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**“SOMETHING
BORROWED,
SOMETHING
BLUE”**

The sharp order of the tithingman, “Halt!” split the Sunday-morning Connecticut air.

The distinguished-appearing stranger reined in his horse and turned to face the austere official.

The sun had already risen high above the treetops, and the tall traveler was anxious to complete his journey to a town in New York in time to attend church, as was his custom. He had forgotten about the “blue laws” governing Sunday travel in the state of Connecticut.

“What license have you to travel upon the Lord's Day?” the tithingman demanded.

“I am on my way to New York to attend church,” the stranger responded courteously. “I planned to reach the city yesterday, but my journey took longer than I anticipated.”

It was not until the stranger “promised to go no further than the town intended that the tithingman would permit him to proceed on his journey.”¹

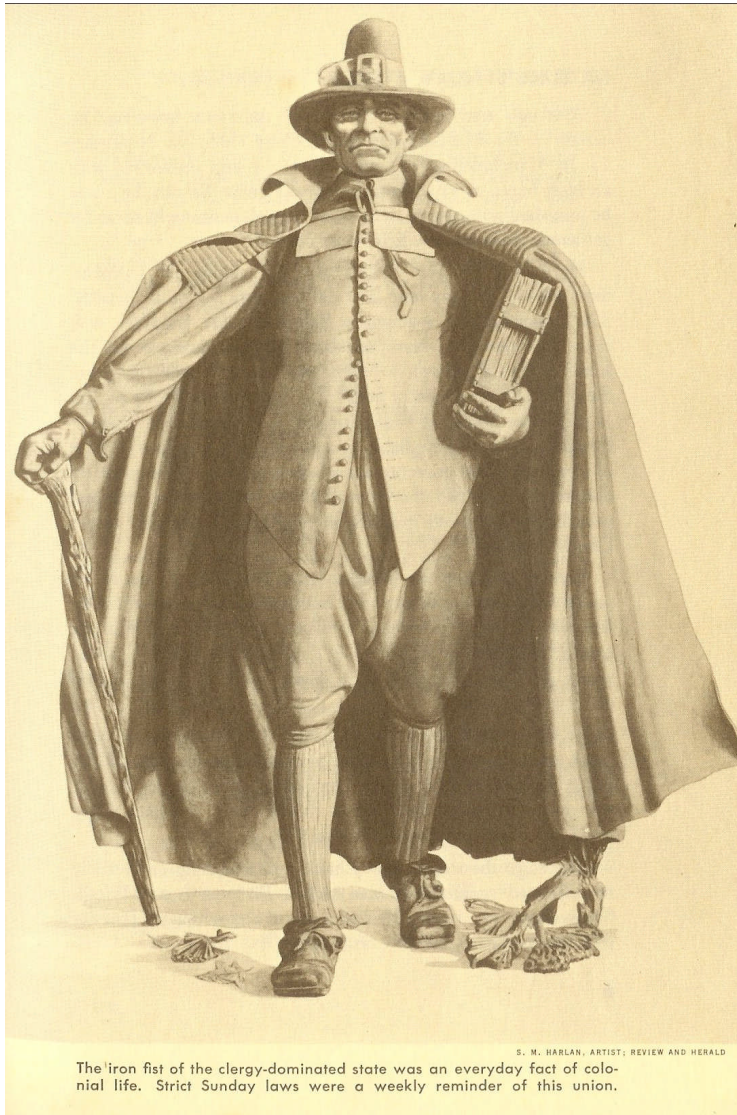
This event was not particularly newsworthy in itself, since the tithingman of that day could arrest anyone who “walked or rode unnecessarily” on the first day of the week. But in this case the blue-law violator was George Washington, newly elected President of the United States.

[2] By Washington's time – this incident took place in 1789 – sturdy patriots had gone far in breaking the shackles of the Old World and creating a government of the people. But the free air of the new continent was still tainted by something old, borrowed, and very blue.

Upon their arrival in America, the persecuted Congregationalist minority from the Old World adjusted quickly to their new role of dominance. John Cotton, of Massachusetts Bay Colony, declared that “toleration made the world anti-Christian” and that if a man is shown the path to truth but “shall still persist in the error of his way and be punished, he is not persecuted for cause of conscience, but for *sinning against his own conscience*.”² He insisted that “persecution is not wrong in itself; it is wicked

for falsehood to persecute truth, but it is the sacred duty of truth to persecute falsehood.³

Nowhere in the colonies was the battle for freedom more intense or its defeat more complete than in Massachusetts. By 1629 the Congregationalist majority had gained complete control. The law of Plymouth stated that because “Wee would be loath that any Person should be permitted to pass that Wee suspected to affect the Superstition of the Chh of Rome, Wee do hereby declare that it is our Will and Pleasure that none be permitted to



pass.”⁴ A Jesuit was assured of banishment, and if “taken the second time within this Jurisdiction, upon lawful trial and conviction, he shall be put to Death.” Jews and Catholics were denied the right to vote or to hold public office.

In 1682 Cotton Mather learned of a ship christened *Welcome*, curiously enough. It was headed in his direction carrying “100 or more of the heretics and malignants called Quakers, with W. Penn, who is the chief scamp at the head of them.”⁶ In a letter to John Higginson, Mather confided a cunning plot conceived by the General Court. [3] The brig *Porpoise* was to waylay

the *Welcome* near Cape Cod and sell the “whole lot to Barbados, where slaves fetch good prices in rum and sugar, and we shall not only do the Lord great good by punishing the wicked, but we shall make great good for His minister and people.”⁷

Apparently William Penn managed to elude the *Porpoise*, but other Quakers, such as Mary Dyer, met death in Boston by hanging. More than an idle threat, the penalty was codified by a statute which explained that the

“cursed sect of the Quakers were to be “sentenced to banishment upon pain of death.”⁸

The 1644 act of the General Court, ordering banishment for those opposed to infant baptism, rebuked Baptists who believed in immersion at the age of accountability. A Mr. Painter was whipped for refusing the sprinkling rite for his child.⁹ Obadiah Holmes, another Baptist, had ministered to a fellow believer and was beaten so unmercifully that he aroused the sympathy of the people, and “in spite of the danger, numbers flocked about him when he was set free, in sympathy and admiration.”¹⁰

Despite the demands of the Crown in 1665 that freedom of worship be given to Episcopalians, the General Court of the Massachusetts church-state government replied that Episcopal worship “will disturbe our peace in our present enjoyments.” It added piously, “We have commended to the ministry & people here the word of the Lord for their rule therein.”¹¹ No wonder some of their own brethren sympathized with persecuted settlers.

There was the unfortunate George Burroughs, himself a former clergyman, who was accused of witchcraft during the 1692 hysteria. Someone recalled seeing Burroughs lift a musket at arm's length with his finger in the barrel. This feat of strength, considered something beyond human capability, was introduced at his trial as evidence that he practiced witchcraft.

Although he was found guilty, many of the people had reservations about hanging this man, particularly when they heard his final dramatic plea for mercy from the scaffold. But Cotton Mather was there to assure the public that “justice” was being done. The noose took the life of George Burroughs on August 19, 1692.

[4] Then there was Anne Hutchinson, a resident of Boston. Religious meetings in her home, in which she showed how the Scriptures reveal that the road to the good life is by faith and not mechanical works, were a thorn in the side of the local clergy.

Though she was an expectant mother, in November, 1637, she was callously tried for heresy and evicted from the colony. Witty and intelligent, Anne Hutchinson was also direct and outspoken. The weekly teas at her home for the prominent ladies of Boston had provided a strategic platform from which to discuss views of the “inner light” versus the ritualistic forms of Puritanism. Her sympathizer, Governor Vane, was defeated for reelection; then her brother-in-law, John Wheelwright, was convicted of similar heresy. When her turn came in 1637, this mother of fourteen faced her accusers without flinching and declared: “Now if you do condemn me for speaking what in my conscience I know to be truth, I must commit myself unto the Lord.”¹²

It comes as no surprise that Sunday blue laws blossomed in this fertile soil of intolerance, where clergy dominated church and state. In 1629 the Massachusetts Bay Colony decreed: “To the end the Saboth may bee celebrated in a religious manner, we appoint, that all that inhabite the plantacon, both for the generall and pticuler imployments, may surcease their labor every Satterday throughout the yeare at 3 of the clock in the afternoone, and that they spend the rest of that day in catechising and preparacion for the Saboth as the minister shall direct.”¹³

In November of the following year, John Baker was whipped for “shooteing att fowle on the Sabboth day.”¹⁴

The Virginia Sunday law of 1610 prohibited Sunday “gaming” and required attendance at “diuine seruice” in the morning and “in the afternoon to diuine seruice, and Catechising, vpon paine for the first fault to lose their prouision, and allowance for the whole weeke following, for the second to lose the said allowance, and also to be whipt, and for the third to suffer death.”¹⁵

[5] Picture moved.

[6] Although not codified in statute, questions answered by certain of the Massachusetts Bay Colony elders on November 13, 1644, included a declaration that “any sinn committed with an high hand, as ye gathering of sticks on ye Saboth day, may be punished with death, wn a lesser punishment might serve for gathering sticks privily, & in some neede.”¹⁶

Fortunately for the “worldly-minded” among the colonists, most colonial Sunday blue laws did not carry the death penalty. The General Court, meeting in Boston October 19, 1658, took note that “the sunn being set, both euery Saturday & on the Lords day, young people & others take liberty to walke & sporte themselves in the streets or fields . . . and too frequently repajre to publicque houses of entertajnmnt, & there sitt drincking.”¹⁷ Resident violators were liable to a five shilling fine for this type of conduct. The mere threat of fine proved an inadequate deterrent, so in 1665 the General Court recommended corporal punishment for those “refusing or neglecting to, submitt to the Courts sentence.”¹⁸

Sunday traveling on horseback, on foot, or by boat to an out-of-town meeting or assembly not specifically provided for by law was illegal. Tradesmen, artificers, and laborers could not conduct business or perform work on land or water. Games, sports, play, and recreation were taboo, “works of necessity and charity only excepted.”

In Plymouth Colony church attendance was required, and “such as sleep or play about the meetinghouse in times of the public worship of God on the Lord's day” could expect to have the constable report their names to the court. Violent riding was banned, as was smoking tobacco.”¹⁹

The cage, the stocks, heavy fines, and whipping customarily recompensed violators. A man named Birdseye from Milford, Connecticut, was reportedly sentenced to the whipping post for scandalously kissing his wife on Sunday.²⁰

[7] According to Mrs. Alice Morse Earle's history, *The Sabbath in Puritan New England*, one of the leading characters in the enforcement of the Puritan Sunday “was the 'tithingman,' . . . who entered private houses to assure himself that no one stayed at home on the 'Sabbath' [Sunday] and hustled up any loiterers. . . . He was empowered to stop all Sunday work.” In fact, the tithingman was always busy on Sunday doing sleuth work, spying out other people's liberties, and haling them before the civil magistrate for neglect of religious duties.

In 1670 “two lovers, John Lewis and Sarah Chapman, were accused and tried for 'sitting together on the Lord's day under an apple tree in Goodman Chapman's orchard.’” “A Dunstable soldier, for 'wetting a piece of old hat to put in his shoe' to protect his foot – for doing this heavy work on the Lord's day, was fined, and paid forty shillings.” “Captain Kemble, of Boston, was in 1656 set for two hours in the public stocks, for his 'lewd and unseemly behavior,' which consisted in kissing his wife 'publicly' on the Sabbath day, upon the doorsteps of house,” on his return from a three years' voyage. An English sea captain was “soundly whipped” for a like offense. A man who had fallen into the water and absented himself from church to dry his only suit of clothes, was found guilty and “publicly whipped.” Smoking on Sunday was forbidden. To stay away from church meant “cumulative mulct.” Other equally foolish and drastic laws prohibited the people from walking, driving, or riding horseback on Sunday, unless they went to church or to the cemetery.²¹

The iron fist of the clergy-dominated state was an everyday fact of colonial life. Stringent Sunday laws were a weekly reminder of this union. Freedom of individual conscience had a long way to go.

But apart from the excesses of theocracy, to the everlasting credit of the Puritan settlers, as honest, hardworking, self-disciplined men they conquered an untamed wilderness and contributed largely to the creation of a new and free society in a new world. [8] Their many sterling qualities provided the spark that ultimately pushed the new civilization across prairies, deserts, and mountains to the Pacific.

Not to be overlooked is the spiritual evolution in the heart of the individual citizen early in the seventeenth century. The authoritarian clergy could not forever rest in the comfort of a captive audience. Sympathy for the Anne Hutchinsons of America became a mighty undercurrent that churned to the surface with ever-increasing frequency and intensity.

The early settlers were seeking more than civil and religious subjugation. Men like Williams, Jefferson, Madison, and Mason helped to give positive direction to that quest for freedom. The colonists had undertaken a monumental struggle with tyranny that would rendezvous with a massive victory for freedom late in the eighteenth century.



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