

CHAPLAINS IN CONGRESS AND IN THE ARMY AND NAVY.

MARCH 27, 1854.—Ordered to be printed.

Mr. MEACHAM, from the Committee on the Judiciary, made the following

REPORT.

The Committee on the Judiciary, to whom were referred the memorials of citizens of several States, praying that the office of chaplain in the army, navy, at West Point, at Indian stations, and in both houses of Congress, be abolished, respectfully report :

That they have had the subject under consideration, and, after careful examination, are not prepared to come to the conclusion desired by the memorialists. Having made that decision, it is due that the reason should be given. Two clauses of the constitution are relied on by the memorialists to show that their prayer should be granted. One of these is in the sixth article, that "no religious test shall ever be required as a qualification to any office or public trust under the United States." If the whole section were quoted, we apprehend that no one could suppose it intended to apply to the appointment of chaplains.

"ART. 6, Sec. 3. The senators and representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound, by oath or affirmation, to support this constitution ; but no religious test shall ever be required as a qualification to any office or public trust under the United States."

Every one must perceive that this refers to a class of persons entirely distinct from chaplains.

Another article supposed to be violated is article 1st of Amendments : "Congress shall make no law respecting an establishment of religion." Does our present practice violate that article? What is an establishment of religion? It must have a creed, defining what a man must believe ; it must have rites and ordinances, which believers must observe ; it must have ministers of defined qualifications, to teach the doctrines and administer the rites ; it must have tests for the submissive, and penalties for the non-conformist. There never was an established religion without all these. Is there now, or has there ever been, anything of this in the appointment of chaplains in Congress, or army, or navy? The practice before the adoption of the constitution is much the same as since : the adoption of that constitution does not seem to have changed the principle in this respect. We ask the memorialists to look at the facts. First, in the army : chaplains were appointed for the revolu-

tionary army on its organization; rules for their regulation are found among the earliest of the articles of war. Congress ordered, on May 27, 1777, that there should be one chaplain to each brigade of the army, nominated by the brigadier general, and appointed by Congress, with the same pay as colonel; and, on the 18th of September following, ordered chaplains to be appointed to the hospitals in the several departments, with the pay of \$60 per month, three rations per day, and forage for one horse.

When the constitution was formed, Congress had power to raise and support armies, and to provide for and support a navy, and to make rules and regulations for the government and regulation of land and naval forces. In the absence of all limitations, general or special, is it not fair to assume that they were to do these substantially in the same manner as had been done before? If so, then they were as truly empowered to appoint chaplains as to appoint generals or to enlist soldiers. Accordingly, we find provision for chaplains in the acts of 1791, of 1812, and 1838. By the last there is to be one to each brigade in the army; the number is limited to thirty, and these in the most destitute places. The chaplain is also to discharge the duties of schoolmaster. The number in the navy is limited to twenty-four. Is there any violation of the constitution in these laws for the appointment of chaplains in the army and navy? If not, let us look at the history of chaplains in Congress. Here, as before, we shall find that the same practice was in existence before and after the adoption of the constitution. The American Congress began its session September 5, 1774. On the second day of the session, Mr. Samuel Adams proposed to open the session with prayer. I give Mr. Webster's account of it: "At the meeting of the first Congress there was a doubt in the minds of many about the propriety of opening the session with prayer; and the reason assigned was, as here, the great diversity of opinion and religious belief: until, at last, Mr. Samuel Adams, with his gray hairs hanging about his shoulders, and with an impressive venerableness now seldom to be met with, (I suppose owing to different habits,) rose in that assembly, and, with the air of a perfect Puritan, said it did not become men professing to be Christian men, who had come together for solemn deliberation in the hour of their extremity, to say there was so wide a difference in their religious belief that they could not, as one man, bow the knee in prayer to the Almighty, whose advice and assistance they hoped to obtain; and, independent as he was, and an enemy to all prelacy as he was known to be, he moved that Rev. Mr. Dushe, of the Episcopal church, should address the Throne of Grace in prayer. John Adams, in his letter to his wife, says he never saw a more moving spectacle. Mr. Dushe read the Episcopal service of the church of England; and then, as if moved by the occasion, he broke out into extemporaneous prayer, and those men who were about to resort to force to obtain their rights were moved to tears; and floods of tears, he says, ran down the cheeks of pacific Quakers, who formed part of that interesting assembly; and depend upon it, that where there is a spirit of Christianity, there is a spirit which rises above form, above ceremonies, independent of sect or creed, and the controversies of clashing doctrines." That same clergyman was afterwards appointed chaplain of

the American Congress. He had such an appointment five days after the declaration of independence.

On December 22, 1776; on December 13, 1784; and on February 29, 1788, it was resolved that two chaplains should be appointed. So far for the old American Congress. I do not deem it out of place to notice one act, of many, to show that that Congress was not indifferent to the religious interests of the people; and they were not peculiarly afraid of the charge of uniting church and State. On the 11th of September, 1777, a committee having consulted with Dr. Allison about printing an edition of thirty thousand Bibles, and finding that they would be compelled to send abroad for type and paper, with an advance of £10,272 10s., Congress voted to instruct the Committee on Commerce to import twenty thousand Bibles from Scotland and Holland into the different ports of the Union. The reason assigned was, that the use of the book was so universal and important. Now, what was passing on that day? The army of Washington was fighting the battle of Brandywine; the gallant soldiers of the Revolution were displaying their heroic though unavailing valor; twelve hundred soldiers were stretched in death on that battle-field; Lafayette was bleeding; the booming of the cannon was heard in the hall where Congress was sitting—in the hall from which Congress was soon to be a fugitive: at that important hour Congress was passing an order for importing twenty thousand Bibles; and yet we have never heard that they were charged by their generation of any attempt to unite church and State, or surpassing their powers to legislate on religious matters.

There was a convention assembled between the old and new forms of government. Considering the character of the men, the work in which they were engaged, and the results of their labors, I think them the most remarkable body of men ever assembled. Benjamin Franklin addressed that body on the subject of employing chaplains; and, certainly, Franklin will not be accused of fanaticism in religion, or of a wish to unite church and State. I give his words as reported by Madison.

Debates in the Federal Convention, June 28, 1787.

Dr. Franklin said: Mr. President, the small progress we have made after four or five weeks' close attendance, and continual reasonings with each other, our different sentiment on almost every question—several of the last producing as many noes as ayes—is, methinks, a melancholy proof of the imperfection of the human understanding. We, indeed, seem to feel our want of political wisdom, since we have been running about in search of it. We have gone back to ancient history for models of government, and examined the different forms of those republics which, having been formed with the seeds of their own dissolution, now no longer exist. And we have viewed modern States all round Europe, but find none of their constitutions suitable to our circumstances. In this situation of this assembly, groping, as it were, in the dark to find political truth, and scarce able to distinguish it when presented to us, how has it happened, sir, that we have not hitherto once thought of humbly applying to the Father of Lights to illuminate our un-

derstandings? In the beginning of the contest with Great Britain, when we were sensible of danger, *we had daily prayer in this room, for divine protection.* Our prayers, sir, were heard, and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of a superintending Providence in our favor. To that kind Providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have we now forgotten that powerful friend? Or do we imagine that we no longer need his assistance?

"I have lived, sir, a long time, and the longer I live the more convincing proofs I see of this truth—that *God governs in the affairs of men*; and if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We have been assured, sir, in the sacred writings, that 'except the Lord build the house, they labor in vain that build it.' I firmly believe this; and I also believe that without His concurring aid, we shall succeed in this political building no better than the builders of Babel. We shall be divided by our little partial local interests, our projects will be confounded, and we ourselves shall become a reproach and by-word down to future ages. And, what is worse, mankind may hereafter, from this unfortunate instance, despair of establishing governments by human wisdom, and leave it to chance, war, and conquest.

"I therefore beg leave to move, that henceforth prayers, imploring the assistance of Heaven and its blessings on our deliberations, be held in this assembly every morning before we proceed to business, and that one or more of the clergy of this city be requested to officiate in that service."—*Elliott's Debates*, vol. 5, p. 253.

There certainly can be no doubt as to the practice of employing chaplains in deliberative bodies previous to the adoption of the constitution. We are, then, prepared to see if any change was made in that respect in the new order of affairs.

The first Congress under the constitution began on the 4th of March, 1789; but there was not a quorum for business till the 1st of April. On the 9th of that month Oliver Ellsworth was appointed, on the part of the Senate, to confer with a committee of the House on rules, and on the *appointment of chaplains*. The House chose five men—Boudinot, Bland, Tucker, Sherman, and Madison. The result of their consultation was a recommendation to appoint two chaplains of different denominations—one by the Senate and one by the House—to interchange weekly. The Senate appointed Dr. Provost, on the 25th of April.

On the 1st day of May Washington's first speech was read to the House, and the *first* business after that speech was the appointment of Dr. Linn as chaplain. By whom was this plan made? Three out of six of that joint committee were members of the convention that framed the constitution. Madison, Ellsworth, and Sherman passed directly from the hall of the convention to the hall of Congress. Did *they* not know what was constitutional? The law of 1789 was passed in compliance with their plan, giving chaplains a salary of \$500. It was re-enacted in 1816, and continues to the present time. Chaplains have been appointed from all the leading denominations—Methodist, Bap-

tist, Episcopalian, Presbyterian, Congregationalist, Catholic, Unitarian, and others.

I am aware that one of our petitioners might truly reply that the article was not in the body of the constitution, but was one of the amendments recommended by Virginia. This does not weaken the argument in favor of chaplains. In the convention of Virginia, which proposed amendments, James Madison, James Monroe, and John Marshall were members. All these men were members closely connected with the government. Madison and Monroe were members of Congress when the first amendment was adopted and became a part of the constitution. Madison was a member of the convention framing the constitution, of the convention proposing the amendment, and of Congress when adopted; and yet neither Madison nor Monroe ever uttered a word or gave a vote to indicate that the appointment of chaplains was unconstitutional. The convention of Virginia elected on its first day a chaplain—Rev. Abner Waugh—who every morning read prayers immediately after the ringing of the bell for calling the convention. No one will suppose that convention so inconsistent as to appoint their chaplain for their own deliberative assembly in the State of Virginia, and then recommend that this should be denied to the deliberative bodies of the nation.

The reason more generally urged, is the danger of a union of church and State. If the danger were real, we should be disposed to take the most prompt and decided measures to forestall the evil, because one of the worst for the religious and political interests of this nation that could possibly overtake us. But we deem this apprehension entirely imaginary; and we think any one of the petitioners must be convinced of this on examination of the facts. I have prepared a table showing the churches, ministers, members, and worshippers, in the leading denominations of Christians in this land. It was hastily made, and is doubtless imperfect. I shall append another table, which was published in the *Christian Almanac*; and any person who has the leisure may compare, and from both form a correct conclusion. The column of worshippers was made by taking from the census the list of church accommodations of each church. This, of course, makes no pretence to entire accuracy; but it is, comparatively, perfectly fair, because it assumes that all churches are filled with worshippers, and that this is the measure of them. It is the nearest and fairest approach to accuracy that I know how to make.* Now look at that score of different denominations, and tell us, do you believe it possible to make a majority agree in forming a league to unite their religious interests with those of the State? If you take from the larger sects, you must select some three or four of the largest to make a majority of clergy, or laity, or worshippers. And these sects are widely separated in their doctrines, their religious rites, and in their church discipline. How do you expect them to unite for any such object? If you take the smaller sects, you must unite some fifteen to make a majority, and must take such discordant materials as the Quaker, the Jew, the Universalist, the Unitarian, the Tunker, and the Swedenborgian. Does any one suppose it possible to make these

* For tables, see end of report.

harmonize? If not, there can be no union of church and State. Your committee know of no denomination of Christians who wish for such union. They have had their existence in the voluntary system, and wish it to continue. The sentiment of the whole body of American Christians is against a union with the State. A great change has been wrought in this respect. At the adoption of the constitution, we believe every State—certainly ten of the thirteen—provided as regularly for the support of the church, as for the support of the government: one, Virginia, had the system of tithes. Down to the Revolution, every colony did sustain religion in some form. It was deemed peculiarly proper that the religion of liberty should be upheld by a free people. Had the people, during the Revolution, had a suspicion of any attempt to war against Christianity, that Revolution would have been strangled in its cradle. At the time of the adoption of the constitution and the amendments, the universal sentiment was that Christianity should be encouraged—not any one sect. Any attempt to level and discard all religion, would have been viewed with universal indignation. The object was not to substitute Judaism, or Mahomedanism, or infidelity, but to prevent rivalry among sects to the exclusion of others. The result of the change above named is, that now there is not a single State that, as a State, supports the gospel. In 1816 Connecticut repealed her law which was passed to sustain the church; and in 1833, Massachusetts wiped from her statute-book the last law on the subject that existed in the whole Union. Every one will notice that this is a very great change to be made in so short a period—greater than, we believe, was ever before made in ecclesiastical affairs in sixty-five years, without a revolution or some great convulsion. This change has been made silently and noiselessly, with the consent and wish of all parties, civil and religious. From this it will be seen that the tendency of the times is not to a union of church and State, but is decidedly and strongly bearing in an opposite direction. Every tie is sundered; and there is no wish on either side to have the bond renewed. It seems to us that the men who would raise the cry of danger in this state of things, would cry fire on the thirty-ninth day of a general deluge.

If there be no constitutional objection and no danger, why should not the office be continued? It is objected that we pay money from the treasury for this office. That is certainly true; and equally true in regard to the Sergeant-at-arms and Doorkeeper, who, with the chaplain, are appointed under the general authority to organize the House. Judge Thompson, chairman of this committee in the thirty-first Congress, in a very able report on this subject, said, that if the cost of chaplains to Congress were equally divided among the people, it would not be annually more than the two-hundredth part of one cent to each person. That being true, a man who lives under the protection of this government and pays taxes for fifty years, will have to lay aside from his hard earnings two and a half mills during his half century for the purpose of supporting chaplains in Congress! This is the weight of pecuniary burden which the committee are called to lift from off the neck of the people.

If there be a God who hears prayer—as we believe there is—we submit, that there never was a deliberative body that so eminently

needed the fervent prayers of righteous men as the Congress of the United States. There never was another representative assembly that had so many and so widely different interests to protect and to harmonize, and so many local passions to subdue. One member feels charged to defend the rights of the Atlantic, another of the Pacific coast; one urges the claims of constituents on the borders of the torrid, another on the borders of the frigid zone; while hundreds have the defence of local and varied interests stretching across an entire continent. If personal selfishness or ambition, if party or sectional views alone, bear rule, all attempts at legislation will be fruitless, or bear only bitter fruit. If wisdom from above, that is profitable to direct, be given in answer to the prayers of the pious, then Congress need those devotions, as they surely need to have their views of personal importance daily chastened by the reflection that they are under the government of a Supreme Power, that rules not for one locality or one time, but governs a world by general laws, subjecting all motives and acts to an omniscient scrutiny, and holds all agents to their just awards by an irresistible power.

In the provisions of the law for chaplains in the army, the number is limited, and these not to be granted unless for "most destitute places;" and then, for a very small salary they are to perform the double service of clergymen and schoolmasters. While every political office under all administrations is filled to overflowing; while the ante-chambers of the departments are crowded and crammed with anxious applicants, waiting for additions, or resignations, or death, to make for them some vacant place, it is of recent occurrence that only fourteen of the twenty posts for chaplains were supplied.

We presume all will grant that it is proper to appoint physicians and surgeons in the army and navy. The power to appoint chaplains is just the same, because neither are expressly named, but are appointed under the general authority to organize the army and navy, and we deem the one as truly a matter of necessity as the other. Napoleon was obliged to establish chaplains for his army, in order to their quiet while making his winter quarters in the heart of an enemy's country, and that army had been drenched in the infidelity of the French revolution. The main portion of our troops, though not in a foreign land, are stationed on the extreme frontiers, the very outposts of civilization; and if the government does not furnish them moral and religious instruction, we know, as a practical fact, that they will go without it.

It is said that they can contribute and hire their own chaplains. Certainly they can, and their own physicians and surgeons; but if we throw on them this additional burden, are we not bound to increase their pay to meet these personal expenses? We may supply them directly, with more economy and effect than we can do it indirectly. We trust that the military force of the United States will never be engaged in a contest, unless in such an one that devout men can honestly invoke the God of battles to go with our armies. If so, it will inspire fortitude and courage in the soldier to know that the righteous man is invoking the Supreme Power to succeed his efforts. If our armies are exposed to pestilential climates or to the carnage of the battle-field, we believe it the duty of government to send to the sick, and wounded, and dying,

that spiritual counsel and consolation demanded by the strongest cravings of our nature.

The navy have still stronger claims than the army for the supply of chaplains: a large portion of the time our ships-of-war are on service foreign from our own shore. If they are in the ports of other nations, the crews cannot be disbanded to worship with the people of those nations; and if they could, the instances are rare in which the sailors could understand the language in which the devotions are conducted. If you do not afford them the means of religious service while at sea, the Sabbath is, to all intents and purposes, annihilated, and we do not allow the crews the free exercise of religion.

In that important branch of service the government is educating a large number of youth who are hereafter to have the control of our navy. They are taken from their homes at a very early age, when their minds are not generally instructed, or their opinions formed on religious affairs. If the mature men can be safely deprived of such privileges, is it wise or just to deprive the youth of all means of moral and religious culture? Naval commanders have often desired to have their crews unite in devotions before commencing action. They have sometimes done it when there was no chaplain on board. One striking instance of this was in the naval action on Lake Champlain. On Sunday morning, September 11, just as the sun rose over the eastern mountains, the American guard-boat on the watch was seen rowing swiftly into the harbor. It reported the enemy in sight. The drums immediately beat to quarters, and every vessel was cleared for action. The preparations being completed, young McDonough summoned his officers around him, and there, on the deck of the Saratoga, read the prayers of the ritual before entering into battle; and that voice, which soon after rang like a clarion amid the carnage, sent heavenward, in earnest tones: "Stir up thy strength, O Lord, and come and help us; for thou givest not always the battle to the strong, but canst save by many or by few." It was a solemn, thrilling sight, and one never before witnessed on a vessel-of-war cleared for action. A young commander who had the courage thus to brave the derision and sneers which such an act was sure to provoke, would fight his vessel while there was a plank left to stand on. Of the deeds of daring done on that day of great achievements, none evinced so bold and firm a heart as this act of religious worship.

While your committee believe that neither Congress nor the army or navy should be deprived of the service of chaplains, they freely concede that the ecclesiastical and civil powers have been, and should continue to be, entirely divorced from each other. But we beg leave to rescue ourselves from the imputation of asserting that religion is not needed to the safety of civil society. It must be considered as the foundation on which the whole structure rests. Laws will not have permanence or power without the sanction of religious sentiment—without a firm belief that there is a Power above us that will reward our virtues and punish our vices. In this age there can be no substitute for Christianity; that, in its general principles, is the great conservative element on which we must rely for the purity and permanence of free institutions. That was the religion of the founders of the republic, and

they expected it to remain the religion of their descendants. There is a great and very prevalent error on this subject in the opinion that those who organized this government did not legislate on religion. They did legislate on it by making it free to all, "to the Jew and the Greek, to the learned and unlearned." The error has risen from the belief that there is no legislation unless in permissive or restricting enactments. But making a thing free is as truly a part of legislation as confining it by limitations; and what the government has made free, it is bound to keep free.

Your committee recommend the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject.

Tables referred to on page 5.

Names.	Ministers.	Members.	Worshippers.	Churches.
Baptist	8, 018	948, 867	3, 130, 878	8, 791
Christian	1, 500	50, 000	296, 050	812
Congregational	1, 687	197, 190	795, 177	1, 674
Episcopal	1, 504	73, 000	625, 213	1, 422
German Reformed	260	70, 000	156, 932	327
Lutheran	663	163, 000	531, 100	1, 203
Mennonite	240	30, 000	29, 900	110
Methodist	6, 000	1, 250, 000	4, 209, 333	12, 467
Moravian	27	3, 000	112, 185	331
Presbyterian	4, 578	490, 250	2, 040, 316	4, 584
Roman Catholic	1, 081	1, 650, 000	620, 950	1, 112
Swedenborgian	35	.....	5, 070	15
Tunker	250	10, 000	35, 075	52
Unitarian	250	30, 000	137, 367	243
Universalist	540	.....	205, 462	494
Union	673	.....	213, 552	619
Jewish .....	.....	.....	16, 575	31
Friends .....	.....	.....	282, 823	714
Free	300	.....	108, 605	361
Dutch Reformed	289	32, 840	181, 968	324
Minor sects	287	.....	115, 347	325
	28, 203		13, 849, 896	36, 011

All the German churches (i. e., Lutheran, German Reformed, United Brethren, Evangelical Association, Moravian, Evangelical Church, Mennonite, Tunkers) have 2,377 ministers, 5,356 congregations, and 333,000 members.

Names.	Churches.	Ministers.	Members.
Methodist Episcopal	-----	3,716	629,660
Methodist South	-----	1,500	465,553
Methodist Protestant and others	-----	-----	81,000
Baptist, Regular	8,205	4,950	667,750
Baptist, Anti-Mission	2,059	924	69,328
Baptist, Free-will	1,249	1,076	55,323
Baptist, Campbellite	1,600	1,000	127,000
Baptist, minor sects	316	358	27,700
Presbyterian, { O. S.	2,459	1,803	192,033
{ N. S.	1,651	1,551	155,000
Associate Presbyterian	214	120	18,800
Associate Reformed	332	219	26,340
Reformed Presbyterian	47	29	5,300
Presbyterian, Cumberland	480	350	50,000
Presbyterian, others	490	310	44,000
Congregational, (Evangelical)	1,971	1,687	197,196
Reformed Dutch	276	289	32,840
German Reformed	261	273	69,750
Protestant Episcopal	1,192	1,497	67,550
Lutheran	1,604	663	163,000
United Brethren	1,800	503	67,000
Evangelical Association, (German)	190	300	17,000
Unitarian	244	250	3,000
Roman Catholic	966	1,026	1,231,300
Christian Connexion	1,500	1,500	325,000
Church of God	125	83	10,000
Mennonite	400	240	60,000
Friends and Quakers	714	-----	-----