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MEMORIAL

OF THE REPRESENTATIVES OF THE YEARLY
MEETING OF THE

SOCIETY OF FRIENDS,

Residing within the New England States, to

MASSACHUSETTS LEGISLATURE.

To the Senate and House of Representatives of the Commonwealth of Massachusetts, in General Court assembled.

The Memorial of the Representatives of the Yearly Meeting, of the Society of Friends, residing within the New England States, Respectfully represents :

That being deputed by said Yearly Meeting, to take charge of such subjects, affecting the general interests, and christian testimonies of the Society as may arise during the recess of said meeting, their attention has been called to some of the provisions of an act passed at the last session of the General Court, entitled, "An Act in addition to the several Acts concerning the Militia," by which it is apprehended, that the 2d Section of the 12th Chapter of the Revised Statutes, exempting the members of the religious denomination of Friends, commonly called Quakers, from the performance of military requisitions is repealed, (such being the construction put thereupon by the Adjutant General of the State,) and that they are now subject to be enrolled and are in many instances actually enrolled, and considered as constituting a part of the Militia of the Commonwealth; and liable, "*in case of war, invasion, or to prevent invasion,*" to be called upon for the performance of active mil-

itary services, under very heavy penalties (as provided in the 9th Section of said Act) in case of non-compliance.

In contrast with the sufferings which were endured in the earlier days of the Society, on account of a faithful adherence on the part of its members, to their belief in the peaceable nature of the Christian dispensation, we trust we shall ever hold in grateful remembrance, the respect which has been paid by the Government of Massachusetts, for a series of years, to our well known conscientious scruples in regard to bearing arms; and we would state as the result of inquiries directed to this subject, that as early as the year 1763, a special Act was passed by the Provincial Legislature, "for exempting the people called Quakers from the penalty of the law for non-attendance on military musters; That in an act passed in 1776 "providing for a reinforcement of the American Army," it was provided, that, those persons who had before the 19th day of April 1775, (the day of Lexington fight,) been by law deemed to be of the denomination of Christians called Quakers, shall not be held to take up arms, or procure any person to do it in their room; that "An Act for continuing sundry laws," that were then near expiring, was passed in 1779, by which the above recited act of '63, was continued in force till the year 1785. (For which several acts we would refer to the volume of Colony and Province laws printed in 1814, pages 653, 708, and 802.) And we have further ascertained, that in every succeeding revision of the laws relating to the militia, previous to the last, (unless an act passed in the year 1792, and repealed in the year following be an exception) regard has been had to the conscientious scruples of the members of the Society.

After this long continued indulgence, commenced while Massachusetts was yet a Province of the British Empire, extended to us throughout the war of the Revolution, and continued since that time, we have been unwilling to believe that it was the *intention* of the Legislature, that the act, to which we are now solicitous of engaging your attention, should bear thus heavily, whenever carried into effect, upon the Society of Friends; but, that in the haste of business, as the session at

the time of its passage was drawing towards a close, its practical bearings in this respect were not fully seen.

And while we fervently desire, that through the blessing of an over-ruling Providence, it may be long indeed ere the contingencies of 'War' or 'Invasion' may be visited upon our beloved country, we have felt ourselves called upon, by a sense of religious duty, respectfully to ask for relief in the premises, in such way as the Legislature may consider best adapted to secure the end in view.

We have not deemed it necessary for us, on the present occasion, to enter largely into an exposition of our religious views, in regard to War; but may briefly say, that believing it to be inconsistent with the Gospel dispensation, and unlawful for us as Christians, we cannot in any way contribute to its support; and that, resting our refusal to bear arms on grounds that to us are purely conscientious, we can make no compromise with duty in this respect, by paying any thing for the privilege of exemption, in whatever shape it might be called for, or to whatever object appropriated. "And for the sincerity of our motives, we may appeal to the history of our society, in which no instance will be found, (from its first rise to the present time, a period of nearly two centuries,) where a consistent member has ever borne arms, or voluntarily paid a fine or tax as an equivalent; but has chosen rather patiently to suffer whatever might be inflicted upon him, for the maintenance of a conscience void of offence towards God."

Signed on behalf and by direction of a Meeting of the Representatives aforesaid, held at Providence, the 3d of 2d month, 1841.

SAMUEL BOYD TOBEY, Clerk.