



Address of the Catholic Lay Citizens of the City and County of Philadelphia, to their fellow-Citizens, in reply to the Presentment of the Grand Jury of the Court of Quarter Sessions of May Term 1844, in Regard to the Causes of the Late Riots in Philadelphia. Philadelphia: 1844

TO THE PUBLIC

At the meeting of the Catholic citizens of Philadelphia, held at the Cathedral on the evening of June 18th, 1844- the Hon. ARCHIBALD RANDALL was called to the chair, and WILLIAM A. STOKES was appointed Secretary. [2]

On motion of Dr. J.G. Nancrede, seconded by Professor W. E. Horner, it was

Resolved, That a committee of five, including the Chairman and Secretary, be appointed at a previous meeting, reported an address in answer to the presentment of the Grand Jury.

Dr. Nancrede, Mr. Charles Repplier, and Dr. F.S. Eckard, were named as members of the Committee.

June 20th, 1844.

At an adjourning meeting, WILLIAM A. STOKES, from the Committee appointed at a previous meeting, reported an address which was read, and on motion of Mr. Lewis Ryan, seconded by Mr. D. Eagle, it was unanimously

Resolved, That the address be approved, adopted, and published.

ADDRESS OF CATHOLIC LAITY OF PHILADELPHIA

FELLOW-CITIZENS:—The calamities which have recently befallen us, are already known to you all, through the public papers, which have also made you somewhat acquainted with their immediate occasion. It was thought proper by the Honorable Court of Quarter Sessions, to direct the attention of the Grand Jury of May Term, to these events; and to request of them a full and accurate investigation of their causes; in consequence of which, they examined a number of witnesses, and at length, on the 15th inst., made a presentment, signed by seventeen of their number.

We must confess our surprise at the avowal of the Grand Jury, in the presentment, that they necessarily depended on "*Ex parte evidence*" in the investigation of *public facts regarding the community at large*, into which it was plainly their duty to inquire most fully, as they were instructed by the Court, and encouraged to do, with assurances of protection to all [3]

witnesses whose attendance might be sought or offered.

We conceive that it was their duty to hear the evidence on both sides, in regard to all facts connected with the late riots, and we regret that "*ex parte evidence*" should have been received in a matter of public interest, where *no bill of indictment nor any particular charge* had been laid before them.

They seem to have assumed that one party were rioters and the other the assailed, and to have consequently, taken the evidence of the latter, without summoning the others before them to hear their accounts of the transaction, and thus, we are not surprised, at the result of their investigations. Speaking of the causes which led to the riots, the Grand Jury ascribe them

"To the efforts of a portion of the community to exclude the Bible from our Public Schools. The Jury are of opinion that these efforts in some measure gave rise to the formation of a new party, which called and held public meetings in the District of Kensington, in the peaceful exercise of the sacred rights and privileges guaranteed to every citizen by the Constitution and laws of our State and Country. These meetings were rudely disturbed and fired upon by a band of lawless irresponsible men, some of whom had resided in our country only for a short period. This outrage, causing the death of a number of our unoffending citizens, led to immediate retaliation, and was followed up by subsequent acts of aggression in violation and open defiance of all law."

We regret that the Grand Jury had not the moral courage to utter, in distinct terms, what they are now avowed and admitted to have meant. They have, in the paragraph just quoted, without using the name Catholic, wantonly charged that denomination with "an attempt to exclude the Bible from the Public Schools," and they have also, though more guardedly, insinuated, that they "have attempted to interfere with the sacred rights, and privileges guaranteed to every citizen, by the Constitution and Laws of our State." THESE CHARGES ARE UNFOUNDED. If the Grand Jury, on what is avowed to have been "*ex parte testimony*," came to these conclusions, it was their duty to have presented the names of those who constitute "the portion of the community" with specific charges against them, to the end that they might be tried and punished. If they did not come to these conclusions, they have stated what they know to be untrue. So that, in either aspect, the Grand Jury, both in the manner of its investigations and conclusions, has given great reason for complaint, not only to the 60,000 citizens whom they have condemned without a hearing, but to

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every man in the community who respects the laws and desires that its administrators shall be *both wise and pure*.

In the name and in behalf of the Catholic community, we explicitly deny that they have at any time, or in any manner made any effort "to exclude the Bible from the Public Schools." In the most solemn manner we declare that they have never designed, desired, or attempted to exclude the Bible from the Schools. We have uniformly contended, not only for ourselves, but on behalf of our Protestant and Jewish brethren, for the fullest freedom of conscience both for children and adults in Schools or elsewhere.

We confidently refer to the letter of the Right Rev. the Bishop of Philadelphia, to the Controllers of the Public Schools, dated 14th November, 1842, as evidence that the Catholic body, in whose name he spoke, only asked the liberty of using the version of the Bible, approved of and authorized in their own communion. Speaking of the School regulations he says—

"Among (the regulations) I am informed one is, that the teachers shall read, and cause to be read, the Bible; by which is understood the version published by command of King James. To this regulation we are forced to object, inasmuch as Catholic children are thus led to view as authoritative, a version which is rejected by the Church. It is not expected that I should state in detail the reasons of this rejection. I shall only say, that we are persuaded that several books of Divine Scripture are wanting, in that version, and that the meaning of the original text is not faithfully expressed. It is not incumbent on us to prove either position, since we do not ask you to adopt the Catholic version for general use; but we feel warranted in claiming that our conscientious scruples to recognize or use the other, be respected. In Baltimore, the Directors of the Public Schools have thought it their duty to provide Catholic children with the Catholic version. Is it too much for us to expect the same measure of justice?"

From this it is clear that no attempt was made by the Catholic body, or their official and authorized representative, "to exclude the Bible from the Schools." The use, by themselves, of their own version was asked. In a neighboring city, where the Catholic faith prevails, and where peace and harmony on this subject have always existed, Catholics use their own Bible, and Protestants theirs. In the capital of the ancient Catholic province of Maryland—the city of Baltimore, both sides are protected, and neither side is oppressed.

The Board of Control, acceded to the Bishop's request, but with a restriction which virtually nullified the concession, by adopting the following Resolutions

"Resolved, That no children be required to attend or unite in the

reading of the Bible in the Public Schools, whose parents are conscientiously opposed thereto.

"*Resolved*, That those children whose parents conscientiously prefer and desire any particular version of the Bible, without note or comment, be furnished with the same." [5]

Although the words "without note or comment" excluded the Catholic version, which is always accompanied by a few notes, the Bishop, or the Catholic community, made no complaint, being content that the children were exempted from the use of the version to which they were conscientiously opposed, and relying on the good faith of the Directors, and teachers, to execute the regulations of the Board. No further action was had on this subject on the part of the Catholics, until the month of March of the present year, when a pamphlet purporting to be a reply to the letter of Bishop Kenrick was published by Rev. W. Colton, Chaplain in the United States Navy, Editor of a violent political newspaper, and a leading member of "the Protestant Association." In the mean time it had been ascertained that the regulations were not attended to in several or most of the Schools, and that the consciences of Catholic teachers and children were aggrieved, in many instances, by attempts TO FORCE THEM TO USE THE PROTESTANT VERSION. Under those circumstances, perceiving that an effort was made to set at nought the regulations of the Board of Control, and to force the consciences of Catholics, a number of Catholic laymen addressed a respectful petition to the Board of Control, praying for the enforcement of their own regulations, and a similar address was made by the Bishop; on which occasion the Board adopted resolutions requiring their observance by the teachers under penalty of a forfeiture of salary.

At that very time, when we were respectfully petitioning not to be excluded from the enjoyment of our undoubted constitutional rights, the cry was raised that the Catholics were laboring "to banish the Bible." This unfounded charge was met by a prompt disclaimer published by the Bishop, in all the city papers on the 13th day of March. From this document we beg leave to submit the following extract:-

"Catholics have not asked that the Bible be excluded from the Public Schools. They have merely desired for their children the liberty of using the Catholic version in case the reading of the Bible be prescribed by the Controllers or Directors of the Schools. They only desire to enjoy the benefit of the Constitution of the State of Pennsylvania, which guarantees the rights of conscience, and precludes any preference of sectarian modes of worship. They ask that the School laws be faithfully executed, and that "the religious predilections of the parents be respected." They ask that the

regulations of the Controllers of the Public Schools, adopted in December, 1834, be followed up, and that the resolutions of the same body adopted in January, 1843, be adhered to. They desire that the Public Schools be preserved from all sectarian influence, and that education be conducted in a way that may enable all citizens equally to share in its benefits, without any violence being offered to their religious convictions."

These were the ONLY measures adopted by the Catholic community, [6] or by their official representative, in reference to the use of the Bible; and show that they limited their request to the liberty of using their own version, and did not in any way interfere with the use of the Protestant version by such as chose to adopt it. In this age and country, and especially in the city to which William Penn gave the name and impress of brotherly love, we presume it is unnecessary to put forward and plea in support of the constitutional and legal right to have our religious predilections respected. Freedom of conscience is a fundamental article of the social compact which we are bound to maintain, and we cannot consent to see it violated, in ourselves, or our fellow-citizens. We appeal to all whether we do not scrupulously respect it in all the various relations of life. In this regard at least, we feel no reproach of conscience. We fearlessly challenge any one to show any set of the Catholic community in violation of these sacred rights, and we can individually make a like appeal as to all our social transactions. We have cherished and loved our fellow-citizens as brothers bound together by social ties, which for us, were strengthened and hallowed by a religion which preaches submission to constituted authority, and love for all mankind.

We have heard it affirmed that because Catholics are a minority, they must submit to the regulations which the majority may please to adopt. We are willing that the principle should be applied to all things wherein public interest and order are concerned, saving always those principles and rights the Constitution holds to be inviolable. We are the minority: and for us, therefore, does the Constitution exist. The majority need not its protection, for they have the power to take care of their own interests. Unless for the shield which the Constitution gives to those who are the smaller, and, therefore, the weaker party, the government would be a despotism, for the governing power would be uncontrolled. Today one class may be lashed by the tyrant of numbers and tomorrow another class may feel the scourge. No man, no sect, no party would ever be safe. Peace and order would be destroyed and soon the wreck of the Republic would add another to the many melancholy instances of the danger which always attends the conferring of unbounded power.

UNDER NO CIRCUMSTANCES IS CONSCIENCE AT THE DISPOSAL OF A MAJORITY. It is the feeling of duty which springs from the law of nature engraved on the heart or from the revealed law of God, and cannot be subject to the control of any authority not immediately derived from Him. We plead then our natural and indefeasible right recognized by the Constitution and laws, and we are happy to add, by the Board of Control itself in the regulations adopted in the year 1833 long before the agitation of this question. We beg leave to submit them to our fellow- citizens:

"Whereas, The Controllors have noticed that the practice exists in some of the Schools of introducing religious exercises, and books of a religious character, which have not been recommended or adopted by this Board in the lessons prepared for the use of the scholars, and believing the use of such exercises or books may have a tendency to produce an influence in the Schools of a sectarian character-

It is Resolved, That this Board, as conservators of the rights of parents or guardians of children, committed to the care of Teachers, employed according to law, for the purpose of public education, are bound to preserve those rights unimpaired.

Resolved, That the Constitution of the State of Pennsylvania, which has provided for the establishment of Public Schools, has also wisely guaranteed the right of all to worship according to the dictates of their conscience; and as the parents of children have both by law and nature the guardianship of them during their minority, so, they alone are responsible for the effect of such guardianship, and their right to impress the minds of their children with such views of a religious nature as they may think most important, ought not to be interfered with, especially by a body exercising its authority by virtue of the laws of the Commonwealth.

Resolved, That as all sects contribute in the payment of taxes to the support of the Public Schools, the introduction of any religious or sectarian forms as part of the discipline of the School, must have a tendency to impair the rights of some—and that whilst this Board is convinced of the utter impossibility of adopting a system of religious instruction that should meet the approbation of all religious societies, they are equally satisfied no injury need result to the pupils from confining the instruction in our schools to the ordinary branches of elementary education; insomuch as ample facilities for religious improvement are presented for the choice of parents or guardians, in Sabbath Schools, and other establishments for that purpose, which are organized and supported by various religious communities.

Resolved, That the ground of universal benevolence is one on which all sects or parties may meet; and it must be on this ground alone, that our Public Schools can be continued as a Public good; and in prohibiting the introduction of religious forms in them, this Board will invade the rights of none, but on the contrary, by so doing, it will maintain the rights of all, and therefore

Resolved, That this Board cannot but consider the introduction or use of any religious exercises, books, or lessons into the Public Schools, which have not been adopted by the Board, as contrary to law; and the use of any such religious exercises, books or lessons, is hereby directed to be discontinued."

With regard to the connection of the question concerning the use of the Bible, with the organization among us of a new political party, it is not for us to question the correctness of the conclusions at which the Grand Jury have arrived. For ourselves, we repeat, that we sought only liberty of education as connected with liberty of conscience—the birth-right of free-men. We sought it by respectful addresses to the legal authorities. We asked that our children, in approaching the fountains of public education, should be permitted to drink of its waters without any admixture. We wished to leave them as their most precious inheritance, the faith which we received from our fathers, or embraced from deep conviction of its truth; and in committing them to the public teachers, we claimed what God commands, what the law guarantees, that our parental rights to guard their religious sentiments should not be infringed. If this has given rise to a new political party, we deeply regret that any party should exist in this country hostile to liberty of conscience. But we disclaim the intention of throwing this stigma on any party.

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We yield to none of our fellow-citizens in attachment to republican institutions, we owe no allegiance whatever to foreign prince or potentate; the obedience which as children of the church, we render to the chief Bishop, regards not the things that appertain to this world.

As Catholics, we are free in our political sentiments, uninfluenced by our religious tenets or by our spiritual guides. We belong to different political parties, according to our judgment and choice, and we have political opinions and predilections over which we acknowledge no control, other than the constitutional and legal restrictions. We do not object to the formation of any new party, which respects the Constitution and laws, and pursues its objects without infringing on rights already guaranteed and public faith and the dictates of natural justice and humanity. But if any party takes its rise in opposition to the peaceable efforts of citizens to protect and preserve the rights of conscience to the growing youth of our country, it is of ill omen to our peace and prosperity. We trust that the Grand Jury has been mistaken in tracing its origin; but we pretend not to decide the question, for our desire is, not to attack others, but to defend ourselves.

The Grand Jury state that "the meetings of this party were rudely disturbed and fired upon by a band of lawless, irresponsible men." This

statement, made on "ex parte evidence," is strongly denied by many who assert that they were eye-witnesses of the transaction, and who would willingly have given evidence before the Grand Jury had they been summoned for that purpose. For ourselves, we await the public trials, in which we hope to see the testimonies weighed, the facts placed beyond question, the guilty punished, and the innocent discharged.

In the meantime we would observe that we are credibly informed, and firmly believe, that Irish Catholics did not go to the meeting of the 6th of May, which unfortunately- adjourned to the market-house, where the first collision took place, and that the first death occurred at the time when the houses were being sacked, the second when the schoolhouse was being put on fire. The conflict of the following day was not sought for. The Catholics remained at their homes, until the arrival of the immense crowd which had illegally met at the State House Square, "armed for defence," and had adjourned to the scene of the preceding conflict. We however disclaim all sympathy for the men, whoever they may have been, who rudely disturbed any public meeting, we detest, with all our hearts, the crime of murder by whomsoever perpetrated; we deeply regret the loss of human life, in whatever way it occurred; and we leave to the public tribunals to visit with the just severity of the law, all who have been guilty of shedding human blood wantonly and maliciously. We care not to dispute the allegations at the present time, but await the calm action of public justice.

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That no man may be sacrificed to passion or prejudice, it is wisely provided, that he shall only be condemned, after a full and fair trial, on the verdict of twelve citizens.

It would be most unjust on the presumption, or "prima facie" evidence of guilt of a small band of men, to visit their offence on an entire community, from the mere accidental circumstance that most of them are said to hold the religious faith which we profess. If outrage and violence have been committed, let the law have its course; but in the meantime, let not the common bonds of society be snapped asunder; let not the peaceful and unoffending be thrown into consternation by menaces of vengeance ; let not the Sanctuaries of Religion be darkened with the gloom of anticipated destruction; on the contrary, let peace and good will, and charity, be cherished, and let us all endeavor to bind more strongly the social ties which cannot be loosed without danger and detriment to ourselves and to our national institutions.

For ourselves, and the Catholic community at large, we deprecate all violence, intimidation, and other illegal means of checking the expres-

sion of public sentiment, and the exercise of political privileges. We wish the right of assembling peaceably to be guarded with jealousy, but we confess our alarm for the safety of our civil institutions, when public meetings are called, and invited to come "armed for defence."

We forbear, fellow-citizens, entering into further details. We complain not of the soft tones and delicate phrases in which the Grand Jury have hinted at the burning of two churches, one of them within the city, and far removed from the scene of riot; the residence of the clergy, and a house of education; a Presbytery, that, when pestilence overspread the land, received within its walls the afflicted, without regard to their creed; of a library of great value ; of ancient paintings, which had existed through ages in the old world, to become models of art in the new world; of the threats uttered and the attempts made to burn all our churches: we will even repress our indignation of the conduct of those who burned the letters and papers, and picture of George Washington, preserved with religious care in the Church of St. Augustine, of which he was one of the earliest benefactors.—The Grand Jury complaisantly allude to all these as "acts of retaliation." Retaliation against whom? Is any one reckless enough to deny that the Bishop, the Clergy, and the immense majority of the Catholics of the city and county were no parties to the disturbance of any meeting, or any acts of lawless violence? And yet acts of unprovoked and unprecedented outrage inflicted on them are called—RETALIATION! [10]

We are Philadelphians, and we love our city. Many of us can say, it is the home of our childhood, the habitation of our wives and children—it contains the talus of our fathers. Willingly would we bury in oblivion those awful scenes, which (though painful and injurious to us,) we deeply deplore on higher grounds than any selfish personal feelings.

It had been our pride and our glory that religious freedom was here enjoyed in its plenitude, and that any attempt to diminish it would meet with the reprobation and successful opposition of all classes of citizens.

Here we fondly hoped the shrines of religion were safe; here the seminaries of learning were fostered; here the ministers of religion were respected. Alas! after the scenes through which we have passed, when even the resting place of the dead was invaded, can we speak the same language of exultation? We trust still in the good sense and feeling of our fellow-citizens, that they will unite with us in maintaining that liberty of conscience, for which our fathers and theirs bled, and the supremacy of the law, and that the sympathies of life will be renewed and increased among us; so that united by the bonds of our social compact and common interests, and common country in peace and harmony, we shall con-

tinue to enjoy the blessings of which we have hitherto been proud; and in the day of danger we shall all remember, that life is well sacrificed, if sacrificed for our country.

We desire not to proscribe any one; we ask for no peculiar privileges; we make no merit of the purity of our Pennsylvania descent, but WE DEMAND that the exclamation, "I AM AN AMERICAN CITIZEN," shall continue to be the protection of our rights, and the guarantee of our freedom.

ARCH. RANDALL, Chairman.

WILLIAM A. STOKES, Secretary.

In support of the principal facts stated in the foregoing address, we refer to the following letters from Protestant Directors of the Public Schools.

PHILADELPHIA, JUNE 19, 1844.

Gentlemen: The recent presentment of the Grand Jury assigned as one cause of the late riots: "The efforts made by a portion of the community to exclude the Bible from the Public Schools."

Will you be good enough to state as Directors of the Public Schools of the City of Philadelphia, whether as far as the Roman Catholics are concerned, they have asked for the exclusion of the Bible from the Public Schools; whether they have ever interfered with the use of the Protestant version of the Scriptures by Protestant children, and if with reference to the Bible they have not simply asked for their own children, permission to use that version of the Bible which, as a matter of conscience, they prefer.

As members of various Protestant communions, you cannot be suspected of any undue feeling towards the Religious denomination referred to.

We remain, &c.

FREDERICK S. ECKARD,

JOSEPH DONATH,

JNO. KEATING,

ROBERT EWING

Messrs. Frederick S. Eckard and others:

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GENTLEMEN: In answer to the request contained in your note, that I would state "whether as far as Roman Catholics are concerned, they have asked for the exclusion of the Bible from the Public Schools." I reply, that, to my knowledge as a Director of the City of Philadelphia, and a Controller of those of both City and County, (which office I have held for several years,) no such request has ever been made, nor do I know of any efforts on their part with the alleged object in view. The Records of the Board of Control will show the purpose to have been such as is mentioned in your note.

It is proper to add, that there may have been efforts on the part of individuals belonging to the Roman Catholic communion, to exclude the Bible from the Schools, of which I know nothing. None however, have been manifested before either the Directors or Controllers referred to, nor have come to my knowledge as an individual.

With much respect and regard,

G.M. Wharton

Philadelphia, June 19, 1844.

As Directors of the Public School, we concur in the above

J.C. Fishur

Ch. Gibbons

Philadelphia, June 20, 1844

Gentlemen: In reply to your communication of the 19th, we state as Directors of the Public Schools of the City of Philadelphia that Roman Catholics have not, to our knowledge, asked for the exclusion of the Bible from the Public Schools. That they have not interfered with the use of the Protestant version of the Scriptures by Protestant children: and finally, that, with reference to the Bible, they have simply asked for their own children, permission to use that version of the Bible, which as a matter of conscience, they prefer.

Respectfully, &c.

George W. Biddle

Wm. W. Moore

John F. G***

Edward Hopper

To Messrs. F. S. Eckard, Joseph Donath, John Keating, Robert Ewing.

Philadelphia, June 20, 1844

Dear Sir: You have directed my attention to a part of the presentment made by the Grand Jury for May, 1844 in which one of the exciting causes of the scenes of riot and bloodshed so recently exhibited, is said to have been "the efforts of a portion of the community to exclude the Bible from our Public Schools," and you have requested me as being in some measure cognizant of the circumstances, having been a Director of Public Schools in the First Section (the City) during the last four years, to state whether the above supposed allusion to a large and respectable denomination of Christians has to the best of my knowledge, any foundation in truth. Without feeling disposed to assent to the conclusion so logically deduced by the Grand Jury in the sequence of facts and inferences which they have put forth to the public, I take great pleasure in briefly relating a few circumstances which I think will clearly show that as far as the City of Philadelphia is concerned, the imputation attempted to be fastened upon the population, is wholly unfounded.

In the Spring 1842, whilst I had the honor to sit in the Board of Directors for this section, a case occurred in a neighboring section growing out of the use of a version of the Scriptures in the schools, not recognized as the true one by all denominations, which enlisted ray feelings from its involving what I thought a violation of the civil and religious liberty guaranteed by the Constitution to every individual. With a view therefore to prevent a similar occurrence in the first section to which I was attached, and supposing the opportunity favorable to calm and rational discussion, as we

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in the City at least had not yet pledged ourselves to proscription, I introduced into the Board of Directors two or three resolutions which proposed to disuse the Bible as a class book in the schools. My motives for so doing were not confined to the single view of the case then presented, bearing only upon a portion of the community, but were intended to provide against any similar contingency which might in future bring religious opinion into collision with the acknowledged right of all to the benefit of a common fund. In preparing therefore the resolutions, as their object was one of peculiar remedy, nor their spirit a passing one, I consulted no member of the religious persuasion to which they were then chiefly applicable, upon the step I was about to take; nay farther, as innovation always subjects its author to severe and often deserved censure, I concluded that it would be better to adopt the exclusive paternity of the measure, and allow it to rest upon its real or supposed merits alone, when introduced for discussion. This was so much the fact, that a recorder to the resolutions had not even been provided, when brought before the consideration of the Board; as I trusted to the love of fair play and freedom of discussion which characterize most of our public bodies. The subject was regularly debated, and the Board by a nearly unanimous vote negatived the resolutions, five gentlemen only voting with the mover in the affirmative. Amongst these six but one was a Catholic, and I understood at the time, though for the accuracy of the report I cannot answer, that he regretted that the matter had been broached.

Such is a brief outline of what has occurred in the first section of this school district, during my term of membership, and it has been given without comment upon the course then pursued. This is not the time or place for extended remarks upon it; your and my intention now is to present the public with the naked truth, and to prevent its perversion in a very important particular. I trust as far as the city of Philadelphia is concerned this object is effected; for so far from there being a Catholic conspiracy here to exclude the Bible from the public schools, the first motion was made by persons disconnected with Catholics, and without their cooperation.

In dismissing the matter, I will add, that as almost every communication upon this much vexed question, has begun or concluded with an avowal of the purity of the writer's Protestant descent, or his incontrovertible right to be claimed as a Native American born and bred, may I be permitted to say, instead, in the language of Mr. Burke, that in America every man has the right, particularly in the discussion of doctrinal subjects, to the benefit of "The Protestantism of the Protestant Religion, and to the dissidence of dissent."

I am, very truly, yours,

GEORGE W. BIDDLE.

DR. FREDERICK ECKARD