebellion for the purpose of ousting the proprietor and establishing a popular form of government, and upon representations made by him to the king, Charles II ordered all the offices of the colony to be filled with Protestants only, thus once more depriving the Roman Catholics of their political rights.

In 1684, Coode, an associate of Fendall in his rebellious movements and a man of low morality, circulated a report that the local magistrates of the colony, together with the Roman Catholics, had made a compact with the Indians to destroy the Protestants of Maryland. The fact that the French and Jesuits had actually entered upon a league with the Indians along the New England frontiers to destroy the English colonies of the East caused the story to be believed and created a great excitement. The old enmity once more blazed up. The Protestants, led by Coode, took possession of St. Mary, and instituted a provisional government in May, 1689. The most false and absurd accusations were brought against the proprietor, and the king was requested to depose him and make Maryland a royal province. This request was granted, and Coode was made governor. The people, however, soon saw their folly in elevating this man to the leadership. He proved to be a tyrant, and men of every religious and political creed soon grew heartily disgusted with him. In 1715, Charles Calvert had restored to him the rights of proprietorship, and the Calverts remained henceforth in undisturbed possession till the Revolution put an end to the proprietorship for all time, and the former province of the Calverts became one of the thirteen original states of the Union.