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THE  
TRIAL OF MR. PEDOBAPTIST:

AN INQUIRY

CONCERNING THE SCRIPTURAL ACTION

OF

CHRISTIAN BAPTISM.

By A. SWARTZ.

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HARRISBURG:  
A. BOYD HAMILTON, 75 MARKET STREET.

1856.

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## PREFACE.

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THE following pages, prepared with the hope of contributing, in an humble way, toward the settlement of a question which has long disturbed the Christian Church, were originally intended for publication in the columns of a religious newspaper. By the solicitation of many friends, the author has been induced to consent to their publication in book form, and now sends them forth, with the hope that the words of encouragement which have been spoken by those who have perused the manuscript, may not fail of endorsement by some who may read these pages.

The reader will discover that many of the thoughts which are here presented, are familiar, and that in many instances, the language of other writers is largely employed. If any excuse, other than the fact that the main features of the subject are becoming familiar, is deemed necessary for the pursuit of this course, the author hopes it will be found in the fact, that the present manner of treating the subject is such as calls for extensive quotations from those who have preceded him, and who are considered as authorities upon the question under discussion.

In excuse of faults beyond those incident to a first attempt at authorship, all the usual pleas might be presented, with more than usual truth. But he feels that the good wishes of friends will render such a course unnecessary with them, and that the criticisms of opponents could hardly be softened by any statements which could here be made. He, therefore, commits the work to the public as it is, hoping it will give no just occasion of offence to any one, and that it may prove a help to many inquirers after the right ways of the Lord.

To give fair representations of both sides of the question in dispute, and to promote harmony among Christians, has been honestly meant; and the effort is humbly commended to the blessing of God.

MOUNT JOY, PA., Oct. 1, 1856

## TRIAL OF MR. PEDOBAPTIST.

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### THE ORIGIN OF THE TRIAL.

Mr. PEDOBAPTIST had long been suspected for altering two fundamental laws of Christian society, and the usage under their first appointment. This alteration is said to have been the primary cause of the injurious division, that has existed among the citizens of this great Commonwealth for a long time, to the detriment of the public peace. The friends of Mr. BAPTIST published him on the wings of every wind, as guilty of these sacrilegious acts. The friends of Mr. PEDOBAPTIST, on the contrary, declared everywhere as zealously, that he was entirely innocent, and that the charges preferred by Mr. BAPTIST were false. There were many citizens who justified the conduct of Mr. PEDOBAPTIST, on the ground of *expediency*. The citizens who were not identified with either of the above parties, took no part in the controversy, and therefore expressed no judgment.

To test his innocence, which he openly and boldly declared to all, an appeal to the highest legal tribunal in the land was necessary. Its judgment alone could settle

this mooted question finally. Mr. BAPTIST professed to be exceedingly glad that an opportunity was offered to bring him before this tribunal, in order to have the controversy settled by its decision. He said that often before this time he had urged an investigation; but Mr. PEDOBAPTIST (as he declared) placed himself beyond the jurisdiction of the Court.

#### LEGAL PROCEEDINGS COMMENCED AGAINST MR. PEDOBAPTIST.

Mr. BAPTIST commenced legal proceedings against the alleged offender, by preferring the charge of *High Treason against the government*. Mr. PEDOBAPTIST was arrested by the officer of the law, and by him returned to the Court for trial. When the fact of his arrest was made known to the public, it rocked the whole nation with more than earthquake violence. The excitement it created appeared ominous of a fearful calamity to the public weal. But the return of the second sober thought of the people, calmed down the fevered excitement of his friends, and they looked forward to his triumphant acquittal for a complete refutation of all that Mr. BAPTIST and his friends had circulated against him. And further, they determined that upon his acquittal he should seek a full legal remuneration from Mr. BAPTIST, for the injury his character had suffered by these reports.

As the time for the meeting of the regular session of the Supreme Court drew near, the excitement in the public mind was renewed with unabated interest. The trial was the topic of exciting conversation throughout the



country. The reason of this overwhelming interest manifested by the parties implicated, may be found in the nature of the issue to be tried, and the result of the judgment upon the public well-being.

#### THE COURT IN SESSION AND ITS ACTION ON THE CASE.

The long expected day arrived for the meeting of the Court. The people were found in crowds about the place of meeting, long before the appointed hour for the opening of the Court ; and when the hour was announced by the ringing of the bell, the room was soon filled to overflowing. The announcement was made, as soon as the Judges had taken their seats, that the Court was prepared to proceed to business. At this moment, a death-like silence reigned throughout the mighty concourse assembled. The public heart beat heavily, when in delivering his charge to the grand jury, the President Judge spoke concerning the nature of the crime with which the Prisoner was charged in the return made to the Court.— After the close of the charge, all present waited with palpitating interest until the grand jury would pass upon the bills sent to them against the Prisoner, and report to the Court their judgment.

After hours of painful suspense to the multitude, the crier of the Court announced the coming of the jury. Breathless silence brooded over the assembly, when the bills were handed to the Court and read. The presiding Judge announced in a clear and distinct tone of voice, that two true bills were found against the Prisoner

This announcement was hailed with signs of joyful triumph by the friends of Mr. BAPTIST. The friends of the Prisoner stood appalled, when the action of the jury was declared to the crowd assembled, for they had expected the bills to be returned to the Court ignored. However, they still congratulated each other with the hope of a final verdict in his favor.

The first bill charged the Prisoner at the bar with the crime of High Treason against the government, for *changing the action of Christian Baptism from immersion of the subject in water, in the name of the Trinity, as it was commanded by the Author of our institutions, to sprinkling and pouring water on the subject, in the same name.*

The second bill charged him with the crime of *administering this ordinance to Infants*, contrary to the fundamental law of this Commonwealth, as found in the 28th chapter of the Constitution as recorded by Matthew:—  
“Go ye, therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost, teaching them to observe all things whatsoever I have commanded you; and lo! I am with you always, even unto the end of the world.”

#### THE PRISONER PUT ON TRIAL.

When the day to arraign the Prisoner had arrived, the entire population, with the multitude that had come from all parts of the country to witness the trial, were found bending their way to the place where the trial was to be

conducted. Many of them were deeply interested in the issue of this case, for it involved their own and the loyalty of many of the most respectable citizens to the government.

The court room was crowded to excess. A deep silence prevailed throughout the throng assembled, when the Prisoner was called upon to plead to the first indictment, for he was to be tried on each bill separately—this privilege the law permitting him to claim. With a trembling voice he entered the plea of “NOT GUILTY.” The Prisoner’s manner on this occasion betrayed symptoms of uneasiness, and a feeling of danger. That boasted confidence of his innocence, which had sustained him up to this moment, forsook him in the crisis, and the public were left to conjecture the cause of the sudden change in his conduct.

Before a jury to try the case was called, the following question was ordered by the Court to be proposed to each jurymen, previously to his being sworn: “Have you formed or expressed an opinion, as to the guilt or innocence of the Prisoner at the bar?”

After considerable trouble and delay in finding a sufficient number of jurors, who were not committed against or for the Prisoner, the following gentlemen were empaneled to try the case:

Messrs. Impartiality, Sincerity, Honesty, Truthful, Charity, Landmark, Confidence, Hopeful, Steadfast, Justice, Mercy and Fairplay.

All parties expressed their satisfaction with and con-

confidence in the persons selected to determine the important subject they were to pass their judgment upon. All felt sure, from the positions these persons occupied before the public, that the controversy could not have been left in safer hands for a settlement.

The Court ordered the counsel for the prosecution to be prepared to open the case to the jury, after the meeting of the Court in the afternoon.

On the re-assembling of the Court, the counsel for the prosecution arose, and opened the case with the following address:

If the Court please, gentlemen of the jury, you are now called upon, on your oaths and affirmations, to determine a case which has been the subject of angry controversy between the plaintiff and defendant for a long time.— Their warm and bitter contentions have greatly disturbed the peace of society, by creating hostility between the father and the son—brother opposing brother and arraying citizen against citizen. If this state of violence and discord is permitted to continue among us, it will endanger the perpetuity of our time honored Christianity, as we have received it from its Author. The day has come, when this tempest-tossed community demands the removal of these premonitions of coming dissolution. The country looks to you with confidence for a sufficient antidote.— Shall it look in vain? The remedy for these evils is at your disposal, and your verdict will be an answer to this momentous question. In this answer is bound up the hope of our people.

Gentlemen, the Prisoner at the bar stands before you charged in the indictment, with one of the highest crimes known to our laws. This charge involves his honor, character and life. Its investigation demands at your hands the most enduring patience and impartial attention, to all that shall be offered on this occasion for his innocence or against it. You have placed yourselves under the obligation of an oath to decide as to the guilt or innocence of the Prisoner, from the evidence we shall offer as proof of the charge alleged against him, and the application of the law as laid down to you by the Court. To the result of your judgment you have no right to look forward; it is the business of the law and its administrators to attend to the result of your verdict.

It will now be your duty, to dispossess your minds of all prepossessions on the subject upon which you are to pronounce a judgment, and look at the case as if you had not, before the present occasion, been to any extent acquainted with it. I am satisfied from your well known characters and intelligence, acknowledged by all the people, that you will do the Prosecutor and the Prisoner that justice which you would like dealt out to yourselves, were you in their positions. I am also satisfied you will render a verdict, from the evidence offered, which all honest men in our country will approve, and that they will secure its execution by the administrators of the law.

The importance of the result of this trial to the country, has collected together, at this place, a vast concourse of our people, who express a deep interest in the decision

of the grave question which is now committed to you. The whole nation looks to you at this time as the only anchor of its present safety, for the weal or woe of our country depends upon the decision you will make on this occasion. A more important question was never left to a jury to determine. We are satisfied you realize the weight of the responsibility which rests upon you. I have no doubt you have sufficient courage to act when the time for action arrives, let that action be for the Prisoner or against him.

Gentlemen of the jury, the purity and the honor of the law must be maintained and vindicated by an impartial verdict. Justice must be measured out with an even hand, let the stroke it inflicts fall where it may. Christian institutions must be maintained un mutilated by a foreign hand, or the whole framework of Christian society will fall to pieces. Unless you sustain the law of Christian Baptism, in its original import, anarchy, rebellion and treason will flourish in open day. What then will become of that venerated system of government for which our fathers periled their fortunes, honors and lives? It will soon be buried in ruin by these agitations, and only be remembered with painful regret by coming generations. An event of this kind we all should deprecate as a direful calamity; for it would be the darkest page upon the annals of history. This burning page of shame, would live forever as a memorial of the folly of the guardians of the law, in forsaking justice in the hour of peril and danger.

Gentlemen, before a calamity of such a heart-sickening character shall, by your verdict, fall on this great Commonwealth, the light and hope of all nationalities, it will be well for us to recall the number of lives and fortunes which this government cost, that it might be transmitted to us as the birth-right of humanity. Our ancestors well knew it to be the ark of our safety—the citadel of our strength—the temple of our proudest hopes, and that around its spires would play the glory of Jehovah, in hopeful expectation to all coming time. They trusted that our sons and daughters, with rejoicing hope, would be found worshipping at its altars through coming ages, and enjoying its manifold blessings. Can you, in your action on this case, blot out forever these invaluable immunities, so dearly purchased by our fathers? Even infidelity is not so unbelieving, as to cherish for a single moment, an apprehension so appalling to our patriotism.

Christian institutions, preserved from human contamination, would always be to us a pillar of cloud by day and a pillar of fire by night, conducting us to that high destination in the scale of moral being that will make us equal with the angels of God.

Into your hands are now committed the well-being and happiness of this country, and the hope of coming generations depends on the judgment you will render. You will patiently indulge me with a careful hearing of the principles of law, applicable to this case, and the evidence we shall offer. Let us approach a subject so grave and important to us all, with all sincerity and impartiality whereby this day's proceedings may be-

come an honor to ourselves, to our country and to our laws.

THE PRINCIPLES OF LAW APPLICABLE TO THIS CONTROVERSY.

We shall now proceed to lay down some incontestible facts, that shall be to us a beacon-light to guide us in the investigation of this case. We invoke your particular attention to their presentation, and we do also most earnestly challenge the counsel of the defendant to invalidate their soundness and application to this dispute. If they cannot be contested successfully by him, we shall claim for them a power to determine the weight of the evidence to be offered, and also the judgment to be formed of this controversy.

If the Court please, (addressing the Court,) your careful attention is called to the following facts, or principles of law, applicable to the issue joined by the parties now before you, calling for a legal adjudication:

1. *The word used in the Constitution of this Commonwealth, to designate the act in Christian Baptism, is not BAPTO, but its derivative BAPTIZO.* On the meaning of this last word, hinges the whole controversy now before us. To show that this distinction is well founded, we will read from two reliable authorities, whose testimony will place the fact beyond dispute. Professor Stuart, himself a friend of Mr. PEDOBAPTIST, says on this point: "In the New Testament, however, there is one other marked distinction between the use of these verbs. *Baptizo* and its derivatives are exclusively employed, *when the rite of baptism is to be designated* in any form whatever; and in



this case, *Bapto* seems to be purposely, as well as habitually, excluded."—*Stuart on Baptism*, p. 51. Carson says, p. 18, "this difference is, *Bapto* is never used to denote the ordinance of baptism." An examination of the New Testament use of these words, will be an unanswerable confirmation of their testimony. We shall hold this distinction to be settled beyond dispute, until an exception shall be found.

If we are compelled by the counsel for the Prisoner, to go into the investigation of the use of *Bapto*, we are prepared to show, by unexceptionable authorities, that its literal acceptation is to dip and dye. To undertake to prove this, by incontestible examples from its use in the language, is, we think, at this time unnecessary, because the word is never found in the law of baptism. We wish it distinctly understood, once for all, that these words, *Bapto* and *Baptizo*, are not confounded when this institution (baptism) is named or spoken of.

2. *Baptism, as commanded by the Saviour, is a Positive Institution, and not a Moral one.* There is a plain distinction, recognized by theological writers of the highest authority in this kingdom, existing between positive and moral duties. In moral duties we can see the reason why they are commanded, because they are suited to our nature, and to the relations which we sustain to the Author of our being and to others around us. The necessities of our being demand their performance. In positive duties we observe not the reason of their performance, previous to their enactment. They rest entirely upon the express will of the Lawgiver. In confirmation

of this distinction we shall read from *Booth's Pedobaptism Examined*, vol. 1, a number of authorities selected from among the friends of the Prisoner, who will be found teaching this distinction plainly.

Dr. J. G. King: "Positive duties having no obligation in the reason of things, can have no foundation but in the *express words* of the institution, from which alone they derive their authority."—*Rites and Cerem. of the Greek Church*.

Dr. Doddridge: "Those are called positive institutions or precepts, which are not founded upon any reasons known to those to whom they are given or discoverable by them, but which are observed merely because some superior has commanded them."—*Lectures*, Definit. lxxi. p. 238.

Dr. Owen: "Positive institutions are the free effects of the will of God, depending originally and *solely* on revelation, and which, therefore, have been various and actually changed."—*Discourse—Holy Spirit*, B. 1. Chapter iii.

Dr. Jonathan Edwards: "Those laws, whose obligation arises from the nature of things and from the general state and nature of mankind, as well as from God's positive revealed will, are called *moral* laws. Others, whose obligation depends merely upon God's positive and arbitrary institution, are not moral: such as the ceremonial laws and the precepts of the Gospel about the two sacraments."—*Sermons*, p. 232. Hartford, 1780.

Bp. Butler: "Positive precepts are precepts the reasons of which we do not see. Moral duties arise out of the

nature of the case itself, prior to external command; positive duties do not arise out of the nature of the case, but from external command; nor would they be duties at all were it not for such command.”—*Analogy of Religion*, Part II. Chap. i.

Bp. Taylor: “All institutions sacramental, and positive laws, depend not upon the nature of the things themselves, but they depend wholly on the will of the Lawgiver.”

Bp. Burnet: “Sacraments are positive precepts, which are to be measured *only* by the institution, in which there is no room left for us to carry them any further.”—*Exposit.* 39 Articles.

Dr. Goodman: “The term *Institution* implies a setting up *de novo*, or the appointing that to become a duty which was not knowable, or at least not known to be so before it became so appointed. For this word, *Institution*, is that which we use to express a positive command by, in opposition to that which is moral in the strictest sense and of natural obligation.”—*Preserv. against Popery*, Title 8, p. 7.

To these names we could add a host of others of equal learning and authority, who are found also teaching this distinction between moral and positive institutions, and declaring baptism to belong to positive precepts and not to moral ones. All theological authorities we have consulted, acquiesce cordially in the doctrine of the above writers.

3. *All we can know of the will of the Lawgiver, when positive duties are required, is to be found in the words employed*

*to designate the act or acts to be done.* The words in the law, about which this dispute finds its origin, are, as announced by Peter, *Acts*, II. 38, "be baptized every one of you." From these words only can we learn our duty, for they are the only mediums of knowledge to us of the Divine will. This is to us self-evident. There is no other process within our reach for the acquisition of this knowledge. Deny this to be self-evident and you place a knowledge of the Divine will beyond our power. The distinction ascertained between moral and positive precepts, imperatively demands the adoption of this process to ascertain God's will when positive duties are required. The enacting word in baptism, which designates the act to be performed, is *baptizo*, and its meaning, like that of all the words associated with it, is to be determined by a common sense process, and this process alone will show its true import. We shall proceed to elucidate it:

4. *The mind of the Lawgiver, when positive duties are required, can only be learned by ascertaining the literal or popular meaning of the words in the law.* This must be his meaning of necessity, unless the Lawgiver in the law teaches another signification. That he does employ the words in an unusual sense, may not be inferred but must be plainly announced. Without this authority for an unusual interpretation, we are compelled to abide by the literal meaning. In the law of baptism, we have not the remotest intimation that a different meaning from the literal is to be given to the words employed. Until there is some veritable evidence offered to support another meaning, the christian public is bound to take only the

common signification of the words to be the Lawgiver's. We shall now read from the best authorities in the land in support of this law of interpretation.

Sir William Blackstone says: "It is with the proper and unfigurative, and not with fanciful and rhetorical meaning of words, we have to do in all positive institutions." Also: "The words of a law are generally to be understood in their *usual and most known signification*; not so much regarding the propriety of grammar as their *general and popular* use; but when words bear either none or a very absurd signification, if literally understood, we must a little deviate from the received sense of them."—*Com.* vol. 1, sect. 2.

Baron Montesquieu: "The style (of laws) should be plain and simple; a direct expression being always better understood than an indirect one. It is an essential article that the words of the laws should (be adapted to) excite in every body the same ideas. The laws ought not to be subtle; they are designed for people of common understanding."—*Book*, p. 105.

Bishop Tayler: "In all things where the precept is given in the proper style of laws, he that takes the first sense is the likeliest to be well guided. In the interpretation of the laws of Christ, the strict sense is to be followed."—*Campbell's and Rice's Debate*, p. 108.

Dr. Jonathan Edwards: "In words capable of two senses, the natural and proper is the primary; and, therefore, *ought*, in the first place, and chiefly to be regarded."—*Ibid.*

Vitringa: "This is accounted by all a constant and

undoubted rule of approved interpretation, that the ordinary and most usual signification of words must not be deserted, except for sufficient reasons."—*Ibid.*

Turretine: "It is acknowledged by all, that we should never depart from the proper and native signification of words, except for the weightiest and most urgent reasons."—*Ibid.*

Dr. Benson: "What can be more absurd, than to imagine that the doctrines or rules of practice which relate to men's everlasting salvation, should be delivered in such ambiguous terms, as to be capable of many meanings."—*Ibid.*

Bp. Horne: "By historical interpretation, we are to understand that we give to the words of sacred authors that sense, which they bore in the age when they lived." *Horne's Introdu. to the study of the Scrip.*, p. 177.

Dr. G. Hill: "Greek words passed with the universal language of ancient Greece to other nations, and particularly to the authors of the septuagint translation of the Old Testament, and to the writers of the New Testament, in whose works every sound critic must understand them, unless some notice is given of a different acceptation, according to that which he knows to have been their received sense in the country from which they came."—*Hill's Divinity*, p. 445.

President Dwight: "Of course, the terms in which they are revealed, are used in such a manner as these (uneducated) men can understand. They are, therefore, used according to their plain, customary, obvious mean-

ing, the meaning which they have in the usual intercourse of mankind."—*Dwight's Theology*, vol. 1, p. 520.

Professor Stuart: "The primary or literal signification of a word must always be taken, unless the context obviously demands a secondary signification."—*Stuart on Baptism*, p. 12.

Arch. Bp. Whately: "But again, there is hardly one of these passages which can be thus explained away, without violating the maxim above laid down, viz:—That we should consider, not any interpretation whatever, that such words can bear, but what notion they conveyed, and must have been known to convey to the hearers at the time. For if this were a mistaken notion, an untrue sense, it follows inevitably that Christ and his Apostles must have been teachers of falsehood, even though their words should be capable of a different and true signification."—*Kingdom of Christ*, p. 33.

These authorities are sufficient to settle beyond a reasonable dispute, the law of interpretation to be applied to words found in positive institutions. Its application to the subject now before us in controversy, the meaning of the enacting word in baptism, an institution acknowledged to be a positive enactment, will enable us to come to a satisfactory conclusion, when the evidence is before the Court. To adopt any other law of interpretation, will be to leave us in doubt forever about the will of the Lawgiver, when he commands positive duties. To tolerate for a moment a departure from this undoubted law of interpretation, is to make void, practically, our obligation to the acknowledged head of this government. This rule

recognizes a universal law of communicating the will of one person to another. To contest it, is impossible. The existence of all forms of government depend upon it. It is the application of this principle that constitutes this Court, and governs all our proceedings. All our action would be treated as a nullity without it. 5

5. *The figurative application of a word, enters not within the pale of the interpretation of positive precepts.* This is so evident to all, that all authority consulted cordially confirms it without objection. The authorities already in evidence that speak on this point, only speak to attest its authority. I presume it will be cheerfully acknowledged by the counsel for the Prisoner. If he wishes to contest it, we cordially invite its investigation by him, and we will then promise to show it is an undoubted law of interpretation, sanctioned and sustained by the best authorities in and out of the church. The reason why there is such unanimity among reliable authorities, may be found in the fact, that it is necessitated by the laws of language.

6. *All intelligent legislation contemplates a specific object in its enactments.* That object can only be ascertained by the words employed to express it, and these are to be taken in their usual signification. This is true of human legislation. How much more true it is of Divine legislation. The soundness of this principle is palpable to all who have any discernment, and to deny it, would be to make all legislation a nullity, and human responsibility a nameless thing. Who is prepared for this conclusion? All men act according to this principle.



and the Divine conduct is regulated by it. Therefore, our obedience becomes a reasonable service.

7. *The usus loquendi of a word in the language, is the supreme tribunal to determine its meaning.* This is a self-evident law of approved interpretation. I look for no objection to be offered to it. It points out the only intelligent process that can be adopted, to ascertain the meaning of any ancient author. Its application to *baptizo*, in the law, and the words associated with it, will meet the hearty approval of the Court, and lead us all to a conclusion worthy of our position and relation to the country.

Let these facts be applied to this case, as they must be, if we wish to come to an intelligent and impartial judgment of the controversy between the parties. They will lead us, I think, to a satisfactory conclusion, when the evidence is placed at our command. They are intended to show what act was required of us in the Constitution, when *baptizo* was incorporated in it by the Lawgiver. I am sure that the evidence, under the control and guidance of these principles, will afford no justification for the conduct of the Prisoner, but condemns it entirely.

The evidence we shall present to the Court and jury, will be classified in the following order:

1. The literal meaning of *baptizo*, in the law of baptism, is only immersion in water. This proposition will be sustained by a host of witnesses, and nearly all of them shall be the personal friends of the Prisoner.

2. The evidence of this fact found in the New Testament from the persons, places and circumstances con-

nected with the first administration of the act under the law.

3. We shall prove the fact of immersion being the action of baptism, by the design of the institution, as a symbolic representation of the burial and resurrection of the Author of Christianity.

4. We shall also prove this meaning of *baptizo* from the history of the administration of the ordinance for many years after its institution.

5. We will undertake to prove, that the Prisoner at the bar did change Christian Immersion, and did substitute sprinkling and pouring in its place, contrary to the words of the law, to the design of the institution, and the practice under its first administration.

If we can prove to your satisfaction that these facts are well founded, we have no doubt you will agree with us that the Prisoner is guilty in manner and form as he stands charged in the indictment. It will then be your duty to say so in your verdict. A verdict of this kind will restore this institution to that honorable position which it occupied at the formation of this government, and also will heal that dangerous division among our citizens, which has threatened for some time the perpetuity of our national existence. All our people are bound to abide by your judgment. Let it restore the landmarks which our fathers set on this subject, and it will accomplish all we desire.

After all, if the evidence we offer, with the instruction of the Court, will not clearly warrant a verdict of guilty, it will be your duty to acquit the defendant. If it can be

so, after hearing the law and evidence, we will rejoice in the belief that Mr. BAPTIST had altogether mistaken the Prisoner's character, and the weight of the evidence on which he relied for a conviction. We shall now proceed to call the witnesses.

CLASSICAL USE OF THE WORD "BAPTIZO."

Mr. CLASSIC was called and qualified.

Question by the Counsel for the prosecution.—Is the Greek language your vernacular tongue?

A.—Yes sir.

Q.—Are *baptizo*, and its cognates, Greek words?

A.—Yes sir.

Q.—Has the word *baptizo* necessarily a reference to water, in its signification?

A.—No sir. This is evident to all who consider its use in the language. It is there used with reference to any substance that can be penetrated.

Q.—What is its popular or literal meaning in the language?

A.—The literal or common meaning of *baptizo* and its cognates, is to dip or immerse into something that is penetrable. I will read a sufficient number of authorities, from among our best writers, to confirm my answer.

Pindar, Pyth. II: 139, "describes the impotent malice of his enemies, by representing himself to be like the cork upon a net in the sea, which does not sink: *As when a net is cast into the sea, the cork swims above, so am I UNPLUNGED (abaptistos);* on which the Greek scholiast, in commenting, says: 'As the cork, *ou dunei*, does not sink, so I am

abaptistos, unplunged, not immersed. \* \* \* The cork remains abaptistos, and swims on the surface of the sea, being of a nature which is abaptistos; in like manner I am abaptistos.' In the beginning of this explanation, the scholiast says: 'Like the cork of a net in the sea, *ou baptizomai*, I am not plunged or sunk.'—*Stuart*, p. 52.

Heraclides Ponticus, a disciple of Aristotle, *Allegor.* p. 495, says: "When a piece of iron is taken red hot from the fire, and *plunged in water*, (*udati baptizetai*), the heat, being quenched by the peculiar nature of the water ceases."—*Ibid.* p. 53.

Polybius, III. 72. "The foot soldiers passed through (the water,) scarcely *immersed to the paps*."—*Ibid.* p. 55.

The same author gives us another example equally decisive: "They are of themselves immersed, (*baptizomai*), and sunk in the marshes."

Plutarch, *Parall. Graec. Rom.* p. 545, speaking of the stratagem of a Roman General, in order to ensure victory, says: "He set up a trophy, on which, *dipping* his hand into blood, (*eis to aima, baptisas*), he wrote this inscription," etc. In Vol. VI. p. 680, (edit. Reiske,) he speaks of iron *plunged* (*baptomenon*), viz: into water, in order to harden it.—*Ibid.* p. 633, '*Plunge* (*baptison*), yourself into the sea,' Vol. X. p. 118, 'Then *plunging* (*baptison*), himself into the lake Copais.'—*Stuart*, pp. 53-4.

Lucian, Vol. I. p. 139, represents Timon, the man-hater, as saying: "If a winter's flood should carry away any one, and he, stretching out his hands, should beg for help, I would press down the head of such an one

when sinking, (baptizonta,) so that he could not rise up again."—*Ibid.* p. 54.

Strabo, Lib. VI. p. 421, speaking of a lake near Agrigentum, says: "Things that elsewhere cannot float *do not sink* (mee baptizesthai) in the water of this lake, but swim in the manner of wood." XII. p. 809, "if one shoots an arrow into the channel (of a certain rivulet in Cappadocia,) the force of the water resists it so much, that it will scarcely *plunge in*, (baptizesthai.)" XIV. p. 982, "They (the soldiers,) marched a whole day through the water, *plunged in* (baptizomenon) up to the waist." XVI. p. 1108, "The bitumen floats on the top (of the lake Sirbon,) because of the nature of the water, which admits of no diving; nor can any one who enters it *plunge in*, (baptizestha,) but is borne up."—*Ibid.* p. 55.

Epictetus, III. p. 69, ed. Schwiegh. in a fragment of his work, says: "As you would not wish, sailing in a large ship adorned and abounding with gold, *to be sunk* or *immersed*, (baptizesthai,) so, etc."—*Ibid.*

Themistius, Orat. IV. p. 133, as quoted by Dr. Gale, says: "The pilot cannot tell but he may save one in the voyage that had better be drowned, sunk (baptisai) into the sea."

Dio also affords evidence decisive of the same meaning: "They are entirely baptized, (baptizontai) sunk, overwhelmed or immersed," XXXVIII. p. 84.—*Carson*, p. 65.

He applies it to the sinking of ships: "So great a storm suddenly arose through the whole country, that

the boats were *baptized* or *sunk* in the 'Tiber.'" XXXVII.—*Ibid.*

He applies it in the same way, i. 492: "How could it escape *sinking* from the very multitude of rowers?"—*Ibid.*

The sinner is represented by Porphyry, p. 282, as "baptized (baptizetai) up to his head in Styx, the famous lake in hell."—*Ibid.*

"The Sibylline verse concerning the city of Athens, quoted by *Plutarch* in his life of Theseus, determines the meaning of *baptizo*: 'Thou mayest be dipped, (baptizei,) O bladder! but thou art not fated to sink.'"—*Ibid.*, p. 61.

Hippocrates, p. 532, edit. Basil: "Shall I not laugh at the man who sinks (baptisonta) his ship by overloading it, and then complains of the sea for engulfing it with its cargo?"

Again, p. 254, Hippocrates says: "Dip (baptize) it again in breast-milk and Egyptian ointment."—*Carson*, p. 64.

The same writer gives us the clearest insight into the meaning of this word, by twice comparing a peculiar kind of breathing in patients, to the breathing of a person after being immersed: "He breathed as persons breathe after being baptized." p. 340. The same comparison occurs again, p. 357, in the following words: "He breathed as persons breathe after being baptized."—*Ibid.*

Dionysus "observes that, 'the poet (Homer) expresses himself with great emphasis, representing the sword to be so baptized (baptisthentos) as to become

warm with blood.' The same may be said respecting the swords and helmets baptized in the marches after the battle of Orchomenus."—*Hinton*.

"The example given by Hammond is also irresistible. It is said of Eupolis, 'that being thrown into the sea, (ebaptizeto,) he was immersed all over.'"—*Carson*, p. 62.

"The expression quoted by Hendericus from Heliod. b. 5., is equally decisive—'to baptize into the lake.' And that from *Esop*, 'the ship being in danger of sinking, (baptizing).'"—*Ibid*.

Q.—Did you ever use *baptizo* or its cognates, to denote the action of *sprinkling* or *pouring*?

A.—Not in a solitary instance, for they belong to two different families of words in our language.

Question by Prisoner's Counsel.—Have you not used some of this family of words, to denote the state of objects *overwhelmed*?

A.—This may be considered their meaning, (not properly) in the following occurrences of *baptizo*:

Aristotele, De Mirabil. Ausc, "speaks of a saying among the Phenicians, that there were certain places beyond the pillars of Hercules, 'which, when it is ebb-tide are not *overflowed*, (baptizesthai,) but at full-tide are overflowed, (katakluzesthai,) which word is here used as an equivalent for baptizesthai.'"—*Stuart*, p. 60.

Diodorus Siculus, Tom. I, p. 107: "Most of the land animals that are intercepted by the river (Nile) perish, being overwhelmed, (baptizomena)." Tom. VII., p. 191. "The river, borne along by a more violent current, *overwhelmed* (abaptise) many."—*Ibid*.

Q.—Did you not sometimes use *baptizo* to denote *wash*?

A.—No, sir. They are not synonymous, because wash belongs to another family in the language. Baptism may be used to denote a *mode* of *washing*, when it is done by immersion.

Q.—You do not profess to give the sacred use of this word?

A.—No sir.

Q. C. Pro.—Would those quotations which you read from Stuart, which substitute the words “overflowed” and “overwhelmed,” in place of *baptizo*, not have been better translated by substituting the word immersed for *baptizo*?

A.—Yes sir, for that is the action which really took place in those passages. The things said to be baptised were *immersed*.

Q.—Is not the figurative meaning of *baptizo*, in harmony with its primary signification, to immerse?

A.—Yes sir. The primary meaning being to immerse literally, the figurative use of *baptizo* is founded upon this fact. We will read you a few authorities from Professor Stuart, in proof of this fact.

“Evenus XV., in Jacobs’ Anthol, I., p. 99, says: ‘If (Bacchus) breathe strongly, it hinders love,’ i. e., if a man becomes thoroughly intoxicated, it hinders the gratification of amorous passions; ‘for he (Bacchus) overwhelms (baptizei) with sleep near to death.’

“Heliiodorus, Ethiop. Lib. IV., p. 192: ‘When midnight has overwhelmed (ebaptizon) the city with sleep.’ Lib. II., 3, overwhelmed (bebaptismenon) by misfortune.’



“Clemens, Alex. Paed. II, p. 182. ‘By intoxication overwhelmed (baptizomenos) unto sleep.’

“Plato, Conviv. p. 176 ‘I myself am one of those who were overwhelmed (bebaptismenon).’ In another place: ‘Having overwhelmed (baptisasa) Alexander with much wine.’

“Lucian, Tom. III., p. 81: ‘He is like one dizzy and overwhelmed.’

“Justin Martyr, Dialog. Cum Tryphone, p. 313:—  
‘Overwhelmed (bebaptismenos) with sins.’

“Plutarch, Tom. VI., p. 30: ‘The soul is nourished by moderate labors, but is overwhelmed (baptizetai) by excessive ones.’ In his Moralia, Tom. III., p. 1504, he speaks of Galba, as ‘bebaptismenon, overwhelmed with debts.’ In Opp. VIII., p. 345, he says: ‘Overwhelmed (baptizomenous) with business.’

“Chrysostom, as quoted by Suicer, Thes. Ecc. I., p. 623: ‘To be overwhelmed (baptisthenai) with wine;’ ‘overwhelmed (baptizmenos) with innumerable cares;’ ‘overwhelmed (baptizomenoi) with a multitude of cares;’ ‘immersed (bebaptismenos) in malignity.’”—*Stuart on Bap.* pp. 61–2.

He said, these authorities are sufficient to show the figurative use of *baptizo*. Professor Stuart, in these translations, would have given the original better by substituting *immerse* for overwhelmed. I read from his translations, to prevent any suspicions being excited in the minds of any present, of partiality. Overwhelmed contains the idea of immersion so strikingly, that it will

point directly to the literal meaning of *baptizo*, viz: *to immerse*.

Q.—Do the words that are used to denote wash in your language, for instance, *lavo*, *nipito* and *pluno*, belong to this family of words?

A.—No sir. They belong to another family.

#### JEWISH USE OF THE WORD BAPTIZO.

Mr. JOSEPHUS was called and qualified.

Q. C. Pro.—Did you live in the days of the Apostles?

A.—Yes sir.

Q.—Did you write the history of the Jews, in the Greek language?

A.—Yes sir.

Q.—What act was signified by the word *baptizo* and its cognates, at the time in which you wrote?

A.—It was used to denote the act of immersion. The following places in my work will justify my answer:

Ant. ix. 10, speaking of the ship in which Jonah was, I say: “the ship being about to sink, (*baptizesthai*.”) In the history of my own life, speaking of a voyage to Rome, during which the ship that carried me foundered in the Adriatic, I say: “Our ship being immersed, or sinking, (*baptisthentos*) in the midst of the Adriatic.” Speaking of Aristobulus as having been drowned by command of Herod, Bell. Jud. I, I say: “The boy was sent to Jericho, and there, agreeably to command, being immersed in a pond (*baptizomenos*,) he perished.” Bell. Jud. II, “As they (the sailors) swam away from a sinking (*baptizomenees*) ship.” Bell. Jud. III, “The

wave being raised very high, overwhelmed or immersed (ebaptise) them.”

Speaking of the purification from defilement by a dead body, I say: “And having dipped (baptized) some of the ashes into spring water, they sprinkled,” &c.

Describing the death of one Simon by his own hands, I say: “He baptized, or plunged his sword up to the hilt, into his own bowels,” p. 752.

Again: “They were baptized, or sunk, with the ships themselves.” p. 792.

Q.—Did you ever use *baptizo* and its family, for sprinkle or pour?

A.—No sir. They belong to two different families, therefore they are not synonymous or convertible.

Q. C. Pri.—Did you ever use this word to denote a religious washing?

A.—Yes sir, in the case of John the Baptist.—*Josep.* p. 367.

Q.—Does not the passage in Numbers, 19 c. 17, (“And for an unclean person they shall take of the ashes of the burnt heifer of purification for sin, and running water shall be put thereto in a vessel:”) teach that the water was applied to the ashes? If so, do you in that place, where you describe the mode of preparation, apply the word *baptize* to denote this mode of application?

A.—No sir. The passage in the Scriptures directs the water to be applied to the ashes. I describe a manner of preparation by another mode, by dipping the ashes into water.

## TESTIMONY OF LEXICONS AS TO THE MEANING OF BAPTIZO.

Mr. LEXICON was called and qualified.

Q. C. Pro.—Please, sir, give us your knowledge of *baptizo* and its family.

A.—I shall do it cheerfully, by reading from among the most eminent men in our brotherhood:

Scapula, a foreign lexicographer, of 1579. Of *baptizo*—“To dip, to immerse; also submerge or overwhelm, to wash, to cleanse.”

Henricus Stephanus, of 1572. *Bapto* and *baptizo*—“To dip or immerse, as we dip things for the purpose of dyeing them, or immerse them in water.”

Thesaurus of Robertson, edition 1676, defines *baptizo* “to immerse, to wash.”

Schleusner, 1. “Properly it signifies, I immerse, I dip, I immerse in water. 2d. It signifies, I wash or cleanse by water—because for the most part, a thing must be dipped or plunged in water that it may be washed.”

Pasor, *bapto* et *baptizo*. “To dip, to immerse, to dye; because it is done by immersing. It differs from *dunai*, which means to sink to the bottom, and to be thoroughly submerged.”—Ed. 1650.

Donegan, *baptizo*—“To immerse repeatedly into a liquid, to submerge, to sink thoroughly, to saturate; metaphorically, to drench with wine, to dip in a vessel. *Baptismos*—immersion, submersion, the act of washing or bathing.”

Rev. Dr. John Jones of England—*baptizo*—“I plunge, I plunge in water, dip, baptize, bury, overwhelm.”

Bretschneider, said to be the most critical lexicographer of the New Testament, affirms: "That an entire immersion belongs to the nature of baptism." "This is the meaning of the word; for in *baptizo* is contained the idea of a complete immersion under water, at least so is *baptisma* in the New Testament. In the New Testament *baptizo* is not used, unless concerning the sacred and solemn submersion which the Jews used, that they might oblige an individual to an amendment of life. In the New Testament, without any adjunct, it means: 'I baptize in water in the solemn rite,' (as the Latin Fathers use it.) Actively, I baptize one, passively, I am immersed into water in the solemn ordinance—I am initiated by baptism, Matt. 3, 16; Mark 1, 4; Rom. 6, 2. *Baptisma*, immersion, submersion. In N. T. it is used only concerning the sacred submersion, which the Fathers call baptism. It is used concerning John's baptism."

Bass, an English lexicographer for the New Testament, gives *baptizo* "to dip, immerse, plunge in water, to bathe one's self, to be immersed in sufferings or afflictions."

Stokius, on the New Testament, deposes as follows: "Generally, it obtains the sense of dipping or immersing, without respect to water or any liquid whatever. 2d. Specially, and in its proper signification, it signifies to dip or immerse in water. This is the New Testament sense. 3d. Tropically, and by a metalepsis, it means to wash, to cleanse, because a thing is usually dipped or immersed in water that it may be washed, that it may be cleansed."—See, as above, in Campbell's and Rice's *Debate*, pp. 58-59.

Pickering, *Baptisma*—"immersion, dipping, plunging, metaphorically, misery or calamity, with which one is overwhelmed."

Constantinus, *Baptismos*, baptism—"The act of dyeing, that is of plunging."—Ed. 1592.

Schoettgenus, *Baptizo*, from *Bapto*, properly—"To plunge, to immerse; to cleanse, to wash."—*Lex.* in N. T. 1765.

Alstedius, "*Baptizein*, to baptize, signifies only to immerse, not to wash, except by consequence."—Chap. xii. p. 221.

Mr. Wilson, "To baptize, to dip into water, or to plunge one into the water."—*Chris. Dict.* Ed. 1678.

Mr. Baily, "Baptism, in strictness of speech, is that kind of ablution, or washing, which consists in dipping; and when applied to the Christian institution, so called, it was used by the primitive Christians in no other sense than that of dipping, as the learned Grotius and Casaubon well observe. But as new customs introduced new signification of words, in process of time it admitted the idea of sprinkling, as in case of clinical baptism."

Q.—Can there be a Lexicon found, that says *baptizo* signifies to sprinkle or pour, for 1800 years from the commencement of the Christian era?

A.—None, as far as I know.

Q. C. Pris.—The most of the authorities you have read, give to this family of words wash, cleanse, &c., as definitions, do they not?

A.—Yes sir—and you must have noted that some of them assign the reason, because it is done by dipping.

Q.—You are aware that words may have different meanings; when this is so, connection must determine the meaning?

A.—That is true.

Q.—*Baptizo*, as employed by the Greeks, was used not in reference to religious washings, but to the common occurrences of life?

A.—That is so.

Q.—Were not those authorities which you have read, that give to *baptizo* other meanings besides dip or immerse, as capable as any others in your family to ascertain its meanings?

A.—Yes sir; but they do not sustain these definitions by authorities from the language.

Q.—Is not this word used by the Jews, to denote their religious washings?

A.—Yes sir; but they used a number of other words.

Q.—May not the Jews have attached a distinct meaning to this word, different from that of the Greeks?

A.—Yes sir; but those Lexicons of the New Testament, which we have read, seemed to think differently.

Q.—Have not some of them given several meanings to the word *baptizo*?

A.—Yes sir.

Q.—Do you not know that this word was generic in its character among the Jews?

A.—We have not judged so from its use, and the practice of the church under it.

Q.—Have not the largest number of you, with a host of other men of equal learning, practiced with the Prisoner, sprinkling and pouring, as Christian baptism ?

A.—Yes sir.

Q. C. Pro.—Are you not practically PEDOBAPTISTS ?

A.—Yes sir.

Q.—Does this not account for you, or some of you, giving the effects of dipping, as subordinate meaning to the word *baptizo*, without authority from the language ?

A.—We are all of one mind as to the *literal* meaning of the word being to *dip*. The other meanings may be the *effects* of the action—as some of the authorities read, say “figurative meanings.”

Q.—Are there not in the Greek language words to denote wash, pour, sprinkle, cleanse, purify, &c. ?

A.—Yes sir. *Louo, cheo, rano, katharizo, &c.*

Q.—Are they not all found in the New Testament ?

A.—Yes sir.

#### TRANSLATION OF BAPTIZO IN ORIENTAL VERSIONS.

Mr. TRANSLATOR was called and qualified.

Q. C. Pro.—Please, sir, give us a brief account of the use of *baptizo*, in ancient and modern oriental versions of the Scripture, with the authorities to determine the meaning of the words substituted for *baptizo* ?

A.—I will give you as brief an answer to your question as I can. You will permit me to read my answer from the Appendix to *Professor Stuart on Baptism*—published by Graves and Marks, Nashville, p. 245.



SYRIAC.—“The old Syriac, or Peshito, is acknowledged to be the most ancient, as well as one of the most accurate versions of the New Testament extant. It was made at least as early as the beginning of the second century, in the very country where the Apostles lived and wrote, and where both the Syriac and the Greek were constantly used and perfectly understood. Of course it was executed by those who understood and spoke both languages precisely as the sacred writers themselves understood and spoke them. Michaelis, whose competency to judge of its merits, will not be disputed, pronounced it to be very best translation of the Greek Testament, which he ever read. This version renders *baptizo* and its derivatives uniformly by *amad*, and its corresponding derivatives. All authorities agree in assigning to this word, the primary and leading signification of *immersion*.—Prof. Stuart, so far as I know, is the first who ever suggested a doubt of this meaning. ‘The Syriac,’ he observes, ‘has a word, *tzeva*, like the Chaldee *tzeva*, and the corresponding, Hebrew *tava*, which means to *plunge, dip, immerse*, etc. Why should it employ the word *amad*, then, in order to render *baptizo*? In the Old Testament it is employed in the like sense, only in Numbers 31: 23. There is no analogy of kindred languages to support the sense in question of the Syriac *amad*. The Hebrew, Chaldee and Arabic all agree in assigning to the same word the sense of the Latin *stare, perstare, fulcire, roborare*. It is hardly credible, that the Syriac word could vary so much from all these languages; as properly to mean *immerse, dip*, etc. We come almost

necessarily to the conclusion, then, inasmuch as the Syriac has an appropriate word which signifies to *dip, plunge, immerse*, (*tzeva*,) and yet it is never employed in the Peshito, that the translator did not deem it important to designate any particular mode of baptism, but only to designate the rite by a term which evidently appears to mean *confirm, establish*, etc. Baptism, then, in the language of the Peshito, is *the rite of confirmation* simply, while the manner of this is apparently left without being at all expressed.'

"1. I would observe, in reply to this," says the author of the Appendix, "that it is contrary to the canons of criticism, to make the meaning of the Syriac word entirely dependent on the usage of the kindred languages, even though these several words were proved to be identical. Michaelis, however, in his Syriac Lexicon, under the word *amad*, remarks that, in his opinion, it is evidently derived, not from the Hebrew *amad*, to *stand*, but from the Arabic *ghamat*, to *submerge*. The signification to *stand*, he says he does not find at all in the Syriac, unless it be contained in the derivate, *amud*, a *pillar*; which usually occurs in the phrase, 'a pillar of cloud,' or 'a pillar of fire.'

"2. Though the Syrians had a score of words signifying immersion, it would not follow that *amad* has not a similar meaning. The Greeks have several words to express this act, as *bapto, baptizo, dupto*, etc., of which *baptizo* alone is used to designate the rite of baptism; and yet Prof. Stuart admits that *baptizo* signifies immersion. But *amad*, though the Peshito happens to employ

it exclusively, is not the only word used in the Syriac to translate *baptizo*. The very word (*tzeva*) which Professor Stuart mentions as properly signifying immersion, is often used to designate the ordinance of baptism. Professor Stuart, with Michaelis in his hands, cannot be ignorant of this. See Mich. Lex. Syr., under the word, and authorities there referred to.

“3. The assertion that *amad* evidently appears to mean *confirm, establish*, etc., is entirely gratuitous. Where is the evidence of this meaning? Is it in usage? Not in the usage of the New Testament, surely. It is not credible that Prof. Stuart, upon mature reflection, would be willing to read, Luke 11: 38. ‘And when the Pharisee saw it, he marvelled that he (Jesus) had not first *confirmed himself* (*amad*) before dinner.’ Mark 7: 4. ‘And when they come from the market, except they *confirm themselves*, (*amadin*,) they eat not. And many other things there be, which they have received to hold; as the *confirmation*, (*maamuditha*) of cups and pots, and brazen vessels, and tables,’ &c. Such an interpretation, if it does not make nonsense of these (and other) passages, is an entire perversion of their meaning \* \* \*. The idea of ‘confirmation,’ or ‘establishment’ is introduced in the New Testament some scores of times, but never in a single instance is it expressed by *amad*. The word does not occur in this sense in the Old Testament, nor indeed in any author whatever. Is any evidence of this meaning to be derived from the Lexicons? Not one of them acknowledges it. Castell defines the word *ablutus est, baptizatus est, immersit*: to bathe, baptize, immerse—

See Castel. Lex. Heptaglot, sub. *vc.* London, 1669. Michaelis defines it, *ablutus est, baptizatus est, immersit: to bathe, baptize, immerse*; and adds, as has been observed, that it comes from the Arabic *ghamat*, to *immerge*.—See Mich. Lex. sub. *vc.* Gottingen, 1788. Schaaf defines it *ablutus se, ablutus, intinctus, immersus in aquam, baptizatus est: to bathe one's self, to bathe, dip, immerse into water, baptize*.—See Schaaf Lex. Syr. sub. *vc.* Lyons 1708. Guido Fabricius defines it *baptizavit, intinxit, lavit: to baptize, dip, bathe*.—See Lex. Syro. Chal. accompanying the Autwerp Polyglot, sub. *vc.* Antwerp, 1592. Schindler assigns *baptizatus, in aquam immersus, tinctus, lotus fuit: to baptize, immerse into water, dip, bathe*.—See Schind. Lex. Panteglot, sub. *vc.*, Hanover, 1612. Buxtorf gives *baptizari, intingi, abluī, abluere se: to baptize, dip, bathe one's self*.—See Buxtorf Lex. Chal. est Syr. Basle, 1622. Beza, after remarking that *baptizo* properly means to *immerse*, and never to wash, except as a consequence of immersion, says: ‘*Nor does the signification of amad, which the Syrians use for baptize, differ at all from this.*’—See Beza Annot, Mark 7, 4.

“Against this array of authorities, I apprehend it will require something more than mere conjecture to set aside the established and acknowledged meaning of this word.

“ETHIOPIC, OR ABYSSINIAN.—It is generally agreed that the ancient Abyssinian version in the Gheez, or dialect appropriated to religion, should be dated as early as the introduction of Christianity into that empire; that is, rather earlier than the middle of the fourth century.

This version translates *baptizo* by *tamak*, which Castell says agrees (*convenit cum*) in signification with *tava*; and this he defines, *immersus, demersus, submersus, fixus, infixus fuit*; *to immerge, demerge, submerge, fix, infix*.

“AMHARIC.—The version in the Amharic or common dialect of Ethiopia, renders *baptizo* by the same word as the ancient Ethiopic, or Gheez. The Amharic version, published by the British and Foreign Bible Society, in 1822, was made by Mr. Abraham, a learned Ethiopian, under the superintendence of M. Asselin, the French Vice Consul at Cairo.

“ARMENIAN, ANCIENT.—The ancient Armenian version is universally ascribed to *Miesrob*, the inventor of the Armenian alphabet, and to the patriarch Isaac, at the end of the fourth, or early in the fifth century.—See *Horne's Introduction*, vol. ii. p. 208. This version translates *baptizo* uniformly by *Mugurdel*, which is also employed in 2d Kings, 5, 14, where Naaman is said to have *dipped* himself in the Jordan. This word, according to Father Pascal Aucher, signifies ‘to baptize; to wash by plunging into water;’ and it is applied to both persons and things.—See *Dictionary of Armenian and English*, by Father Pascal Aucher, D. D., Venice, 1825. Also, *Dictionary of the Armenian language* by Mekitar Vartabed, Venice, 1749.

ARMENIAN, MODERN.—The modern Armenian version employs the same word as the ancient Armenian in translating *baptizo*, and its derivatives. The Russian Bible Society, and the British and Foreign Bible Society,

have printed and circulated editions of both the ancient and modern Armenian Scriptures.

“GEORGIAN.—The Georgian version, which, according to the tradition of the Greek Church, was originally made in the eighth century, by Euphemius, the Georgian, and founder of the Ibirian or Georgian Monastery, at Mount Athos, employs the word *nathlistemad*, as a translation of *baptizo*. For the meaning of this word, I have no access to the appropriate Lexicons, but would refer the reader to the authority of the learned Mr. Robert Robinson, who states that *all* the ancient eastern versions render the Greek word *baptizo* in the sense of dipping. See *Rob. Hist. Bap.* p. 7, London, 1790.

“COPTIC.—The Coptic was the ancient dialect of Lower Egypt. The Coptic version has been supposed by some to have been executed in the second century. This, however, is not certain. This version translates *baptizo* by *tomas*. For the meaning of this word, the reader is referred to the authority of Mr. Robinson, as above, and also to that of the Baptist Mission Committee, who, in a recent official document addressed to the committee of the British and Foreign Bible Society, and relating to the subject of translations, expressly mention the Coptic as rendering *baptizo* in the sense of immersion.—See *Annual Report* of the English Bap. Miss. Society, for 1844, p. 32.

“SAHIDIC.—The Sahidic version, or that in the dialect of Upper Egypt, appears from the arguments adduced by Dr. Woide, to have been executed at the beginning of the second century. It is unquestionably one of the

oldest versions in existence. This version I have not seen. For the manner in which it renders *baptizo*, the reader is referred to the authority of Mr. Robinson, as above.

“ARABIC.—There are several versions of the Arabic New Testament, supposed to have been principally executed between the seventh and the eighth centuries, after this language had supplanted the Syriac and Egyptian. The Arabic versions render *baptizo* usually by *amad*, *tzabag*, or *gatas*. ‘Amad,’ according to Schindler, ‘signifies the same in Arabic as in Syriac, *baptizatus*, in aquam immersus, tinctus, lotus fuit:’ to *baptize*, *immerse into water*, *dip*, *bathe*; Castell, ‘ut Syr. *baptizavit*,’ the same as the Syriac: to *baptize*; Schaaf, ‘*tinxit, baptizavit*:’ to *dip*, to *baptize*. ‘Tzabag,’ according to Castell, is ‘*tinxit panem, imbuet*, (Isa. 63, 4,) *immersit manum in aquam, baptizavit* (per immersionem:) to *dip* as bread in sauce, to *dye*, to *immerse* as the hand into water, to *baptize* by immersion.’ ‘Gatas,’ according to Schindler, is ‘*natavit, urinavit, mersit, submersit, immersit sub aquam, baptizavit*:’ to *swim*, to *dive*, *plunge*, *submerge*, *immerse under water*, *baptize*.

“PERSIAN.—The Persian translations of the New Testament are all quite modern. The Persian designates the ordinance of baptism by *shastanah*, *ghushl*, and the derivative of *amad*. The two former express *ablution*; the last has the same meaning in the Persian as in the Arabic.

“TURKISH.—A Turkish version of the New Testament, by Dr. Lazarus Seaman, was published at Oxford, in

1666, and in the same year a translation of the whole Bible into the Turkish language was completed by Albertus Boboosky, interpreter to the Porte. This manuscript remained at Leyden unpublished, till Dr. Pinkerton, having ascertained its value, recommended it to the British and Foreign Bible Society, at whose expense the New Testament was published in 1819. This version designates the act of baptism by the derivative of *amad*, the same word that is used in the Arabic and Persian, and expressing the same sense."

The witness said he had read sufficient from the Appendix of *Stuart on Baptism*, in relation to Eastern translations of the Scriptures, to show the mind of the translators concerning the import of *baptizo*.

TRANSLATION OF BAPTIZO IN WESTERN VERSIONS.

Q.—Please give us a short account of the Ancient and Modern Western versions, except the English.

A.—“LATIN.—Numerous translations of the Scriptures were made into the Latin language, at the first introduction of Christianity, while the Greek was yet perfectly understood, although it was being gradually supplanted as a general language. The most important of these, and the one which appears to have acquired a more extensive circulation than the rest, was usually known by the name of the *Itala*, or old Italic, and was unquestionably executed in the early part of the second century. This version adopts the Greek word *baptizo*. Let it be remarked, however, that the Greek, although



the Latin was gradually supplanting it, was at this time understood and used as a general language over Italy, Persia, Syria and Egypt, and indeed throughout almost the whole world. Add to this, that the earliest ecclesiastical writers, and perhaps the very authors of this version, were of Greek origin. Under these circumstances, it cannot be thought surprising that this word should have passed from one language into the other. Its meaning, however, was as definitely settled and as well understood in Latin as in Greek usage; and the construction that they employed shows most conclusively that it was accepted in the sense of immersion \* \* \* \*. Almost all the Latin interpreters, whether Catholic or Protestant, have followed the earlier translators in the adoption of the Greek word. Some of the most recent and best, however, translate *baptizo* by an appropriate Latin word. Jaspiz, an eminent German scholar and critic, in his version of the epistles, renders it either by immerge, to *immerse*, tingo, to *dip*, or some equivalent expression. Prof. H. A. Schott, in his critical edition of the Greek Testament, accompanied with a Latin translation, renders the word in all cases by *immergo*, whether relating to the Christian rite or not.

“GOTHIC.—The Gothic version was made from the Greek, about the middle of the fourth century. This version, as far as appears, renders *baptizo* in all cases by *daupyan*, to *dip*. Cases not relating to the Christian rite, exhibit the same principle. Thus, Marc. 7: 4, is rendered: ‘And when they came from market, *ni daupyand*, unless they *dip* they eat not; and many other

things there be, which they have received to hold, as *daupeinins*, the *dippings* of cups and pots,' &c.

GERMAN.—Luther's inestimable and much admired translation was published in detached portions at various intervals, from 1522 to 1532. The Catholic versions, by Detemberger and Emser, appeared soon after that of Luther, and in 1630, that by Casper Ulenburg. All these versions translate *baptizo* by *taufen*, a dialectical variation of the Gothic *daupyan*, and signifying to immerse.

“GERMAN SWISS.—The versions in this language translate *baptizo* by *taufen*, signifying to immerse.

“BELGIAN.—The Belgian versions translate *baptizo* by *doopen*, which is a dialectical form of the word *taufen*, and signifies to *dip*.

“DANISH.—The earliest Danish version was made from the Latin vulgate. The next was executed from Luther's German version. The Danish translate *baptizo* by *dobe*, which is a dialectical form of the Goth. *daupyan*, and the German, *taufen*, and signifies to *dip*.

“SWEDISH.—This version was originally made from Luther's German translation. The Swedish renders *baptizo* by *dopa*, a dialectical variation of lobe, and signifying to *dip*.

“WELSH.—The Welsh translation of the New Testament was originally made by order of Parliament, and first published in 1567. The Welsh translates *baptizo* by *bedyddio*, to *immerse*. This signification is sustained by Edward Lhuyd, A. M., a learned Welshman. His language is: ‘*Bedydd*, the Welsh word for baptism, is derived from *suddiant*, a British word, which is well

known to signify dipping or immersion, and the verb of which is *soddi* or *suddo*." See Article *Baptisma*, in Lhuyd's Arch. Brit.

"SCLAVONIAN.—The Slavonian or old Russian translation of the New Testament, was made from the original Greek in the ninth century. The Russians, being a branch of the Greek church, practice immersion in all ordinary cases; but the ceremony of making the sign of the cross upon the candidate in connection with immersion, had come to be regarded in the time of Cyril and Methodius, as the more important ceremony of the two, and absolutely essential to the ordinance.—Their version, therefore, does not in fact translate *baptizo* at all, but substitutes the term *krestit*, to cross."

These authorities (said the witness) are a sufficient answer to your question.

#### THE ENGLISH TRANSLATION.

Q.—How often do you find *baptizo* in the Greek Scriptures, transferred or translated in the English translation?

A.—There are more than a hundred instances, in which the verb *baptizo* and the noun *baptismos* occurs.

Q.—Why did you not translate *baptizo*, when the ordinance of Christian Baptism was named or spoken of?

A.—We were ordered by King James to retain the old ecclesiastical words, of which baptism was one.—*Hist. Eng. Tran.* p. 317.

Q.—Does not *baptizo* occur in the Greek translation of the Old Testament, and have you not rendered it "dipped" in our version, (2 Kings, 5 : 14,) where it says:

“Naaman went down and *dipped* himself (ebaptisato) seven times in Jordan?” Why did you not so render it in the New Testament?

A.—Instructions from the King and our practice forbade it.

Q.—Did not Professor Stuart translate the only two occurrences of the word in the Old Testament?

A.—Yes sir. The first by “plunged” in 2 Kings 5: 14; the second by “overwhelmed,” as its figurative meaning in Isa. 21: 4.—*Stuart on Bap.* p. 11.

Q.—Did you ever translate *baptizo* by sprinkle or pour, for 1800 years from the commencement of the Christian era?

A.—*Not in a solitary instance.*

Q. C. Pri.—Did not Dr. Rice, in his debate on baptism with A. Campbell, prove that the Authors of the Peshito Syriac version, did translate *bebammenon*, a passive participle of *bapto*, in Rev. 19: 13, by “*sprinkled with blood?*”

A.—I had understood the only question to be testified to at this time, was, how *baptizo* was translated and not *bapto*. My answer is still well founded, that there was no translation of *baptizo* by sprinkle or pour for eighteen hundred years; and it is also true of the Peshito Syriac translation; for in that translation you will find no book of Revelation. This fact is supported by the following PEDOBAPTIST authorities;

Bp. Horne: “For the Apocalypse was not translated into Syriac until the middle of the sixth century.”—*Intro. Stud. Scrip.* vol. 4, p. 483.

Dr. A. Clark: “The second and third of John are

wanting, the second of Peter, and the epistle of Jude, and the Revelation. None of these are acknowledged by any copy of the ancient Syriac version. This version (Peshito) was made probably between the second and third centuries."—*Intro. N. T.*, p. 10.

Professors Storr and Flatt: "The Revelation of St. John is wanting in the Peshito or old Syriac version."—*Bib. Theol.* p. 68.

Professor Schmucker: "It, (Peshito,) however, does not embrace all the books of the New Testament, but contains only the four Gospels, the Acts of the Apostles, all the epistles of St. Paul, the first epistle of St. John and St. Peter, and the epistle of St. James."

Q.—Why was not this statement of the case made to Dr. Rice at the time?

A.—I cannot tell.

Q.—Did not Jerome translate *baptizo* by *wash*?

A.—In one solitary instance, to be found in the Latin Vulgate.—2 Kings, 5 14.

Q.—Have you not, in the English translation, given *wash* where *baptizo* is found in the Septuagint?

A.—In the following places, Judith 12: 7. Sirach 31: 25. Mark 7: 3, 4. Luke 11: 38. Heb. 9: 10.

Q. C. Pro.—Does *wash* belong to the family of *baptizo*?

A.—No sir—It belongs to a different family of words.

Q.—Does the use of *baptize* and *wash*, in the language, make them convertible?

A.—I know of no such authority.

Q.—Why did you, in the cases named, translate *baptizo* by *wash*?

A.—We were practically opposed to immersion.

Q.—Is *baptizo* any where in the Scriptures used, when *wash* is commanded ?

A.—No where. The words used are *luou*, *nipto*, and *pluno*.

Q.—Were not the English translators the particular friends of the Prisoner, and did they not do all they could, consistently with their duty as translators, to clear him of the charge we have preferred against him ?

A.—His conviction will implicate them for a want of loyalty to the Constitution of the country. In this fact, may be found the reason of their conduct.

#### PROSELYTE BAPTISM.

The Counsel for the prosecution said he would now offer a few witnesses to show how the Jews understood Baptism, when they used it for introducing proselytes into their communion :

Professor Stuart : “ The baptism of proselytes, among the Jews, was by *immersion*. To cite authorities to this purpose is needless. They may be seen in Lightfoot, Hor. Heb. p. 269 ; in Danz. (Meuchen Nov. Test. etc.,) p. 283,”—*Stuart Bap.* p. 142.

Bp. Horne : “ The Jews had two sorts of washing ; one—of the whole body, by immersion, which was used by the priests at their consecration, and by the proselytes at their initiation.”—*Hor's Intro.* p. 335.

Professor Hill : “ We apply the word ordinances or sacraments to baptism and the Lord's Supper ; the first, a rite borrowed from the Jewish custom of *plunging*

into water the proselytes from heathenism to the law of Moses."—*Hill's Divinity*, p. 186.

Mr. Marchant: "The form of baptism among the Jews was *plunging* the whole body under water."—*Booth*, p. 248.

Dr. Lightfoot: "The baptism of John was by plunging the body, (after the same manner as the washing of unclean persons, and the baptism of proselytes.)"—*Clark's Com.* Mark 16th.

Dr. A. Clark: "But as the Jewish custom required the persons to stand in the water, and having been instructed and entered into covenant to renounce all idolatry, and take the God of Israel for their God, then *plunge themselves under the water.*"—*Com.* John 3: 23.

Bp. Hoadly: "Proselytes, (in baptism) were first covered with water, and in a state, as it were, of death and inactivity; and then arose out of it into a sort of a new state of life and action."—*Booth*, p. 170.

Dr. Brown: "To instruct them (proselytes) in the nature of baptism, and to see that it was legally performed: for their tradition required that they should be dipped completely in a confluence of water, or in a vessel."—*Brown's Antiquities of the Jews*, p. 629.

The counsel said he would next offer a class of witnesses, whose independent testimony would confirm that of the former witnesses.

#### INDEPENDENT WITNESSES.

Dr. Charles Anthon, (of Columbia College, New York,) was called and qualified.

Q. C. Pro.—Let us hear from you on the meaning of *baptizo*?

A.—The primary meaning of the word (*baptizo*) is, to dip or immerse, and its secondary meaning, if it ever had any, all refers, in some way or other, to this leading idea; sprinkling, &c., are entirely out of the question.”—*Intro. Stuart, on Bap.*, p. 7.

Witsius, (a very learned and eminent divine of North Holland.) “It cannot be denied, that the native signification of the word *baptein* and *baptizein*, is to plunge, to dip. So that it is, doubtless, more than *epipolazein*, which is to swim lightly on the surface; but less than *dunein*, which is to go down to the bottom and be destroyed.”—*Booth*, p. 44.

Salmasius, (an eminent French scholar.) “Baptism is immersion, and was administered in ancient times, according to the force and meaning of the word. Now it is only *rhantism*, or sprinkling, not *immersion*, or dipping.”—*Ibid.*

Mr. Selden: “In England, of late years, I ever thought the parson baptized his own fingers, rather than the child.”—*Ibid.*

Vitringa: “The act of baptizing, is the immersion of believers in water.” This expresses the force of the word. Thus also it was performed by Christ and his apostles.”—*Ibid*, 47.

Trommius: “*Baptizo*, to baptize; to immerse, to dip.”—*Ibid*, p. 62.

Grotius: (an eminent scholar of Holland.) “Buried with him by baptism. Not only the word *baptism*, but



the very *form* of it intimates this. For an immersion of the whole body in water, so that it is no longer beheld, bears an image of that burial which is given to the dead.—So Col. ii. 12. There was in baptism, as administered in former times, an image both of a burial and of a resurrection, which, in respect of Christ, was external; in regard to Christians, internal—Rom. 6: 4.” *Booth*, p. 156.

Dr. Porson: “Not long before the death of Professor Porson, I went,” states Dr. Newman, “in company with a much respected friend, to see the celebrated scholar at the London Institution. I inquired whether, in his opinion, *baptizo* must be considered equal to *bapto*, which, he said, was to tinge, as dyers. He replied to this effect: That if there be a difference, he should take the former to be the strongest. He fully assured me that it signified a *total immersion*.”—*Carson*, p. 20.

Richardson: (a learned English Lexicographer.) “He defines the word ‘to dip or merge frequently, to sink, to plunge, to immerse.’”—*Debate C. and R.*, p. 173.

“Dr. Johnson argued in defence of some of the peculiar tenets of the Church of Rome. As to giving the bread only to the laity, he said, ‘they may think that in what is merely ritual, deviations from the primitive mode may be admitted on the ground of convenience; and I think they are as well warranted to make this alteration as we are to substitute *sprinkling* in the room of the *ancient baptism*.’”—*Boswell*.

Sir Peter King: “To me it seems evident, that their (the Primitive Christians) usual custom was to immerse

or dip the whole body.”—*Constitu. Prim. Church*, part II. Chap. IV.

GERMAN WITNESSES.

The Counsel for the Plaintiff next called the name of MARTIN LUTHER. All eyes were immediately directed to the spot, where the venerable Reformer would emerge from the crowd and be open to the observation of all. Quite an excitement was created when he made his appearance on the witness stand. He looked as bold and daring as he did when he stood before his enemies at the Diet held at Worms. After being qualified, the examination commenced.

Q. C. Pro.—We wish you to give your knowledge of the meaning of *baptizo*, and its use when applied to the institution of Christian Baptism.

A.—“Baptism is a Greek word, and may be translated immerse, as when we immerse something in water, that it may be wholly covered. And although it is almost wholly abolished, (for they do not *dip* the whole children, but pour a little water on them,) they ought, nevertheless, to be wholly immersed and immediately drawn out, for that the etymology of the word seems to demand.” “The Germans call baptism *tauff*, from depth, which in their language they call *teeff*, because it is proper that those who are baptized be deeply immersed.” In the Smalcold articles, (drawn up by him,) “Baptism is nothing else than the word of God with immersion in water.” Again—“Washing from sins is attributed to baptism; it is truly, indeed, attributed, but the signifi-

cation is softer and slower than it can express baptism, which is rather a sign both of death and resurrection. Being moved by this reason, I would have those who are to be baptized, to be altogether dipt into water, as the word doth sound and the mystery doth signify."—Luth. Op. vol. 1, p. 336.—*Hinton*, p. 52.

Q.—Did you not, in a letter called for by John Fritz and other ministers, seeking your judgment about sprinkling being used as baptism at Hamburgh, declare it to be an abuse of baptism?

A.—Yes sir. Crosby's *His. of the Bap.* p. 21.—*Ibid.*

Q.—Did you not wish to restore immersion to baptism?

A.—Yes sir. *Opp. Lip.* 1792, vol. 17, pp. 272, 536.—*Storr & Flatt*, p. 514.

Q. C. Pri.—You are aware that the Lutheran Church follows the practice of the Prisoner. Is she not keeping the spirit of the law?

A.—She is of age, and is able to answer for herself.

Q.—Did you not consider sprinkling and pouring in baptism valid?

A.—I did, under the circumstances.

Q. C. Pro.—Will you please to give some German authorities in confirmation of your position on the action of Christian Baptism?

A.—The following will answer all you desire:

Melancthon: "Baptism is an entire action, to wit: a dipping and pronouncing these words, I baptize thee," &c.—*Remington on Bap.* p. 8.

Buddeus: "The words *baptizein* and *baptismos*, are

not to be interpreted of aspersion, but always of immersion."—Theol. Dog. L. V. C. *Booth*, p. 45.

Zanchius: (Professor of Divinity at Heidleburg.) "The proper signification of *baptizo* is to immerse, plunge under, to overwhelm in water." Mr. de Courcy tells us the opinion of Zanchius is worth a thousand others.—*Booth*, p. 48.

Professor Fritsche, a disciple of Herman, in his Com. on Matt. 3: 6, says: "That baptism was performed not by sprinkling, but by immersion, is evident, not only from the nature of the word, but from Rom. 6: 4."—*Hinton*, p. 55.

Augusti, vol. V. p. 5: "The word baptism, according to etymology and usage, signifies to immerse, submerge, &c.; and the choice of the expression betrays an age in which the latter custom of sprinkling had not been introduced."—*Ibid.*

Brenner, p. 1: "The word corresponds in signification with the German word, *taufen*, to sink into the deep."—*Ibid.*

Bretschneider, in his Theology of 1828, vol. ii. pp. 673 and 681. "An entire immersion belongs to the nature of baptism. This is the meaning of the word."—*Ibid.*

Paullus, in his Com. vol. i, p. 278, says: "The word baptize signifies, in Greek, sometimes to immerse, sometimes to submerge."—*Ibid.*

Rheinhard's Ethics, vol. V. p. 79. "In sprinkling, the symbolical meaning of the ordinance is wholly lost."—*Ibid.*

Schleusner, in his *Lex. on baptisma*: "Those who were to be baptized were anciently *immersed*." Indeed, the three New Testament lexicographers, Schleusner, Wahl and Bretschneider, *limit* baptism as a sacred ordinance to immersion.—*Ibid*, p. 56.

Sholz, on Matt. iii. 6: "Baptism consists in the immersion of the whole body in water."—*Ibid*.

Professor Lange, on Infant Baptism. of 1834, p. 81: "Baptism in the apostolic age was a proper baptism—the immersion of the body in water."—"As Christ died, so we die (to sin)<sup>o</sup> with him in baptism. The body is, as it were, buried under water, is dead with Christ; the plunging under water represents death, and rising out of it the resurrection to a new life. A more striking symbol could not be chosen."—*Ibid*.

The author of the *Free Inquiry on Baptism*, p. 36, says: "The baptism of John and that of the apostles were performed in precisely the same way," *i. e.*, the *candidate was completely immersed under water*. Speaking of Rom. 6: 4, and Gal. 3: 27, he says: "What becomes of all these beautiful images, when, as at the present day, baptism is administered by pouring or sprinkling?"—*Ibid*.

Rosenmuller, Koppe and Bloomfield, all hold the same strong language on this subject. We will quote only the last, as he includes the others. In his *Critical Digest* on Rom. 6: 4, he says: "There is here plainly a reference to the ancient mode of baptism by immersion; and I agree with Kopp and Rosenmuller, that there is reason to regret it should have been abandoned in most Christian

churches, especially, as it has so evidently a reference to the mystic sense of baptism.”—*Ibid*, p. 57.

Storr and Flatt, in their Biblical Theology, p. 513, say: “The disciples of our Lord could understand his command in no other manner, than enjoining immersion; for the baptism of John, to which Jesus himself submitted, and also the earlier baptism (John 4: 1) of the disciples of Jesus, were performed by dipping the subjects into cold water; as is evident from the following passages: Matt. 3: 6, John 3: 23. And that they actually did understand it so, is proved, partly by those passages of the New Testament, which allude to immersion—and partly from the fact, that immersion was so customary in the ancient church.”

Neander, in his letter to Mr. Judd, says: “As to your question on the original rite of baptism, there *can be no doubt whatever* that in primitive times it was performed by immersion, to signify a complete immersion into the new principle of the divine life which was to be imparted by the Messiah.”—*Hinton*, p. 57.

Q. C. Pri.—Did you not consider the practice of the Germans, to be valid baptism?

A.—Yes sir, for the alteration had taken place in the action of baptism long before our day.

#### PRESBYTERIAN WITNESSES.

The Counsel for the Commonwealth next arose and said he would offer his second class of PEDOBAPTIST witnesses, known as Presbyterians.

JOHN CALVIN was called and qualified.

Q. C. Pro.—Will you please to inform us what is the meaning of *baptizo* in the Constitution, and what was the practice under its first appointment ?

A.—“The very word baptize, however, signifies to immerse; and it is certain that immersion was the practice of the ancient church.”—*Insti.* vol. 3, p. 343.

Again: “He as truly and certainly performs these things internally on our souls, as we see that our bodies are externally washed, immersed and enclosed in water—*Ibid.*, p. 337.

Q. C. Pri.—Did you not teach and practice sprinkling and pouring of water upon a suitable subject, in the name of the Trinity, as a fulfillment of the command in the Constitution ?

The C. for the Pro. arose, and objected to this kind of evidence being offered as admissable. For (he said) we are not here to inquire into the *opinions* of the witness. His opinion cannot be evidence when a question of fact is before the Court and jury. The guilt or innocence of the Prisoner can only be made out by the facts elicited from the witnesses, and not by their opinions. This objection to this kind of testimony is sustained by all good authority. For us to receive his opinion, and likewise of all others, as evidence, will be to put an end to all judicial proceedings, and constitutional law will become a nameless thing. I wish to throw no obstacles in the way of the acquittal of the Prisoner, but those that the law and evidence place in his way. My duty to my client, and the obligation I have taken before my country, compel me to object to this kind of evidence.

The C. for the Pri. arose and said: We think the Court ought to permit this question to be answered, and the answer to go to the jury as evidence. For a man so learned as the witness and so faithful to the government, would not depart from the spirit of the law. Many of our most eminent citizens, entertain a common sentiment with the witness and the Prisoner. Will not their judgment, of what is a fulfillment of the law of baptism, be admitted as evidence? Are they not as competent to determine this question as any others in the land? To refuse their judgment, will be a great wrong done to the Prisoner, and it will be a practical impeachment of the loyalty of the witness to the government. It is due to the Prisoner, whose all is at stake in the issue of this trial, to permit the question to be answered.

I was astonished to hear the counsel object to the question being answered. To facilitate this trial, I suspended the discussion of *bapto* in its relation to *baptizo*. This favor of mine ought to have been reciprocated, by affording every means accessible to us for a clear understanding of this controversy. I hope the Court will take this view of the question and permit it to be answered, and the answer go to the jury.

The Court replied: We are here to ascertain the meaning of the Lawgiver, when he incorporated *baptizo*, in the Christian Ordinance. All the facts that will put us in possession of this knowledge, will clearly be admissable. If the *opinions* of the witnesses are to be admitted as testimony, and what they think will answer the claims of any law be taken as its just meaning, we



will be establishing a principle which will practically lead to the abrogation of all law. The Prisoner's plea, according to this principle, would be equivalent to an acquittal. Judicial examinations must cease after the plea is entered. Are we all prepared for the alternative which follows the adoption of this principle for our guidance? I think not. Government is too valuable to us all for us to sell it at such a price.

How could a jury on their oaths decide as to the violation of any of our laws, if the opinions of Prisoners and their friends were to be taken as legal evidence? We could not, according to this principle, convict a single violator of the law.

If the witness can testify that the word *baptizo* in the law of baptism does signify to sprinkle, pour or wash, or that the Lawgiver in selecting this word, intended to command no particular action in baptism, it will be admissible.

Q.—I will propose the question in another form, that will not be liable to the objection of the Court. Do you not consider baptism by sprinkling, &c., valid and good?

A.—Yes sir.

The counsel for the prosecution said, we offer the following Presbyterian authorities to confirm Mr. Calvin's testimony:

Theodore Beza, (the successor of Calvin at Geneva.)  
 "On Mark 7. 4: Christ commanded us to be baptized; by which word it is certain immersion is signified; baptizesthai, in this place, is more than niptien; because that seems to respect the whole body, this only the hands.

Nor does baptizen signify to wash, except by consequence; for it properly signifies to immerse for the sake of dyeing. To be baptized in water, signifies no other than to be immersed in water, which is the external ceremony of baptism. *Baptizo* differs from the verb *dunai*, which signifies, to plunge in the deep and to drown."—*Epistola II., ad Thorn. Til. Anno.*—*Hinton*, p. 53.

Turretine (also of Geneva) says: "The word baptism is of Greek origin, and is derived from the verb *bapto*, which signifies to dip and to dye: *Baptizein*, to baptize; to dip into, to immerse."—*Booth*, p. 55.

Casaubon (Greek Professor at Geneva) says: "This was the rite of baptizing, that persons were plunged into the water; which the very word *baptizein*, to baptize, sufficiently declares. Which, as it does not signify *dunein*, to sink to the bottom and perish; so, doubtless, it is not *epipolazein*, to swim on the surface. For these three words, *epipolazein*, *baptizein* and *dunein* are of different significations. Whence we understand it was not without reason, that some, long ago, insisted on the immersion of the whole body in the ceremony of baptism; for they urge the word *baptizein*, to baptize."—*Ibid*, p. 49.

Dr. G. Campbell, (Principal of Marischal College :) "The word *baptizein*, both in sacred authors and, classical signifies to dip, to plunge, to immerse, and was rendered by Turtullian, the oldest of the Latin fathers, *tingere*, the term used for dyeing cloth, which was by immersion. It is always construed suitably to this meaning."—*Campbell's Dissert.*, vol. 4, p. 128, and p. 24.

Dr. J. M'Night (an eminent Scotch divine and critic) says: "In baptism, the rite of initiation into the Christian church, the baptized person is buried under the water, as one put to death with Christ on account of sin, in order that he may be strongly impressed with a sense of the malignity of sin, and excited to hate it as the greatest of evils, ver. 3. Moreover, in the same rite, the baptized person being raised up out of the water, after being washed, he is thereby taught that he shall be raised," &c.

"Christ's baptism was not the baptism of repentance, for he never committed any sin; but, as was observed, Prelim. Ess. 1, at the beginning, he submitted to be baptised, that is, to be *buried under the water*, by John, and to be raised out of it again, as an emblem of his future death and resurrection. In like manner the baptism of believers is emblematical of their own death, burial and resurrection."—See on Col. 2, 12.

Dr. George Hill, (Principal of St. Mary's College, St. Andrews.) "We apply the word ordinances or sacraments to baptism and the Lord's Supper; the first, a rite borrowed from the Jewish custom of plunging into water the proselytes from heathenism to the law of Moses, but consecrated by the words of Jesus, and the universal practice of his disciples, as the mode of admitting members into the Christian church."—*Hill's Divinity*, page 186.

M. Stuart (Professor of Sacred Literature in the Theological Seminary, Andover) says: "*Bapto* and *baptizo* mean to dip, plunge or immerge, into any thing liquid.

All lexicographers and critics of any note are agreed in this."—*Stuart Bap.*, p. 51.

President Beecher says: "I fully admit in innumerable cases it clearly denotes to immerse, in which case an agent submerges partially or totally, some person or thing. This is so notoriously true, that I need attempt no proof."—*Hinton*, p. 18.

Dr. Chalmers (Professor of Theology in the University of Edinburg) says: "The original meaning of the word baptism, is immersion. We doubt not that the prevalent style of the administration in the Apostles' days, was by an actual submerging of the whole body under water." *Lectures*, Rom. 6.

The counsel for the Prisoner said he would like to ask some of the last witnesses a few questions, before any more witnesses are brought forward.

Q. C. Pri.—President Beecher, have you not in your work on *baptism*, made *baptismos* synonymous with *katharismos*, which signifies *purification*?

A.—Yes sir.

Q.—Professor Stuart, have you not thought that *baptizo*, in the New Testament, signifies to *wash*, in some of its occurrences?

A.—Yes sir.

Q.—Have you not all considered baptism, administered by other modes than immersion, valid baptisms?

A.—In the language of Dr. Chalmers, we would say: "And we regard it as a point of indifference, whether the ordinance so named be performed in this way (by immersion) or by sprinkling."

Q. C. Pro.—Professor Stuart, have you authorities from the language, for saying *baptizo* signifies to *wash* in a few of its occurrences in the New Testament ?

A.—This I gave to be its meaning, because I thought it most suitable.

Q.—Let us hear what more you say of the use of *baptizo* in the New Testament ?

A.—“ For myself, I cheerfully admit, that *baptizo*, in the New Testament, when applied to the rite of baptism, does in all probability, involve the idea, that this rite was usually performed by immersion.”—*Stuart on Bap.*, p. 154.

#### EPISCOPAL WITNESSES.

The Counsel said, he would now call to the witness stand a few English Episcopal witnesses, of undoubted character and learning.

Dr. Hammond : “ The word here used, *Baptizesthai*, (as it differs from *nuptesthai*, verse 3,) signifies not only the washing of the whole body, (as when 'tis said of Eupolis—that being taken and thrown into the sea, *ebaptizeto*, he was immersed all over, and so the baptism of cups, &c., in the end of this verse, is putting into *water all over*, rinsing them,) but washing any part as the hands here, by way of immersion in water, as that is opposed to affusion or pouring water on them.”—*Annot. on Mark 7: 4.*

Bp. Davenant : “ In baptism, the burial of the body of sin, or of the old Adam, is represented, when the person to be baptized is put down into the water ; as a resur-

rection, when he is brought out of it.”—*Expos. Epis. ad Coloss.*

Bp. Hall: “Ye are, in baptism, buried together with Christ, in respect of the mortification of your sins, represented by lying under the water; and in the same baptism, ye rise up with him in newness of life.”—*Hard Texts. on Col. 2: 12 Edit. 1633.*

Abp. Secker: “Burying, as it were, the person baptized in the water, and raising him out of it again, without question was anciently the more usual method.”—*Lectu. on the Catec. Sect. xxxv.*

Bp. Taylor: “The custom of the ancient churches was not *sprinkling*, but immersion; in pursuance of the sense of the word (baptize) in the commandment, and the example of our blessed Saviour.”—*Ductor Dubitantium*, B. III, Chap. IV.

Mr. Bingham: “The ancients thought that immersion or burying under water, did more lively represent the death, and burial, and resurrection of Christ; as well as our own death unto sin, and rising again unto righteousness; and the divesting or unclothing of the persons to be baptized, did also represent the putting off the body of sin, in order to put on the new man, which is created in righteousness and true holiness. Persons thus divested, were usually baptized by immersion, or dipping of their whole bodies under water. There are a great many passages in the Epistles of St. Paul, which plainly refer to this custom; as this was the original apostolic practice, so it continued to be the universal practice of the church many ages, upon the same symbolic reasons as it

was first used by the Apostles. It appears from Epiphanius and others, that almost all heretics, who retained any baptism, retained immersion also. The only heretics against whom this charge (of not baptizing by a total immersion) is brought, were Eunomians, a branch of the Arians."—*Origin. Eccles. B. XI, Chap. XI.*

Dr. Whitby: "It being so expressly declared here, (Rom. 6: 4, and Col. 2: 12,) that we are *buried with Christ in baptism*, by being buried under water; and the argument to oblige us to a conformity to his death, by dying to sin, being taken hence; and this immersion being religiously observed by *all Christians for thirteen centuries*," &c.—*Note, on Rom. 6: 4.*

Dr. Cave: "The party to be baptized was wholly immersed, or put under water, which was the almost constant and universal custom of those times; whereby they did more notably and significantly express the three great ends and effects of baptism."—*Primitive Christianity, Part I, Chap. X.*

Dr. Barrow: "The action is *baptizing*, or immersing in water. The object thereof, those persons of any nation, whom his ministers can by their instruction and persuasion render disciples; that is such as do sincerely believe the truth of his doctrine, and seriously resolve to obey his commandments. The mersion also in water, and the emersion thence, doth figure our death, (to worldly defilements,) and receiving (receiving to) a new life."—*Works, V. I, p. 518. Edi. 1722.*

Bp. Hoadly: "This latter expression (*buried with Christ and rising with him*) made use of by St. Paul,

with relation to baptism, is taken from the custom of immersion in the first days; and from the particular manner of baptizing proselytes: by which they were first covered with water, and in a state, as it were, of death and inactivity; and then arose out of it into a sort of a new state of life and action. And if baptism had been then performed, as it is now amongst us, we should never have so much as heard of this form of expression, of dying and rising again in this rite.”—*Works*, vol. III. p. 890.

Dr. Clark: “In primitive times, the manner of baptizing was by immersion, or dipping the whole body into water. And this manner of doing it, was a very significant emblem of the dying and rising again referred to by St. Paul.” Rom. 6: 4.—*Expos. of Church Catech.*

Dr. Wall: “Their (the Primitive Christians) general and ordinary way was to baptize by immersion, or dipping the person.”—*His. of Inf. Bap.* part II, chap. ii.

Bp. Burnet: “They (the primitive ministers of the gospel) led them into the water, and with no other garments but what might cover nature, they at first laid them down in the water, as a man is laid in the grave, and then they said these words: ‘I baptize thee,’ &c. Then they raised them up again, and clean garments were put on them; from whence came the phrases, of being *baptized into Christ’s death*; of our being *buried with him by baptism into death*,” &c.—*Expos. XXXIX Articles.*

Abp. Tillotson: “Anciently, those who were baptized, put off their garments, which signified the putting off the body of sin, and were immersed and buried in the



water, to represent their death to sin; and then did rise up again out of the water, to signify their entrance upon a new life. And to these customs the apostle alludes, Rom. 6, Gal. 3: 27."—*Works*, vol. I, serm. VII.

Q. C. Pri.—Did you not all consider baptism by sprinkling and pouring a valid baptism?

A.—Yes sir.

#### ROMAN CATHOLIC WITNESSES.

The counsel said he would now call another class of witnesses, viz: Roman Catholics.

Bossuet, (Bishop of Maux.) "To baptize signifies to plunge, as is granted by all the world." In Mr. Stennett, against Mr. Russen, p. 174.

Calmet: "Generally, people (speaking of the Jews) dipped themselves entirely under the water; and this is the most simple and natural notion of the word baptism." *Dictionary of the Bible*.

Rt. Rev. Dr. Treverne, (Bishop of Strasburg.) "The word *baptizo*, employed by the Evangelists, strictly conveys this signification, (immersion,) as the learned are agreed, and, at the head of them Casaubon, of all the Calvinists, the best versed in the Greek language. Now baptism by immersion has ceased for many ages, and you (Protestant clergy) yourselves, as well as we, have received it by infusion. It would, therefore, be all over with your baptism, unless you established it by tradition and the practice of the church. This being settled, I ask you from whom you have baptism, (by sprinkling.) Is it not from the church of Rome? Do you not con-

sider her as heretical, and even idolatrous? You cannot, then, according to the terms of Scripture, prove the validity of your baptism, (by sprinkling,) and, to produce a plea for it, you are obliged to seek it with Pope Stephen and the councils of Arles and Nice, and in Apostolic tradition.”—*La Discussion Amicale*, 1847.

F. Brenner: “Thirteen hundred years was baptism, generally and ordinarily, performed by the immersion of man under water; and only in extraordinary cases was sprinkling or affusion permitted. These latter methods of baptism were called in question, and even prohibited.” *Stuart on Baptism*, p. 152.

Petavius, the celebrated Jesuit, speaking of the power of the church to alter, or impose, says: “And indeed immersion is properly *baptismos*, though at present we content ourselves with pouring water on the head.”—*Carson*, p. 245.

“Simon the Jesuit, on *Matt*, 3: 11, in his translation from the Vulgate, observes: “To baptize literally *signifies* to dip, and to this day, throughout the east, baptism is performed no other way, according to the ancient practice of the Christians.”—*Cam. and M'Call Debate*, p. 167.

Q. C. Pri—You all hold baptism by sprinkling to be valid, do you not?

A.—Yes sir, the church so teaches us.

#### TESTIMONY OF ARMENIAN PROFESSORS.

The counsel for the Commonwealth said, we will now offer several of the Professors of the Armenian College at

Amsterdam, a PEDOBAPTIST school. Limborch was called and qualified.

Q. C. Pro.—Will you please to give us the meaning of *baptizo*, as employed with reference to the Christian rite of baptism ?

A.—“Baptism is that rite, or ceremony, of the New Covenant, whereby the faithful, by immersion into water, as by a sacred pledge, are assured of the favor of God, remission of sins, and eternal life; and by which they engage themselves to an amendment of life, and an obedience to the divine commands.”—*Compl. Syst. Div. B. V.*

G. J. Vossius: *Baptizein*, to baptize, signifies to plunge.—It certainly, therefore, signifies more than *epipolazein*, which is, *to swim lightly on the top*; and less than *dunein*, which is, *to sink to the bottom, so as to be destroyed*.—*Disputat. de Bap. Disp.*

Le Clerc: “He shall baptize you in the Holy Spirit. As I plunge you in water, he shall plunge you, so to speak, in the Holy Spirit.—*Remar. Sur. New Test., a Matt. 3.*

Curcellus: “Baptism was performed by plunging the whole body into water, and not by sprinkling a few drops, as is now the practice. For John was baptizing in Enon, near Salim, because there was much water; and they came and were baptized, John 3: 23. Nor did the disciples that were sent out by Christ, administer baptism afterwards in any other way; and this is more agreeable to the signification of the ordinance, Rom. 6: 4. I am therefore of opinion, that we should endeavor

to restore and introduce this primitive rite of immersing, if it may be done without offence to the weak; otherwise it seems better to tolerate this abuse, than to raise a disturbance in the church about it. They are now ridiculed who desire to be baptized, not by sprinkling, but as it was performed by the ancient church, by an immersion of the whole body into water.”—*Relig. Christ. Insti. L.*

Q. C. Pro.—Did you not consider baptism, by sprinkling, &c., also valid?

A.—Yes sir.

The counsel, at this stage of the proceedings, said he would offer another class of witnesses.

#### ENCYCLOPEDIAS, ETC.

Magdeburg Centuriators: “The word *baptizo*, to baptize, which signifies immersion into water, proves that the administrators of baptism immersed, or washed, the persons baptized, in water.” “The Son of God was dipped in the water of Jordan, by the hand of John the Baptist.—Philip baptized the Eunuch in a river, Acts 8: 38.”—*Cent. l. L. II. C. 6, p. 382.*

Chambers: “In the primitive times this ceremony was performed by immersion; as it is to this day in the Oriental churches, according to the original signification of the word.”—*Cyclopedia, Article, Baptism. Ed. 7th.*

Edinburgh Ency.—“In the time of the Apostles the form of baptism was very simple. The person to be baptized was dipped in a river or vessel, with the words which Christ had ordained, and to express more fully his

change of character, generally assumed a new name. The immersion of the whole body was omitted only in the cases of the sick, who could not leave their beds. In this case sprinkling was substituted, which was called clinic baptism. The Greek church, as well as the schismatics in the east, retained the custom of immersing the whole body; but the Western church adopted, in the thirteenth century, the mode of baptism by sprinkling, which has been continued by the Protestants, Baptists only excepted.”—*Debate of C. and R.*, p. 183.

Monthly Review of England: “We acknowledge there are many authorities to support it (immersion) among the ancients. The word *baptizo* doth certainly signify immersion, absolute and total immersion, in Josephus and other Greek writers.”—*Ibid*, p. 174.

#### FRIENDS OR QUAKERS.

The Counsel said he would call another class of witnesses in addition to those already examined, to clearly show that the word in the Constitution is understood by nearly all classes of men, to signify to *immerse*; and has so been understood, from the time of its adoption by the author of our government, down to the present hour. The class of witnesses (he said) we shall now call upon the stand, are the Friends or Quakers, from whom we may expect an independent testimony.

Robert Barclay was called and qualified.

Q. C. Pro.—Will you please give us the meaning of *baptizo*, as found in the Christian ordinance of baptism?

A.—*Baptizo* signifies *immergo*, that is, to plunge and dip

in ; and that was the proper use of water baptism among the Jews, and also by John and the primitive Christians, who used it. Whereas, our adversaries, for the most part, only sprinkle a little water upon the forehead, which doth not at all answer to the word baptism. So that if our adversaries will stick to the word, they must alter their method of sprinkling.”—*Apology*, Propos. 12, 10.

John Gratton: “John did baptize into water, and it was a baptism, a real dipping or plunging into water, and so a real baptism was John’s.”—*Life J. Gratton*, p. 231.

William Dell: Speaking of baptism, he calls it, “the plunging of a man in cold water.”—*Sel. Works*, p. 389.

Thomas Ellwood: “They (the Apostles at the feast of Pentecost) were now baptized with the Holy Ghost indeed ; and that in the strict and proper sense of the word *baptizo*, which signifies dip, plunge or put under.” *Sacred Hist. of the N. T.*, part II, p. 307.

Samuel Forthergill: “By which (baptism of the Holy Spirit) I understand such a thorough immersion into his holy nature, as to know him, the only begotten Son of God, to conform the soul to his own image.”—*Rem. on Add. Qua.*, p. 270.

Joseph Phipps: “The baptism of the Holy Spirit is effected by spiritual immersion. The practice of sprinkling infants, under the name of baptism, hath neither precept nor precedent in the New Testament.”—*Dissert. on Bap*, p. 25, 30.

William Penn: “I cannot see why the Bishop (of Cork, in answer to whom he wrote) should assume the

power of unchristianizing us, for not practising of that which he himself practises so unscripturally, and that according to the sentiments of a considerable part of Christendom ; having not one text of Scripture to prove that *sprinkling* in the face was water baptism—in the first times. Then it was in the river Jordan ; now in the basin.”—*Defence of Gospel Truths*, p. 82, 83.

George Whitehead : “ Sprinkling infants I deny to be baptism, either in a proper or scripture sense. For sprinkling is *rhantism*, and not *baptism* ; coming of *rantizo*, i. e. *aspergo*, to sprinkle, or to be sprinkled, Heb. 9 : 13, 19, compared with Heb. 10 : 22 ; *rantismos*, a besprinkling ; and Chap. 12 : 24, and 1 Pet. 1 : 2. But *baptizo*, is to baptize, to plunge under water, to overwhelm. Wherefore, I would not have these men offended at the word *rhantism*, it being as much English as the word baptism. And also *baptismous* is translated washing ; i. e. of cups, pots, brazen vessels and tables, Mark 7 : 4. Now if washing here should be taken in the common sense, cleanly people use not to do it only by sprinkling some drops of water upon them, but by washing them clean ; so that *rhantism* can be neither baptism nor washing, in a true or proper sense.” *Truth Prevalent*, Chap. 9, p. 116.

Thomas Lawson : “ Such as *rhantize*, or sprinkle infants, have no command from Christ, nor example among the Apostles, nor first primitive Christians, for so doing. The ceremony of John’s ministration, according to divine institution, was by dipping, plunging or overwhelming their bodies in water, as Scapula and Stephens, two

great masters in the Greek tongue, testify ; as also Grotius, Pasor, Vossius, Minceus, Leigh, Casaubon, Bucer, Bullinger, Zanchy, Spanhemius, Rogers, Talor, Hammond, Calvin, Piscator, Aquinas, Scotus. As for sprinkling, the Greeks call it *rhantismos*, which I render *rhantism*, for it is as proper to call sprinkling *rhantism* as dipping *baptism*. This linguists cannot be ignorant of, that dipping and sprinkling are expressed by several words, both in Latin and Greek, and Hebrew. 'Tis very evident, if sprinkling had been of divine institution, the Greeks had their *rhantismos* ; but as dipping was the institution, they used *baptismos* ; so maintained the purity and propriety of the language. To sprinkle young or old, and call it baptism, is very incongruous ; yea, as improper as to call a horse a cow ; for baptism signifies dipping. However, *rhantism* hath entered into and among the professors of Christianity ; and, *to gain the more acceptance*, 'tis called *baptism*."—*Bapti.*, p. 118, 119.

Anthony Purver : "*Baptized* is but a Greek word used in English, and signifying plunged." *Note*, on 1 Cor. 15: 29.—"Such is the harmonious and united testimony of those impartial Friends: nor do I suppose that any sensible portion of the same denomination would for a moment scruple to subscribe the preceding declarations."—*Booth*, p. 66–9.

Q. C. Pri.—You have no faith in any outward baptism.

A.—We believe in a spiritual baptism.

The Counsel arose, and said he would defer the argument founded on the use of *baptizo* in the Constitution,



and the circumstances connected with its action in baptism, until his address to the Court and jury, at which time he would unfold its character. He would, also, postpone the argument on the design of baptism until the same time.

MEANING OF BAPTIZO GATHERED FROM THE HISTORY OF THE  
CHURCH.

It will then be our duty, at this time, to proceed to call witnesses to prove the Practice of the Church under the law of Christian baptism. We will, in the first place, give the testimony of the early fathers. Our selection of their testimonies shall be from PEDOBAPTISTS. In the second place, we shall give the testimonies of PEDOBAPTISTS in proof of the Church's understanding of *baptizo* signifying the action of immersing in the ordinance. Our first authorities shall be selected from Professor Stuart's work on baptism.

“In the Pastor of Hermas, (written in the first century) however, occurs one passage, (Coteler. Pastr. Apostol. I, p. 119, sq.,) which runs as follows: ‘But this seal (of the sons of God) is water, into which men descend who are bound to death, but those ascend who are destined to life. To them that seal is disclosed, and they make use of it that they may enter the kingdom of God.’

“Justin Martyr, (lived in the second century,) in his Apology, (Opp. Part 1, p. 210, ed. Oberthur,) a passage occurs which deserves our attention. Speaking of converts to Christianity, or those who become believers, he says: ‘They are led out by us to the place where there

is water, \* \* \* and in the name of the Father of the universe, the Lord God, and of the Saviour Jesus Christ, and of the Holy Spirit, they wash themselves with water, \* \* \* leading him who is to be washed to the bath or washing place.' I am persuaded that this passage, as a whole, most naturally refers to immersion; for why, on any other ground, should the convert, who is to be initiated *go out to the place where there is water*. There could be no need of this if sprinkling or partial affusion only, was customary in the time of Justin.

"Tertullian, who died A. D., 220, is the most ample witness of all the early writers. In his works is an essay in defence of Christian baptism, which had been assailed by some of the heretics of his time. Passing by the multitude of expressions which speak of the importance of being *cleansed by water, born in the water*, etc., I quote only such as are directly to the point. In section 2 he speaks of a baptized person, as '*in aquam demissus, let down into the water*, i. e., immersed, and *inter pauca verba tinctus*, i. e., dipped between the utterance of a few words.'

"In section 4 is a passage which seems to convey a still more definite sense. He is speaking of the original waters at the time of creation having been made a sanctified element by the influence of the Spirit of God upon them, from which he goes on to argue the sanctifying influence of baptismal water. But some will object, he says, that 'we are not dipped (*tinguimur*) in those waters which were at the beginning.' His reply is, that all water is a species of that genus, and that the species

must have the same quality with the genus. He then proceeds: 'There is, then, no difference whether any one is washed in a pool, river, fountain, lake, or channel, *alveus*, (canal) nor is there any difference of consequence between those whom John immersed (*tinxit*) in the Jordan, or Peter in the Tiber.'

"In section 6 he says: 'Not that we obtain the Holy Spirit *in aquis* (i. e., in the baptismal water,) but being cleansed in the water, (*in aqua emundati*,) we are prepared for the Holy Spirit.' Section 7, 'Afterwards, going out from the *ablution* or bath, (*lavacro*,) we are anointed,' etc.

"In his book against Praxeas, section 26, sub fine, he says: 'Not once, but *thrice*, according to the several names (Father, Son, and Holy Ghost,) are we baptized (*tinguimur*) into the several persons.' The reader is desired to note here, and in other passages which will be cited, that the practice of *trine* immersion, i. e., of plunging three times into water, in correspondence with the names of the Godhead as they occur in the formula of baptism, was usual at so early a period as the time of Tertullian; how much earlier we have no certain testimony, at least none I am acquainted with. Tertullian himself, however, seems to have regarded this *trine* immersion as something superadded to the precepts of the gospel; for thus he speaks in his book *De Corona Militis*, section 3: 'Thence we are *thrice* immersed, (*ter mergitamar*,) *answering*, i. e., fulfilling *something more* (*amplius aliquid respondentes*) than the Lord has decreed in the gospel.'

“Chrysostom, Bishop of Constantinople, who lived in the fourth century, says in Homil. 40, in 1 Cor. i: ‘To be baptized, and to *submerge* (kataduesthai,) then to *emerge*, (ananeuein,) is a symbol of descent to the grave, and of ascent from it.’

“Ambrose, who was Bishop of Milan and lived in the fourth century, says in Lib. II, ch. 7, de Sacramentis: ‘You were asked, Dost thou believe in God Almighty? Thou saidst, I believe; and *thus thou wast immersed*, (mersisti,) that is, thou wast buried.’

“Augustine, Bishop of Hippo, in Africa, says in Homil. IV: ‘After you professed your belief, three times did we submerge (demersimus) your heads in the sacred fountain.’

“Dionysius Areop. de Eccles. Hierarch., ch. 2: ‘Properly *the total covering by water*, is taken from an image of death and burial out of sight.’

“The Council of Toletan: ‘For immersion in the water is like a descent to the grave; and again, emersion from the water (ab aquis emersio) is a resurrection.’”

Cyril, Bishop of Jerusalem, who lived in the fourth century, says: “Candidates are first anointed with consecrated oils; they are then conducted to the laver, and asked three times if they believe in the Father, Son, and Holy Ghost; then they are dipped three times into the water, and retire out of it by three distinct efforts.”—*Dupin's Ec. This.*, ch. 4, 5, ii, p. 109–113.

Again, he says, in Catech. 17: “For as he that goes down into the water and is baptized, is surrounded on all

sides with water, so the Apostles were baptized all over by the Spirit. The water surrounds the body externally, but the Spirit incomprehensibly baptizes the soul within."

Gregory, Bishop of Nyssa, who lived in the fourth century, says: "That the regeneration wrought in baptism ought not to be attributed to the water, but to a Divine virtue; that by dipping the person under water three times, the death and resurrection of Jesus Christ is represented; that without baptism no man can be washed from sin."—*Dupin*, ch. 4, p. 178.

Gregory, Bishop of Nazianzen, who lived in the fourth century, says: "We are buried with Christ by baptism, that we may also rise again with him; we ascend with him, that we may also be glorified together." *Stennet's Ans.*, p. 144.

Basil, Bishop of Cæsarea) de Spirtu., ch. 15: "By the three immersions (———,) and by the like number of invocations, the great mystery of baptism is completed." *Stuart*.

Damascenus, Orthodox. Fides IV. 10: "Baptism is a type of the death of Christ; for by three immersions (kataduseoon) baptism signifies," etc.—*Stuart*.

The Apostolical Constitution (probably written in the fourth century,) Lib. III, c. 17: "Immersion (katadusis,) denotes dying with him (Christ;) emersion (anadusis,) a resurrection with Christ."—*Ibid*.

Photius (apud Oecumenium) on Rom. 6: "The three immersions and emersions of baptism, signify death and resurrection."—*Ibid*.

It is not necessary for us to give more testimony from the Fathers, to ascertain their sentiments on the action of baptism. Let us close this part of our investigation by the language of Professor Stuart: "But enough. 'It is,' says Augusti (Denkw. VII, p. 216) 'a thing made out,' viz: the ancient practice of immersion. So, indeed, all the writers who have thoroughly investigated this subject, conclude. I know of no usage of ancient times, which seems to be more clearly made out. I cannot see how it is possible, for any candid man who examines the subject, to deny this."—*Stuart*, p. 149.

Q. C. Pri.—Prof. Stuart, please tell us, whether exceptions to the practice of immersion were not allowed in the ancient church?

A.—"That there were cases of exceptions allowed, now and then, is no doubt true. Persons in extreme sickness, or danger, were allowed baptism by affusion, etc. Cyprian pleads strongly and conclusively for this in his epistle to Magnus, Ep. 76. The Council of Neo-Cæsarea, Euseb. Lib. VI, c. 43; and so the Council of Laodicea, Can. 47, sanction such baptisms. The *Acta Laurentii*, apud Surium Tom. IV, mention a Roman soldier who was baptized by Laurence with a pitcher of water; and the same person also baptized Lucillus, by pouring water on his head. But all such cases were manifestly regarded as exceptions to the common usage of the church."—*Stuart*, p. 149.

Q. C. Pro.—Professor Stuart, you cannot trace up this practice of exceptional baptism, to an earlier date than about the middle of the third century?

A.—At that time we have it recognized and sanctioned by Cyprian of Carthage.

We shall proceed, said the Counsel, to confirm the view we have taken of the History of the Church, by the testimonies of PEDOBAPTIST witnesses.

#### 1. THE PRACTICE OF THE EASTERN CHURCH.

“The mode of baptism by immersion, the Oriental church has always continued to preserve, even down to the present time. The members of this church are accustomed to call the members of the western churches *sprinkled Christians*, by way of ridicule and contempt. They maintain that *baptizo* can mean nothing but *immerge*; and that baptism *by sprinkling* is as great a solecism as *immersion by aspersion*; and they claim to themselves the honor of having preserved the ancient sacred rite of the church, free from change and from corruption, which would destroy its significancy.”—*Stuart*, p. 151–2.

Dr. Wall: “All the Christians in Asia, all in Africa, and about one-third part of Europe, are of the last sort, (i. e. practice immersion;) in which third part of Europe, are comprehended the Christians of Græcia, Thracia, Servia, Bulgaria, Rascia, Walachia, Moldavia, Russia, Nigra, and so on; and even the Muscovites, who, if coldness of the country will excuse, might plead for a dispensation with the most reason of any.”—*Hist. of Inf. Bapt.* 477.

## 2. THE PRACTICE OF THE GENERAL CHURCH, AS GIVEN BY PEDOBAPTISTS.

### 1. *German Authorities.*

Mosheim: "The exhortations of this respectable messenger, (John the Baptist,) were not without effect; and those who, moved by his solemn admonitions, had formed the resolution of correcting their evil dispositions, and amending their lives, were initiated into the Kingdom of the Redeemer by the ceremony of immersion, or baptism."—*Church History*, p. 25. "The sacrament of baptism was administered in this century, (the first) without the public assemblies, in places appointed and prepared for that purpose, and was performed by an immersion of the whole body in the baptismal font."—*Ibid*, p. 46.

Again, he says of the second century:—"The persons that were to be baptized, after they had repeated the creed, confessed and renounced their sins, and particularly the devil and his pompous allurements, were immersed under water, and received into Christ's Kingdom by a solemn invocation of Father, Son, and Holy Ghost."—*Ibid*, p. 69.

Neander: "John's followers were entirely immersed in water—the Messiah would immerse the souls of believers in the Holy Ghost."—*Life of Christ*, p. 50.

In his *Church History* he says, page 310:—"In respect to the form of baptism it was in conformity with the original institution, and the original symbol perform-



ed by immersion as a sign of an entire baptism into the Holy Ghost, being entirely penetrated by the same."

Bretschneider, *Theology*, vol. I, p. 684: "The Apostolic Church baptized only by immersion."

Guericke, *Ch. Histo.*, p. 100: "Baptism was originally administered by immersion."

Hahn, *Theology*, p. 556: "According to Apostolical instruction and example, baptism was performed by immersing the whole man."

Rheinwald, *Archæology*, of 1830, p. 303, n. 1: "Immersion was the original Apostolical practice."

## 2. *Presbyterian Authorities.*

Calvin: "And it is certain that immersion was the practice of the ancient church."—*Inst.*, vol. 3, p. 343.

Dr. Chalmers: "Yet we doubt not that the prevalent style of the administration in the Apostles' days, was by an actual submerging of the whole body under water."—*Lect.*, Rom. 6.

Professor Stuart: "In what manner, then, did the churches of Christ, from a very early period, to say the least, understand the word *baptizo* in the New Testament? Plainly they construed it as meaning *immersion*."—*Stuart*, p. 153.

## 3. *Episcopal Authorities.*

Dr. Whitby: "It is expressly declared here, (Rom. 6: 4, and Colos. 2: 12,) that we are buried with Christ in baptism, by being buried under water; and the argument to oblige us to a conformity to his death, by dying to

sin, being hence ; and this immersion being *religiously* observed by *all Christians for thirteen centuries.*—*Note on Rom. 6 : 4.*

Dr. Wall : “ Their (the primitive Christians) general and ordinary way was to baptize by immersion, or dipping the person, whether it was an infant, or grown man or woman, into the water. This is so plain and clear by an infinite number of passages, that one cannot but pity the weak endeavors of such PEDOBAPTISTS as would maintain the negative of it.”—*Hist. of Inf. Bap.*, p. 462.

Bingham : “ There are a great many passages in the Epistles of St. Paul, which plainly refer to this custom ; (of immersion) as this was the original Apostolic practice, so it continued to be the universal practice of the church for many ages.”—*Origin. Eccles.*

Dr. Cave : “ The party to be baptized was wholly immersed, or put under water, which was the almost constant and universal custom of those times.”—*Prim. Christ.*

#### 4. Roman Catholic Authorities.

Bossuet : “ I find we read not in the Scriptures that baptism (by immersion) was otherwise administered ; and we are able to make it appear, by the acts of Councils, and by the ancient Rituals, that for *thirteen hundred years* baptism was thus administered *throughout the whole church*, as far as possible.”—*Mr. Stennett, against Rus- sen*, p. 175, 176.

In an other place he (Bossuet) says : “ It is a fact most firmly believed by the Reformed, (though some of

them at this time wrangle about it,) that baptism was instituted to be administered by plunging the body entirely; that Jesus Christ received it in this manner; that it was thus performed by his Apostles; that the Scriptures are acquainted with no other baptism; that antiquity understood and practised it in this manner; and that to baptize, is to plunge;—these facts, I say, are unanimously acknowledged by all the Reformed teachers; by the Reformers themselves; by those who best understood the Greek language, and the ancient customs of both Jews and Christians; by *Luther*, by *Melanchton*, by *Calvin*, by *Casaubon*, by *Crotius*, with all the rest, and since their time by *Jurieu*, the most ready to contradict of all their ministers. *Luther* has even remarked, that this sacrament is called *tauf*, in German, on account of the depth; because they plunged *deeply* in the water, those whom they baptized. If then there be in the world a fact absolutely certain, it is this, (immersion in baptism.)—*This. des Eg. Prot.*, II, p. 469, 470.

F. Brenner: “Thirteen hundred years was baptism generally and ordinarily performed by the immersion of a man under water; and only in extraordinary cases was sprinkling or affusion permitted. These latter methods of baptism were called in question, and even prohibited.”—*Stuart on Bap.*, p. 152.

##### 5. *Authorities not Classified.*

Mr. T. Wilson: “Baptism was performed in the primitive times by immersion.”—*Archæolog. Dict.*, Article, Baptism.

Mr. Stackhouse : “ Accordingly, several authors have shown, that we read nowhere in Scripture of any one’s being baptized, but by immersion ; and from the acts of Councils and ancient Rituals have proved, that this manner of immersion continued (as much as possible) to be used for *thirteen hundred years* after Christ.”—*History of the Bib.*, B. VIII.

Venema : “ It is without controversy that baptism in the primitive church was administered by immersion into water, and not by sprinkling.”—*Booth*, p. 212.

Bp. Nicholson : “ The sacrament of baptism was anciently administered by plunging into the water, in the Western as well as the Eastern part of the church ; and that the Gothic word \* \* \* \* \* the German word *taufen* ; the Danish word *dobe*, and Belgic *doopen*, do as clearly make out that practice, as the Greek word *baptizo*.”—*Ibid*, 219.

#### THE CHANGE FROM IMMERSION IN BAPTISM.

The Counsel arose and said, we are now prepared to prove by PEDOBAPTIST witnesses, our last proposition, which charges the Prisoner with the crime of altering Immersion, in Baptism, to Sprinkling and Pouring.

1. *We will show that the Prisoner taught the Church the right to make this change.*

Richard Watson (Methodist) says : “ Even if immersion had been the original mode of baptizing, we should, in the absence of any command on the subject, direct or implied, have thought the church at liberty to accommo-

date the manner of applying water to the body, in the name of the Trinity, in which the essence of the rite consists, to different climates and manners.”—*Theolog. Insti.*, p. 445.

Calvin: “But whether the person who is baptized be wholly immersed, and whether thrice or once, or whether water be only poured or sprinkled upon him, is of no importance; churches ought to be left at liberty in this respect, to act according to the difference of countries.” *Inst.* vol. 3, p. 343.

Professor Stuart: “Calvin, *Instit.* IV, c. 15, §19, says: ‘It is of no consequence at all (*minimum refert*) whether the person baptized is totally immersed, or he is merely sprinkled by an affusion of water. This should be a matter of choice to the churches in different regions; although the word baptize signifies to *immerse*, and the rite of immersion was practised by the *ancient church*.’ To this opinion I do most fully and heartily subscribe; not because it is Calvin’s, nor because the great majority of Christians have adopted it. I have other, and I trust better, reasons than either of these.”—*Stuart*, p. 157.

Dr. Bogue, (Calvinist): “As it is but a ritual observance, and quantity of water can be of no efficacy, allowance is to be made for difference of climates and usages, as if the mode by immersion be not agreeable to cold climates, and decency, and alteration in mode is suitable.”—*Bogue’s Theolog. Lect.*, p. 313.

Dr. Hill: “The greater part of Christians have found themselves at liberty, in a matter very far from being essential, to adopt that practice which is most convenient,

and most suited to the habits of colder climates.”—*Hill's Divinity*, p. 659.

Piscator: “Whether the whole body be dipped, and that thrice, or once; or whether water be only poured or sprinkled on the party; this ought to be free to the churches, according to the difference of countries.” *Aphor. Doct. Christ.*

Rich. Baxter: “We grant that baptism then (in the primitive times) was by washing the whole body; and did not the difference of our cold country, as to that hot one, teach us to remember, *I will have mercy and not sacrifice*, it should be so here.”—*Paraphrase on Matt. 3: 6.*

Bp. Burnet: “The danger of dipping in cold climates, may be a very good reason for changing the form of baptism to sprinkling.”—*Exposition of XXXIX Art.* p. 436.

2. *That the change did take place from the action of Baptism as commanded by Christ, to Sprinkling or Pouring.*

Turretinus: “Immersion was used in former times and in warm climates, as we are taught by the practice of John the Baptist, Matt. 3: 6, 16; of Christ's Apostles, John iii: 22, and vi: 1, 2; and of Philip, Acts 8: 38. But now, especially in cold countries, when the church began to extend itself towards the north, plunging was changed into sprinkling.”—*Institut. Loc. XIX.*

Mr. W. Perkins: “The ancient custom of baptizing was to *dip*, and as it were, to dive all the bodies of the baptized in the water, as may appear in Paul, Rom. 6,

and the Councils of Laodicea and Neocesarea ; but now, especially in cold countries, the church useth only to sprinkle the baptized. We need not much to marvel at this alteration, seeing charity and necessity may dispense with ceremonies.”—*Works*, vol. I, p. 74.

Dr. Wetham : “ The word baptism signifies a washing, particularly when it is done by immersion, or by dipping, or plunging a thing under water, which was formerly the ordinary way of administering the sacrament of baptism. Not only the Catholic church, but also the pretended Reformed churches have altered this primitive custom in giving the sacrament of baptism, and now allow of baptism by pouring or sprinkling water on the person baptized.”—*Anno. N. T.*, Matt. 3: 6.

Von Coelln : “ Immersion in water was general until the thirteenth century ; but among the Latins it was displaced by sprinkling ; but retained by the Greeks.”—*Hist. Theol. Opin.* vol. 1, p. 203.

Heckermanus : “ Though the term baptism properly signifies immersion, and though also in the ancient church, through the eastern countries, when baptism was administered, it was not by sprinkling, but by immersion ; yet in the colder parts of Christendom, aspersion is used instead of immersion, on account of infants ; because charity and necessity may dispense with ceremonies, and temper them with gentleness.”—*System. Theolog.*

Bossuet : “ Baptism by immersion, which is as clearly established in the Scriptures as communion under two kinds can possibly be ; has nevertheless been changed

into pouring, with as much ease and as little dispute as communion under one kind has been established.”—*Hist. des Egl. Proft.* Tom. II.

Gurtlerus: “The action in the element of water, is immersion; which rite continued for a long time in the Christian church, until, in a very late age, it was changed into sprinkling.”—*Institut. Theolog.* Chap. xxxiii, Sect. 117, 118.

Chamierus: “Immersion of the whole body was used from the beginning, which expresses the force of the word *baptize*—whence John baptized in a river. It was afterwards changed into sprinkling.”—*Panstrat. Cathol.*

Sir John Floyer: “The church of Rome hath drawn short compendiums of both sacraments. In the Eucharist, they use only the wafer, and instead of immersion they introduced aspersion. I have now given what testimony I could find in our English authors, to prove the practice of immersion from the time the Britons and Saxons were baptized, till King James’s days; when the people grew peevish with all ancient ceremonies, and through the love of novelty, and niceness of parents, and pretence of modesty, they laid aside immersion; which never was abrogated by any Canon, but is still recommended by the present Rubric of our church, which orders the child to be dipt discreetly and warily.”—*Hist. of Cold Bathing*, p. 15, 61.

Bloomfield: “I agree with Koppe and Rosenmuller, that there is reason to regret it (immersion) should have been abandoned in most Christian churches.”—*Critical Digest on Rom.* VI, 4.



H. Altingius: "The baptismal washing, in warm countries and ancient times, was performed by immersion; but now, especially in cold countries, it is performed by only sprinkling. The cause of the alteration is, that immersion, which was used in the warm eastern and southern countries, is less convenient in the cold western and northern climates; where there is danger of health from immersion, especially of infants. And therefore, that rule is here in force; *I will have mercy and not sacrifice.*"—*Loci Commun Pars. I.*

Dr. Hill: "In one circumstance respecting the mode of administering baptism, the greater part of Christians have departed from the primitive practice."—*Hill's Divinity*, p. 459.

### 3. *The Origin of this Change, and its Progress.*

It must be distinctly remembered that after the introduction of this change, it was exclusively confined to cases of extreme necessity. The reason of this is to be found in the doctrine held to be sacred, viz: that baptism was for the remission of sins. The third century marks its introduction and approval by Cyprian.

Dr. Wall could find no instance of the kind, prior to the case of Novatian; which is thus described in Eusebius: "He fell into a grievous distemper, and it being supposed that he would die immediately, he received baptism, being besprinkled with water on the bed whereon he lay, if that can be termed baptism."—*Eccles. Hist.*, B. VI, chap. 43.

Dr. Wall: "In case of sickness, weakness, haste,

want of quantity of water, or such like extraordinary occasions, baptism by affusion of water on the face, was by the ancients counted sufficient baptism. I shall, out of many proofs of it, produce two or three of the *most ancient*: Anno Dom. two hundred and fifty-one, Novatian was, by one party of the clergy and people of Rome, chosen bishop of that church, in a schismatical way, and in opposition to Cornelius, who had been before chosen by the major part, and was already ordained. Cornelius does, in a letter to Fabius, Bishop of Antioch, vindicate his right: and shows that Novatian came not canonically to his orders of priesthood, much less was he capable of being chosen bishop; for that all the clergy and a great many of the laity, were against his being ordained presbyter, because it was not lawful (they said) for any one that had been baptized (*perikuthenta*) in his bed in time of sickness, as he had been, to be admitted to any office of the clergy." "France seems to have been the first country in the world, where baptism by affusion was used ordinarily to persons in health, and in the public way of administering it. It being allowed to weak children (in the reign of Queen Elizabeth) to be baptized by aspersion, many fond ladies and gentlewomen first, and then by degrees the common people, would obtain the favor of the priest to have their children pass for weak children, too tender to endure dipping in the water. Especially, as Mr. Walker observes, if some instances really were, or were but fancied or framed, of some child's taking hurt by it. Calvin had not only given his dictate in his institution, that the difference is

of no moment, whether he that is baptized be dipt all over, and if so, whether thrice or once; or whether he be only wetted by the water poured on him; but he had drawn up for the use of his church at Geneva, and afterwards published to the world, a *form of administering the sacrament*; where, when he comes to order the act of baptizing, he words it thus: ‘then the minister of baptism *pours* water on the infant, saying I baptize thee,’ and so on. There had been some synods in some diocesses of France, that had spoken of affusion without mentioning immersion at all, that being the common practice; but for an Office or Liturgy of any church, this is, I believe, the first in the world that prescribes aspersion absolutely. And for sprinkling properly called, it seems it was, at sixteen hundred and forty-five; just then beginning, and used by very few. It must have began in the disorderly times after forty-one. But then came the Directory, and says: ‘baptism is to be administered, not in private places, or privately; but in the place of public worship, and in the face of the congregation,’ and so on. And not in the place where fonts, in the time of Popery, were unfitly and superstitiously placed. So they reformed the font into a basin. This learned Assembly could not remember, that fonts to baptize in, had been always used by the primitive Christians, long before the beginning of Popery, and ever since churches were built: but that sprinkling, for the common use of baptizing, was really introduced (in France first, and then in other Popish countries) in times of Popery. And that accordingly, all those countries

in which the usurped power of the Pope is, or has formerly been owed, have left off dipping of children in the font: but that all other countries in the world, which had never regarded his authority, do still use it; and that basins, except in cases of necessity, were never used by Papists, or any other Christians whatsoever, till by themselves. What has been said of this custom of pouring or sprinkling water in the ordinary use of baptism, is to be understood only in reference to these western parts of Europe: for it is used ordinarily no where else." *History of Inf. Bap.*, part II, chap. IX.

"The custom of sprinkling children, instead of dipping them in the font, which at first was allowed in case of the weakness or sickness of the infant, has so far prevailed that immersion is at length quite excluded."—*Encyclo. Brit.*, Article, Baptism.

Dr. Towerson: "The first mention we find of aspersion in the baptism of the elder sort, was in the case of the *clinici*, or men who received baptism upon their sick beds; and that baptism is represented by St. Cyprian as legitimate, upon account of the necessity that compelled it, and the presumption there was of God's gracious acceptance thereof because of it. By which means the lawfulness of any other baptism than by an immersion, will be found to lie in the *necessity* there may sometimes be of another manner of administration."—*Sacra. of Bap.*, part III, p. 59, 60.

Storr and Flatt: "Even in the third century, the baptism of the sick, who were merely sprinkled with water, was entirely neglected by some, and by others was

thought inferior to the baptism of those who were in health, and who received baptism not merely by aspersion, but who actually bathed themselves in water. This is evident from Cyprian (Epist. 69, ed. Bremæ, p. 185, &c.) and Eusebius (Hist. Eccles., L. VI, chap. 43,) where we find the following extract from the letter of the Roman Bishop Cornelius: ‘Novatus received baptism on a sick bed, by aspersion, (perikutheis,) if it can be said that such a person received baptism.’ No person who had, during sickness, been baptized by aspersion, was admitted into the clerical office.”—*Theology*, p. 5, 13–4.

Winer in his *Lectures on Archæology*, in manuscript, says: “Affusion was at first applied *only to the sick*, but was gradually introduced for others after the seventh century, and in the thirteenth became the prevailing practice in the west. But the Eastern church has retained immersion alone as valid.”—*Hinton*, p. 202.

Neander, vol. I, p. 361, remarks: “Only with the sick was there an exception, in regard to immersion.”

Stroth’s *Eusebius*, vol. I, p. 506: “Baptism was administered *to those on beds of sickness* by sprinkling and pouring; in other cases, it was at that time by immersion.”

Geiseler’s *Ch. Hist.*, Ger. Ed., vol. II, p. 274: “For the sake of the *sick*, the rite of sprinkling was *introduced*.”

Bp. Taylor: “It was a formal and solemn question, made by Magnus to Cyprian, ‘whether they are to be esteemed right Christians, who were only sprinkled with water, and not washed or dipped?’ He (Cyprian) an-

swers, 'that such baptism was good, when it was done in the case of necessity; God pardoning, and necessity compelling.'"—*Ductor Dubitantium*.

Edinburg Ency.—“The immersion of the whole body was omitted *only* in the case of the sick, who could not leave their beds. In this case sprinkling was substituted, which was called *clinici* baptism. The first law for sprinkling was obtained in the following manner: Pope Stephen II, being driven from Rome by Adolphus, king of the Lombards in 753, fled to Pepin, who, a short time before, had usurped the crown of France. Whilst he remained there, the monks of Cressy, in Brittany, consulted him whether in case of necessity, baptism poured on the head of the infant, would be lawful. Stephen replied that it would. But though the truth of the fact be allowed—which, however, some Catholics deny—yet pouring, or sprinkling, was admitted only in *cases of necessity*. It was not till the year 1311, that the legislature, in Council held at Ravenna, declared immersion or sprinkling to be indifferent. In Scotland, however, sprinkling was never practised in ordinary cases, till after the Reformation (about the middle of the sixteenth century.) From Scotland, it made its way into England, in the reign of Elizabeth, but was not authorized in the established church.”—*Art. Baptism*.

4. *This change in the action of Baptism was opposed, even for the sick.*

See quotation from Dr. Wall, page 96.

Valesius observes: “This word, *perikutheis*, Rufinus

very well renders *perfusus*, *besprinkled*. For people which were sick and baptized in their beds, could not be dipped in water by the priest, but were sprinkled with water by him. This baptism was thought imperfect, and not solemn for several reasons. Also they who were thus baptized, were called ever afterwards, *clinici*; and, by the twelfth canon of the Council of Neocesarea, these *clinici* were prohibited priesthood.”—*Eccles. Hist.* B. VI.

F. Brenne, (Roman Catholic):—“These latter methods of baptism (by sprinkling in cases of necessity) were called in question, and even prohibited.”—*Stuart on Bap.*, p. 152.

5. *The Reason of the introduction of Sick-bed Baptism as a substitute for Immersion.*

Campbell: “If we go back to the old creeds, the Nicene and the Athanasian, they put us to shame. The Nicene was a symbol, an exponent of the faith of the whole world, at the beginning of the fourth century. It says: ‘We believe in one baptism for the remission of sins.’ The Athanasian, says: ‘We confess one baptism for the remission of sins.’”—*Debate*, p. 472.

Cyprian’s answer to Magnus: “You ask me, my dear son, what I think respecting those who have become subjects of divine grace, in a state of languor and sickness; viz: whether they are to be regarded as lawful Christians, when they have not been bathed with saving water, (immersed by baptism,) but *perfusi*, *bedewed*, *affused*. So far as my humble opinion goes, I think the

divine benefits (of the ordinance) are in no degree diminished or cut short."—*Stuart*, p. 179.

Origen: "They are rightly baptized who are washed unto salvation. He that is baptized unto salvation, receives the water and the Holy Spirit."—*Homily on Ezek.* 16: 4., and on *Rom.* 6.

Gregory, Bishop of Nyssa: "That the regeneration wrought in baptism ought not to be attributed to the water, but to a divine virtue; that by dipping the person under water three times, the death and resurrection of Jesus Christ is represented; that without baptism no man can be washed from sin."—*Bap. Hist.*, p. 44.

The Council of Mela in Numidia, in Africa, enjoined Christians to baptize their infants for forgiveness of sin." *Rob. Bap.*, p. 216.

Let us, said the Counsel for the Prosecution, close with the language of Dr. Mosheim:—"It was the custom of many in that century, (fourth) to put off their baptism till the last hour; that thus immediately after receiving by this rite the remission of their sins, they might ascend pure and spotless to the mansions of life and immortality."—*Church History*.

#### OPENING ADDRESS OF THE PRISONER'S COUNSEL.

By the permission of the Court, gentlemen of the jury, the time has arrived in the progress of this case, when it becomes my duty, to state to you the ground of our defence for the Prisoner's conduct, on which we shall rely with confidence for his triumphant acquittal of the charge found in the indictment against him. The



strength of the position which we shall establish by evidence, gives us strong hope of the final issue of this controversy.

The charge in the indictment against the Prisoner, is of the most serious character to him and his friends; for it involves in it their loyalty to the government, and places the life of the Prisoner in jeopardy. We had, with great confidence, expected from the grand jury, such a disposition of the accusation against him, as would have restored my client to that position which he occupied before the public, with honor to himself and his friends, before these proceedings were commenced against him.

The jury by its conclusion, brought about by some influence made to bear upon its action, has lamentably disappointed our hopeful expectation, and that of a large number of our friends. It is not our right to impeach the motives by which its members were influenced in their conduct; but we have a right to say, that in a case so well understood by most of our citizens, it would have been prudent for the jury to adopt the popular judgment of the Prisoner's innocence in its action. A judgment of this character, would have been a lasting honor to their patriotism. They have chosen to adopt the alternative of returning Mr. PEDOBAPTIST to the Court for trial. We must submit and abide the result.

The judgment of the grand jury, as embodied in their presentment to the Court, should not exercise any influence over your judgment of this case, when you come to render a verdict. You are under the obligation of

an oath, to determine this controversy only by the law and the evidence before you, and not by any outside influence that may be brought to bear upon your judgment. The position you all occupy in the Commonwealth, is to us all, a sure guarantee that you will administer impartial justice to the parties. This is all we shall invoke at your hands, and its exercise will surely acquit the Prisoner. We have no doubt, your honor, character and relation to this country, will lead you to settle this controversy only by law and evidence. We have abiding confidence in the patriotism of our people, that they will fully appreciate a settlement of this controversy by law and evidence, approved by this Court.

You must not forget, for a single moment, during the whole consideration of this case, the acknowledged loyalty of Mr. PEDOBAPTIST and his friends, to the honor and perpetuity of this government. Can they not always point with pride to the many noble and generous sacrifices they have made for this country, to subserve its weal in the eyes of other nationalities, as an undeniable proof of their fidelity? The annals of history unfold many bright pages, that record their daring deeds for its defence, in the hour of peril and danger. Are all these memorials of sterling worth and fidelity, to be blotted out from your memory? We answer never—no never. This patriotic character, so full of joyful interest to our people, is claimed by the Prisoner and his friends; and it is cheerfully acknowledged by the masses of our people. We had thought this character would have been to them a sure palladium in every emergency.

We have been more than sadly disappointed in our expectations.

The origin of this trial, and its history up to this time, prove clearly to our minds, that excited feelings and prejudice overleap the sacred protection which character ought to give to all men. In this light, I regard this case in its origin and progress, and also the end it seeks to consummate. I may be mistaken; but the facts so far developed place a mistake of judgment almost beyond a possibility.

Gentlemen of the jury—after you shall have give an impartial hearing to all the facts that will be offered to you, we believe you will come to the same conclusion which we have expressed in relation to the origin and progress of this trial, and that you will so express yourselves in the judgment you shall offer to the Court and public. A verdict of this character will blot out forever the claims of Mr. BAPTIST and friends, of being the only persons loyal to our country's Constitution. For this is their high profession, revealed in the charge alleged against Mr. PEDOBAPTIST.

We have always labored as zealously as others can do, to maintain inviolate the spirit of the Constitution. We have also been ready at any moment, when called upon, to unite with all good citizens to arrest the sacrilegious hand that would destroy the sacred institution of baptism, from the *Magna Charta* of Christianity. Yet, in view of this fact, they tell us we are guilty of one of the highest crimes known to our laws—the practical abrogation of Christian Baptism, as taught in the Constitution!

The impeachment of our conduct with this crime, we meet with indignant scorn, and shall hold the prosecutor, in this case, responsible for all that law will permit us to claim at his hands.

The general sympathy of our people for the Prisoner, is witnessed by the multitude of our citizens who have come to this place from all parts of the Commonwealth, to attend the trial, and, many of them, to give aid to the Prisoner. This general sympathy ought to be to us all, significant of the popular pulsation. If the question now before us for a legal decision, was left to the *vox populi* for determination, we are not left to conjecture the judgment that would be rendered. The word "Acquittal" would be proclaimed in a voice of triumph that would make these walls tremble by the power of its notes, and drown all opposition.

The reason of this popular sentiment, is to be found in the conviction of the Prisoner's entire innocence of the crime of high treason against the government. For many of the multitude present, have been taught that his modes of baptism can be traced up to an early period in the history of this government; and the antiquity of these modes is to them a pledge of their divine authority.

You must also remember this fact, a verdict of guilty at your hands, will implicate the most venerated men of this country, in ancient and modern times, with the Prisoner's crime. This momentous fact, should make you ponder long before you pronounce a judgment of this kind. We cannot for a moment entertain the thought, that your action will be of the character above contem-

plated, because the Prisoner has only walked in the light of many illustrious examples revered in the annals of our history.

You must also remember this fact, during the hearing of the evidence and coming to a final conclusion of the whole case, that the burden rests upon the prosecution, to prove the fact alleged in the indictment against the Prisoner. Our only duty is to show that the proof offered does not sustain the allegation. It is this duty that compels us at present to make a defence of our client's conduct, and in this way show the entire impossibility of the Commonwealth, to make out the charge in the indictment beyond a reasonable doubt. I am satisfied we shall show the entire insufficiency of the testimony in evidence by the prosecution, to prove what it is bound to do according to the forms of law.

#### PRINCIPLES OF LAW.

We will now proceed to lay down a number of considerations that are well founded, and which ought to guide us in the investigation of this controversy. There is nothing of such importance to a judicial investigation as the knowledge of the strength of evidence, and the amount of influence it should exercise over our judgment. To a careful consideration of these facts, we now call your attention.

1. That *baptizo*, in the law is a Greek word, and not an English word. This fact is fully testified to by Mr. Classic, one of the principal witnesses of the prosecution.

2. We find that *baptizo* was used by the Greeks, only in reference to common occurrences in life, and not to their religious washings. This is clearly in evidence from all the examples given in the testimony of Mr. Classic. This limitation of its use is significant. Its sacred acceptation cannot be legitimately ascertained by its use among the Greeks, because they do not give it such an appropriation.

3. This word is used by the Jews to denote some of their religious washings. This fact is placed beyond a doubt, by the testimony of Mr. Translator. This fact signifies that the Jews used *baptizo* in a sense adapted to these washings, and not as adapted to common things in life as used by the Greeks.

4. It is a common occurrence for words to depart from their primary meaning, and assume, by use, a new signification. In support of this principle, we shall read the following authorities.

Ernesti, as published with notes by Professor Stuart, p. 14. "The question as to the idiom of the New Testament, turns on the use of such words and phrases as designate those objects that the Greeks are accustomed to designate; and the question here must be whether such words in the New Testament are used in the same sense which the Greeks attached to them; and whether phrases not only have the same syntax as that of the classic Greek, but also the same sense as in the Greek authors: for this is essential to the purity of language," &c.

"The question being thus stated and defined, we deny,

without hesitation, that the diction of the New Testament is pure Greek, and contend that it is modelled after the Hebrew, not only in single words, phrases and figures of speech ; but in the general texture of the language. This can be established by clear examples, more numerous than those who agree with us in opinion have supposed."

Dr. George Campbell, says : "Those words in particular, which have been in most familiar use with the old interpreters, and have been current in the explanations given in the Hellenistical synagogues and schools, have with their naturalization among the Jews, acquired in the Jewish use, if I may be allowed the expression, 'an infusion of the national spirit.' Classical use, both in the Greek and in the Latin, is not only in this study, sometimes unavailable, but may mislead. The sacred use and the classical are often very different."

5. That the acceptation of *baptizo* by Christ and his apostles, is the only tribunal to us, that can determine what was intended to be done in the constitutional law of baptism. No one dares to doubt their authority in this country, because it is made the supreme tribunal in this land, to infallibly determine all constitutional questions that may arise among our citizens. This principle of law is fully confirmed by the counsel's opening address. On this ground, I would remark, the decisive battle must be fought on this occasion.

6. The manner of doing anything commanded, is a matter of indifference, unless the manner of performance is commanded. This is a self evident principle,

because the Lawgiver only seeks the thing commanded to be done—this all the law contemplates in its terminology. To this principle of action, the counsel can file no reasonable objection. He will not become so exceedingly insane to assume the manner of baptizing is commanded. If not, then all are free to use what manner of baptizing is most suitable and convenient. We shall on this point content ourselves until it is contested by the counsel.

If the Court and jury will give to these incontestable considerations that weight they imperatively demand, we shall not entertain any fears as to the result that will follow. That conclusion will bring our labors to an honorable close, which our consciences and our country will approve.

The proposition in way of defence of the Prisoner's conduct, which we shall prove, is the following: *That baptizo at the time of its incorporation into the Constitution, signified a thing to be done, and not the manner of doing it.* We shall prove this proposition by the following authorities:

1. By the testimony of the Lexicons. They will prove a variety of meanings to *baptizo*, and necessarily overturn the foundation on which rests the argument of the prosecution.

2. By the testimony of Mr. Translator. He will teach you plainly that he has regarded *baptizo* to be indefinite in character, and so translated it.

3. By men of undoubted learning in this Commonwealth. Their testimony will fully justify the Prisoner's



conduct, and place its honorable character beyond a question.

4. By the baptism of the Holy Ghost. 'This being the real baptism of which water baptism is only an emblem—its action being by pouring the other must be so likewise.

5. By the history of the church in its administration of baptism. Here we will find a variety of modes of baptism practised. This will account for the church understanding the law of baptism to be a thing to be done—the manner of execution left to the discretion of all to decide.

From all these classes of witnesses, we expect to prove to your satisfaction, that *baptizo* had not, at the time of its adoption by the Lawgiver in the ordinance of baptism, a determinate or single signification, but was used with a variety of acceptations to designate a common object, which could be performed by a variety of modes. 'This fact suggests the reason of its adoption (taking our view of this subject) by the institutor of baptism, because only a word of this generic character would be adapted to various climates and countries, to denote the thing to be done to all the subjects of baptism.

One of the leading objects of governmental institutions is, to nourish and foster a spirit of loyalty among all its subjects. It does not so much seek after a uniformity of custom, as a uniformity of spirit among its loyal subjects. We have this principle practically exemplified in the conduct of the parties in controversy, except the proscriptive policy of Mr. BAPTIST.

We hope before we are done with this case, to make the view we have taken of it, so clear to you all, that you will cordially agree with us in our conclusion of the whole subject. And after the whole testimony is in evidence, with our argument therefrom, we will not be placed in a position, we think, that will lead us to claim the benefit of a reasonable doubt. We wish to secure a verdict that will triumphantly justify the Prisoner.—We now invoke your attention to the evidence we shall offer.

MR. LEXICON.

Mr. Lexicon was again called to the witness stand.

Q. C. Pri.—Will you please to give us the testimony of Messrs. Groves, Wahl, Greenfield and Parkhurst, on the meaning of *baptizo*?

A.—Cheerfully.

Groves: “To dip, immerse, immerge, plunge; to wash, cleanse, purify—*Baptizomai*, to wash one’s self, bathe,” &c.

Wahl defines it, first: “To *wash*, perform ablution, cleanse; secondly, to immerse,” &c.

Greenfield: “To immerse, immerge, submerge, sink; and in the New Testament, to wash, perform ablution, cleanse; to immerse.”

Parkhurst: “To immerse in or with water in token of purification.”

Q.—Have we now a fair representation of *baptizo*, from your family?

A.—Yes sir.

Q. C. Pro.—Have you not confounded the effects of *baptizo*, in your definition of this word; and can the effects of an action belong to its definition?

A.—The use of the word in the language will determine whether we are right or not.

Q.—Have you sustained these definitions by authorities from the language?

A.—You can clearly see, our family with one voice declare that immerse is the primary meaning of *baptizo*. It is true, that some members of the family, place the effects of dipping in connection with this primary meaning, and that for this they have given no reliable authorities, from its use in the language.

## MR. TRANSLATOR.

Mr. Translator was next called to the witness stand.

Q. C. Pri.—Will you please to read those passages in the Old and New Testaments, where *wash* is given as synonymous to *baptizo*?

A.—I will do so very willingly.

Judith, in c. 12: 7: “Then Holofernes commanded his guard that they should not slay her: thus she abode in the camp three days, and went out in the night into the valley of Bethulia, and *washed* (*ebaptizeto*) herself in a fountain of water by the camp.”

Sirack, c. 31: 25: “If any one who is washed (*baptizomenos*) from a dead body toucheth it again, what is he profited by his bath.”

Mark 7: 4: “And when they (Pharisees) come from the market, except they wash, (*baptisontai*) they eat not,

And many other things there be, which they have received to hold, as the washing (baptismous) of cups, and pots, and brazen vessels, and of tables." Also in the 8th verse, "the washing (baptismous) of pots and cups."

Luke 11: 38: "And when the Pharisee saw it, he marveled that he had not first washed (cbaptisthee) before dinner."

Heb. 9: 10: "Only in meats, and drinks, and divers washings (baptismous.)"

Q. C. Pro.—Why have you not given some authority for rendering *baptizo* by wash in these places?

A.—We were practically opposed to Mr. BAPTIST.

The Prisoner's Counsel said, as the other side has paraded before you a large number of PEDOBAPTISTS as witnesses, with an air of triumph, we shall meet them with men of equal learning and authority. Their testimony you will find fully sustains the conduct of the Prisoner. We offer them to prove that immersion is not the exclusive mode of baptism.

Dr. Owen was called and qualified.

Q. C. Pri.—What is your understanding of *baptizo*, in the law of baptism?

A.—"Baptizo signifies to wash; as instances out of all authors may be given, Suidas, Hesychius, Julius Pollux, Phavorinus, and Eustachius. It is first used in the Scriptures, Mark 1: 8; John 1: 33, and to the same purpose in Acts 1: 5. In every place it either signifies to pour, or the expression is equivocal. 'I baptize you with water, but he shall baptize you with the Holy Ghost;' which is the accomplishment of that promise, 'that the Holy

Ghost shall be poured on them.'” Again—“No one place can be given in the Scriptures, wherein *baptizo* doth necessarily signify either to dip or plunge.” Again—“In this sense, as it expresseth baptism, it denotes to wash only, and not to dip at all: for so it is expounded, Tit. 3:5,” &c. Again—“Wherefore in this sense, as it is applied unto the ordinance, the sense of dipping is utterly excluded.”—*Owen's Works*, vol. 21.

Dr. John Dick, Professor of Theology to the United Session Church, says: “We here see that nothing certain as to mode can be learned from the original term *baptizo*, because it has different meanings, signifying sometimes to immerse, and sometimes to wash.”—*Dick's Divinity*.

Dr. Thomas Scott, says: “The word was adopted from the Greek authors, and a sense put upon it by the inspired writers, according to the style of Scripture, to signify the use of water in the sacrament of baptism, and in many things of a spiritual nature, which stood related to it. Some indeed contend zealously, that baptism always signifies immersion; but the use of the words baptize and baptism in the New Testament, cannot accord with this exclusive interpretation.”

Dr. Dwight says: “I have examined almost one hundred instances, in which the word *baptizo* and its derivatives are used in the New Testament, and four in the Septuagint; and these, so far as I have observed, being all the instances contained in both. By this examination, it is to my apprehension evident, that the following things are true: That the primary meaning of these

terms is cleansing ; the effect, not the mode of washing. That the mode is usually referred to incidentally, wherever the words are mentioned, and this always the case, wherever the ordinance of baptism is mentioned, and a reference made at the same time, to the mode of administration. That these words, although often capable of denoting any mode of washing, whether by affusion, sprinkling or immersion, (since cleansing was familiarly accomplished by the Jews in all these ways,) yet in many instances, cannot without obvious impropriety, be made to signify immersion ; and in others cannot signify it at all."—*Dwight's Theology*, vol. 4, p. 338.

Dr. Adam Clarke says : "In what form baptism was originally administered, has been deemed a subject worthy of serious dispute. Were the people dipped or sprinkled ? for it is certain *bapto* and *baptizo* mean both." *Comment on Matt. 3: 6*.

Mr. Richard Watson (a theological writer of note in the Methodist Church) says : "The verb with its derivatives, signifies to dip the hand in the dish, *Matt. 36: 23* ; to stain a vesture with blood, *Rev. 19: 13* ; to wet the body with dew, *Dan. 4: 33* ; to paint or smear the face with colors ; to stain the hand by pressing a substance ; to be overwhelmed in the waters as a sunken ship ; to be drowned by falling into water ; to sink in the neuter sense ; to immerse totally ; to plunge up to the neck ; to be immersed up to the middle ; to be drunken with wine ; to be dyed, tinged and imbued ; to wash by effusion of water ; to pour water upon the hands,

or any other part of the body ; to sprinkle.”—*Institutes*, p. 442.

Q. C. Pro.—Mr. Watson, have you in your *Institutes*, given the authorities on which you ground such a variety of meaning ?

A.—I give authority for the Scriptural acceptance of *bapto*, in what I have said. As to *baptizo*, I have not named the authorities.

The Counsel said before any others are called, he would ask Dr. Clark a question.

Q. C. Pro.—Dr. Clark, as you have given us your understanding of baptism on Matt. 3 : 6, will you please to give us your understanding of baptism as found in 1 Cor. 15 : 29 ?

A.—“ The baptism which they received, they considered an emblem of the natural death and resurrection. This doctrine St. Paul most pointedly preached, Rom. 6 : 3, 4, 5. The sum of the Apostle’s meaning appears to be this : If there be no resurrection of the dead, those who, in becoming Christians, expose themselves to all manner of privations, crosses, severe sufferings, and a violent death, can have no compensation, nor any motive sufficient to induce them to expose themselves to such miseries. But as they receive baptism, as an emblem of death, in voluntarily going *under the water* ; so they receive it as an emblem of the resurrection unto eternal life, in coming up *out of the water* ; thus they are baptized for the dead, in perfect faith of the resurrection.”—*Com.* 1 Cor. 15 : 29.

Counsel for the Prisoner next called Dr. Schmucker.

S. S. Schmucker, D. D., Professor at Gettysburg, Pa., says: "But the question is, whether immersion is enjoined in the Scripture, and consequently is one essential part of baptism, so that without it no baptism is valid, though it contain every other requisite. On this subject the Lutheran church has always agreed with the great majority of Christian denominations, in maintaining the negative, and in regarding the quantity of water employed in baptism, as well as the mode of exhibiting it, not essential to the validity of the ordinance."—*Popular Theology*, p. 263.

Dr. Bogue, in his *Theological Lectures*, says, p. 312: "Baptism, according to its original etymology, signifies to tinge, to stain. To wash, or to wet in order thereto. Used with water, oil, blood; Lev. 8: 6, 12, 14. It is used in the Scriptures as a generic word or term to denote dedication and purification. It appears from the use of the word, that baptism consists in applying water to the body for a religious purpose, but it does not particularly express how, or in what quantity. It is not certainly known, by any express declarations, what mode of baptism, whether by washing, plunging, or affusion was used in the New Testament. The word baptism is used in the New Testament, not only for applying a thing to water by immersion, but also for applying water to a thing by affusion or washing."—Mark 7: 4; Luke 11: 38."

Dr. George Hill, principal of St. Mary's College, St. Andrews, says: "Both sprinkling and immersion are implied in the word *baptizo*; both were used in the reli-



gious ceremonies of the Jews, and both may be considered as significant of the purpose of baptism.”—*Hill's Divinity*, p. 659.

C. Pro.—How was baptism performed at the time of its introduction?

A.—“A rite borrowed from the Jewish custom of plunging into water the proselytes from heathenism to the law of Moses, but consecrated by the words of Jesus, and the universal practice of his disciples, as the mode of admitting members into the Christian society.”—*Ibid*, p. 189.

Q.—Mr. Hill, will you inform us what was the ancient action of baptism?

A.—“The Apostle Paul, Rom. 6: 4, 5, 6, illustrates this connection by an allusion drawn from the ancient method of administering baptism. The immersion in water of the bodies of those who were baptized, is an emblem of that death unto sin, by which the conversion of Christians is generally expressed: the rising out of the water, the breathing the air again after having been for some time in another element, is an emblem of that new life, which Christians by their profession are bound, and by the power of their religion are enabled to lead. The time during which they remained under the water is a kind of temporary death, after the image of the death of Christ, during which they deposited under the stream the sins of which the old man was composed.”—*Ibid*, p. 660.

Again—“There is reason to believe that immersion was more commonly practised in the beginning.”—*Ibid*.

Q.—Do you not teach, that the church has a liberty on the action of baptism ?

A.—“The greater part of Christians have found themselves at liberty, in a matter very far from being essential, to adopt that practice which is most convenient, and most suited to the habits of colder climates.”—*Ibid*, p. 559.

The Counsel said he would suspend the argument he intended to offer on the baptism by the Holy Ghost, until his address to the Court and jury. He said he would now proceed to call witnesses to prove the historical view of this subject.

Origen was called and qualified.

Q. C. Pri.—Will you please to state how you described the transaction at Mount Carmal ?

A.—“How came you to think that Elias, when he should come, would baptize, who did not, in Ahab’s time, baptize the wood upon the altar, which was to be washed before it was burnt, by the Lord’s appearing in fire ? But he ordered the priests to do that, not once only, but says: Do it the second time ; and they did it the second time ; and, do it the third time ; and they did it the third time. He, therefore, that did not himself baptize them, but assigned that work to others, how was he likely to baptize, when he, according to Malachi’s prophecy, should come.”—*Wall’s Hist. of Inf. Bap.*, vol. ii, p. 332.

Clemens Alexandrius, speaking of a backslider whom John the Apostle was the means of reclaiming, says : “He was baptized a second time with tears.”

Athanasius reckons up eight several baptisms: "1. That of the flood. 2. That of Moses in the sea. 3. The legal baptisms of the Jews after uncleanness. 4. That of John the Baptist. 5. That of Jesus. 6. That of tears. 7. That of martyrdom. And 8. Of eternal fire."

Gregory Nazianzen says: "I know of a fourth baptism, that by martyrdom and blood; and I know a fifth, that of tears." Basil tells us of a martyr that was "baptized into Christ with his own blood."—*Pond on Bap.*, p. 34.

Cyprian says in answer to a question propounded to him on baptism: "You inquire, also, dear son, what I think of such as obtain the grace in time of their sickness and infirmity, whether they are to be accounted lawful Christians, because they are not washed all over with the water of salvation, but have only some of it poured on them. In which matter I would use so much modesty and humility, as not to prescribe so positively, but every one should have the freedom of his own thoughts, and do as he thinks best. I do according to the best of my mean capacity, judge thus: That the divine favors are not maimed or weakened, so as that any thing less than the whole of them is conveyed, where the benefit of them is received with a full and complete faith, both of the giver and receiver."—*Wall's Hist. of Inf. Bap.*, 5, ii, pp. 357, 358.

"And no man, need, therefore, think otherwise, because these sick people, when they receive the grace of our Lord, have nothing but an *affusion* or sprinkling, when as the Holy Scripture, by the prophet Ezekiel,

says: 'Then will I sprinkle clean water upon you, and ye shall be clean,' &c. "If any one think they obtain no benefit, as having only an affusion of the water of salvation, do not let him mistake so far, as that the parties, if they recover of their sickness, should be baptized again."—*Ibid*, pp. 386-7.

Aurelius Prudentius, who wrote A. D., 390, speaking of John's baptism, says: "Perfundit fluvio—he poured water on them in the river."

Walafried Strabo, abbot of the convent of St. Gall, says: "It should be noted, that many have been baptized, not only by immersion, but by affusion (*non solum mergendo, verum etiam de super fundendo*) and they may be baptized in this manner, if there be any necessity for it; as, in the passion of St. Lawrence, we read of a certain person baptized by water brought in a pitcher (*urceo allato.*") So Thomas Aquinas, in *Summa Theol.* III, ques. 66, art. 7, says: "It is safer to baptize by the mode of immersion, because this has common usage in its favor." But these words show that a different usage was coming in, and that Aquinas did not look upon it with any strong disapprobation. In the *Statut. Synod. Leodiens.*, anno 1287, c. 2, the mode of baptism is prescribed, and it is there said, "That danger in baptizing may be avoided; let not the head of the child be immersed in water, but let the priest pour water three times upon the head of the child, with a basin, or some other clean and decent vessel, still holding the child carefully with his hand." The synod at Cambray says: "That danger in baptizing may be avoided; let not (the priest)

immerse the head of the child in the water, but, when he baptizes, let him pour water thrice upon the top of his head, with a basin or other clean and decent vessel.”—*Stuart. Bap.*, p. 171.

The Counsel for the Prisoner, at this stage of the proceeding, said, he would close his defence, not calling witnesses, until the gentleman on the other side would give a definite view of the two arguments which he had postponed till his closing address. It is justice to the Prisoner, said he, that makes me take this course. Unless I have all the points on which he relies before I close, I shall be unable to do my duty to the Prisoner.

The Court said the gentleman was correct in the position he had just taken. It is the order of the Court, that the Counsel for the prosecution proceed to give his understanding of the two arguments, not yet presented.

#### NEW TESTAMENT BAPTISMS.

The Counsel for the Commonwealth said, that in obedience to the order of the Court, he would now proceed to unfold the arguments, the discussion of which he had suspended until his closing address. The demand (he said) of the Prisoner's Counsel, was reasonable, and should be cheerfully met at this time. He said, he wished to give the Prisoner every legal opportunity to justify his conduct before the Court, Jury and Country. The first point to be noticed is, *the persons, places, and circumstances, connected with the baptisms mentioned in the New Testament*, plainly refer to immersion as the action performed.

The baptism of John will claim our attention first ; because it is first in order of time, and so noted by the Sacred Historians. The design of his ministry was to prepare the people for the reception of the promised Christ, when he should be introduced to the Jewish public. The rite of baptism practised by him as a divine institution, and as a preparatory measure to all that received his testimony concerning the promised Messiah, will now demand our attention. This will lead us to note the following particulars, concerning his baptism of the multitude :

1. *The character of the persons he baptized.*—This is clearly settled by Matthew and Mark, when they declare, the persons he baptized to be those “*confessing their sins.*” Matt. 3: 6. Mark 1: 5.

2. *The places where he baptized.*—The Evangelist notes in the first place, “*in the river Jordan.*”—Mark 1: 5. Matt. 3: 6. Secondly, “*in Enon, near to Salim, because there was much water there.*”—John 3: 23. In this language we have the divine reason for baptizing at this place, “*because there was much water there.*” Thirdly, it is said he baptized “*in the wilderness,*” and “*beyond Jordan, where John was baptizing.*” In the wilderness, denotes that part of the river that passed through it, and in the other passage we have the place named where the baptizing was done. In all the places named where he baptized, there is no indication that he baptized in a house, or place, where there was no stream of water.

3. *The baptism of our Saviour by John.*—We note the

following particulars connected with this baptism: (1) "Then cometh Jesus from Galilee to Jordan unto John, to be baptized." (2) He demands baptism at his hands, and John consented. (3) The place in which John baptized Him—"in Jordan." (4) His coming up out of the water after his baptism.

The preposition that gave Him a position in the water, is *en*, and the one that brings Him out of it, after his baptism, is *apo*. I am aware that it is said that *apo* signifies *from* and not out of. With this signification of it here, it would of necessity designate the place in the river where He was baptized, and this the starting point from which He came; for *en* places Him in the river, and *apo* designates the point from whence He came after the baptism. The facts in regard to these two prepositions, in their relation to Christ's baptism, make out all we demand for this baptism.

4. *The baptism of the Eunuch.*—The following things are found in relation to this baptism: (1) The person baptized was a believer in Christ. (2) The place of his baptism, "a certain water." (3) The circumstances connected with this baptism. (1) They came unto a certain water. (2) His application to Philip for baptism. (3) "And they went down both into the water." (4) Philip baptized the Eunuch. (5) They came up out of the water after the baptism.

The prepositions found in this case are *epi*, that brought them to the water, *eis* took them into the water, and *ebaptisen* designates what Philip did to the Eunuch, and *ek* denotes their conduct after this action was per-

formed—coming up out of the water. The prepositions found in this case shadow forth immersion alone as the baptism performed in this instance. Are they ever all associated with the actions of sprinkle or pour? We answer, not in a solitary case found in the Scriptures.

In the history of these baptisms, we have many of the circumstances minutely detailed, which may assist us in ascertaining the action performed, by inquiring into the essential circumstances each one of these actions imperatively demands. Immersion in water requires (1) the subject to be *in* the water. (2) The application of the subject to the element by the act of immersion. (3) The coming out of the water after the action is performed. These circumstances are always necessary to this action, whenever it is done.

Let us now take pouring and sprinkling as the action of baptism, and inquire what are the essential circumstances always demanded. (1) Water. (2) The application of the element to the subject in the manner the words indicate. We may distinguish these different actions expressed by immerse, pour and sprinkle, by the following essential circumstances: (1) The place for the performance of baptism—immerse as the action of baptism requires its subjects to go in or into the water—sprinkle and pour make no such requirement; because not essential to their performance. (2) Immerse requires its subjects to be placed under the water—sprinkle and pour make it essential to apply the element to the subject and not the subject to the element. (3) Coming up out of the water follows as essential to the act of im-



mersion in baptism—sprinkle and pour as the actions of baptism make no such demand of their subjects. Let these essential circumstances, connected with these actions, which claim to be baptism, be compared with the cases we have examined, and see whether the essential circumstances of immerse, or pour, or sprinkle are found. This comparison will lead you at once to identify the likeness between immerse and *baptizo*, in all that is essential to their performance; and will show that there is no likeness between the essential circumstances connected with the action of baptism, and the circumstances connected with the actions of pour and sprinkle. This single fact must exclude the claims of sprinkle and pour to be the actions commanded in baptism.

The prepositions found in connection with the word must be taken in their popular acceptance. The usual significations of *en* and *eis* are *in* and *into*. To depart from these usual significations, without a reason found in the context, is warranted by no reliable authority.—We have only to consult the English translation of the Scriptures, to find the popular signification of these prepositions to be that which we have given. It is equally true that *ek*, when it refers to a movable object, has for its signification, *out of*. We have already noticed *apo*. We expect to notice these prepositions again, when we close our address to the Court and jury.

Let the Counsel for the defendant inform us, what other prepositions can be used in their literal acceptance in connection with immerse, but those that are named in these baptisms. He never will undertake to show that

these prepositions are not essential to immerse in Greek, as well as in English.

To give additional strength (if that can be done) to this argument, apply this test to the word *baptize*, as found in these baptisms: substitute in its place immerse, sprinkle, and pour, for they all claim to represent in English what *baptizo* does in Greek. You will find in substituting sprinkle or pour in place of *baptizo*, that it will be a gross violation of propriety and of language; because the prepositions refuse the unnatural relation. Let immerse be substituted in place of *baptizo*, and you will find it always makes good sense; because the prepositions are at home in its companionship. Such a trial ought to show the impropriety of offering any other meaning to *baptizo* than to immerse.

#### DESIGN OF BAPTISM.

The Counsel proceeded to unfold the second argument postponed, which is, *Baptism in its Design, is a symbolical representation of the death, burial and resurrection of Jesus Christ.* This symbolical meaning of the institution is drawn from the Apostle's allusions to it in Rom. 6, and Col. 2. Paul in these passages contemplates the immersion of a believer in water, and the resurrection out of it, as a commemorative institution of the burial and resurrection of Christ. We shall note the following particulars suggested by these passages of Scripture:

1. The doctrine of abounding grace taught in the previous chapter, is met in the first verse of Romans

sixth, with a common objection to the doctrine of grace ;  
 “shall we continue in sin, that grace may abound?”

2. The answer he gives to this objection: (1) By showing it to be impossible to continue in sin, because “we that are dead to sin (cannot) live any longer therein.” It is certainly impossible to be alive and dead to sin at the same time. This death unto sin can only be produced in us, by what is called spiritual baptism. This baptism, the cause of this death to sin, is clearly distinguished by this fact, from the baptism named in the following verse, it buries or plants us in the likeness of his death. It does not produce death unto sin, but declares the facts in which this death to sin finds its origin and power. It will not do, to confound the cause of death and the declaratory act—they cannot be the same. (2) In the third verse he shows how this death unto sin was declared: “Know ye not that so many of us as were baptized into Jesus Christ, were baptized into his death.” This is an appeal to their baptism, as a public declaration of their death to sin by Christ’s death. It is far from teaching the doctrine, that this death to sin was produced in this baptism; but simply a declaration of this fact in water baptism. (3) Paul’s conclusion as found in the fourth verse: “Therefore, we are buried with Christ by baptism into death; that, like as Christ was raised up from the dead by the glory of the Father, even so we also should walk in newness of life.” The Apostle clearly makes this burial and resurrection of the believer *by* and *in* baptism, a symbolic representation of Christ’s death, burial and resurrection. Paul’s expo-

sition of this passage, makes water baptism a symbolic representation of these facts. We find a confirmation of this in the fifth verse: "For if we have been planted together in the *likeness* of his death, we shall be also in the likeness of his resurrection." This planting and being buried with Christ, were done in their baptism as a likeness. Immersion alone, as the action of baptism, can be a likeness and representation of the facts designed to be illustrated in this institution.

That we have not mistaken the primitive design of baptism, let us invite your attention to the testimony of two classes of witnesses in proof of our position.

#### 1. *Christian Fathers.*

Crysostom, Hom. 40, on 1 Cor. 1: "To be baptized, and submerge, then to emerge, is a symbol of descent to the grave, and of ascent from it."

Council of Toletan: "For immersion in the water is like a descent to the grave; and again emersion from the water (*ab aquis emersio*) is a resurrection."

Gregory Nyssen: "Coming into water, the kindred element of earth, we hide ourselves in it, as the Saviour did in the earth."

Damascenus Orthodox, Fides IV, 10: "Baptism is a type of the death of Christ: for by three immersions baptism signifies," &c.

So the Apostolic Constitution, (probably written in the fourth century,) Lib. III, c. 17: "Immersion denotes dying with him, (Christ,) emersion a resurrection with him."

These Fathers' testimony is sufficient to show the understanding of the early churches, concerning the design of baptism.

## 2. *Pedobaptist Witnesses.*

Calvin: "Are you ignorant? The Apostle proves that Christ destroys sin in his people from the effects of baptism, by which we are initiated into the faith of the Messiah. For we, without controversy, put on Christ in baptism, and are baptized on this condition, that we may be one with him. Paul thus assumes another principle, that we may then truly grow into the body of Christ when his death produces its own fruit in us who believe. Nay, he teaches us that this fellowship of his death is chiefly to be regarded in baptism, for washing alone is not proposed in this initiatory ordinance, but mortification, and the death of the old man: whence the efficacy of Christ's death."

Luther: "That the minister dippeth a child into the water, signifieth death; that he again bringeth him out of it, signifieth life. So Paul explains it, Rom. 6. Being moved by this reason, I would have those that are to be baptized, to be entirely immersed, as the word imports and the mystery signifies."

Bp. Hall: "Ye are, in baptism, buried together with Christ, in respect of the mortification of your sins, represented by lying under the water; and in the same baptism, ye rise up with him in newness of life, represented by your rising up out of the water again."—*Hard Texts, on Col. 2.*

Locke: "We did own some kind of death by being buried under the water, which, being buried with him, i. e. in conformity to his burial, as a confession of our being dead, was to signify, that as Christ was raised up from the dead into a glorious life with his Father, even so we, being raised from our typical death and burial in baptism, should lead a new sort of life."

Wall: "As to the manner of baptism then generally used, the texts produced by every one that speaks of these matters, John 3: 23; Mark 1: 5; Acts 8: 38, are undeniable proofs that the baptized person went ordinarily into the water, and sometimes the Baptist too. We should not know from these accounts, whether the whole body of the baptized was put under water, head and all, were it not for two later proofs which seem to me to *put it out of the question*: one, that St. Paul does twice in an allusive way of speaking, calls baptism a burial; the other, the customs of the Christians, in the near succeeding times, which, being more largely and particularly delivered in books, is known to have been generally, or ordinarily, a total immersion."

Archbishop Tillotson: "Anciently, those who were baptized, were immersed and buried in the water, to represent their death to sin; and then did rise up out of the water, to signify their entrance upon a new life. And to these customs the Apostle alludes, Rom. 6: 2-5."

Archbishop Secker: "Burying, as it were, the person baptized in the water, and raising him out again, without question, was anciently the more usual method: on

account of which St. Paul speaks of baptism as representing both the death, burial and resurrection of Christ."

Samuel Clark: "In primitive times, the manner of baptizing was by immersion, or dipping the whole body into the water. And this manner of doing it was a very significant emblem of the dying and rising again, referred to by Paul, in the above mentioned similitude."

Doddridge: "Buried with him in baptism. It seems the part of candor to confess, that here is an allusion to the manner of baptizing by immersion."

John Wesley: "Buried with him—alluding to the ancient manner of baptizing by immersion."—*Notes on Rom. 6.*

Rosenmuller, Koppe and Bloomfield, all hold the same strong language on this subject. We will quote only the last, as he includes the others. In his *Critical Digest on Rom. 6: 4*, he says: "There is here plainly a reference to the ancient mode of baptism by immersion; and I agree with Koppe and Rosenmuller, that there is reason to regret it should have been abandoned in most Christian churches, especially as it has so evidently a reference to the mystic sense of baptism."

The Counsel said, you have the testimonies of Drs. Hill and Clark, on the design of baptism, in their examination, in chief, by the Counsel for the defendant. We could add to the above witnesses a host of others, of equal learning and authority among the friends of the Prisoner. Let us close this branch of our subject with one more witness.

Dr. Chalmers: "Jesus Christ by death underwent

this sort of baptism—even immersion under the surface of the ground, whence He soon emerged again by His resurrection. We by being baptized into His death, are conceived to have made a similar translation. In the act of descending under the water of baptism to have resigned an old life, and in the act of ascending to emerge into a second or a new life—along the course of which it is our part to maintain a strenuous avoidance of that sin.”—*Chalmers's Lect. on Rom. 6.*

We shall now close this argument for the present, and wait until the Counsel shall take his position on the design of baptism as taught by the Apostle in Rom. 6.

We now have our whole evidence before him, in proof of the allegation in the indictment against the Prisoner. We shall listen patiently and earnestly to his closing address in defence of the defendant's conduct, and in reply to our various classes of witnesses, whom we have offered to prove the truthfulness of the charge preferred against Mr. PEDOBAPTIST.

The Court said, we are prepared to hear the Counsel for the Prisoner close his defence. We assure him, that an opportunity will be offered to him, to reply to any new matter, which may be introduced by the Counsel of the Commonwealth in his closing address.

The Counsel for the Prisoner then arose, and commenced his closing address. By the permission of the Court, Gentlemen of the Jury, I arise (he said) to address you for the last time on the momentous question which you are called upon to decide. To you the Prisoner can only appeal for justice, and the protection it



always promises to the innocent, in the hour of calumny and persecution. I know we shall not look in vain. The question you are sworn to try by the evidence, becomes one of infinite moment to us all, by the circumstances that are now thrown around it. These circumstances seek to fasten on my client, one of the darkest crimes known to our laws.

You are aware that it is the duty of the Commonwealth, to make out the charge in the indictment, to your minds, beyond a reasonable doubt, before the Counsel can with any show of reason or law, demand at your hands a verdict of guilty. That he has done so, I have no apprehension that the evidence offered, will warrant this conclusion by you, or myself. With confidence in the strength of our position, and convinced of the imbecility of the prosecution, we approach the examination of the evidence offered, in support of the charge preferred against my client, with hopeful assurance, of showing its entire insufficiency to fasten the crime charged in the indictment, upon the Prisoner.

#### PRINCIPLES OF LAW EXAMINED.

Let us now call the attention of the Court to some of his "incontestable facts," as he chooses to denominate them, in his opening address to the Court. We wish to show in our review of them, that they are not as incontestable as he would have you believe. To those that have a bearing on this case we will now call your attention.

The first fact is, "that the word used in the Constitution of this Commonwealth, to designate the act in Christian

Baptism, is not BAPTO, but its derivative BAPTIZO." We cordially admit that *baptizo* only is used when this ordinance is named. With this fact clearly before us, we must also remember in this connection another fact of equal moment, that is, that *bapto* is admitted to be the root of *baptizo*, and that this root does signify dye as well as dip in any manner. We now will read from Mr. Carson, a leading friend of Mr. BAPTIST; he says, p. 46, "*bapto* signifies to dye by sprinkling, as properly as by dipping, though originally it was confined to the latter;" again, "they (the examples) relate to *dyeing* wholly without reference to dipping; nay, some of them with an expressed reference to another mode." According to this testimony, sustained by examples, the word denotes a thing done, and this by any manner. It is reasonable to expect that its derivative would not be more definite in its signification than the parent stock. The testimony we have offered, clearly establishes the fact, that baptism as a Christian ordinance, contemplates a thing done—the manner is a subject of indifference.

His second fact is, "that baptism is a Positive Institution, and not a Moral one." Who disputes this? We do not. As an ordinance of christianity, it requires certain essential prerequisites. (1) A suitable subject.—(2) A lawful administrator. (3) The element used—water. (4) To be done in the name of the Trinity. These are essential to the ordinance. These are all embraced in this Positive Institution. For these Mr. PEDOBAPTIST contends as zealously as Mr. BAPTIST, and still he stands before you charged with the crime of treason!

In the light of this single consideration, it is impossible to convict him.

His third fact is, "that the meaning of the words used in positive duties, is the only rule of action." This is our principle as well as his, the difference between us is concerning the meaning of the words employed in this ordinance. Our position is, they contemplate a thing done, and not its manner. This is (we think) fully sustained by the testimony of many of his witnesses, in connection with ours. Their examination will take place at the proper time.

We pass over his fourth fact, because it is included in the third, and notice his fifth, which is, that the "figurative application of a word enters not within the pale of the interpretation of positive precepts." This is only sustained by authorities, when the literal meaning is current among the speakers and writers of the language. It is also true that the figurative meaning of a word in the course of time becomes the literal meaning. This can be demonstrated by the history of many words.—Because language, like everything else, is mutable: therefore, this transition is constantly going on. This fact is confirmed by the most reliable authorities.

His sixth fact is, that "all intelligent legislation contemplates a specific object in its enactments." This is generally true; but it is not well founded to say the manner of executing these objects is commanded. The manner is seldom command. When it is not, all are left to adopt that manner of performance which they think best. This is our view of baptism, and it is sup-

ported by other divine commands. (1) In the Mosaic institute, where it imperatively requires persons to bathe or wash themselves—the word used is generic—any manner of performance was a fulfilment of this law. The same principle is elucidated by the command of the Saviour, as found in John 9: “Go wash in the pool of Siloam.” No manner of observance is required in these commands.—These instances are intended to make good the fact, that divine legislation does sometimes, at least, require a thing to be done, without requiring how it shall be done.

In this connection, the Court should take into consideration the facts we laid down in our opening address. They are the following: (1) *Baptizo* is a Greek word. (2) That this word is used by the Greeks only in reference to common occurrences in life, and not to their religious washings. (3) As used by the Jews, it had respect to their religious washings. (4) That it is a common occurrence for words to depart from their primary meaning and assume a new import. (5) The acceptance of *baptizo* by Christ and the apostles, is the only tribunal to determine what was intended to be done by this word. (6) The manner of baptizing is not commanded. These principles of the law are sustained by the testimony. It becomes your duty to apply them in your instruction to the jury. Their application will clearly justify Mr. PEDOBAPTIST, and prove Mr. BAPTIST to be a restless disturber of the peace of society.

The Counsel said, we will now proceed to the examination of the testimony offered by the prosecution, to sustain the charge in the indictment. The testimony

necessary to determine this question in your minds, must prove, beyond a reasonable doubt, this proposition: "That the Lawgiver, by the use of the word *baptizo*, in the Constitution, designed to show that only the immersion in water of every lawful subject was valid baptism." Does the testimony place the truthfulness of this proposition beyond a doubt? It must do this, or you are bound by your oaths to acquit the Prisoner. If we can show that the testimony will not sustain this essential feature of the prosecution, their whole defence must fail. If I understand the character and bearing of the testimony on the issue joined by the parties, we shall be able fully to satisfy your minds of its entire insufficiency, to support the only thing on which the Commonwealth can rely. This is the only duty that law and evidence require of us, and we shall now proceed to its performance, with your indulgence.

#### EXAMINATION OF CLASSICAL TESTIMONY.

The first witness called upon the stand was Mr. Classic. His testimony was entirely confined to the classical acceptation of the word *baptizo*. From the authorities he read as his testimony, we make the following classification of the use of this word: *Baptizo* signifies *sink*, thirteen times—*plunge*, seven times—*immerse*, partially, three times—*smear*, once—*overwhelmed*, four times—*total immersion*, once—used twice by Hippocrates indefinitely. From this enumeration of the use of *baptizo* in his testimony, you can clearly observe a variety of meaning in its classical acceptation. This variety of mean-

ing destroys the entire object of his testimony, and makes void the proscriptive ground on which the prosecution entirely depends to convict the Prisoner.

You will find in looking over his testimony in its completeness, we have fairly made out our classification of the applications of this word from his authorities. In the light of this representation by his own witnesses of the use of this word, what now becomes of the oneness of meaning so essential to Mr. BAPTIST'S accusation, preferred against Mr. PEDOBAPTIST? Without this oneness of literal meaning throughout the whole testimony, the prosecution must fail.

We must remember, in testing the weight of this testimony, to apply a fact we laid down in our opening address, in connection with what we have already shown of its character, viz: That the use of *baptizo* by the Greek classics is not the proper tribunal to determine its sacred acceptation. The reason of this is made obvious by the testimony, and is this, that the Greeks use *baptizo* only in reference to things in common life, the Jews to their religious washings. The counsel on the other side will not dare to claim for this word in its sacred use, more than he claims for it in the classical. If so, the classic use does not sustain the charge announced in the indictment, because the classics give a variety of meaning to this word.

#### TESTIMONY OF JOSEPHUS.

The next witness is Mr. Josephus, a Jew, who also wrote classic Greek, as is evident from the single fact,

that he uses *baptizo* in the same way as the Greek authors. We sum up his applications of this word in the following manner—*sink*, three times—*immerse*, once—*plunge*, twice—*overwhelmed*, twice. We have in his testimony the same variety of meanings attached to *baptizo* which we found in the testimony of Mr. Classic. Both of these witnesses depose to the same thing, and yet they are far from making good the cause of the Commonwealth in that essential fact, so vital to the maintenance of this prosecution, and which law and evidence imperatively demand at its hand—a uniformity of meaning.

#### TESTIMONY OF MR. LEXICON.

The next witness examined was Mr. *Lexicon*, who professes to give us authoritatively the meanings of Greek words. His testimony on the meaning of this word may be summed up in the following enumeration: *baptizo*, to *immerse*; to *wash*; to *bathe*; to *overwhelm*; to *cleanse*. We find also in his testimony, the same variety of meaning given to the word in dispute. The reason of the selection of this word by the Lawgiver, may be found in this variety of its meaning, and its adaptedness to designate a thing to be done in all countries and climates. It wisely leaves the manner of performance to the judgment of all the subjects of this ordinance.

His testimony is a confirmation of the testimony of the witnesses already reviewed. They all strike a death blow at the doctrine of the oneness of the meaning of *baptizo*, and sustain our position of a variety of meaning.

This position clearly shows that baptism is a thing that may be done by a variety of manners; because the word in the light of this exhibition represents no specific mode of performance.

It should always be remembered by you, during this whole trial, that the prosecution is bound by law to prove beyond a reasonable doubt, that *baptizo* has but one literal meaning, and no more, and that that meaning was immerse, at the time when Christ commanded baptism as an ordinance. The Commonwealth has certainly taken a strange way to prove this essential proposition, necessary to sustain the allegation found in the indictment. Its witnesses prove too much, by testifying to a variety of meaning belonging to this word.

#### MR. TRANSLATOR'S TESTIMONY.

The testimony of Mr. Translator comes next in order. We classify his testimony on the meaning of *baptizo*, in the following order: *dipped*, once; *wash*, seven times; *affrighted*, once. In the Greek translation of the Seventy, we find *baptizo* used in four of these cases, in two of which the English translation has wash, and in the other two, dip and affrighted. We have also in this testimony *wash* used seven times in place of *baptizo*, in the Greek, and *dip* used only once. This forcibly illustrates his view of the meaning of *baptizo*. It also proves that immerse is far from being its invariable meaning. Wash here might with more show of reason claim an absolute right of possession from its number. According to the view of the subject, as we are presenting it, it would be



a good substitute in English, as denoting a thing to be done in a variety of ways. This is our defence, and it is sustained by his testimony.

I do not think it necessary to say any thing on that part of his testimony, that relates to the various translations of the Scriptures. The translations have all been made on this principle—the mode of baptism adopted by the people influenced the translation. The matter of mode being left free in the original law, for all to determine, it is no marvel that a variety of ways exists in the manner of baptizing.

The whole controversy is to be determined by the meaning of the original law. This is the point to which your attention has, and will be called by us. Our examination thus far, of the principal witnesses of the Commonwealth, proves fully our position.

#### PEDOBAPTIST WITNESSES REVIEWED.

The next witnesses called upon the stand by the Commonwealth, were (as the Counsel called them) learned Pedobaptists. The first inquiry would be to ascertain, what makes a person a Pedobaptist. The answer is, “one who believes in the baptism of infants.” He may believe, like the Greek church, that a trine immersion is baptism, or believe with others, that other modes of baptism are equally valid. This distinction, founded upon facts, will help us to discriminate between these witnesses, and the weight that ought to be given to their testimony. To the latter class of these witnesses, we shall at present confine our attention.

It will not be necessary for me to scrutinize their individual testimony ; for they are all founded on a common principle—that no particular mode of baptism was commanded. Their action on this subject is the true exponent of their sentiments. Their action also incontestably demonstrates the position of the Prisoner. Luther, Calvin, and all the others of this class called to the witness stand, held and practised other modes of baptism besides immersion, and they did so with the conviction, that the modes they adopted were as Scriptural as immersion.

Had they held the exclusive position found in the indictment, it would have compelled them to renounce their mode of baptism as contrary to the constitutional law. This they never did, but all who turn Baptists are found doing so. The position of these witnesses, as shown in their practice, clearly proves that in their minds baptism as an ordinance, contemplates a thing to be done in all the ways practised by all Evangelical Christians. The Counsel never can prove from these witnesses that immersion is essential to Christian Baptism. Unless they do prove this to be a fact, their testimony is of no benefit to the prosecution, but must work its entire defeat. For it is a rule in law, that when a witness is called to testify for a party, the party is bound to receive his whole testimony. This must be done in this case, and I know the Court will so instruct you.

The concessions of these Pedobaptists will, I expect, be paraded before you by the Counsel on the other side, as sufficient proof of the charge in the indictment. Let him reconcile their practice on this subject, with the use

he wishes to make of their testimony! This he can never do, and I judge he will not make the trial.

Have we not clearly proven, by men of undoubted character and learning, that baptism, as a Christian ordinance, contemplates a variety of modes? The adoption of sprinkling, pouring, or immersing, as a mode of performance, is a matter of indifference, for the thing can be done in these various ways. On this important point, the witnesses on both sides agree. This is all we plead for, to justify the conduct of the Prisoner.

We have a full solution of their conduct and testimony, in the review we have made of the former witnesses, for they teach that baptism can be performed in a variety of ways. Under the influence of this conviction of the design of the Lawgiver in commanding baptism, these devoted and loyal men labored for the advancement of christianity as man's birthright. Shall their labor and sacrifice be branded with burning infamy, by a verdict of guilty at your hands, and that, too, by a perversion of their solemn testimony? The annals of history would be consulted in vain to find a parallel for your judgment, under the same circumstances.

But to sum up the whole testimony of this class of witnesses, it proves this fact beyond a doubt, that they did not believe that *baptizo*, in the Christian ordinance, signified only the action of immersion, in all times and under all circumstances. Unless their testimony clearly proves this fact, it will not be of any use to the prosecution. For on the proof of this fact hinges the whole

controversy between the parties. To use their testimony for this purpose is impossible.

Gentlemen of the jury, can you say by a verdict of guilty, that all these men were traitors to the Constitution of our common country, and for all coming time brand them as such? How could you reconcile this verdict with the good character these men have always sustained for loyalty to the government? Their understanding of its institutions is more reliable than that of Mr. BAPTIST, and his friends, because of their number, learning and official positions in this Commonwealth, as the expounders of its laws for centuries.

#### TESTIMONY OF FRIENDS REVIEWED.

The next witnesses offered by the Commonwealth are the Friends or Quakers. What right have they to appear before this Court and jury in this case, when they, in sentiment and practice, deny the constitutional obligation of water baptism? This position of theirs is a sufficient bar to their competency as witnesses, concerning a duty which they entirely ignore. Again, their want of learning and of sympathy for water baptism, is a sufficient reason why their testimony should have no bearing on this controversy.

Their evidence amounts to a dogmatic assertion of the meaning of baptism. They give no authorities on which these assertions are founded, for it is impossible for them to give any other authorities than those we have already scrutinized. These, we have already

shown, fail to make out the case of the Commonwealth. Can we rely on their mere assertions without authorities, and against authorities, and this, too, in the light of their position in opposition to a plain constitutional law? For these reasons we have not made a classification of the application they give to *baptizo*, and we will dismiss them without further remarks.

The Counsel for the defendant next proceeded to the examination of the sacred use of *baptizo*, and the circumstances connected with the performance of the ordinance, as given in the New Testament.

He said he would read an argument from Professor Schmucker's *Popular Theology*, (p. 262-8,) and adopt it as his own on this occasion. The reason why he would give Prof. S.'s view of this argument was, because it was a more convincing representation of it than he himself would be able to give. He said he would now commence to read, and hoped the Court and jury would give the argument their particular attention: "But the question is, whether immersion is enjoined in the Scriptures, and consequently is one *essential part* of baptism, so that without it no baptism is valid, though it contain every other requisite. On this subject the Lutheran church has always agreed with the great majority of Christian denominations, in maintaining the negative, and in regarding the quantity of water employed in baptism, as well as the mode of exhibiting it, not essential to the validity of the ordinance. The argument may be briefly stated thus:

"*No circumstance can be necessary to the validity of a*

*divine ordinance, excepting those which God has commanded in his word :*

*“But God has not commanded immersion in his word ; therefore, it is not necessary to the validity of the ordinance of baptism.*

“The first of these propositions is admitted by all Protestant denominations, and cannot be denied by any one who does not hold the following absurd positions : (a) That the word of God is an insufficient guide for man ; (b) that uninspired men may add to this revelation, and (c) that whatever any uninspired men may choose to add, all other men must subsequently observe, on pain of eternal perdition. The second proposition, therefore, alone needs investigation ; namely, ‘that God has not commanded immersion in his word.’

“The friends of immersion do not contend, that there is any specific command ; but allege, that the word ‘baptize’ itself does, in the New Testament Greek, necessarily imply immersion. The fallacy of this opinion is evident from all the passages, in which the word is used in such a way as to throw light on its precise meaning.

“(a) Heb. 9 : 10. ‘Which (the Jewish) service stood (consisted) in meats and drinks, and divers baptisms (baptismois.)’ A reference to the Old Testament, where these baptisms, or, as our English version renders it, washings, are described, proves that they were performed by sprinkling and pouring ; but it is not mentioned in a single case, that the object must be put under the water.

“(b) Mark 7 : 3. ‘And when they (the Pharisees)

come from the market, except they wash (baptize themselves) they eat not.' Now it certainly was the custom of the Jews to wash their hands before eating, but what author ever contended that they entirely immersed themselves in water, before every meal? Yet, this application of water, to a very small part of the body, is called baptism. (c) Again: 'and many other things there be, which they have received to hold, as the *baptisms of cups and pots, brazen vessels and tables, (beds, couches.)*' The cups and pots might indeed be immersed in water, yet of this we are not certain. But will it be contended, that the beds or couches were carried to some often distant river, to be immersed? or that every Pharisee had a cistern provided in his yard, for this purpose? Luke 11: 38. It is therefore evident that many of the purifications, termed baptisms in the New Testament, were certainly performed by sprinkling, and (as in the case of the tables) by pouring; whilst it is not *certain* that they were performed by immersion in a single case. Hence there is much more Scripture authority for sprinkling and pouring, than for immersion.

"2. Nor do the circumstances, related in the New Testament as attendant on baptism, prove the *practice of immersion*.

"(a) The baptism of the three thousand converts on the day of Pentecost, was performed at *Jerusalem*, where there was no river or creek; at a *time*, when it was summer in Judea, (close of March,) and rains were scarce, and the brook Kedron dry, and nothing remained near Jerusalem but the single pool of Siloam. How could

the apostles, under these circumstances, have found places to baptize such a multitude in one day by immersion? Suppose, that the apostles went into the pool alternately, relieving each other, and one was constantly engaged in the act of baptizing, it is utterly impossible that the three thousand could have been baptized in a day. But a large part of the day had elapsed before the baptisms began: the effusion of the Holy Spirit; their preaching to persons from different countries, in their own languages; the accusations against the apostles; Peter's defence from the Scriptures; the convictions of multitudes, and their inquiries what they must do to be saved—all these things had occurred beforehand, so that, at earliest, the work of baptizing did not begin before noon. Admitting that the six remaining hours of the day were all devoted to this business, and that by frequent changes one of the twelve was incessantly in the act of baptizing, he would have to baptize five hundred persons in one hour, or *eight every minute!* Or suppose, what is indeed very improbable, and *contrary to the tenor of the narrative of Luke*, that when the work of baptizing had been resolved on, the apostles divided the whole multitude into twelve equal parts, and each one, at the head of his division, marching straightway in quest of some bath-house or cistern, all spent the remainder of the day laboriously engaged in this work; would it not still be impossible that they should have baptized that number? An hour at least would be consumed in dividing the multitude and inquiring for the baths, in repairing to them and placing them in order.



Can it be believed, that each apostle could have baptized two hundred and fifty in five hours, averaging very nearly *one for every minute* of the whole time, even if they were all standing naked, ready to leap in as soon as the apostle could lay his hands on them? But surely it will not be contended that all these persons of different sexes bathed naked in each other's presence. Yet where could the three thousand suddenly have found bathing dresses? And to bathe, with their ordinary clothes on would have been certain disease or death to multitudes of them."— (At this part of the argument, there were symptoms of applause by the multitude present, which, however, was checked by the Court. The counsel commenced again to read—) "Is it not infinitely more reasonable to believe, that the multitudes remained together, and after having been baptized by sprinkling according to the Jewish custom, (Num. 19: 18,) which could have been done in less than an hour, continued to listen to the words of eternal life?"

During the entire reading of the Counsel, the friends of the Prisoner manifested great satisfaction, and showed at times, by audible signs, their approbation. At its close they pronounced it *unanswerable*.

The Counsel continued to read from the same author:

"(b) The language of Peter, when he baptized the Gentiles at the house of Cornelius, does not favor immersion. When they believed and received the Holy Ghost, Peter said: 'Can any man *forbid water*, that these should not be baptized?' that is, forbid water to be brought. Had he intended to baptize them by im-

mersion, it would have been much more natural for him to say, 'can any man forbid us to go out to the water, and baptize these.'

"(c) The circumstances of the jailer's baptism, Acts 16: 19-39, imply that he was not baptized by immersion. He was baptized *in the night*, when it would have been very inconvenient to go to a suitable place for immersion. The rite was evidently performed in the *principal room of the prison*; for nothing is said of their leaving the house, we are only told that they had been thrust into the dungeon or inner prison, and that they were brought out of that apartment to where the family of the jailer were, whom they taught. And when he professed his faith, we are told he was baptized immediately; not, he immediately started off with his family, and with Paul and Silas, in the night, to a suitable place to be immersed.

"(d) Matt. 3: 16. When Jesus was baptized of John in the Jordan, 'he went up straight way out of the water:' and Acts 8: 38. 'They (the Ethiopian Eunuch and Philip) went down both *into the water*, and he baptized him.' In these passages the prepositions *eis* and *apo*, may with equal propriety be rendered *to* and *from*. Thus the former is translated in John's gospel: 'John came first *to* (*eis*) the sepulchre' of our Lord, 'but he went *not in*.' And again: 'He sent forth his servants to call them that were bidden *to* (*eis*) the wedding, (feast,)' and many other passages; and the latter is thus rendered in the passages: 'And forthwith the angel departed *from* (*apo*) him,' and 'the angel came and rolled the stone *from* (*apo*)

the door,' and others. These prepositions do, therefore, not with certainty, prove anything more, than that these persons went *to* the water to be baptized and afterwards came *from* it. But even if it were certain that they went into the water, this would by no means determine the manner in which they were baptized. They might have gone in to the depth of their ankles or knees, and baptized according to the Jewish baptism, described in Numbers, by pouring the water on with a vessel, or with the hand, or by sprinkling it over the subject.

“(e) Nor does the fact, that ‘John baptised in Enon, because there was much water (polla udata, many springs) there,’ determine the mode of baptism, because whatever be the object, sacred or profane, for which large multitudes assemble, to spend one or more days together, it is a notorious fact, that the vicinity of a spring or creek or river is always preferred, for water is indispensably necessary to their subsistence. Are not such places always preferred for fourth of July orations, military parades and camp meetings? yet who would infer that the Methodists baptize by immersion, because they hold their camp meetings in the vicinity of water. And as thousands followed John, what is more natural than that he should select a place where there was abundance of water for their subsistence? Indeed, at no other place could such crowds remain with him more than half a day, or even that long, in the warm season. Moreover, we are told that there were ‘many waters’ at Enon. Now, it is geographically certain, that there are neither many rivers nor many creeks at any supposed sites of Enon, for its

location is not fully ascertained. At most, then, there were several springs there; but are springs the most suitable places for immersion? Certainly not."

This author, said the Counsel, in his exposition of the sacred use of *baptizo*, and the circumstances connected with the performance of the rite of baptism, shows the impossibility of immersion being the exclusive manner of baptizing, under the first institution of this ordinance. This is all we claim to justify the conduct of the Prisoner.

The Counsel on the other side, expressed great confidence in his argument founded on the circumstances connected with the ordinance of baptism. In making this argument, he forgot to make good the foundation on which it rests. For he assumes as his premises, that the prepositions signify what he takes them to mean. Here is the disputed ground. That they have in the Scriptures a variety of signification, is already in proof. If denied, there is ample evidence at hand to show that prepositions alone will not afford a substantial ground for his argument.

We will now give an additional specimen of the character of the prepositions. I will read from the *Debate* of Campbell and Rice, page 203. "But let me read a few passages of Scripture, translating the word *eis*, *into*, and *ek*, *out of*, as the gentleman wishes; that the audience may judge of the soundness of his criticisms, 2 Kings 6: 4. 'When they came *into* (*eis*) Jordan, they cut down wood.' Did the persons go literally *into* Jordan in order to cut wood? Isa. 36: 2. 'And the king of

Assyria sent Rabshekeh *out of* (ek) Lachesh *into* (eis) Jerusalem, unto Hezekiah with a great army.' John 6: 23. 'Howbeit, there came other boats *out of* (ek) Tiberias.' John 8: 23. 'And he said unto them, ye are *out of* (ek) beneath; I am *out of* (ek) above; ye are *out of* (ek) this world; I am not *out of* (ek) this world. Ch.' 9: 1. 'And as Jesus passed by, he saw a man blind *out of* (ek) his birth.' Verse 7. 'And (Jesus) said unto him go wash *into* (eis) the pool of Siloam.' Verse 11. 'And (Jesus) said unto me, go *into* (eis) the pool of Siloam and wash.' Ch. 11: 31. 'She goeth *into* (eis) the grave to weep there.' Verse 38. 'Jesus cometh *into* (eis) the grave. It was a cave and a stone lay upon it.'” This exhibition of these prepositions shows they do signify *to* and *from*. We have said sufficient in reply to this argument, to satisfy all candid men of its unsoundness. It will help to present Mr. BAPTIST as not very enviable for Christian charity. (Applause manifested by the crowd in attendance.) We are now prepared to proceed to reply to the next argument offered by the prosecution.

#### BAPTISM IN ITS DESIGN.

The Counsel said, we will now proceed to examine the argument for immersion, founded on the declaration that baptism is a symbolic representation of the death, burial, and resurrection of Christ. He said he was exceedingly glad to see the increasing interest manifested by the people in this trial. He welcomed with cordiality such a large increase of the principal citizens, as are found in the audience to day. Their influence ought to

be potent when this question is to be determined. (The Court here stopped the Counsel and said, "he would not permit either of the Counsel to appeal to the passions of the multitude present, nor would he suffer those audible marks of applause, that had been manifested heretofore.") The Counsel resumed and said, he was thankful to the Court for these suggestions; but he could not refrain from saying, that the majesty of the people in their sympathy ought not to be treated with indifference when shown in favor of innocence.

I will now read (he said) the two passages of Scripture on which this argument is founded. The first one is to be found in Romans 6: 3, 4. "Know ye not that so many of us as were baptized into Jesus Christ, were baptized into his death? Therefore we are buried with him by baptism into death; that, like as Christ was raised up from the dead by the glory of the Father, even so we also should walk in newness of life."

Col. 2: 12. "Buried with him (Christ) in baptism, wherein also ye are risen with him through faith of the operation of God."

1. Let us inquire where is the evidence of literal baptism, being a symbolic representation of Christ's death, burial, and resurrection, exclusive of these two Scriptures in which it is said to be taught. I answer there is none. Without the proof of some general understanding by Christ and his apostles of this design of baptism, no one has a right to presume this to be its design.—But this understanding is essential to the argument, and the failure of the prosecution must follow the want of it.

This fact should excite our suspicion, of their legitimate use of these two passages of Scripture. The appropriation of these passages of Scripture (without this understanding) to the use they make of them, cannot be warranted by the forms of law, or the rules of evidence.

2. We conclude they have misunderstood the design of these Scriptures, from the figures found therein, and in their connections, "dead," "buried," "resurrection," "crucifixion," &c. These figures ought to teach us a different design contemplated by the Apostle. The death unto sin without doubt is a spiritual death—the resurrection is spiritual, because it is produced, as one of these passages says, by faith, and newness of life follows as its consequence. We cannot, with any show of consistency, say the death and resurrection is spiritual and the burial is literal or symbolical. To do so, with the opposing evidence found in the passages, is exceedingly perverse.

The spiritual design contemplated in these Scriptures, is again evident, from the planting and the crucifixion of the old man, verses 5, 6. If the burial is immersion, what is the planting, or engrafting, as some render it? Are we accustomed to plant seed in water? The meaning (if planting is the correct rendering of the word) is this: The seed is put into the earth and it dies; but a new stalk springs up from it. So the old man is put, as it were, into the earth; and a new man rises up, like a new stalk, to live a new life. But if both burying and planting express the mode of baptism, what mode is indicated by *crucifixion*, which we find in the same connection to express the same idea? It will not answer to

select one of these figures to express mode, and exclude the others.

3. The antithesis found in the passages, confirms our view of their import, and shows the mistaken application of them by the Counsel for the prosecution. The antithesis shows itself in this form, by the death and resurrection being spiritual, it of necessity requires of all the other figures in the passages a like import. The antithesis would be lost, if we take the ground that the death is spiritual, and the resurrection to be symbolical. This resurrection is declared to be the result of faith, and resulting from faith it must be moral or spiritual.

4. The whole scope and design of the passages contemplate a moral subject, and not a symbolic representation of Christ's death, burial, and resurrection. I think we have clearly proven the spiritual intention and expression found in these Scriptures, applicable only to the conversion and sanctification of those addressed. They only find an easy interpretation from this view of their meaning. The Counsel's use of them, for a symbolic object, cannot be well reconciled with all they teach in relation to the object they contemplate.

It is not reasonable for us to suppose these passages will give an arbitrary construction to the mode of baptism, when the primary proof of the prosecution fails to make one out. In the light of this last fact, the Counsel has no right to presume it. We claim additional strength to the position we have taken of the symbolic design of baptism, from the Counsel's failure to prove immersion to be the only mode of Christian baptism.



We will now give a few learned authorities, in support of our general representation of the doctrine which these passages contain.

Dr. Rice: "What, then, are we to understand by the death, burial, resurrection and crucifixion? The death to sin, and resurrection to newness of life, certainly signify the change of heart and life from sin to holiness, that is, sanctification. The planting and crucifixion of the old man, that the body of sin might be destroyed, evidently express precisely the same idea.—*Debate*, p. 242.

Professor Stuart: "Indeed, what else but a moral burying can be meant when the Apostle goes on to say: We are buried with him (not by baptism only, but) by baptism *into* his death? Of course it will not be contended, that a literal, *physical* burying is here meant, but only a *moral* one. And although the words *into his death*, are not inserted in Col. 2: 12, yet, as the following verse there shows, they are plainly implied. In fact, it is plain that reference is here made to *baptism*, because when the rite was performed, the Christian promised to renounce sin, and mortify all his evil desires, and thus to die unto sin, that he might live unto God. I cannot see, therefore, that there is any more necessary reference here to the *modus* of baptism, than there is to the *modus* of the resurrection. The one may as well be maintained as the other."—*Stuart on Bap.*, p. 104.

#### REVIEW OF CHURCH HISTORY.

The Counsel for the Prisoner proceeded to reply to the argument founded on the history of the Church. What

do the facts of history warrant, as found in evidence on both sides of this controversy? We answer most emphatically the following things are true:

1. For some years after the Apostles' days, we have no reliable facts on the manner of baptizing, which have come down to us, unfolding the practice of the primitive Christians. Their practice you will not find in the evidence before us. We conclude the manner of baptizing to have been what the church thought suitable and convenient. The reason for this conclusion may be found in the fact proven—the law of baptism required no particular manner.

2. At a later period in the Church's history, we find, as the testimony on both sides shows, a variety of modes of baptizing, these were trine immersion naked, pouring, &c. It is true that trine immersion naked became more general than pouring in the third and fourth centuries. No one will dare (I hope) to plead, that the reason of its prevalence was *divine* authority. This trine immersion naked, is at present repudiated by the Baptists. This eccentricity, with others, in relation to Christian baptism, we are compelled by the Scriptures to conclude was the offspring of the times, and is not to claim authority from the original institution. During the practice of trine immersion for baptism, we do not find an absolute denial of the validity of baptism by other modes. Cyprian in the most express terms gives his cordial approbation to pouring, and so testify other authorities in evidence.

3. The history of the church as a whole proves that

a variety of modes of baptism was practised, and accounted valid baptism. The reason for this variety of modes of baptism, can only be found in the original ordinance not requiring any particular manner of performing the rite. It cannot be accounted for on the ground that *baptizo* invariably calls for immersion.

4. We do not find in the history of the Christian Fathers that proscriptive policy on the mode of baptism, that is to be found among the Baptists. They are found denying the validity of any other mode of baptism than immersion. This striking and singular difference of conduct between the Fathers and the Baptists, can only be accounted for by the different positions occupied by the parties. The Fathers, who had the best means of knowing whether there was an original manner of baptizing commanded or not, are found refusing to occupy the position of the Baptists. The conclusion becomes inevitable, that the Baptists are wrong, and that the doctrine of a variety of modes of baptism has the sanction of the Fathers. Their testimony being contemporaneous with the establishment of this *Government* in its practical operation, must forever be a death blow to the proscriptive policy of the Baptists in our day, and to the idea that immersion is the only mode of baptism.

Gentlemen of the jury—it will not be necessary for me to pursue this argument any further. You can see upon its face sufficient evidence fully to justify the Prisoner's conduct, and remove every implication of his guilt of the charge contained in the indictment. The argument fails in that essential ingredient, of an inva-

riable mode of baptism designated by *baptizo*, on which alone the prosecution can rest. Without this proof the whole defence of the Commonwealth falls to the ground. I have, from the evidence offered by the other side, shown you, that it fails in all those essential features necessary to make good the charge preferred with so much confidence against the Prisoner by Mr. BAPTIST.

#### ACCOUNTING FOR THE CHANGE FROM IMMERSION.

I will now proceed to answer the last argument on which the prosecution relies for a conviction. It is the one that charges my client with the crime of changing the original action in baptism from immersion to pouring, &c. It will not be necessary for me to go into the examination of the witnesses in detail—because their testimony is founded on certain general principles. When these are understood by the Court and jury, there will be no trouble in our way, to place a just estimate on the weight of the testimony in evidence and its application to this trial. The testimony of these witnesses is, we think, invaluable to the Prisoner, and fatal to the prosecution.

Let us now classify the principles applicable to the testimony on this part of the case. (1) All the authorities offered in evidence by Mr. BAPTIST, fail to make out for *baptizo* an invariable mode. This we have all perceived by this time, and so did the witnesses. (2) The Scriptures do not determine the mode of baptism. (3) In warm climates, where bathing is a luxury, we find baptism by immersion more common than any other mode; but in colder climates we find sprinkling, &c., more usual

in the after history of the church. (4) The Christian Fathers did account baptism by pouring, valid. (5) The variety in the manner of baptizing was not a change in the thing originally contemplated by the ordinance. These principles are all in evidence, and their application to the testimony on this point will make entirely void the charge preferred, of a change in the original institution.

Is it not clearly made out impossible for a change to take place in the original institution, when in it no manner of baptizing is determined? That there was a different manner of baptizing is in evidence. But a change in the manner of baptizing does not in the least affect the original ordinance. That there was a change from one manner to an other is also in evidence. For us to say a change in the manner of baptizing affects the original command, which contains no manner, would be supported by no authority recognized by this Court.

This development of the argument of the prosecution, founded on the facts in evidence, would warrant us to dismiss it altogether, as unworthy of the defence of the learned Counsel for his client. Before we dismiss it, however, let us say, that the argument is a confirmation of the practice of the Prisoner—that manner is not essential to baptism.

We will next present a few more rebutting arguments, and we believe that when all our arguments are taken together, they will amount to a demonstration of our position taken in relation to this controversy. I know we have already done more than the law demanded of us in this case; but we have cheerfully performed a

work which we were not required to perform, for the purpose of hereafter placing Mr. BAPTIST in no enviable light in the eye of the nation.

The Counsel proceeded to offer some additional arguments in confirmation of his position, and for the justification of the Prisoner.

He said he was prepared to call the attention of the Court and jury to a few positions, the consideration of which had been deferred on a former occasion.

1. *The Baptism of the Holy Spirit.* This baptism was promised by the ministry of John the Baptist, in these words: "He (Christ) shall baptize you with the Holy Ghost, and with fire." The *pouring out* of the Holy Spirit on the day of Pentecost was a fulfilment of this promise. The Apostle referring to the events of that day, says: "For John truly baptized with water; but ye shall be baptized with the Holy Ghost not many days hence." Let us note: (1) That this baptism was to the disciples a real one, and not a figurative one. This is certainly evident from the promise and its fulfilment on the day of Pentecost. (2) The manner of this baptism was by the pouring out the Holy Ghost. *Pouring* here is made the mode of that more important baptism, of which water baptism is only an emblem. The real baptism being by pouring, the other ought to show a resemblance. (3) We have in this baptism divine authority for pouring, as its mode. This should settle the mode of the ordinance; because, supported by divine authority. (4) This baptism is by the application of the spirit to the subject, and not the person to the spirit, as *immer-*

*sion* imperatively requires. (5) From this baptism, we may also learn the idea of the Evangelist, when he says of John's baptism, that it was to be "with water;" that is, the application of the element to the subject. (6) If the words, "pour," and "shed forth," as used in reference to the Spirit's bestowment on the day of Pentecost, are to be taken in a figurative acceptance, the figurative use of these words cannot in any possible way, come from literal *immersion*; but the foundation of their figurative use, must be found in their literal meaning. In their literal import we find no resemblance to immersion.

If we look at all the facts and circumstances together, as they are connected with this baptism, they place immersion, as the invariable meaning of baptism, beyond a possibility.

A confirming argument for this manner of baptising, may be found in this fact, that the inspired writers constantly represent sanctification by sprinkling and pouring. This is clearly taught by Ezekiel 36: 25, in these words: "Then will I sprinkle clean water upon you, and ye shall be clean; from all your filthiness and from all your idols will I cleanse you." If Ezekiel was right in representing sanctification by the sprinkling of clean water, can we be wrong in copying this divine example in baptism, as an emblem of sanctification? Certainly not. Divine authority, such as this, is authoritative.

Again, Isaiah speaking of the advent and work of Christ, says: "So shall he sprinkle many nations," 53: 15. This promise contemplates many nations to be sprinkled under the gospel dispensation. If immersion

is the invariable mode of baptism under this dispensation, how can this prophecy ever be fulfilled? In the adoption of sprinkling as a mode of baptism, we have this prophecy literally fulfilled. This fact makes this argument significant, and should make it potent in its influence on your judgment of this case.

Again, we find an additional confirmation of this position, from the fact, that the washings of the Old Testament, the mode of which was prescribed, were required to be performed by sprinkling. The only exception was in regard to vessels. Look at Levit. 14. Again at Num. 19: 17, 20. The significant mode in these places was sprinkling, as emblematical of purification. We find this to be the divine mode adopted in the application of water, as an emblem of purification; and to practice after it in baptism, where no particular mode is required, is following divine authority. Is it not strange we are blamed by Mr. BAPTIST for this divine conformity, and this, too, when he has no divine example to warrant the mode of baptism so dear to him! Consistency is said to be a jewel in the character of men; unfortunately it is not to be found in the conduct of Mr. BAPTIST.

2. Our second additional argument is, *that no Apostle or Christian minister, so far as the New Testament informs us, ever went a single step after water to baptize.* The only apparent exception to this, is the case of Philip and the Eunuch. This case is no real exception, for they were not in pursuit of water; it was met by them on their journey. Is not this fact unaccountable, if immersion was the only mode of baptism?



You may note all the baptisms in the acts of the Apostles, and you will find there the same unaccountable silence. For instance, the baptism of the three thousand on the day of Pentecost. These were the first to receive Christian baptism. Now, if immersion was the only mode of baptism, that was the time to set the example and leave a precedent for all coming baptisms. The reason it was not done is to us easy of solution, because immersion was not essential to Christian baptism. Look at the baptism of Paul by Ananias. The same state of facts is to be found—no water sought after—baptized forthwith in the house where the scales fell from his eyes. All the other baptisms are of like character. This single fact presents an insuperable difficulty in the way of the success of the prosecution.

This incontestable fact shows beyond a reasonable doubt, that immersion was not the only mode of baptism in the days of the apostles; but that other modes of baptism were adopted, that were suitable and convenient. This great truth should not be passed over in silence, when it shadows forth so much influence in favor of the Prisoner.

#### RECAPITULATION OF THE ARGUMENTS OF DEFENDANT'S COUNSEL.

We will now commence to recapitulate our arguments before we close our address, that you may better understand the defence we offer for the conduct of the Prisoner, and see the insufficiency of the grounds on which the prosecution claims any indulgence at your hands.

1. The principles of law laid down to the Court and jury remain undisputed. It is not necessary for me to repeat them in this place. You have them before you, and I expect the Court to endorse them in its charge.

2. The evidence we offered, and the replies made to the various classes of witnesses offered by the Commonwealth, may be summed up in the following order: (1) The testimony of Mr. Classic shows a variety of meanings to *baptizo*. (2) The testimony of Mr. Josephus corroborates that of Mr. Classic. (3) The testimony of Mr. Lexicon is of the same import. (4) Mr. Translator teaches *wash* to be the popular signification of *baptizo*. (5) The Pedobaptist witnesses justify the conduct of the Prisoner. (6) The sacred use of *baptizo*, from the testimony, signifies the application of water, by any of the modes of baptism in evidence. (7) The symbolic meaning of baptism is altogether different from that which Mr. BAPTIST teaches it to be. (8) The historical understanding of baptism is *a variety of modes*, approved by the ancient church. (9) The change said to have been made in the action of baptism was simply a change from one mode to another.

This is the state of the evidence before the Court and jury, from which this case must be determined. Have we not a right, from this view of the testimony, to claim at your hands a triumphant acquittal? This conclusion of the case, justice to all parties imperatively demands. I make this demand with confidence; because it is my right from the evidence. To deny it at this crisis, will be to trample under foot all the forms of law and evi-

dence. Are you by this denial, prepared to exile justice from our beloved Commonwealth? If this is done by your refusal to acquit the Prisoner, you will hear a response from all parts of our land in tones of grief, that will execrate forever the conduct of those who, when the law placed the power in their hands, refused to shield innocence in the hour of calumny and danger.

These dark shadows, so ominous of danger to our country's weal, excite in me no appalling apprehensions of a coming desolation; because I know the place you occupy is the palladium of the nation's safety, and you realize your responsibility to this, and coming generations. I know your action on this case, will secure unimpaired, the perpetuity of our nationality. We see in the future, after this angry controversy shall have been determined by your action, a clear sky and a welcome haven into which we expect to enter by your permission. There shall you and I receive the congratulations of a loyal people. To secure an end so noble, generous and patriotic, we have labored during this trial with unceasing fidelity to our client, and our country.

Gentlemen of the jury; I know the Court will lay down to you the law with impartiality, and in its just application I am sure you will acquit the Prisoner, and thereby brand forever the conduct of Mr. BAPTIST with infamy. I leave the case with you, with the abiding conviction you will do the parties that justice which you would desire administered to yourselves, if ever you should be placed in their situations. This is all we invoke at your hands to justify the Prisoner. I have done.

The close of this address was received by the friends of Mr. PEDOBAPTIST with audible expressions of joy and triumph.

After the adjournment of the Court, which took place at the close of the address of the defendant's Counsel, there was much exciting conversation between the two parties interested personally, in the issue of the trial. The friends of Mr. PEDOBAPTIST boastingly declared, the defence made was unanswerable, and they said the triumphant acquittal of the Prisoner was certain. The friends of Mr. BAPTIST bore these taunting announcements without complaining, only making this reply to the party—not to shout victory until the battle was won.

The excitement was kept up throughout the city, until the meeting of the Court in the afternoon. After the Court was called to order, the Counsel for Mr. BAPTIST commenced his closing address to the Court and jury.

#### CLOSING ADDRESS OF THE COUNSEL FOR THE PROSECUTION.

If the Court please, gentlemen of the jury, I stand before you and our common country, to vindicate the majesty of the law, as guaranteed by the Constitution. It proclaims to all our citizens a common birth-right. We are called upon to correct a flagrant violation of one of the most cherished provisions of our Constitution. This violation makes practically void the action of Christian baptism, as it is expressed in the language of that instrument. The history that comes down to us, from those Fathers who lived at the time of its adoption, and after it had gone into practical operation, declares

the practice of the Prisoner to be a daring innovation upon the constitutional law of baptism.

The question you are called upon to decide at this time, is, who is guilty of this bold sacrilege? or, who has been faithless to his constitutional obligation? The answer that comes in way of response, from the testimony before us, declares the Prisoner at the bar alone is implicated, as the author of the innovation, which makes void the law of baptism. Let us now proceed to examine the defence the Counsel offered for his conduct.

1. Let us notice the Counsel's representation of our "incontestable facts," as they are found in our opening address to the Court and jury. The Counsel professed, but only in appearance, to contest the soundness of some of them. In reality he sought to divert your attention from the weight of influence they should exercise over your judgment, in estimating the force of the evidence before you. We will now undertake to prove, that from his admissions he becomes a confirming witness, of the soundness of the principles of law and evidence, which he sought by his ingenuity to evade.

Let us hear him speak in relation to our first fact, which teaches that *baptizo*, and not *bapto*, is used exclusively when Christian baptism is named or spoken of. "We cordially admit," said he, "that *baptizo* alone is used when the ordinance (of baptism) is named." We knew this fact was so well sustained by authorities, that for him to have doubted it, with Stuart and Carson at his hand, would have been a blunder against which Pedobaptists would have protested.

After making this admission, he opens a fire from a battery, which he well knew, was only a useless waste of ammunition. He says, Carson teaches that "*bapto* signifies to dye in any manner." We have fairly stated the distinction between *bapto* and *baptizo*, in their relation to Christian baptism. *Bapto* does not legitimately come within this debate, because it is never, in a solitary instance, used to denote the action of baptism. It is a fact, fully sustained by Stuart and Carson, that *bapto*, in its primary meaning, signifies to dip, and, after its use in dyeing, it came to signify to dye, because things were usually dipped, that they might be dyed. Let us hear again Professor Stuart: "The idea of immersing or plunging, is *common* to both the words *bapto* and *baptizo*, while that of dyeing or coloring belongs *only* to *bapto*," p. 43. In Carson's and Stuart's works on baptism, you will find numerous examples from the language, fully confirming this statement of Stuart. We have not transcribed these examples, because the whole controversy between the parties, must hinge upon the meaning of *baptizo* in the law. This evasion by the Counsel, of the only point in our first fact, will not avail him any thing in building his house of sand.

2. To our second fact, which teaches baptism to be a positive duty, and not a moral one, he replies, "who disputes it." After making this admission, he adopts a cunning evasion, by giving, what he conceives to be, the essential prerequisites of baptism. What have they to do with this "incontestable fact?" Nothing at all. The prerequisites of baptism are not at present properly be-

fore us. The question under this head is, is baptism a *positive* or a *moral* duty? He has admitted it to be a positive institution, and this is all we demand at present. When the prerequisites of baptism are before us, we shall point out the mistakes into which he has fallen on that point.

3. To our third fact, which avers that only the popular meaning of words in positive duties are to be taken, as expressive of the will of the Lawgiver, he replies by saying, "this is our principle as well as his." This is all we demanded of the Counsel. To oppose this principle of interpretation was impossible, in view of the testimony offered to sustain it.

4. He passes by our fourth fact, by saying it was included in the third. This is a practical admission of its soundness, and is all we have a right to ask at his hands. He proceeds to notice our fifth fact, which teaches, that the figurative acceptation of words is not within the pale of legislation. He does not undertake to invalidate this law of interpretation; but makes remarks, which do not in the least affect the principle laid down. This is certainly meeting more than my expectations led me to anticipate.

The only well established law of figurative language is; that *the figurative meaning of a word is founded on a likeness to its literal meaning.* The manner of the literal word in its action, is not to determine its figurative acceptation, for the figurative use is not founded on the manner of the literal. For instance, a man is said to be immersed in debt. The manner in which the debts were

contracted, is not to be found in the word immerse. The figurative use of the word immerse here, represents what the debts of the man do to him. This is shadowed forth by the literal meaning of immerse, because there is a likeness between his state, and that of a man immersed in water. This principle is invaluable in its application to the figurative use of baptizo.

5. Our sixth fact, which refers to the object of intelligent legislation, comes next under his review. Here he makes some appearance of contesting the principle upon which this "fact" is founded, by saying, "this is generally true, but it is not well founded, to say the manner of executing these objects was commanded." His principle here laid down, is not disputed, viz:—That the manner of executing a command is not always required. For this reason we say, the *manner* of *immersing* is not required in the law of baptism. But *immersion* is the thing commanded, and it alone can meet a leading object in the ordinance—a symbolic representation of Christ's burial and resurrection. No other action in baptism can meet the demand of this object.

The Counsel assumes, without evidence, that immersion, sprinkling, &c., are only different ways of baptizing, and that we are left to conjecture what baptism is in its action, of which all these are only modes. His reply to the question—What is baptism? amounts to this, that baptism is an application of water, to a suitable subject, in the name of the Trinity.

His answer is wholly gratuitous, because he offers no evidence to support it. He relies too much upon our



credulity—our willingness, to believe without testimony. The time has come in this discussion to undeceive him, by demanding the proof of his definition of Christian baptism. Until offered in a veritable form, we are bound to pass it by unnoticed.

We learn from the examples of *baptizo* given in evidence by the testimony of Mr. Classic, that there is no water in the meaning of the word *baptizo*, for it is used to denote an action into any thing, that can be penetrated. (See page 25.) And when used in relation to water or any other thing, that can be penetrated, the object said to be baptized, is applied to the water or thing penetrable, and not the water or thing penetrable, applied to the object *baptized*. The examples of *baptizo* in evidence clearly prove this, and this fact makes void entirely the Counsel's definition of baptism—"an application of water to the subject of baptism." This fact, also, will show how groundless is the conceit, of the manner of baptizing as the Counsel represents it, because all these examples teach the thing done was immersion. The manner in which it was done is not expressed by the word *baptizo*—all it demands is an *immersion*; with the *manner* of immersion it has no concern. It is like the command to *walk*, or to *read*. The manner of walking or reading is not imported in the words. Their manner is represented by other words, for instance, fast, slow, well, and badly. The command to *walk*, to *read*, only contemplates these acts and leaves them to be performed in any manner. Let the command in connection with the acts require a manner of walking and reading, and

the command could only be fulfilled by the act performed in the manner found in the command. In the law of baptism, we have only the act of immersion required, the manner or mode of doing it, is not required. If it was, we would be bound to immerse persons in the way required. This elucidation of the distinction between an action and its manner of performance, will fully expose the Counsel's ingenious argument, concerning the manner of baptising; because it is just here he throws dust in our eyes, and then assumes an air of triumph, when in fact he only shows the defenceless character of his position.

To help to keep up the deception of *manner* he calls to his assistance, "bathe" and "wash." He says these two words as used in commands "have no manner of observance required." The bathing he refers to, belonged to the law of Moses. The object in the law that required bathing, was a specific one—physical cleansing, as you can see in Num. 19: 8, 17. The word *bathe* required a thing to be done—"to bathe the flesh in water,"—the manner of doing it is not required in the word. To sprinkle or pour a little water upon the person commanded to bathe himself, would not have been a fulfilment of the law, because the law required him to "bathe his flesh in water." He also introduces the command of the Saviour to the blind man in John 9, to wash in the pool. The word wash here does not signify that the command could have been fulfilled by sprinkling or pouring some of the water of the pool upon him, because they are not included in the command given. The command required of him "to wash *in* the pool of Siloam."

The object of the command was intelligent and specific. "He went his way, therefore, and washed and came seeing." It does not say he went and sprinkled or poured water upon himself, and "came seeing." You have here as well as in the case of bathing, an exact fulfilment of the law.

The real distinction between the two commands just examined and the action of Christian baptism is, the former contemplated two specific effects—physical cleansing and the seeing of the blind man; the latter a specific action for a specific object—the putting on Christ by representing our faith in his death, burial and resurrection. So Paul teaches. It is an equally baseless axiom to say, when we find a generic word representing a specific effect of a specific action in a law, that all words in law are generic. This false principle is without authority or precedent to sustain it; but this is the foundation of the Counsel's whole argument. It is the general character of the Divine laws to be specific in their commands and interdictions. This fact is the basis of our responsibility. The nature and object of a law certainly give a character to its enacting words, and these words must unfold in a common light its nature and object, to those who are to be its subjects. For this reason we must regard *baptizo* as signifying the act of immersing; for without this action being done, the design of the ordinance cannot be met according to its original appointment. So Paul understood it, and so did the Christian Fathers and Reformers, although the latter kept up the innovation of the Prisoner, with their exceptions filed against it.

The Counsel called our attention to those principles of law which he laid down, in his opening address to the Court and jury. It will not do for us to pass them by in silence, for fear there may be capital made of our neglect to notice them.

1. The first consideration is, that *baptizo* is a Greek word. This certainly is no new discovery. There has not been intimated a doubt of this fact. If it was an English word instead of a Greek one, we would not be here contesting its meaning.

2. His second consideration is, that this word is used in the Greek only in relation to common occurrences in life, and not to denote their religious washings. Does a word lose its specific meaning because it is not used in relation to every thing? There is no such principle recognized by the laws of language. A word does not become sacred or common, because of its use in relation to the one or the other. If the Counsel wishes to make the impression in reference to the use of words, that they are common or sacred by use, (so I understand his second consideration,) I must tell him he is lamentably mistaken in this conception, for all men recognize the principle, that a word does not lose its meaning when applied to common or sacred things. Words do not become sacred or common by use. This is self-evident.

3. His third consideration is, that the Jews used *baptizo* in relation to their religious washings. This fact does not alter its meaning. If they used *baptizo* with a different acceptation from the Greeks, then this consideration would be of moment. Until this supposed

fact is in evidence, we have no right to presume a different meaning. The Counsel has not attempted to prove another meaning. The evidence in testimony from Greeks and Jews is, that *baptizo* has a common meaning among them both, viz : to immerse.

4. His fourth consideration is, that words change their meaning in the course of time. What has this to do with *baptizo*? Nothing at all, unless he undertakes to prove that *baptizo* had lost its primary meaning, and assumed a new meaning before it was introduced into the Constitution. Without evidence to prove this assumption, this law of language will afford him no relief in this controversy. He has made no regular effort to prove this baseless assumption. Without evidence to support it, even in appearance, you are bound to take no notice of it.

5. His fifth consideration is, that the meaning of *baptizo* is to be determined by its use in the language, before, and at the time of its appropriation to the ordinance of baptism. In this consideration, he adopts one I have laid down in my opening address. This fact presents the issue before the Court and jury in a plain light—the meaning of *baptizo* at the time of its adoption in the Constitution. Our testimony points directly to this period, and determines its meaning at that time. On this single point we are willing to rest the issue of this controversy in the light of the testimony in evidence.

6. His sixth consideration is, the manner of baptizing is not commanded. We have so often been called to notice the deception he here again presents, that we have

concluded you do not demand its exposure, every time the Counsel chooses to introduce it. *Baptizo* signifying to *immerse*, from the evidence before us, we have no objection to him saying the *manner* of immersing is not commanded. We do most seriously object to his view of baptism, because he makes it some indefinite thing not to be comprehended, and gives immersing, &c., as modes of this indefinite thing. Why did he not make a logical effort to prove, that baptism, as commanded, could be legitimately performed by these variety of modes? This he knew to be a hopeless task. You never hear the New Testament writers speaking of *modes* of baptism. If they understood baptism as Pedobaptists do now, how shall we account for their entire silence? It is impossible for Pedobaptists to find a similarity of conduct existing between the writers of the New Testament and themselves.

THE PRISONER'S COUNSEL'S REVIEW OF THE TESTIMONY  
ANSWERED.

We will proceed to an examination of the argument of the Prisoner's Counsel, in his review of the testimony of the witnesses. Before we enter directly upon this scrutiny, it will be proper for us to notice the state of the controversy, as presented by him in the following language: "That the Lawgiver designed in the Constitution of this country, by the word *baptizo*, to show that only immersion in water of a lawful subject, was valid baptism." We cheerfully admit this to be a just representation of the issue joined by the parties now in controversy before the

Court. The law demanded of us the proof of this proposition. We cordially recognized our obligation, and have, by the testimony offered, fully met the law's utmost claim upon us. The evidence of this fact will be clear to all your minds, after we have examined the supposed arguments offered by the Counsel, in his partial examination of the witnesses.

## MR. CLASSIC.

It must be remembered that the testimony of Mr. Classic is confined to the use of *baptizo* in the Greek language. All the examples he gives of its use, place its signification to *immerse* beyond a reasonable doubt.— This can be fully verified, by reading over all the examples found in his testimony. With all the learning and ingenuity of the Counsel, he has failed to find an example of *baptizo*, not having the controlling idea of the object of the action being under the element. This is essential to the action and its meaning. What capital would the Counsel have made of a solitary example of *baptizo*, without the controlling idea of being under the element, or covered over by it?

Let us look at what would have been our position, if the Counsel had succeeded in finding several exceptions in which *baptizo* could not signify to immerse, or to cover over by the element, where its object is said to be baptized. This supposed fact, did it exist, would not in the least militate against our position in this controversy, sustained as it is by unimpeachable testimony, because it is a common occurrence for all words to be used in an

unusual sense. This principle can be exemplified by examples of a thousand words. Who would be so far forgetful of the laws of language as to say, the *unusual* meaning of a word must be taken when you interpret positive enactments? Under these circumstances we would appeal, with confidence, to that approved law of interpretation, which teaches that the common or popular meaning of words is to be taken, when we interpret positive duties. This law of interpretation we have placed beyond a cavil, by Pedobaptist witnesses.

Let us now look a few moments at the fearful consequences that would follow a departure from the law we have named. The will of the Lawgiver would be shrouded in mystery to the largest portion of our race, because they are not acquainted with the unusual meaning of words. This knowledge would be limited to men of learning and extensive reading. Again, it would make the Bible no revelation to the multitude. Its meaning would be hid from them forever, for want of knowledge. A doctrine that would confine the knowledge of God's will to only a few persons, because of their learning and reading, finds no authority in God's Bible, or among the standard Theological writers of this Commonwealth.

Our position in this controversy, does not call upon us to plead the benefit of this approved law of interpretation, because the Counsel has failed to find exception in Mr. Classic's testimony of the use of *baptizo*, that would in the least justify any other action in baptism, than immersion, or being covered entirely by the element.

We are now prepared to attend to his classification, of



the meanings of *baptizo* in the witness's testimony. The Counsel says in his classification, it signifies "to sink, to plunge, to immerse partially, to overwhelm, total immersion, and is used twice, by Hippocrates, indefinitely." The Counsel deserves a patent for this admirable classification. This classification proves the following things: 1. The controlling idea in all the words is, the object baptized is put under the element, or is entirely covered over by it. What stronger evidence could be demanded to prove that immerse is the meaning of *baptizo*, when the Counsel was compelled to select words necessarily containing this idea, for to "sink," "plunge," "immerse," "overwhelm," &c., all contain it?

All the words found in his classification of *baptizo*, do beyond a doubt, prove that the object said to be baptized, is buried under the element, in which he would say they are "sunk," "plunged," &c. This compelled homage paid to the ruling idea in *baptizo* by his classification, shows unanswerably how invulnerable is the testimony of Mr. Classic.

2. This classification of *baptizo* by the Counsel contains its own refutation, because *baptizo* is not used in the Greek language to express "sink," definitely. The word used in the language to express this idea distinctly is, says Beza and Witsius, "*dunein*, which is to go down to the bottom and be destroyed." They also teach, that *baptizo* contemplates that the object sunk shall emerge again, and for this reason these two words ought not to be confounded in their meaning. They have, it is true, a common idea of being put under the element, but at

this point they lose their identity. *Sink* remains under the element by the necessity of meaning, *baptizo* has the liberty of emerging again. *Baptizo* sustains the same relation to all the other words in this classification that it does to "sink," except to "plunge" or "immerse." The principle unfolded in this relation of *baptizo* to the other words in this false classification, is simply this, each of these words has its specific province, into which the other cannot enter; while there is a common province in which either of them may serve. They all express the idea of being covered over by the element, into which the object is said to be sunk, &c., but they do not all contemplate an emerging out of the element, because their meaning gives them no such right. *Baptizo* claims this right whenever it chooses to exercise it.

3. The classification is unsustainable by the use of *baptizo* in the language, and was only made by the Counsel to impose a false idea upon the jury, of a variety of meanings to the word. This variety in the classification is made in order to sustain the Counsel's idea of a variety of meanings. But in fact you detect a uniformity of idea in the words selected, and that uniform idea is only clearly expressed by immerse. But for him to have enclosed it with its native costume, would, on his part, have been to give up entirely, as far as this witness was concerned, his defence of the Prisoner's conduct. This argument of a variety of meanings is founded on a false classification; and yet the classification does not warrant the argument, for the thing done to the object baptized in the light of his own classification, required a unifor-

mity of action to all the subjects of baptism. If you wish to sink, plunge, or overwhelm them, they must all be put *under* the element. This shows his argument of variety of meanings to be deceptive and fallacious and only designed to deceive.

4. His own classification of *baptizo* fails to furnish a single word containing an idea, that looks by way of implication toward the practice of the Prisoner. The fact, that all the examples of *baptizo* in the witness's testimony, did not afford to sprinkle and pour a hearing even when this classification was made, is an unanswerable argument against the Counsel's position.

5. This classification says that Hippocrates used *baptizo* twice indefinitely. The father of medicine, were he living, would meet this imputation with indignation. But to meet the Counsel fairly, we say, those two examples of *baptizo*, of which he speaks, can have no other meaning than the examples that are definite, found in his writings. To these we will now invite your attention. He says: "*Dip* (*baptizo*) it again in breastmilk and Egyptian ointment." Again: "Shall I not laugh at the man who immerses (*baptisonta*) his ship by overloading it, and then complains of the sea for engulfing it with its cargo." These examples plainly show how Hippocrates understood *baptizo*. To him it had no other meaning than immersion. The two examples of *baptizo*, referred to in the classification, are expressed in the same language. "He breathed as persons breathe after being baptized." The peculiarity of breathing after being baptized, is the striking feature noted as following the im-

mersion of a person. This singularity of breathing belongs exclusively to baptism by immersion, and not to the baptism practised by the Prisoner.

Hippocrates, in his use of *bapto* and *baptizo*, in numerous and undoubted examples, demands immersion as their only action. What right has the Counsel then to say, that he uses *baptizo* at any time indefinitely, when he is clear and unquestionable on the meaning of the word? One thing is obvious to us all, that the Counsel feared to conjecture a meaning for these two occurrences of *baptizo*. His failure to do something here, is a tacit admission, that they could afford him no assistance in making up his case for the Prisoner.

6. The conclusion drawn from this classification, is not warranted by it, or the facts connected therewith. We shall let the Counsel speak for himself: "This variety of meaning destroys the entire object of his (Mr. Classic's) testimony, and makes void the proscriptive ground on which the prosecution entirely depends to convict the Prisoner." He assumes, in this conclusion, the whole question in controversy, and does this, too, without the appearance of a tittle of evidence to support it. Before he has a right to this conclusion, he must prove clearly, that the idea of immersion is not a legitimate one, belonging to *baptizo* in the examples in evidence. Without this proof, his doctrine of a variety of meanings for *baptizo*, is only a wild conjecture, called into being for the occasion. You will remember he failed to make an attempt to *prove* a variety of meaning, and his own classification of *baptizo* will forever make

void his conclusion ; for it proves an invariable idea belongs to baptizo, namely, to be covered all over by the element into which the object is *baptized*. See how antagonistic the Counsel's premises and conclusions are. The premises, as expressed in his classification, teach that an invariable idea belongs to *baptizo*. His conclusion teaches that a variety of ideas belong to *baptizo* ! This single fact, so glaring in its character, surely proves that no reliance can be placed upon the Counsel's argument ; for we are compelled to believe, that if his premises are supported by facts, his conclusion therefrom is madly false. Examine the testimony of Mr. Classic fully yourselves, and see whether the scrutiny it has passed through, has injured its uniformity and availability for the prosecution.

#### THE FIGURATIVE USE OF BAPTIZO IN THE CLASSICS.

We are aware the figurative acceptance of *baptizo*, as found in the testimony of Mr. Classic, is not to be consulted when the positive institution of baptism is to be interpreted as to its action. But the inquiry that leads to the knowledge of the figurative use of baptizo, is legitimate, when the object of pursuit is its literal meaning. Professor Stuart, in the numerous examples selected by him, and many of which are in testimony offered by Mr. Classic, gives *overwhelm* as the figurative meaning of *baptizo*. This figurative acceptance is founded on this law of figurative language, that the figurative use of a word depends alone on the likeness there is to its literal meaning. Overwhelm being the figurative

meaning of *baptizo*, that word must literally signify immersion, or it could not be the foundation of this figurative acceptance. Because this is its meaning, we find in the figurative use a likeness to this signification of the literal word. Is it not impossible to find in literal sprinkling or pouring, the foundation of "overwhelm" as their figurative meaning? Why is it so? Because these actions, with their likeness in figurative use, find no congeniality with overwhelm. We are compelled, by the force of circumstances, to trace the origin of this figurative use of *baptizo* to its literal use, signifying to immerse.

How Pedobaptists can reconcile their literal definitions of *baptizo*, to this acknowledged figurative use, I have yet to learn. To my mind it is beyond a consistent reconciliation, because their literal definitions afford no ground for such a figurative acceptance.

This figurative use of *baptizo* as given by Pedobaptists themselves, we claim affords us an argument for immersion, as the literal meaning, that can never be met or answered. Its light will always point back to immersion as the foundation that gave it origin and likeness.—Their practice will never afford the one or the other. Let them give a justifiable reason if they can.

JOSEPHEUS.

The next witness reviewed by the Counsel, is Mr. Josephus, a Jew. His testimony on the import of *baptizo* is clear and unquestionable. We lay great stress upon his declaration that the word signifies immerse, because

he lived and wrote in the days of some of the apostles of Christ, and from his learning and acquaintance with the classic and sacred use of *baptizo*, he must have known its meaning beyond a doubt. *Baptizo*, in his history of the Jews, would have deceived his countrymen, if it was used by him in a sense not common among the Jews. We have no right to presume an unusual use by him, until the fact is proven, or that the Jews used the word with a different signification from the Greeks. This supposed fact is no where in evidence, but is contrary to the fact in evidence, that both Jews and Greeks used *baptizo* to signify to *immerse*. This deserves our serious consideration from the fact, that during his lifetime our Constitution went into practical operation among Jews and Gentiles. His position among his countrymen gave him every opportunity of knowing the existence and character of our government, and his use of *baptizo* at this important period in our government's existence, shows unmistakably its received meaning by the Jews.

The Counsel is found following his classification of the meaning of *baptizo* in the testimony of Josepheus. We have already shown that his system of classification is arbitrary and without foundation in the language, nor is it to be found in the witness's testimony. Let us look a moment at his classification of this witness's testimony. It is the following, "to *sink*, to *immerse*, to *plunge*, and to *overwhelm*." Every one of these words contemplates a total immersion! His own classification, false as it is in principle, proves conclusively that *baptizo* in the testimony of Josepheus, contains the invariable idea of im-

mersion, and it offers not the appearance of an apology for sprinkle or pour.

When the testimony of this witness is taken in connection with Mr. Classic's, it places immerse as the meaning of *baptizo* beyond an honorable contest. The evasions adopted by the Counsel to neutralize the force of this testimony, have not the appearance of even an apology for an argument. His effort to invalidate the definite character of the testimony on the acceptance of *baptizo*, is a confirming argument of this fact, as found in his classification—a uniformity of idea. It may appear strange to you, that we hold the Counsel's supposed argument to be confirmatory of the witness's testimony. Strange as this may appear, it is too true to be doubted, because his classification, with all the words it contains, demands of subjects to be put under the element in which they are said to be "sunk," &c.

#### MR. LEXICON.

We find the Counsel adopting the same kind of false logic that he employed in reviewing the testimony of the former witnesses, in examining that of this witness. We will note the following things to be found in his testimony, which will be an ample refutation of the logic thrown around it by the Counsel :

1. All the members of this family were Pedobaptist, as far as their denominational character has been ascertained. From this fact, we must expect the testimony of Mr. Lexicon, to do all it can to justify the conduct of the Prisoner, because on the subject of this contro-



versy their interests are identified. How far their denominational prejudices controlled their judgment, will be developed during our examination of the Counsel's review of their testimony. Many of them we are compelled to honor for their honesty and fidelity, to their profession as lexicographers.

2. That the meaning of *baptizo* in Mr. Lexicon's evidence, to make it reliable and certain, must be sustained by examples of its use in the Greek language. Any definition offered by any of this family, not sustained by clear examples, must be discarded; for the only legitimate business of a lexicographer is, to give the meaning of words as understood by those who spoke and wrote the language. This self-evident principle for the government of all lexicographers teaches us plainly, that all their definitions of words must be supported by use. Unless they are, we are bound to reject them; because to countenance the reception of gratuitous meanings of words without the authority of use, is to open a wide door for all forms of unbelief. It is the abuse of this self-evident law for the ascertainment of the signification of words, that has led to all the corruption of Christian doctrine. This fact should make us watch with a jealous eye every departure from this sound principle, and repudiate it with all our hearts as hostile to the purity of christianity.

3. These Lexicons are made up of two classes, Classic and New Testament. They all give, without exception, the primary or popular meaning of *baptizo*, to be *immerse*, and they support this meaning by many undoubted ex-

amples of its use. All these Lexicons agree without exception to immerse as being the meaning of the word. This fact ought to settle the controversy forever, but still Pedobaptists refuse to submit, notwithstanding their men of learning depose to all we demand, and place the meaning of *baptizo* in the constitutional law beyond a question.

4. The Counsel seeks refuge in his argument from immerse as the popular meaning of *baptizo* by resorting to the effects of baptizing or immersing; because these effects are found associated with immerse in some of the classifications of *baptizo* by some of the Lexicons. These effects are "to cleanse," "to wash," and "to purify." *First*, all these words denote the object of immersion when it is for *cleansing, washing, and purification*. To say all these effects of immersion are proper meanings of the word, is to say what insanity alone could believe. *Secondly*, these effects of *baptizo* find no support as meanings of the actions from the use of the word in the language. Without they have this support, they have no claim to a hearing in this controversy. *Thirdly*, the positions which these words do occupy in their relation to *baptizo*, are those of effects and not of legitimate significations; because they are designated in the Greek language by words which show that they belong to different families not related to *baptizo*. You cannot confound these families with *baptizo* in the language. The argument must ever be false, that makes *baptizo* absorb these families into its own, and yet permits them to occupy their native territory. *Fourthly*, some of the most learned of these lexicographers tell us the reason why "to cleanse," "to wash"

and "to purify," are found at the end of some of the classifications, "because a thing is usually dipped or immersed in water, that it may be washed, that it may be cleansed." Let us now give you a few of the authorities that fully support the distinction we have made between *baptizo* and its effects. Schleusner says: "Properly it (*baptizo*) signifies I immerse, I dip, I immerse in water. 2d. It signifies, I wash or cleanse by water—because, for the most part, a thing must be dipped or plunged into water, that it may be washed." Thus he gives the reason why *baptizo*, figuratively, means to wash, because it is frequently the *effect* of immersion. Stokius, on the New Testament, says: "Tropically, and by a metalepsis, it means to wash, to cleanse, because a thing is usually dipped or immersed in water, that it may be washed, that it may be cleansed." Alstedius says: "It signifies to immerse, not to wash, except by consequence." These testimonies are all in evidence. Let us add to these the testimony of Beza, the successor of Calvin, at Geneva. He says: "Nor does *baptizo* signify to wash, except by consequence; for it properly signifies to immerse." These Pedobaptist witnesses, fully establish all we have said about these effects of dipping, not being proper significations of *baptizo*. Remember these witnesses clearly show the reason why, "to wash, to cleanse and to purify," are given in some of the classifications of *baptizo*, by some of the members of this family—because they are the effects of immersion.

To assume that a word designating a specific action, as *baptizo* does, is responsible for all the effects it produces,

is altogether gratuitous, and without a tittle of authority. You may take the word "immerse," as an example in our language. Its effects are numerous and contradictory; for instance, *cooling, heating, cleansing, washing, staining, &c.* To say that all these things are included in the word immerse, would show a state of madness incurable by evidence or logic. The whole force of Pedobaptist arguments for their practice, is found in these *effects* of immersion, and then they labor, as the Counsel has done, to make them proper significations of *baptizo*. His argument on this point is worth nothing, until he proves these significations by examples in the language. This important undertaking is essential to his position, but he left it unsustained. The reason is, because it was impossible for him to make it good. We think we have fully shown and proven, beyond a reasonable doubt, that the whole argument founded on the effects of *baptizo*, is without authority, and contrary to the facts in relation to its use.

5. It is evident, also, from the testimony of this witness, that no Lexicon, for eighteen hundred years from the Christian era, gave to *baptizo* the signification of sprinkle or pour. This fact closes the door against a successful defence of the Prisoner's conduct, because his own friends, in this witness's testimony, gave no sanction to his practice. If these men of acknowledged learning and authority in his own party, failed to find any use of *baptizo* in the language justifying his conduct, the Counsel's effort will meet with no better success.

6. We are now prepared to hear the Counsel's conclu-

sion, concerning Mr. Lexicon's testimony. We will let him speak for himself: "This position (of a variety of meaning) clearly shows that baptism is a thing that may be done by a variety of manner." We have in this language the old evasion—the manner of baptizing. We have exposed this evasion several times during our address, by showing that we are not disputing about the manner of baptizing, but about the action commanded by the word *baptizo* in the constitutional law. The manner in which this *action* is performed, is a question left to all to determine. The action being *immersion*—the manner in which you immerse a proper subject is a question with which we have nothing to do at present. Mr. Lexicon's testimony places any other action of baptism, than immersion, out of the question. This testimony in no way teaches, that a variety of actions constitute what we call baptism, or belong to *baptizo* in the ordinance.

#### MR. TRANSLATOR'S TESTIMONY.

We are now called upon to look at the review which this witness's testimony received from the Counsel:

1. The Counsel failed to notice the facts stated by the witness, in relation to the ancient translations of the Scriptures, and therefore he offered no particular objections to this part of his testimony. The exhibition of the ancient translations proved clearly, that the translators understood *baptizo* in its sacred acceptation to signify to immerse, and so translated it. They are not found in a solitary instance translating it by sprinkle or pour. These two things in this part of his evidence are signifi-

cant, and show that the translators found nothing in the Scriptures relating to *baptizo*, that would justify or countenance the conduct of the Prisoner. You will find in reading over this part of the testimony, a united understanding of *baptizo* in the law of baptism, and that by the words by which they translate *baptizo* they show forth unanimously that its meaning is to immerse. It also gives you the authorities by which we ascertain the meaning of the words they use to translate *baptizo*. We shall say no more on this part of his testimony, because the Counsel, by his silence, signified it was all against the Prisoner, and in favor of the prosecution.

2. We are more particularly invited to that part of the testimony that refers to the English translation of the Scriptures. To estimate it justly we must take the following facts into consideration: (1) The translators selected for this work by king James, were all Pedobaptists. (2) They were commanded by the same authority not to translate the old ecclesiastical words, among which was *baptizo*. (3) They are found, for the reason stated, refusing to translate *baptizo* when connected with the Christian ordinance. (4) We must expect them, as Pedobaptists, to favor the practice of the Prisoner if they can. (5) Under no circumstances do we find them translating *baptizo* by sprinkle or pour, whether connected with the ordinance or not. These considerations are all in evidence, and they must be taken into account when you pass your judgment on this part of the testimony.

3. These translators did translate the first occurrence of *baptizo* in the Scriptures found in 2 King, 5: 14, by

dip: "And Naaman went down and *dipped* himself (ebaptisato) seven times in Jordan. In Hebrew Scriptures this act of Naaman is designated by *taval*, its usual word for dipping or immersing. The Greek translation by the Seventy, translate *taval* by *abaptisato*, both of these words having the signification of dipping.—The German translation of this word by Luther is *tauff*, which he in his testimony in evidence says signifies to *immerse*. Professor Stuart translates abaptisato by "plunged." All these translations of this passage agree, that *baptizo* signifies to dip or to immerse. This agreement can only be accounted for on the ground that the obvious meaning of the word is to immerse. This should be evident from this fact, that the English translators, the German translator, and Professor Stuart, were Pedobaptists, and their denominational interests demanded of them an indefinite translation of *baptizo* instead of a specific one. But the force of the passage and the specific character of *baptisato* overcame all their denominational predilections, and therefore we have this translation.—If *abaptisato* must have this specific meaning in this passage, the same law must demand the same signification to be given to it wherever it is found in the Scriptures; unless it can be shown that the connection it sustains to other words, demands a departure from this meaning. This supposed necessity can never be proven by them; for wherever you find *baptizo* in the Scriptures, you can always substitute immerse in its place, and it will always make good sense. This incontestable fact warrants and justifies the above translation. You may try any word

offered by Pedobaptists, and used by them as a translation of *baptizo* to justify their practice, by this law of substitution, and you will find that their substitution will fail to make good sense, and, therefore, cannot be legitimately employed. There is a self-evident principle governing all languages, that authorizes the substitution at all times of words of the same import, one for the other, and when substituted they always make good sense. It is also self-evident that if you substitute words of different families in one language representing certain ideas, for words of another family in another language representing different ideas, that they will not agree, and the conclusion is unavoidable, that in this relation they will not make good sense. It is by the power of these principles we test all the words offered as translations of *baptizo*. The only words offered that meet the approval of their judgment are those presented by Mr. BAPTIST—immerse, plunge, and dip. These are approved, because they are significant of a common idea. All the words offered by Mr. PEDOBAPTIST are condemned, because they cannot be substituted for *baptizo*, and make good sense. These words are sprinkle, pour, purify, wash, and cleanse. It would be well for you at your leisure to make all these words pass through the trial which these principles demand, and thus test their soundness. We are willing to abide the issue of such a trial.

4. The Counsel relies with confidence upon that part of this witness's testimony, where you find he translates *baptizo* by the word *wash*, in several instances where it is unconnected with the Christian ordinance. For this



translation he gives no authority, without which it can have no claim upon our attention. We know this translation of the word in the places named in his testimony is without authority, and contrary to authority. This fact is evident from the following considerations in evidence. *First.* The word *baptizo*, *per se*, has not the idea of water in it. The examples of its use in evidence, conclusively prove this beyond a reasonable doubt. *Secondly.* The authorities in evidence teach, that wash is only an effect of *baptizo* when it is used for washing. This *effect* can never be a proper meaning of the word. *Thirdly.* It is opposed to the law of substitution, because you cannot uniformly substitute "wash" in the Scriptures, as a translation of *baptizo*, and with it make good sense in the relations it is thus compelled to sustain to other words. You may test this substitution in its application to that passage of Scripture in which Christ's sufferings are represented by *baptizo*. These sufferings find no relation to the idea of washing, which follows its substitution here. You may try it again by substituting wash for *baptizo* in Rom. 6. These trials will show you that wash is not a translation of *baptizo*. *Fourthly.* It is an undoubted fact found in the Greek language, that *wash* forms a distinct and separate family from *bapto*, and at the head of its family is *luou*. And this family of words is used to express a distinct class of ideas in the language peculiarly its own, and which do not belong to *baptizo*. In their use in the Scriptures they are not confounded. *Luou* is never used in the Scriptures where *baptizo* is demanded to express the ac-

tion. These two words are found in the same verse expressing two separate and distinct things, for instance where it reads, "he washed their stripes; and was baptized, he and all his, straightway." The two things here said to be performed are expressed by these two words and are not confounded, because the words are not the same in meaning or convertible. All that can be made out by evidence in relation to *luou* and *baptizo* in their intercourse with each other, is this: there is a common province into which they both may enter, when immersion is the action, and there is a native province that is peculiar to each, into which the other dare not enter. *Luou* is essentially generic in its character, and *baptizo* is essentially specific in its action. The use of these two words in the language proves this statement. To test its truthfulness examine all the examples of their use in the language, and they will fully demonstrate the above distinction. *Fifthly*. This translation in these few occurrences of *baptizo*, will not warrant the practice of the Prisoner, because the washing refers to the whole person, and the manner of its performance is illustrated in the conduct of Naaman by dipping himself in Jordan. All know that sprinkling and pouring are not usual modes (or modes at all) of washing, according to the use of this word in the Greek language, because *luou* refers to the whole body, and not as do those actions to only a partial application.

5. The Counsel's conclusion, drawn from this witness's testimony, is, that *wash* would be a good substitute in English for *baptizo* in Greek. This substitution

we have already shown to be incorrect. If the Saviour intended wash to be the action performed in the ordinance which He appointed, He would have selected *luou*, which all know signifies in English, to wash. The name of the ordinance would then have been *washing*, instead of *baptism*. Or if He designed only a partial application of water to the subjects, then *nipto* would have been selected as the word to denote the thing to be done. The fact that the Saviour passed by the words that denote washing, and those that denote sprinkling and pouring, and selected *baptizo* to indicate the act in baptism, is significant, and can only be accounted for by the fact, that its action alone could denote the design of the institution.

#### JEWISH PROSELYTE BAPTISM.

We offered, said the Counsel, a number of Pedobaptist witnesses to prove the manner in which the Jews baptized their proselytes. Their testimony places beyond a cavil or doubt the practice of immersion by them, when they introduced proselytes into their fellowship. The Counsel passes by the evidence of this fact without notice. His death-like silence, can only be interpreted as admitting that the practice of the Jews in baptism, was only immersion.

His testimony refutes completely, the cavil that *baptizo* among the Jews had a different signification from that which it had among the Greeks. Pedobaptists are ready to admit it signifies immerse among the Greeks, but not among the Jews. This testimony proves their assump-

tion to be baseless and unsupported, by showing a common understanding among Jews and Greeks. There is no resisting this testimony. There is nothing offered to oppose it. It fully accounts for Mr. Josephus's emphatic declaration that *baptizo* signifies only to *immerse*. Until there is found in the Jewish practice of baptism, something favorable to the practice of the Prisoner, we are bound by every law of evidence, to believe that they understood baptism in no other sense than that of immersion.

#### INDEPENDENT WITNESSES.

We offered a class of independent witnesses, whose denominational character we did not inquire into. They were men of undoubted learning and authority. Their testimony proves two things. *First*. That *baptizo* signifies to immerse in the classic and Jewish acceptation of the word. *Secondly*. That immersion in baptism was the practice of the ancient church. These two facts are more than our defence demands, and they accord them to us with a cheerful cordiality. In consulting the history of these witnesses, you will find they had no interest to subserve in giving this honest testimony. It fully illustrates the force of truth and evidence over the human mind, making it to rise above party feeling.

#### PEDOBAPTIST WITNESSES.

We called this class of witnesses to the stand, to prove that the meaning of *baptizo* in the constitutional law is to *immerse*. These witnesses were Reformers, Commem-

tators, &c. We classified them in the following order :

1. German witnesses, commencing with Luther, and closing with the most learned Germans of this generation.
2. Presbyterian witnesses, beginning with Calvin, and closing with Chalmers.
3. Episcopal witnesses of eminent ability, and of high official position in the church of which they were members.
4. Roman Catholic witnesses of character and authority in their communion.
5. Armenian Professors of notoriety and learning.
6. Miscellaneous witnesses of undoubted character and influence.

These, in number, constitute a host of the friends of the Prisoner, but stand to all we have demanded at their hands on the meaning of the word in dispute. To estimate justly the weight of their testimony, the following things must be taken into consideration. (1) That these witnesses lived when sprinkling and pouring, as actions of baptism, were popular in their several communions. (2) They were the friends of the Prisoner, and opposed to Mr. BAPTIST. (3) We only called upon them to testify to a *fact*—the meaning of *baptizo* in the Constitution. (4) Their *opinions* concerning what would answer as well as immersion in baptism, do not legitimately come before this tribunal for a decision. The Court you remember refused to admit the opinion of Calvin on this subject, and placed that refusal upon a ground that is unanswerable. (5) The evidence necessary to overcome their educational prejudice and denominational interests against immersion, as the baptism commanded in the Constitution, must have been invulnerable, otherwise they would not have been

found testifying against their own practice. (6) The reason offered by some of them for their present practice, and for a change from the practice authorized by the constitutional law, is that the difference of country and climate demands it. All these important facts, with others we shall name, ought to be taken into account, when we come to ascertain the force of their testimony.

There is another aspect of their testimony to be contemplated; that is, it is the testimony of opposers and not of friends in this trial. This fact proves that their testimony is a voluntary tribute to truth, and not called forth by any interest they had in the triumph of the prosecution. The fact that their testimony meets all the demands of Mr. BAPTIST's charge against Mr. PEDOBAPTIST, should be to us all the surest guarantee of the Prisoner's guilt. If these were the only witnesses called to testify for the Commonwealth, their evidence, in the judgment of the law, would be sufficient to place the acquittal of the Prisoner beyond a reasonable expectation.

#### REPLY TO THE COUNSEL'S REVIEW.

The Counsel's review of these witnesses' testimony, is so indefinite in its character, that it is almost impossible for us to join a fair issue with him. His remarks are altogether declamatory. We shall, however, seek to meet his most prominent assumptions.

1. That their testimonies "are based on a common principle—that no particular manner of baptizing was commanded." He signifies here by "manner of baptizing" what we have repeatedly exposed as an evasion

or deception designed to teach that *baptizo* in the law signifies immersion, sprinkling, and pouring. The truth is, the common principle unfolded in the testimony of these witnesses is, that *baptizo* in the constitutional law signifies to *immerse*, and therefore it can never by any show of reason be a manner of itself. The Counsel's principle adapted to deceive us, finds no support from the testimony, but is made void by it. Did we not call them to testify to the meaning of *baptizo* in the law? They met the question with an honorable answer. That answer supports not the principle of the Counsel, but meets it with an indignant repudiation.

Why did not the Counsel make a fair issue by saying, that immersion was not commanded when *baptizo* was incorporated in the institution, and that so the witnesses testified? This he knew too well to be a hopeless undertaking in the light of the facts in evidence, and the character of these witnesses' testimony. We could have refuted his whole position by merely reading over what Luther and Calvin said on the meaning of *baptizo* in the Constitution. He knew his evasive mode of argumentation gave him his only hope to deceive the jury and public. The fact that his cause affords him no better defence of his client, ought to be conclusive evidence to all of the hopeless weakness of the position he is striving to defend.

2. The Counsel's next assumption is his law of evidence, expressed in the following words: "That when a witness is called to testify for a party, the party is bound to receive his whole testimony." This is what we are

doing with this class of witnesses. We called them to the stand to testify to a fact—the signification of *baptizo* in the Constitution, and this is the extent of their power to testify.

We do not receive their *opinions* of baptism, because it is not competent to receive the opinions of witnesses as evidence, when the question is one of fact and not of opinion. See the injustice and fearful results that would follow the admission of witnesses' opinions as evidence. One class would teach that water baptism was not to be practised under the Constitution; another class would teach that water baptism is for the remission of sins; another class, that you have a right to change the action of baptism, to suit your views of country and climate! Are all these *opinions* on baptism to be received as evidence? They are repudiated singly by a majority of most of the denominations of Christians. Try by this principle any other Christian doctrine—for instance, the divinity of Christ; the duration of future punishment; the existence of the soul in an intermediate state after death, until the resurrection; the form of church government, &c. To place the climax on this absurdity, its application admitted, would subvert the divine authority of Christianity. This lamentable result would necessarily follow the admission of the opinions of witnesses as evidence, when a simple question of fact is the subject of inquiry. We repudiate all opinions, when we inquire after constitutional facts. Facts alone have to do with our government in this country. This elucidation of our conduct, will prove that we have rigidly complied



with this rule of evidence during our examination of these witnesses; and it will also prove, that the Counsel in his questions to these witnesses, violated this rule of evidence flagrantly, and his mode of argument only seeks to walk in this interdicted pathway.

You find him laboring to make capital out of a law of evidence, which we have observed to its letter, by making the impression that we rejected material facts in their testimony. Did not the Court decide, that any fact could be admitted which related to the meaning of *baptizo* in the law? Under the operation of this decision we have been conducting the whole trial.

Let us notice the rebutting testimony offered by the Counsel to that of these Pedobaptist witnesses. Why offer rebutting testimony from other Pedobaptist witnesses, if those we offered did not meet the demand of the prosecution, as the Counsel was found urging zealously in his address? This fact throws around his conduct a suspicion, that his argument and conduct are antagonistic. It is not for me to reconcile them. He describes the character of his witnesses in the following language: They are "men of undoubted learning and character." This may all be true of them, and yet prove nothing. Let us now hear the conclusion he draws from their testimony: "They say that baptism, as a Christian ordinance, contemplates a variety of manner." A variety of manner of baptizing does not touch our position, if they mean a variety of ways of immersing. But this is not his meaning. He holds that a variety of distinct and different actions are modes of baptism. The follow-

ing things are important to be noticed in relation to their testimony. 1. They are all modern Pedobaptists, who have made themselves active partisans in this controversy. The Counsel might just as well have called the Prisoner upon the witness stand, to testify, as these witnesses. 2. These witnesses fail to sustain with authorities any other meaning to *baptizo*, than to *immerse*. Read their testimony over carefully, and you will find what we say to be a certain verity. Without *authorities* sustaining their significations of *baptizo*, they have no claim upon our attention. 3. Their testimony, if we dare give it that name, amounts to nothing more than their opinions offered to subserve the cause of Pedobaptism. 4. You dare not receive their opinions as evidence, and reject the fact testified to by those Pedobaptists, whom we have offered to testify to a fact opposed to their own practice. They honestly testified to the truth, and gave their reasons for their practice. The real character of this rebutting testimony is, a dogmatic assumption of a meaning for *baptizo*, unknown to the classic or sacred use of the word. The object sought to be subserved thereby is, to hide the guilt of the Prisoner, and offer a defence for their own disloyalty to the law of baptism.

Let us note a fact that came to light during the cross-examination of two of these witnesses. Drs. Hill and Clark, both testify to the fact, that baptism was a symbolic representation of Christ's death, burial and resurrection. We introduce the language of one of them as proof of this. "But they (believers) receive baptism

as an emblem of death in voluntarily going under the water ; so they receive it as an emblem of the resurrection unto eternal life, in coming up out of the water ; thus they are baptized." The symbolic character of baptism demands, as the witness teaches, immersion in water as its action. This action being designated by *baptizo*, it must of necessity signify to immerse. With all the perverseness manifested by these deeply interested witnesses, we have extorted from some of them the unwilling fact, that immersion was baptism in primitive times. This is all we need, to make our defence good.

4. The Counsel's appeal to the jury, in relation to the loyalty of his witnesses to the Constitution of the country. This is the very subject we are called upon to try. Until the verdict of the jury is made up and proclaimed to the nation, his appeals are untimely and out of place. It is also in vain for him to appeal to you about the efficiency of their substitution of sprinkling and pouring as modes of baptism, in place of immersion as its only action originally commanded. The only question properly before us at this time is, what did the Lawgiver in the Constitution intend to be done in the ordinance of baptism, when he employed *baptizo* to designate its action. On this single inquiry turns the whole controversy. Do not our witnesses fully meet this single inquiry? We answer, fully.

#### FRIENDS OR QUAKERS.

The Counsel in reviewing the testimony of these witnesses treats them with indignity, and their authority

with contempt. He asks the following grave question in relation to them. "What right have they to appear here before the Court and jury to testify?" We answer in the language of our law, they have the same rights which are common to all our citizens. There is a feature in their character, that should recommend them to us all as witnesses. They are not committed in their sentiments and practice to either of the parties in this controversy. Witnesses of this character are always reliable in the judgment of the Court. Let us now hear the Counsel's reason for the rejection of their testimony. "They, in sentiment and practice, deny the constitutional obligation of water baptism." This fact does not affect their competence as witnesses to a fact, the meaning of *baptizo* in the law. This is the only fact they were called to testify to. As to their faith and practice referred to by the Counsel, they are not as injurious to our country's weal, as the sentiments and practice of some of his most reliable witnesses. For these latter, like the Prisoner, with the profession of obedience make void by their tradition the action of baptism commanded. The reason that would reject the one ought to reject the other. The difference between these two class of witnesses is this: The Friends testify to the meaning of the word in the law; the other class, to what they suppose ought to be its meaning, to suit their practice.

The Counsel admits their testimony to be unanswerable in this language, "the testimony amounts to a dogmatic assumption of the meaning of baptism being immersion." The authorities they offered to sustain it,

make it as truly dogmatic as any other fact proven. It was impossible for the Counsel to meet it. In this fact is to be found the reason of his indignation. You will give their testimony an honest estimate, and that is all we ask.

## REPLY TO DR. SCHMUCKER.

Now will properly come under our review the arguments of the Counsel on *baptizo* in the New Testament, with the circumstances connected with its action. He read and adopted the argument of Professor Schmucker on this subject, found in his *Popular Theology*, p. 263.—The adoption of the argument as his own, was a tacit admission of the Counsel's inability to manage this part of the defence of the Prisoner's conduct plausibly. We will proceed to an examination of the Professor's argument.

1. The question proposed by the Doctor—"Whether immersion is enjoined in the Scriptures, and consequently is *one essential part* of baptism." This question can only be legitimately answered by making this inquiry, What was the received meaning of *baptizo* at the time the Saviour employed it in the institution of baptism? This point must first be settled by competent witnesses, before we can form an intelligent judgment, and offer a proper answer to the question proposed. Had the Doctor suspended his judgment of the meaning of *baptizo*, until he placed before his readers the authorities on which he claimed the right to answer the question, we would have no just ground of complaint. For want of these authori-

ties in evidence, it is our province to *protest* against his answer. Answer the question he will. Patience on our part demands submission.

2. The answer he gives to this question may be found in the following language: "On this subject the Lutheran church has always agreed with the majority of Christian denominations, in maintaining the negative." Before his negation is worth a single straw in this controversy, he is bound to show that the authorities relied upon to prove that *baptizo* in the Constitution only signifies to *immerse*, are defective and insufficient. This defence of the meaning of *baptizo* is passed by in silence. This authorized mode of proceeding is not adopted by him, but he is found adopting one that in our judgment is calculated to mislead the public mind, that is, to argue from a supposed impossibility of this meaning. This mode of argumentation, adopted by him, will be attended to when we arrive at that part of his argument where it is introduced.

Without an ascertained meaning of *baptizo* in the Greek language, how is he prepared to determine its signification in the New Testament? He may plead a sacred acceptance of the word, different from that which it had among the Greeks. But this can only be admitted when sustained by unquestionable authorities. The position and authorities are wanting as the basis of his answer. He goes to the New Testament in his argument without an ascertained meaning for *baptizo*, and there seeks to give it any meaning that suits his convenience and practice.

3. We are now prepared to hear his conclusion expressed in the following language: "And in regarding the quantity of water employed in baptism, as well as the mode of exhibiting it, not essential to the validity of the ordinance." The argument upon which this conclusion is supposed to rest, is stated in the form of a syllogism. To its examination we now call your attention.

1. His major proposition is, "*that no circumstance can be necessary to the validity of a divine ordinance, except those God has commanded.*" The truthfulness of this proposition depends upon what he signifies by a "circumstance." It can never, with any show of reason, be said, the thing commanded to be done in an ordinance is a circumstance. Those things that attend the performance required, may be called circumstances. To show the force of our position, let us strike out *baptizo* from the ordinance of baptism. Will not this removal make the ordinance void? Certainly, because the most important word in the law is stricken out. In view of this fact we ask how can the thing in the ordinance commanded and designated by *baptizo* be a "circumstance?" For to make it such seems to be the design of the argument. To illustrate our position and to show the essentiality of some circumstances, let us look again at the command to *baptize*. This word alone designates the thing to be done to the subjects of baptism. Are not the place where it is done, and the element in which it is done, essential circumstances? These two things are not necessarily included in the command to go and baptize, but as circumstances they are essential to the existence of the

ordinance. Again, we are commanded in the Lord's Supper, to eat bread and drink wine for a certain object. This is the extent of the command as found in the institution. Is not the provision of the bread and wine essential to its performance? Are not the posture and place essential to its observance? All these things are essential circumstances to this ordinance. No one can say to provide the bread and wine, and also a place with subjects, that this would constitute the ordinance, because then the eating and drinking, which are commanded, would be wanting. But what would be the character of the logic that would call the eating and drinking in the ordinance for a certain object, only circumstances? If the principle is just in its application to baptism, it also must be so when applied to the institution of the Lord's Supper. We have said sufficient to expose the design of an argument, which seeks to confound the thing commanded with those things necessary to its execution.

2. His minor proposition is, that "*God has not commanded immersion in his word.*" This is the assumption of the whole question in debate! This proposition can have no logical connection with his major, unless immersion is by him considered a circumstance connected sometimes with the thing commanded to be done in the ordinance; and then the thing designated by *baptizo* in the law signifies something, which he fails to inform us. The unsoundness of his position is evident from the fact, that his want of knowledge of the thing commanded by *baptizo* in the institution, places beyond his judgment, the determination of his supposed fact that immersion



is a circumstance of an unknown something denoted by *baptizo*. Until this is ascertained, no man can tell what are circumstances connected with it. This failure to communicate this essential knowledge makes his own position void, because without it he is unable to decide anything concerning it. His assuming it to be true, without facts to warrant it, is asking too much of his readers.

Let us inquire whether the facts in evidence, and at the hand of any person who will take a little trouble to inform himself, will warrant the statement that immersion is only a circumstance sometimes connected with baptism? *First*, the testimony in evidence assures us that *baptizo* signified to immerse, before, at, and after the time it was incorporated into the law of baptism.—*Secondly*, the early history of the church in her practice as given by Pedobaptists, shows this to have been her understanding of its signification. *Thirdly*, Pedobaptists, by scores, declare without equivocation, that immersion was the thing commanded by *baptizo* in the law. Take the united testimony of these witnesses, not in the least interested for the Baptist view of this subject, and it proves beyond dispute that the command in the law was immersion. We ask by what supposed possibility it could become a circumstance of itself? We sustain our position by evidence that cannot by Pedobaptists be disputed with the hope of success, because they offer a willing testimony against their own practice.

## REPLY TO THE ARGUMENT ON THE NEW TESTAMENT.

We are now prepared to proceed to an examination of his arguments offered in proof of his minor proposition, that "*God has not commanded immersion in his word.*" Before we enter into this examination, it is desirable that we should learn the meaning of *baptizo* from those who wrote and spoke the language of the New Testament. To presume that the New Testament uses *baptizo* in different senses, without incontestable authority, is to dictate to it a meaning, and to regulate our interpretations accordingly. This principle, in its application, would practically make void revelation, as a medium of communicating God's will to mankind. It becomes a necessity to interpret the Scriptures by the received meaning of its words, unless connection or notice teaches us otherwise. The subject of our inquiry was so well understood by all the parties concerned in the beginning of our government, that by them no questions were proposed in relation thereto, or explanations given.

*Heb. 9: 10:* "Which stood only in meats and drinks," &c. This is the first passage of Scripture referred to by Dr. Schmucker, in proof of his position. These "divers washings" (*baptismois*) referred to by Paul, took place under the administration of the law of Moses. The Doctor assumes "they were performed by sprinkling and pouring." He offers not a single tittle of veritable evidence, to support this bold assumption. How can this assumption be made with the knowledge of the fact, that sprinkle or pour is not in a solitary instance called

baptism? Does he believe a mere statement like this will be believed in a controversy, that can be determined only by evidence? If he docs, he is greatly mistaken. Precedents for its reception as evidence, would be hard to find. This must prove to the impartial, the exceeding weakness of a cause that can only be sustained by assumptions. Paul says there were "divers baptisms" as well as sprinklings, under the law. This should be sufficient authority. If Paul does not confound them, what right have we? Let the Doctor, if he can, prove that these "divers baptisms" were included in the sprinklings under the same administration. This we know he never can do. Until it is done by him, we are bound to conclude there is no support for his practice here.

We are willing to do more than can possibly be demanded of us, to show the nature of these "divers baptisms," though we are aware that Paul's testimony is sufficient, if received as evidence. The command to "bathe their flesh in water," under the law, included immersion. Naaman's conduct, in obedience to this law, when he dipped himself in Jordan, is sufficient proof of this fact. The command for bathing in Numbers 19th, required the washing of their flesh in water, and the most reasonable and easy way of compliance was by *immersion*. We shall now cite two Pedobaptists, to show that the immersion of persons was practised under the law. Bp. Horne: "The Jews had two sorts of washing; one, of the whole body, by immersion, which was used by the priests at their consecration, and by the proselytes at their initiation."—*Horne's Intro.*, p. 335.

Dr. Brown: "For none might go into the Court of the priests to serve (not even those who were ceremonially clean) who had not previously washed their bodies in water; evidently denoting, that those should be holy, whose office it was to bear the vessels of the sanctuary. But this immersion of the whole body in the morning, was not repeated through the day."—*Brown's Antiquities of the Jews*, p. 354. Let me add the testimony of Dr. Lightfoot, endorsed by Dr. A. Clark: "The baptism of John was by plunging the body, (after the same manner as the washing of unclean persons, and the baptism of proselytes was.)—*Clark's Com.* These are sufficient to prove the immersion of persons under the law, which we may suppose to be included in these "divers baptisms."

Under the law, you will also find the immersion of things: "But his inwards and legs shall be washed in water." See also Lev. 11: 32, and Num. 31: 23, &c., where the immersion of things is plainly taught. These "divers baptisms" include all the immersions under the law, whether of hands, feet, persons, vessels, clothing, &c., because Paul does not make any specifications, but includes all.

That this passage of Scripture affords, even by implication, any ground for sprinkling or pouring in baptism, is not to be found here. Who can suppose that Paul here, would contradict his meaning of baptism as found in Rom. 6th, where he teaches it to be "burial." This absurdity must be admitted to be a fact, to give a respectable character to the assumption which teaches,

that these divers baptisms embrace the sprinklings of the law. Who is prepared to adopt a principle in the elucidation of this passage, that can be used with a tremendous force against Christianity? Infidelity would say, your Bible is no intelligent document, if one thing is made to embrace another, whenever your argument demands it. With this principle, as a weapon, employed against Popery, the battle would be all on one side, and we would be sure of defeat. It is one of the boldest assumptions to say, that *baptizo* includes *raino* and *cheo*, when there is not a solitary occurrence to justify it, and when it comes in direct conflict with the fact, that each of these words is the representative of a distinct and different idea in the language. Open your Concordance and examine these words, and see whether what we say is not demonstrated by their use in the Bible.

Mark 7: 4.—The second passage of Scripture introduced by the Doctor, may be found in Mark 7: 4. “And when they (the Pharisees) come from market, except they wash (baptize themselves) they eat not.” This passage and his use of it, will warrant the following considerations:

1. Let me give his proof that *baptizo* here does not signify to *immerse*. “Now it certainly was the custom of the Jews to wash their hands before eating, but what author ever contended that they entirely immersed themselves in water before every meal.” The conclusion he draws from this statement, created by his own fancies, is, “yet this application of water to a very small part of the body (to their hands) is called baptism.” If this

proof and conclusion do not form a logical curiosity, I am much mistaken. That the argument is entirely false is evident from the fact, that it is founded on two things not in the document. *First*. "That the Jews entirely immersed themselves in water before every meal." There is no such statement found any where in the passage. The statement of the writer and that of the Doctor are as distinct and different propositions as any two can be. The statement of Mark is, that when they come from market they immerse themselves before eating. He does not say they immersed themselves before every meal. This fact given by Mark, makes entirely void the false premises of the Doctor. They both cannot be found in this, or any other Scripture. *Secondly*. His conclusion cannot be better than his premises, that the "application of water to a small part of the body is called baptism." This conclusion finds no authority in the document. The washing of hands referred to here, is not in this Scripture, nor in any other, called *baptism*. If there was such a passage in the Scriptures, why did he not present it? For without something like it, his assumption is false. The washing of the hands is designated by *nipesthai*, a word belonging to another family, and nowhere confounded with *baptizo*. If this was not the fact, the contrary would be offered as conclusive proof of their position, but up to this time, this essential thing has not been found.

2. The Doctor's argument on this passage confounded two things that are different—the washing of hands before meals, and the immersing of their persons after re-

turning from market, before taking their meals. The one practice was of daily occurrence, designated by *ni pesthai*. The other was a special occurrence after they visited the market, and is designated by *baptisontai*. These two customs differ as to the occasions that demanded them—the one before every meal—the other only after they came from market. Again, the one custom only related to their hands—the other to their persons. And, further, the things said to be done are designated by two different words that do not belong to the same family. These facts, so visible in the document, ought to put his assumption to shame.

3. Let us notice the historical confirmation which Dr. Schmucker demands, for a custom although it is said to exist, by the writers of the New Testament. He declares it impossible that it was the custom of the Jews to immerse themselves before meals, because such a custom is not confirmed by the testimony of a contemporaneous historian. But you must remember that he states a custom for them not found in the passage—immersion before *every meal*. Is it not sufficient authority for Christians, that the Evangelist says the Jews immersed themselves after returning from market, before they would eat? This is his testimony, if we believe that the ascertained meaning of *baptizo* is to *immerse*. We have no authority to say it has here a different signification, from that which the testimony of Greeks and Jews gives to it. The writer gives us no intimation of an unusual meaning. To say it has a meaning here to suit the convenience of the Doctor's argument, is taking the

wildest license. If no fact in the Gospel is to be believed, because it is not confirmed by some historian of the times, we will by the mandate of this false principle of interpretation, have to reject Christ's resurrection, and many other facts in the gospel. What can stand before a principle of this kind? It is only used here to accomplish a purpose, after which its soundness will no longer be defended.

4. We will now present two reliable Pedobaptist authorities to confirm our statement of this passage of Scripture.

Dr. Hammond: "The word here used, *baptisthai*, (as it differs from *nipesthai* verse 3,) signifies not only the washing of the whole body (as when it is said Eupolis being taken and thrown into the sea, *ebaptizato*, was immersed all over, and so the baptism of cups, &c., in the end of this verse, is putting into water all over, rinsing them,) &c.—*Anotations on Mark 7: 4*.

Beza: "Christ commanded us to be baptized; by which word it is certain immersion is signified. *Baptizesthai*, in this place, is more than *kerniptein*; because that seems to respect the whole body, this only the hands. Nor does *baptizein* signify to wash, except by consequence: for it properly signifies to *immerse* for the sake of dyeing—to be baptized in water, signifies no other than to be immersed in water."—*Booth*, p. 46.

It should be no source of surprise that these authorities, with others, understand *baptizo* here to have the same signification which it has in other places; because



the whole construction of the passage with the facts it contains, warrants no other meaning.

5. We will next show what superstition will lead persons to do, after they have contracted some supposed defilement. It was under the influence of this supposition, that tradition demanded of the Pharisees, the immersion of their persons after returning from market. The following cases will be sufficient to elucidate the principle. Herodotus, in Eurterpe, speaking of an Egyptian who happens to touch a swine, says: "Going to the river (Nile) he *dips* himself (ebapse) with his clothes."

Mr. Bruce informs us that in Abyssinia, the sect called Kemmont, "*wash themselves* from head to foot, after coming from market, or any other public place."

The Essenes, Josephus informs us, (p. 728) "after working for some hours in the morning, assemble in one place, and girding themselves with linen veils, bathe before dinner."

How can we tell that they did things reported of them, the result of their superstition, except by the words found in the reports, and these taken in their received acceptation? If we can believe the facts reported in the above documents, without urging the impossibility of the things reported, what right have we to dispute the custom of the Pharisees designated by *baptizo* on the ground of improbability? The principle which you apply to them, you are bound to apply to all the above cases, and thereby abrogate these facts of history, because you think their superstition would not lead them to do these things. To adopt this as a sound principle

will be to set aside every strange historical fact reported, simply because it looks improbable to us.

The principle that seeks to set aside a custom reported by the Evangelist, because founded in superstition, can find no authority to support it. We are bound to believe the Evangelist reported the customs among the Jews correctly, and that the received significations of the words employed to communicate them, must be taken in their received acceptations, as in the above cases.

6. There is another part of this passage of Scripture yet to be noticed: "And many other things there be, which they receive to hold, as the washing (baptism) of cups and pots, brazen vessels and tables." The Doctor admits the "cups and pots might indeed be immersed in water, yet of this we are not certain." We are certain they were immersed, by the word employed to denote what was done to them; because this meaning is established by numerous and undoubted examples in the language. There being no other meaning in evidence, or reason offered why we should depart from this ascertained signification, we can have no reason to doubt it.

Let us illustrate our position by a supposed case, similar in many respects to those we have already cited. If it was published that a certain sect in this, or any other country, immersed themselves after returning home from the place of public intercourse with others not belonging to their sect, and that the law of their society also required of them the duty of immersing their cups, pots and lounges, would any sane person believe that the word *immerse*, in this account, is to be taken in a signification

altogether different from what it is known to have among us? I answer not. We would rather deny the facts in the statement, than to say that immerse, in this report, signifies to sprinkle or to pour. We have described the natural and general conviction that would follow a report of this kind. Let us now ask, what must be the weakness of a cause that demands a departure from the well known meaning of a word, and the substitution of one unknown to the document, and altogether different in its signification, to justify a practice unknown to the word in the report? This departure and substitution form the argument of the Doctor in relation to the customs reported by Mark. I will believe Mark's account, and reject the Doctor's.

Let us here introduce the testimony of the well known Jewish writer, Maimonides. He says: "In a laver which holds forty *seeks* of water, they dip all unclean vessels. *A bed that is wholly defiled*, if he dips it part by part, is pure. If he dips the bed in the pool, although the feet are plunged in the thick clay at the bottom of the pool, it is clean. What shall he do with a pillow or a bolster of skin? He must dip them, and lift them up by the fringes," *Hinton*, p. 35. This Jewish witness fully confirms Mark's report of this custom.

7. All these customs, says the passage, of baptizing persons and things, were in compliance with the traditions of the elders. It was the tradition of the elders that gave them a singular character; and this singularity exhibits the strength of their superstition. *Superstition*, as we have already shown, considered it no hardship to

immerse its votaries, when they suffered from a supposed contamination, though it is considered a hardship and an "indecent" for Christianity to ask as much from her followers!

The argument from "impossibility" finds no real foundation here, because all the persons and things said to be immersed, were susceptible of this action. Until an impossibility is clearly in evidence, we are bound by every legitimate law of interpretation, to maintain the things were performed, as imported in the words by which they are designated.

S. Let us notice next his conclusion, drawn from this passage: "That many purifications, termed baptisms in the New Testament, were certainly performed by sprinkling, and (in case of the tables) by pouring." If it is a "certainty" that baptism in the New Testament was performed by sprinkling and pouring, why not give us a solitary proof of it! That would decide the whole controversy forever. When we ask him for bread, he gives us a stone. When we demand proof, we are met by assumptions. This "certainty" of his turns out to be a fiction, when you look for the proof to make it a certainty.

The Doctor's whole effort upon this Scripture, is made up of positive statements, instead of proof, and conclusions in harmony with the statements. You will observe he has no fixed meaning for *baptizo*; but it has significations to suit his arguments. Sometimes it may be sprinkling, and again it may be pouring, and it may possibly be immersion. All these things cannot be true of

*baptizo*, because, thus you would make it include washing, sprinkling, pouring and immersing. No word can specifically signify all these ideas. Yet this absurdity must be adopted, to help the cause of Pedobaptism.

It must be remembered, the burden of proof rests upon Dr. S., because he introduces this Scripture to prove his practice of sprinkling or pouring in baptism. All we were bound to do, was to show that the evidence he offered failed to prove his proposition. The fact is, he offered no evidence that would bear much scrutiny, and for this reason you find us showing the negative to be well founded.

#### PENTECOST.

The third passage of Scripture that Dr. S. calls to his support, in way of objection to immersion in baptism, is the baptism of those on the day of Pentecost. We will proceed to examine his effort made in relation to this baptism.

1. His opening assumption is, that "three thousand" converts were baptized on this day. This assumption is not susceptible of proof from the document. It is no wonder to us that he takes this to be granted without evidence, because without this given, his whole effort on this passage would not have the appearance of plausibility. We remark in the *First* place, that the document no where teaches that three thousand were baptized on the day of Pentecost. *Secondly*, the only number said to be baptized on that occasion, were those "that gladly received the word." We can find no facts in the record

by which the number baptized can be estimated with any degree of certainty. We must abide by the language of the historian. *Thirdly*, the historian does plainly say, that "three thousand were added to their number." *Fourthly*, there is a material difference between the statement of the historian and the one made by Dr. S.—the one says, three thousand were baptized on this day—the other says, three thousand were added to the number of disciples. I believe the historian reported the fact correctly, and I am thereby compelled to reject Dr. S.'s account of the matter. By removing the foundation of the Doctor's argument, as found in this assumption, our work is done; because his whole argument depends upon the admission of the assumption, that three thousand were baptized on the day of Pentecost. But as this case is a somewhat famous one among Pedobaptists, let us examine it a little further.

2. It is a fact, that John the Baptist baptized a large number from Jerusalem and its vicinity, and that also Christ "made and baptized more disciples than John." Is it not reasonable to suppose, that some of those baptized by John and Christ's disciples, were on this occasion recognized as disciples by their public fellowship with the Church at Jerusalem, and by its acknowledgment of them as such? Here only was there an organized Christian assembly, the existence of which was brought to light on this occasion, to those scattered disciples who lived beyond the vicinity of Jerusalem. The feast of Pentecost collected the Jews from all the surrounding countries, and to many of them, discipled be-

fore this occasion, an opportunity of organized Christian society had not been offered. If this suggestion is not received, we shall hold the rejectors of it, to the proof from the Scriptures of these propositions, essential to their argument. 1. That three thousand *were baptized* on the day of Pentecost. 2. That they were not baptized by *immersion*. These two things we know are not susceptible of proof from the document, and from this necessity their argument must fail. 3. Let us now inquire what the result would be if we should admit, for argument sake, that three thousand were baptized on this day. The result must be determined by the following facts: 1. The number of disciples on this occasion at this place, was a hundred and twenty. 2. The promise of the bestowment of the Holy Ghost was made to them all, Acts 2: 4. 3. "They were all filled with the Holy Ghost" on this occasion. 4. "They all spoke with other tongues as the Spirit gave them utterance." 5. These disciples, all enjoying the gifts of the Spirit, and the publication of the facts of the Gospel to those that assembled, all had the right to baptize those that received the word. 6. The baptism of those that gladly received the word, is no where in the document confined to the apostles. What right then have Pedobaptists to confine the baptism of those that gladly received the word to the apostles, without the authority of evidence? This they fail to furnish, because it is not to be found in the passage.

Supposing that we admit that three thousand were baptized in one day, and that only the apostles were ad-

ministrators, still those who claim these admissions as facts, forget that their estimates of the number *baptized* by the twelve, according to their own assumption, will work with equal force against the baptizing of the supposed three thousand, by sprinkling or pouring; for it would take the same time, personally, to sprinkle or pour water upon them, that it would to immerse them in water. Experiment has proven this fact. If their objection is good against their immersion personally, it will be equally valid against their sprinkling individually. If they would say they were sprinkled in crowds, we would answer, in the language of an eminent Pedobaptist, Dr. Lightfoot, endorsed by Dr. A. Clark, they could all plunge themselves under the water at the command of the administrators. On this score the time would be the same. The right to do the one thing, would authorize the other.

But the whole argument we have been combating, is altogether founded on assumptions, and therefore worth nothing. If the truth of history is to be made void, on the ground of a supposed improbability, we will be assuming a common ground, with infidelity, in its opposition to the Bible, for this is its most potent argument offered to invalidate its Divine authority. No Christian man can occupy this ground, without endangering that priceless jewel, the Bible.

6. We will now show that the baptism of large numbers in one day, is not such an uncommon occurrence, or so impracticable as the argument we have been opposing, would lead us to suppose.



Mr. Marchant says: "Baptizing in one day three thousand by immersion, need not be wondered at, since we read in the authentic life of Gregory, the Apostle of the Armenians, that he baptized *twelve thousand* together by immersion, in the river Euphrates; which Isaac, the patriarch of that nation, confirms in his first invective." *Exposi. on Matt. 3.*

Bingham: "Palladius observes, in the life of St. Chrysostom, that at Constantinople three thousand persons were baptized at once, upon one of their great festivals."—*Origin Eccles. B. XI.*

Dr. J. G. King: Wolodimes, a Russian prince, was baptized by the name of Basilius; and it is said twenty thousand of his subjects were baptized the same day." *Rites and Cerem.*

J. R. Peyrin's *Def. of the Vaudois*, p. 362: "It is said Liberius, Bishop of Rome, in 360, baptized eight thousand eight hundred persons on a Saturday."

"One (baptistry) was prepared for the baptism of Clovis, king of France; and his majesty, with three thousand of his subjects, were plunged, says Mezeray, on Christmas-day, 496."—*Mezeray, French History*, p. 15.

Are we to deny these historical facts, on the ground of improbability, because we are not informed of all the circumstances connected with their performance? These numbers are said by the historians to have been immersed. Are we then to say, they were only sprinkled, and thus make void the facts reported by the historian? The cause that would demand this use of the reports of historians, deserves no favor at the hands of a reasonable

public. We are sure from the fact of their immersion being reported, that all the agencies necessary to its performance, were employed, although the details are not recorded. Apply the same common sense judgment to those said to have been baptized on the day of Pentecost, and you will never be troubled (I think) with a doubt concerning their immersion.

Before we dismiss the text under consideration let us present one or two other cases, from Scripture, which are equally open to Dr. S.'s doctrine of improbability. It is said of Abraham that he circumcised over three hundred persons in one day. Are we to deny this reported fact, because we think it improbable, that he circumcised so many in one day, and that therefore he did something less than that which the law of circumcision imported? This is the kind of argument we have been exposing. Again, the historian says that king Solomon, at the dedication of the temple, "offered two and twenty thousand oxen, and a hundred and twenty thousand sheep." The argument from improbability would say, that it is not possible that Solomon possessed and gave this large number of oxen and sheep, and, therefore, you must interpret it, by greatly reducing the number here reported. And further, that there could hardly be a sufficient number of priests to offer them as sacrifices, if the number was admitted to be correct. What a Bible and history we would have in the light of this argument!

We have sufficiently exposed the unsoundness of the argument founded on improbability, and have clearly

shown that it cannot be applied to this Scripture, even if its soundness was admitted, because the passage is altogether silent about the number baptized. In view of these two facts, (the unsoundness of the principle and the uncertainty of the number baptized,) we have a right to say that this passage affords not the shadow of a shade of evidence in favor of the cause of Pedobaptism.

## CORNELIUS.

Doctor Schmucker next introduces to our consideration that what he calls "the language of Peter, when he baptized the Gentiles at the house of Cornelius." Does he in this extract report the fact in the document correctly? I answer he does not. It is no where to be found in the tenth chapter of Acts, that Peter "baptized the Gentile converts at the house of Cornelius." This assumption he considers material to his argument, in order to maintain a practice unauthorized by the plain facts found in the Scripture. It is sufficient for us that it cannot be proven, and, therefore, cannot be used to determine any thing in relation to this baptism. Let us permit the historian to speak for himself "Can any man (Peter said) forbid water, that these should not be baptized, which have received the Holy Ghost as well as we." This statement is not the same in language or import with that of the Doctor. In the whole record the place of their baptism is not named, nor who were the baptizers. The action of baptism performed at this time, can only be determined by the previously ascertained meaning of the word. Peter commanded the converts

to be baptized in the name of the Lord, and we must believe that the ordinance was administered in accordance with the meaning of the word, and the invariable custom of those days.

#### THE JAILOR'S BAPTISM.

The fifth passage introduced by Dr. S. may be found in Acts 16th. He thinks, there may be some support for his practice, from "the circumstances of the jailor's baptism." Let us note the material circumstances connected with this baptism. 1. The jailor's conversion. 2. His kindness toward the prisoners—he "took them the same hour of the night and washed their stripes," before his baptism. 3. After their stripes were washed, "he was baptized, and all his, straightway." 4. *After* his baptism he "brought them into his house," &c.—These circumstances prove the following things: 1. Their stripes were washed and the jailor was baptized outside of the jailor's dwelling house. 2. There was water outside of his dwelling, to which the apostles were taken to have their stripes washed, and sufficient for the baptism of the jailor. 3. Not one of the circumstances connected with the jailor's baptism, can in any way militate against the fact of his immersion. And there being no other baptism practised by the apostles, we have no right to presume another until it is proven.

With what precision the historian notes the things that were done on this occasion! This is evident, from the fact, that he does not say their stripes were baptized and the jailor was washed; because the two things done

were different, and so were designated by two different words. A washing can be done without an immersion, but a baptism cannot be performed without an immersion. The historian does not confound these two words, as do some modern Pedobaptists. The latter party, by confounding the two words in their significations, find a ground to oppose immersion in baptism, but the historian, having no such object, only tells what was really done.

We have now replied to the arguments of Dr. Schmucker, as introduced by the Counsel for the Prisoner, in support of his views of *baptizo* in the New Testament. You will find on a re-examination of both sides of this part of the controversy, that the Doctor manages his argument by the contingencies which occur in the Scriptures selected by him in opposition to immersion. *Baptizo*, to him, has no definite idea, and, therefore, it can be made to signify any thing which he chooses. This mode of investigation is repudiated by every good law of interpretation. If it was not, the will of God would remain in obscurity forever. His conduct, and that of all others who walk in the same pathless way, in their investigation of the action of baptism, signifies the entire weakness of the cause which they seek to defend, and demands a defence that would be met with indignation, were it offered for any form of infidelity. Proof, they would cry out, is the only palladium of any proposition.

## THE FIGURATIVE MEANING OF BAPTIZO.

The figurative uses of *baptizo* in the New Testament will reflect back to its literal signification. We shall now introduce them.

Mark 10: 38, 39: "Can ye drink of the cup that I drink of, and be baptized with the baptism that I am baptized with?"

Professor Stuart: "Can ye, indeed, take upon you to undergo patiently and submissively, sufferings like to mine—sufferings of an *overwhelming* and dreadful nature?"—*Stuart on Bap.*, p. 72.

Dr. A. Clark: "Baptism among the Jews, as it was performed in the coldest weather, and the persons were kept under water for some time, was used to not only express death, but the most cruel kind of death."—*Comm. on Matt.* 20: 20.

Dr. Doddridge thus paraphrases the place: "Are you able to drink of the bitter cup of which I am now about to drink so deep, and to be baptized with the baptism, and plunged in that sea of sufferings with which I am shortly to be baptized, and, as it were *overwhelmed* for a time?"—*Paraphrase on Matt.* 20: 22.

Witsius: "Immersion into water is to be considered by us as exhibiting that dreadful abyss of Divine Justice, in which Christ for our sins, was for a time, as it were, absorbed; as in David, his type, he complains, Psl. 69, 2, "*I am come into deep waters, where the floods overflow me.*"

1 Cor. 10: 2: "And were all baptized unto Moses, in the cloud and in the sea."

Witsius expounds the passage to this effect: "How were the Israelites baptized *in the cloud*, and in the sea, seeing they were neither immersed in the sea, nor wetted by the cloud? It is to be considered, that the Apostle here uses the term baptism in a figurative sense; yet there is some agreement to the external sign. The sea is water, and a cloud differs but little from water. The cloud hung over their heads, and the sea surrounded them on each side; and so the water in regard to those that are baptized."

Dr. Whitby: "They were covered *with the sea on both sides*, Exod. 14: 22, so that both the cloud and the sea had some resemblance to our being covered with water in baptism. Their going into the sea resembled the ancient rite of going into the water; and their coming out of it, their rising up out of the water."

This passage makes immersion essential to baptism, because, as Professor Stuart says, they were surrounded on all sides. It was only when they were in this state that they are said to be baptized. If immersion was not baptism, how could the Apostle, who knew all about the action, call it such in this passage?

You do sometimes hear from Pedobaptists that the cloud sprinkled rain upon them, or, they were made wet by the spray of the sea. But there is nothing in the Scriptures to countenance these wild assumptions, and if the ideas did exist, they would never have been called by the name of baptism; because in all the occurrences of these things, *baptizo* is never used to denote them.

There are several other passages of Scripture where

*baptizo* is used figuratively, but as they are of like import to the two which we have given above, we will not take up time by introducing them. It is an established fact in evidence, that *baptizo*, in its figurative use, signifies overwhelm. This accounts for its use in relation to objects in the New Testament, that can only be understood with this meaning.

Let us close our remarks on this subject by adopting Professor Stuart's conclusion: "To Hebrews and Greeks both, the idea of an *overwhelming flood* offered a very obvious image to designate great sorrow and affliction. Both, therefore, employ it. Thus David: 'Save me O God, for the waters come into my soul! I sink in deep mire, where there is no standing; I am come into deep waters, where the floods overflow me.'—Ps. 69: 1. Again, Ps. 18: 16: 'He sent from above, he took me, he drew me out of many waters.' Ps. 32: 6: 'Surely in the floods of great waters, they shall not come nigh to him.' Inasmuch now, as the more usual idea of *baptizo* is that of overwhelming, immersing, it was natural to employ it in designating severe calamities and sufferings."—*Stuart*, p. 73.

#### PREPOSITIONS CONSTRUED WITH BAPTIZO.

We are now prepared to meet the Counsel's reply to my argument offered on the New Testament baptisms, containing the circumstances connected with their performance. The leading facts in my argument, concerning the persons, places, and circumstances related to these baptisms, are not disputed. The reason why they were



not contested may be found in the fact, that they are all in the passages of Scripture referred to. The only disputed point in the argument is, the meaning of the prepositions employed in connection with these baptisms.

In relation to the preposition construed with *baptizo*, *raino*, and *cheo*, the following things are true: (1) *Baptizo* in its use has connected with it *en*, *eis*, *apo*, and *ek*. (2) With *raino* and *cheo* these prepositions are not construed, but you will find *epi*, upon. (3) In these prepositions there is no common property claimed by these three words. The obvious reason for it is, because they denote three different actions. What is suitable to *baptizo*, is not suitable to sprinkle or pour. (4) The *usual* meaning of these prepositions must be the true one, unless their connection forbids it. This principle we have established by the highest authority on the interpretation of words. See my opening address, pp. 18, 21.

Let us now inquire whether these distinctions are well founded, in the ordinary use of these words with the prepositions. We will read on this subject an extract or two from A. Campbell on this point in our discussion. "*Peri-raino epi ton katharisthenta*—sprinkle the blood upon (*epi*) him to be cleansed, Lev. 14. 7: 2. *Peri-ranei epi teen oikian*—sprinkle upon the house, Lev. 14: 51; 3. *Ranei epi hitasterian*—he shall sprinkle it upon the mercy seat, Lev. 16: 14. This phrase occurs a second time in the same verse—*Peri ranei epi ton oikon*—he shall sprinkle it upon the house; *epi ta skeua*; *epi tas psuchas*, upon the persons. The same idiom is here found three times in one verse, Num. 19: 18; again, in the 19th

verse, *Peri ranei epi ton akatharton*—he shall sprinkle it upon the unclean; again, Eze. 36: 25, *Ranei epi humas katharon hudoor*—I will sprinkle upon you clean water. In construction, then, with the person upon whom water is sprinkled, the verb *raino* is followed by *epi*; never by *en* or *eis*. A. sprinkles water, blood, oil, dust, or ashes upon B., but never sprinkles B. *in* blood, oil, dust, &c.; whereas *baptizo*, in such cases is followed by *en* or *eis*, never by *epi*. A. immerses B. not upon, or with, but in water. This is a most convincing fact, that *baptizo*, occurring eighty times in the New Testament, is never construed with *epi*, nor *raino* with *en* or *eis*. *Baptizo* is frequently construed with *en* and *eis*, and *raino* with *epi*; but they never interchange their particles. A shadow does not more naturally accompany an object standing in the sunshine, in this latitude, than does *epi* accompany *raino*, and *en baptizo*, in the cases described.

“All this is equally true in the case of *cheo*, to pour. The object on which water or anything is poured, is designated by *epi*, never by *en*. The thing poured or sprinkled always follows the verb to pour or sprinkle; the person is always preceded by *upon*. Neither of these facts ever occurs in the case of *baptizo*. In that case the person always follows the verb, and the material in which the action is performed, is always preceded by *en* expressed or understood. Hence the uniform construction in the one case is, ‘immerse B. in water;’ in the other case the construction is, ‘I pour or sprinkle water upon B.’ Not more clearly different are these two constructions in English than they are in Greek. In-

deed, the object immersed is never governed by a preposition—the object sprinkled or poured is always governed by a preposition. The actions, then, in the original are just as distinct as the words, *baptizo*, *cheo*, *raino*, and their respective constructions.”

As to the popular acceptance of these prepositions in their construction with these words, said to be actions of baptisms, Mr. Campbell says: “On counting the actual occurrences of *en* in the New Testament I find it is found 2,660 times. Of this immense number of times, though these learned doctors tell you of its two and twenty meanings, it is translated in your common Testament 2,045 times by *in*. Yet such critics as Dr. Miller, when they put on their Pedobaptist spectacles, will have it *with* always where baptism is alluded to. John baptizes with water; but, when the phrase comes, *en to Jordanee*, he passes it by. He does not say he baptized them with Jordan; but, passing it by, he says that *eis* means *at* or *to*, in such cases. Well, not having time to count over the whole book, I found in the four gospels that *eis* occurs 795 times. Of these, it is translated by *into* 372 times, and by *to* for *into*, more than one hundred times; for, to the temple, to the house, to the city, to Jerusalem, Bethany, Nazareth, &c., means into; and of 273 times unto, it might have been very often *into*; thus making, in all, 500 out of 795 occurrences.”

“As for *ek* and *apo*, frequently rendered *out* of and *from*, it is, on two accounts, unnecessary to speak particularly; because, first, whether they are more commonly rendered *from*, or *out* of, avails nothing, seeing

that from, nine times in ten, is out of, in sense. For example, from Heaven, from the temple, from the city, from the grave, means out of these places, and not from the boundaries of them. In the second place, it being evident that *baptizo*, with *en* and *eis*, must certainly place the subjects in the pool, in the river, or in the bath, *ek* and *apo* must bring them out of it."

This development of the character of the prepositions employed in connection with *baptizo*, *raino* and *cheo*, is an ample refutation of the objections offered by the Counsel in noting our argument. This development also shows the importance of the fact elucidated by us, of the essential circumstances demanded by the actions of *baptizo*, *raino* and *cheo*, and that what is essential to *baptizo*, is not essential to *raino* and *cheo*. This fact made it necessary that the construction should be different.

We will now give a few Pedobaptist authorities, who teach that these baptisms were performed by immersion, and who must have understood the construction of the prepositions with the verb *baptizo*.

Calvin: "From these words, John 3: 23, it may be inferred, that baptism was administered by John and Christ, by plunging the whole body under water. Here we perceive how baptism was administered among the ancients; for they immersed the whole body in water. Now it is the prevailing practice for a Minister only to sprinkle the body or head."—*In John 3: 23. Comment on Acts 8: 38.*

Witsius: "It is certain that both John the Baptist,

and the disciples of Christ, ordinarily practised immersion; whose example was followed by the ancient church, as Vossius hath shown, by producing many testimonies from the Greek and Latin writers."—*Disp. I de Baptismo.*

Vitringa: "The act of baptizing, is the immersion of believers in water. This expresses the force of the word. Thus also it was performed by Christ and the Apostles."—*Aph. Sanct. Theolo.*

Zanchius: "The ancient church used to immerse those that were baptized. Thus, Christ went down into Jordan and was baptized; as also others that were baptized by John. Of this thing, and of immersion, the passage of the people through the midst of the sea was a type, concerning which the Apostle speaks, 1 Cor. 10: 2."—*Opera. Tom. VI, p. 217.*

Grotius: "That baptism used to be performed by immersion, and not by pouring, appears both from the proper signification of the word, and the places chosen for the administration of the rite, John 3: 23; Acts 8: 38. And also from the many allusions of the apostles, which cannot be referred to sprinkling, Rom. 6: 3; 1 Col. 2: 12."—*Apud. Solum.*

G. J. Vossius: "That John the Baptist and the Apostles immersed persons whom they baptized, there is no doubt. For thus we read: 'And they were baptized in Jordan. And Jesus, when he was baptized, went up straightway out of the water,' Matt. 3: 6, 16. It is also written, John 3: 23: 'John baptized in Enon, near to Salim, because there was much water there.' And;

Acts 8 : 38, it is said : ‘ They both went down into the water, both Philip and the Eunuch.’ And that the ancient church followed these examples, is very clearly evinced by innumerable testimonies of the Fathers.”—*Disputat. de Bap. Disp.*

Bossuet : “ The baptism of St. John the Baptist, which served for a preparation to that of Jesus Christ, was performed by plunging. In fine, we read not in Scripture, that baptism was otherwise administered ; and we are able to make it appear, by the acts of councils and by the ancient Rituals, that for thirteen hundred years, it was thus administered throughout the whole Church, as far as possible.”—*Stennet against Russen*, p. 175.

Venema : “ It is without controversy that baptism, in the Primitive Church, was administered by immersion into water, and not by sprinkling.”

Dr. A. Clark : “ That the baptism of John was by plunging the body, (after the same manner as the washing of unclean persons, and the baptism of proselytes was,) seems to appear from those things which are related of him, namely : ‘ That he baptized in Jordan ; that he baptized in Enon, because there was much water there, and that Christ, being baptized, came up out of the water, to which that seems to be parallel, Acts 8 : 38.’”—*Com. at the end of Mark.*

Mosheim : “ The exhortations of this respectable messenger (John) were not without effect, and those who, moved by his solemn admonitions, had formed the resolution of correcting their evil dispositions, and amending

their lives, were initiated into the kingdom of the Redeemer by the ceremony of immersion, or baptism."—*Char. Hist.* p. 25.

We might add Neander, and a host of other Pedobaptists, to confirm our view of the New Testament baptism. These willing concessions to the fact of immersion in New Testament times, when all their denominational interests forbid it, show the strength of the evidence in its favor, which ought to be irresistible to the candid inquirer after the truth. And by thus testifying to immersion in New Testament times, they fully confirm the meaning we have given to the prepositions construed with the verb *baptizo*.

#### BAPTISM AND BURIAL.

We have only a few remarks to make, in reply to the argument of the defendant's Counsel, against the symbolic character of baptism.

1. This new theory of baptism, in its design, as presented in his argument, deserves some consideration at our hands, because he offers it to us with confidence. It must be remembered by us, that this new theory was generated in *modern times*, to invalidate the symbolic character of baptism, as it is taught by the distinguished Apostle to the Gentiles, in Rom. 6th, and Col. 2d; and to make void the support given to his symbolic representation of baptism by the Christian Fathers and the Reformers of the sixteenth century. A theory that contemplates the sacrifice of all their testimony concerning the symbolic character of baptism, must bear its truth

fulness upon its face. That it does so, is amply refuted by the fact, that many Pedobaptists, whose cause it seeks to subserve, reject it in their interpretation of these Scriptures. Its want of reception by those whose interest it is to adopt it, and its want of favor in the best ages of the church, is an ample bar to its admission by us. We are certainly warranted in our conduct, by Drs. Hill, Clark, Chalmers, and others of equal notoriety among Pedobaptists.

This new theory, as found in the Counsel's argument, is a plain perversion of the language of the Apostle; for it says, "the burial must be spiritual, for the resurrection is spiritual." This statement finds no authority from these Scriptures, but they do teach plainly, that those baptized, were buried and planted in the likeness of Christ's death and burial, and it was done *in*, and *by* baptism. The resurrection out of the water to them, was a likeness of Christ's resurrection out of the grave. The great matter in these passages of Scripture is that of likeness exhibited in baptism. This fact must make void this ingenious theory, for you know it teaches that this baptism is a spiritual one, noting a reality in itself, and not a likeness. As a reality, marking the introduction of those persons into Christian life, it can not with propriety be said to be only a likeness to a death, burial, and resurrection, because in spiritual baptism these are contemplated as realities in this moral transition, and not a mere resemblance to them.

3. Admitting this new theory to be the true interpretation of the Scriptures, it will follow necessarily that



literal baptism is a burial and resurrection. Spiritual baptism from a necessity must find its origin and name in literal baptism, because without a literal baptism we could have no knowledge of the spirit's operations under this name. If there is no burial in literal baptism, there could be none in spiritual baptism; because, as their argument teaches a burial in the spiritual, it must also be in the literal. *Baptizo* imports the action in both of these baptisms. The spiritual holds only the idea of immersion as its action, because it contemplates a burial; and the literal baptism only makes the same claim for its action, and it gave authority to the spiritual to exercise the same right, in virtue of its native power to impart it.

4. Let us notice the witnesses whom he read in support of this new theory—Dr. Rice and Professor Stuart. Their testimony should have no influence on the minds of the jury, when they come to decide the weight of the evidence for the symbolic character of baptism, because it is unsupported by our most learned interpreters of our laws, and is designed to foster disloyalty to the law of baptism as originally commanded. The single fact, that their testimony stands confronted by the undisturbed understanding of baptism being a burial, for centuries after the Apostle Paul described it in the Scriptures referred to, is sufficient. Until this new theory is supported by veritable authority, we are bound to submit to the uninterrupted exposition of the doctrine of these passages, by the administrators of the law for sixteen hundred years.

5. We could add a large number of Pedobaptist witnesses to those we offered under this argument. You can consult the testimony of Drs. Hill and A. Clark, as it may be found in their cross-examination by us, when they were offered as witnesses for the Prisoner. See p. 117 and 119. It is not necessary for me to detain you any longer in elucidating this argument of the symbolic meaning to baptism, because we have for its support the meaning of the word, the practice of the church, and the light of sixteen hundred years to illuminate its pathway from Paul the Apostle down to the Reformation, and, with few exceptions, from the Reformation down to Dr. Chalmers.

#### CHURCH HISTORY.

We will now call your attention to the Counsel's representation of the history of the church, on the subject of the action of Christian baptism.

1. He commences to unfold this history with this assumption, "for some years after the apostles' days, we have no reliable facts on the manner of baptizing." This assumption plainly admits there is no evidence offered during this period that supports *his* views of baptizing. This is practically giving up the question in controversy so far as this age of the church is concerned. After making this admission, which is death to his cause, he dares to come to this conclusion, "the manner of baptizing was what the church thought suitable and convenient." This is a conclusion without premises, because, he says, there are no reliable facts from the church

of that age! This certainly puts logic to shame. There is another item equally obnoxious: that the church adopted a practice "suitable and convenient." Who gave the church this authority, for it is not to be found in her constitution? It would in its exercise supersede the authority of Christ. It will not do to brand the church with conduct so infamous, without evidence. But this must be done to give color to his assumption. Its self-refutation, however, is sufficient for us on this occasion.

In relation to this early period in the church's history, we have the Epistle said to be written by Barnabas. I know the authorship is disputed, but its antiquity is not contested as far as I know. The document bearing this name comes down to us from an early age, informing us of some of the essential characteristics of baptism in its action. Let us hear now what it says, "we go down into the water full of sins and pollution, but come up again bringing forth fruit in our hearts." The two circumstances here related to the action of baptism, do essentially belong to immersion alone. It is made very obvious here that when the second century set in, there was a common understanding that the action of baptism was only immersion. Read the authorities reported by Pedobaptists in evidence, and see if they do not fully sustain our conclusion.

2. His next assumption is, "at a later period in the church's history we find a variety of modes of baptism. These were trine immersion naked, pouring," &c. This statement of the after history of the church is not a fair one, as we shall now show.

The evidence which we have from church history in the testimony offered, teaches us that the subjects of baptism were not left to decide the manner of their baptism, as the Counsel concludes. That trine immersion naked was practised in the days of Tertullian, will not be disputed; but he himself says that three times was more than the Lord commanded. How can this be reconciled with the statement of the Counsel, that the ancients enjoyed the privilege of choosing between this trine immersion naked and pouring? This conclusion of his is self-destructive, for it is unreasonable to suppose they would refuse the "suitable and convenient baptism," and choose the one "revolting to humanity." The two could not on his principle co-exist in the same age.

We are taught by the evidence, that there was no other baptism but immersion throughout the whole church, until the third century, when pouring all around on a person on a sick bed was introduced, as an innovation, and contrary to the established and universal practice of immersion. The reason for introducing this innovation for cases of supposed necessity, where immersion could not be practised, may be found in the doctrine then held—baptismal regeneration. In the Eastern church this innovation found no countenance, but was opposed, and also by many in the Roman church. This whole subject will more properly come under our consideration, when we come to that part of our address in which we will prove the Prisoner guilty of the crime of supplanting immersion in baptism.

The church knew of no baptism but immersion, until

the introduction of the innovation named, and this was limited by their action, which compelled all in *health* to be *immersed* without exception. But the right of choice was unknown to the Fathers between the innovation and the baptism that claimed Scriptural authority.

4. His last assumption is, "we do not find in the history of the Christian Fathers, that proscriptive policy on the mode of baptism now common among Baptists."— We have already refuted this assumption. The fact is, as we have said before, they knew of but one action in baptism; and at first they refused in the Western church to call the innovation introduced for cases of necessity by this name. And this fact accounts for the opposition to the innovation, and their refusal to recognize it as a legal baptism. So important was baptism in their judgment, that they refused to recognize the baptism of a church not of their own communion, and for this reason you find them re-baptizing those that passed from one communion to another, although there was no difference in their administration of baptism.

We would have been pleased if the Counsel had presented the *evidence*, upon which he relies to prove the supposed fact, that the Fathers understood baptism to include the actions of immersion, sprinkling, and pouring, as its legitimate modes. There is no such testimony before us, and it is not likely to be found. Their sentiments and conduct on the subject, differ materially from those of modern Pedobaptists, because they are never found talking of the *modes* of baptism. That discovery was not yet made, but remained for a later

period and the Western church to unfold. Let Pedobaptists come back to the standard of the Fathers on baptism, and then you will find them always immersing, except in cases of necessity. When they come up to this standard, there will be no trouble in bringing them up to that of the New Testament, by abrogating the innovation for cases of necessity; because this standard makes no distinction, in the action of baptism commanded, for any of its subjects.

Let us now call your attention to the facts which the evidence of history fully establishes.

1. The uniform practice of immersion continued in the whole church for thirteen hundred years, except in cases of necessity in the Western church.

2. The cases of necessity were limited by the character of the innovation—never designed to be general in the church, because it laid no claims to Divine authority.

3. The Roman church practised only immersion as baptism until the innovation named, and continued to do so as a general practice for thirteen hundred years.

4. The Eastern church, which was established by the apostles, has maintained the invariable practice of immersion in baptism, from its origin down to the present time.

5. The facts which support the above conclusions are reported to us by Pedobaptists, whose interests called for any other representation of the practice of the church.

6. The facts of history will remain forever a living

and undeniable proof, that the church understood the meaning of *baptizo*, in the Constitutional law, to be immerse.

Let us close this branch of our subject in the language of Professor Stuart: "It is a thing made out, viz:—'The ancient practice of immersion. So, indeed, all the writers who have thoroughly investigated this subject conclude. I know of no one usage of ancient times which seems to be more clearly made out. *I cannot see how it is possible for any candid man who examines the subject to deny this.*" Stuart, p. 49.

We are now prepared to invite your attention to the Counsel's reply to the evidence we offered, to sustain the charge made against the Prisoner, of changing the action of Christian baptism. His reply is founded upon several assumptions, which, if they were true, would invalidate the evidence we offered, and prove the doctrine he teaches in relation to this part of our discussion—"a change from one manner of baptizing to another." His whole premises being false, his conclusions can be no better, as we shall show. Let us note his assumptions.

1. "All the authorities offered in evidence by Mr. BAPTIST, fail to make out for *baptizo* an invariable mode." He means here by "mode," what we denote by "action." This judgment expressed by him, is only a baseless assumption. Does not all the testimony offered by us, teach immersion to be the only original *action* of baptism? A *mode* of immersion has nothing to do in this controversy; because no mode is commanded. This assumption does not deserve a respectful hearing, until

it is supported by something like evidence. Nothing of this character is found supporting it. If there was proof at his hand, why did he not present it, for he is too learned and intelligent not to know, that it was essential to his proposition? Have we not presented our witnesses in classes to prove the fact, that *immersion* was the thing commanded in the ordinance? Their testimony remains unimpeached by all that the Counsel has said or done to the contrary.

2. "The Scriptures do not determine the mode of baptism." If he means by "mode of baptism," a mode of *immersion*, we have no objection. His real meaning is, that immersion, sprinkling, and pouring are *modes* of baptism. This assumption is without a tittle of evidence from the Scriptures to support it, and it is contrary to the facts in testimony. He must conclude we are bound to believe without an apology for evidence. This may be convenient for Pedobaptists, but not for a legal investigation. Immersion as the action of baptism in the constitutional law, is the only fact in evidence, and, from necessity, must be the action commanded by Christ. Sprinkling and pouring, as actions of baptism, find no countenance from Him, in any thing He said or did. For this reason, the church for two hundred years knew no such actions of baptism. It is no wonder, then, when the innovation was introduced in the third century, that it was noted as a novelty and opposed. And its being confined to the Western church, speaks in volumes against the Divine authority of sprinkling and pouring as actions of baptism.



3. "In warm climates, where bathing is a luxury, we find baptism by immersion more general; but in cold climates we find sprinkling," &c. The historical facts in evidence are a complete refutation of this assumption. They teach beyond a doubt, that immersion only as baptism, was known throughout the whole church until the third century, when pouring around the sick was introduced as an exception without Divine authority. And further, immersion continued to be the general practice down to the thirteenth century. This exceptional baptism was confined to the Western church. The Eastern church knew no other baptism, from its origin down to the present time, but in immersion in water. Climate had nothing to do with the introduction of this innovation of pouring in cases of necessity as a substitute for immersion. The testimony on this point proves that the false dogma of *baptismal regeneration* was the primary cause of its introduction, and not the one offered by the Counsel. The facts in evidence prove the Counsel's proposition is only fiction, called into being by the necessities of his position, to deceive the jury and lead the public mind astray.

4. "The Christian Fathers did account baptism by sprinkling, &c., valid baptism." This needs evidence to sustain it. Without proof of the statement, it is worth nothing. The fact is, the Fathers knew of no Scriptural baptism, but immersion in water. The introduction of sick bed baptism as a substitute, in *one part* of the church, as an exceptional baptism, confined to cases of necessity, was opposed, and those who were its subjects, were held

to be doubtful Christians. This was done, because their accounted baptism was not a scriptural one. After the church was reconciled to this innovation as an exceptional baptism, why did she still require all in health to be immersed, if pouring was scriptural? The Counsel's statement of their conduct, and their real conduct, are antagonistic. Did the Fathers in the *Eastern* church ever sanction and practice, in connection with immersion, this exceptional baptism? There are no facts of this kind in evidence. We have already noticed his positions in relation to the change of immersion in baptism, as testified to by Pedobaptist witnesses; but let us examine their testimony somewhat in detail. This examination will show how bold the Counsel's assumptions are. The following are found in their testimony:

The right to change from immersion, which was the original action of baptism commanded. Their apology is, it is only a circumstance, or, that climate demands an action in the ordinance suitable to it. This is the modern Pedobaptist apology, but anciently the reason assigned was baptismal regeneration. The right is clearly *assumed*, on whatever ground they place it. All the witnesses on this point fully testify to the fact, that the church possesses the right to *change* immersion as practised by Christ and his Apostles. Is not this the strongest kind of evidence, in favor of our position? Those whose denominational interests forbid them to testify in our favor, yet give their testimony in opposition to their own practice being divinely appointed and they do this, too, with the knowledge that it will be used against

them in the discussion of this subject. With these considerations before them, they testify to the fact, that the change was made in conformity with the right assumed. If, as some modern Pedobaptists teach, their practice is to be found in the original law, a *change* was impossible; and to testify to a change, when it did not take place, is not a possibility. We are bound by all the laws of evidence, to believe the party that testifies to a change founded on the apologies offered; because the evidence clearly proves that *baptizo* in the law only signifies to immerse, and in the language of Calvin, "it is certain immersion was the practice of the ancient church." We reject the opinions of modern Pedobaptists, because, unsupported by the meaning of the word in the language, and the practice of the church under its first appointment.

2. We have the origin of this change noted and named by Dr. Wall. The case recorded and found in the evidence given by the Doctor, was that of Novatian, who, in the third century was *poured around* with water on his sick bed. Wall says of him, after his restoration to health, "he was elected by one part of the clergy and people of Rome to be their Bishop. Cornelius (his opposing and successful candidate) in a letter to Fabius, Bishop of Antioch, vindicated his own right, and showed that Novatian came not canonically to his orders of priesthood, much less was he capable of being chosen Bishop, for that all the clergy and a great many of the laity were against his being ordained presbyter, because it was not lawful (they said) for any one that had been

baptized (poured around) in his bed in time of sickness, as he had been, to be admitted to any office of the clergy." From this extract from Wall, we learn the following things:

1. It was a novelty to baptize by pouring water around a person on a sick bed. This is evident from the doubts entertained of the person's Christianity. Cyprian undertakes to settle this question, in reply to a question from Magnus, whether such were "lawful Christians." The question and answer could never have been proposed, and transmitted to us, if pouring *per se*, was a scriptural action of baptism. You can never account for it on Pedobaptist professions, that pouring is one of the actions of baptism commanded by Christ, and practised by the church. Let them try it.

2. The opposition it met with, proves it to have been an innovation. Cornelius, Bishop of Rome, says in the above extract, that "all the clergy, and a great many of the laity, were against his being ordained Presbyter, because it was not lawful for any one that had been baptized (poured around) on his bed in time of sickness, as he had been, to be admitted to any office of the clergy." Brenner, the Roman Catholic historian, says: "These latter methods (sprinkling and affusion) of baptism were called in question, and even prohibited." Is it not unreasonable to suppose that a common practice, sanctioned by the Divine law, and approved by the church, would meet such violent opposition at first, and afterwards be interdicted by a Christian Council, if the position of modern Pedobaptists was well founded? The only

answer that can consistently be given, is, that the supposition is not possible. I know it may be said that they were only prohibited the office of the clergy. If their baptism unfitted them for this office, in the eyes of a Christian Council, I am sure there is not a solitary instance of a baptism that was acknowledged to be scriptural, which ever was a ground of interdiction. This opposition and prohibition are conclusive evidences of its human origin, and that it was an unauthorized innovation.

3. That this practice was an innovation is evident, from the question proposed to Cyprian by Magnus. We shall give our quotations from Stuart's translation of Cyprian's reply. The question was: "Are they to be regarded as *lawful* Christians, when they have not been bathed with saving water, (immersed by baptism.)"—Could a question of this kind be proposed concerning those poured around for baptism, if Christ commanded it, and the church followed the command? These two things Pedobaptists teach to be true, but they are never found proposing a question of this kind. What is the reason? It may be found in the fact, that the ancients differed widely from them concerning the origin of the practice, and the cause that introduced it. This fact shows the propriety of the question, and suggests the reason of the silence of the others. Are we not compelled, from the question proposed, to accept the conclusion, that the practice was unknown in the earlier history of the church? To come to any other conclusion seems to be impossible; because Magnus would have known it

to be a practice that came down to them, sanctioned by the church, if it had existed in his day as a common practice. How could he, with this supposed fact before him, have doubted that they were "lawful Christians?" When this practice was received into favor by the Western church, and was extended in after times to those in health, we hear no questions like that Magnus proposed. His question can only be accounted for by the novelty of the practice, and not on the supposition of its previous existence. It must not be forgotten, that his question does not give the least apology for the practice of this baptism by those in health. It only concerned the sick and dying.

4. This may be proven to be an innovation from Cyprian's reply to the question proposed by Magnus. His answer will show how this baptism was viewed in his day. His reply suggests the following things:

1. Whether those poured around on their sick beds were "lawful Christians" was a mere matter of opinion. Let us hear him speak for himself: "In regard to this, let not our diffidence and modesty hinder any one to think according to his own opinion, and practice as he thinks." He in this language gives all the liberty to judge of this matter as they think best, and to act in conformity with their judgment. If it was a Divine institution, no such liberty of opinion could have been sanctioned or tolerated. He proceeds to give his view of this baptism, in these words: "So far as my humble opinion goes, I think the Divine benefits (of the ordinance) are in no degree diminished or cut short, nor that any thing of the

Divine bounty is at all diminished." He only proposes to give his own judgment of it, and this finds no higher authority than his position and learning. That in itself, cannot give Divine authority to a human innovation, because it would subvert the great principle, "the Bible and the Bible alone, teaches the religion of Protestants."

2. His judgment of this baptism, is not founded on the meaning of *baptizo* in the Constitution. This is obvious to all who will read his reply in evidence. It is also true that he lived within two hundred years of some of the apostles, and with his position in the church, his learning as a Father, and with superior facilities of knowing the meaning of *baptizo* in the law, and its use in his own times, he could not have failed to know (if knowable) that which Pedobaptists teach in these days, viz: that the practice of pouring, as an action in baptism, was authorized in the constitutional law. This Pedobaptist idea is neither suggested nor named in his reply! To him, pouring around, under the peculiar circumstances named, was only allowable as a matter of opinion, and not authorized by the baptism of the New Testament.

3. His opinion of this baptism is not supported by an appeal to the practice of Christ or his apostles to justify it. This is the only legitimate appeal in support of any Christian institution. Without their sanction, it is called a human institution, and all men may receive or reject at their pleasure. Indeed, they are bound to reject it, if it comes in conflict with a Divine institution. These are Protestant axioms. But had he lived in our day, he could have learned from Pedobaptists, that sprinkling and

pouring, as actions of baptism, were more common in their day than immersion! Poor Cyprian! how ignorant you would appear on this subject, were you to come back and associate with some of your modern brethren! You certainly understood the history of the church in your own day on the action of baptism, and also its history on the same subject before your ministration as a bishop, and yet you appeal not to it, to sustain this exceptional baptism. If this practice was sanctioned by the church in his day, or before him, an appeal to its sanction as authoritative would have been natural. The reason he did not make this appeal is evident from his reply—the practice was new and unknown to the churches, and therefore was a matter for all to decide for themselves.

4. His appeal to the sprinklings of the law to justify his opinion, and to recommend the practice to the acquiescence of the church, is in itself, indisputable evidence, that pouring around in baptism was a human innovation—unsupported by the authority of the New Testament and the early practice of the church. To pass by the only legitimate authority that originated and sanctioned Christian baptism, and to seek support from a source where Christian baptism is unknown, must be a self-convincing fact of its human origin. If he could have found authority from the New Testament and the early practice of the church, and offered it in reply to Magnus, this would have silenced the scruples of any Christian man, for it was the only source of legitimate authority acknowledged by all.



The truth seems to be, if such convincing evidence had been at his command, he would, from the nature of the question proposed to him, have offered it. It is also true, if this evidence was common, Magnus himself had opportunities of knowing it. It is not reasonable to suppose, that he was ignorant of a common practice in the church, or whether it was sanctioned by Divine authority.

5. Notice his effort to quiet the opposition to this practice, and to reconcile the church to it. Let us hear him speak for himself: "Nor should any be troubled, because sick persons are affused (poured round) since they obtain the favor of God." How could persons be in trouble about it, and oppose it, if it was as scriptural as immersion? There is no solution of this difficulty, except by acknowledging it to be an innovation. He seeks to reconcile the church to this novelty, by assuring them, these persons, who are poured around in their sick-beds, obtain the favor of God. This was only his opinion, unsupported by any promise made concerning baptisms of this kind. The reason there is no promise made to such baptism, is, because they were not provided for in the New Testament. It never contemplated them.

6. That it is an innovation, is evident from the fact, that it was instituted for cases of necessity, for the sick and dying. Why was it confined to these cases, if it had a joint right with immersion as of Divine authority? The New Testament knows no such distinction and diversity—one baptism for the sick, and another for

those in health. This is all human in origin, and human in practice. This conclusion is unavoidable from the facts found in Cyprian's reply.

Notice next the cause that called into being this practice—baptismal regeneration. This dogma, like the practice in question, finds no Divine authority for its support. The practice was a natural effect from a cause of this character. The conclusion was natural, after it became an article of faith, that those dying without baptism would be lost. The next question of moment naturally was, how shall we dispose of those in sickness, who demand baptism, and yet are in a state that would make immersion impossible? They were led in the substitution adopted to imitate immersion as nearly as possible, by pouring water all around the person, for this is the meaning of the word used, to designate this kind of baptism. The imagined importance of baptism, in all cases for forgiveness of sins, led Cyprian to legalize this baptism. The cause of the practice being a mere human opinion, the practice can claim no higher origin.

8. The judgment of Cyprian, in relation to this baptism, gives no plea for pouring, as the action of baptism to those in health. His whole reply teaches, that it is to be confined to the sick and the dying. The authority of pouring, in baptism, to those in health, finds its origin in a later day, when it passed from cases of necessity over to those in health. This fact is found fully sustained in the historical evidence in testimony.

We are now prepared to continue to give those general specifications, warranted, as we think, from the testi-

mony we have given, concerning this change made without Divine authority.

3. This baptism, by pouring around, in cases of necessity, was made an exceptional baptism. Before its introduction we read of no other baptism than by immersion. That it can only have this character, is evident from the fact, that it was confined to cases of necessity. Beyond this boundary it had no right to go. Why does it receive this singular character, if authorized by Divine authority? The New Testament knows nothing of an exceptional baptism. Clinic baptism finds its origin and authority some where else, and this fact ought to be conclusive evidence of its being a human innovation.

4. The fact of the change having taken place, is fully testified to by the friends of the Prisoner. This must confound all the arguments offered by modern Pedobaptists to prove the origin of their practice in the law and the early practice of the church. It is no source of surprise that Dr. Whitby, is so clear and explicit in his testimony, when he says it was done without any "allowance from the author of this institution, or any license from any Council of the church." Why do Pedobaptists speak in such unmistakable language of the fact of the change, if none ever took place? It is for the Prisoner to reconcile it with his profession. Has his Counsel done so? I answer no—never.

5. Consider the plea offered by these witnesses for their practice of pouring in baptism.

1. The plea of the ancients for its introduction, and

their departure from the primitive practice in cases of necessity, was baptismal regeneration. Their practice affords an apology founded on a necessity. This supposed necessity did not in fact exist, if the New Testament view of baptism be received as authority. If their view of the essentiality of baptism be taken, in contradistinction to the New Testament representation, they were thereby compelled to adopt an innovation, adapted to their mistaken faith in relation to the virtue of baptism. Take this away, and the practice could not have been introduced among them.

2. The plea offered for pouring in baptism, by some of the witnesses, is the difference "of climate and country." This plea is a confirming fact of a change having been effected. How could the plea be offered in way of justification of their conduct, if their practice is authorized by the constitutional law, which all admit supersedes all other authority on a question of Christian obedience? The two grounds assigned cannot co-exist at the same time, as the foundation of pouring in baptism. The pleading of "climate and country" for pouring, is a practical rejection of its Divine authority. The Eastern church in all her history, has held, without faltering, to immersion only as Christian baptism. She has yet to learn the doctrine of the Western church, set up in these days, to justify pouring. The reason is, the Scriptures knew no such action in baptism, and this faith they have transmitted from one generation to another unimpaired.

The ancient and modern Pedobaptists do at least agree in one thing; that they find no Divine authority to sup-

port it, and that a human cause led to its introduction in the third century.

We have fully (I think) elucidated the argument that charges the Prisoner with the guilt of this change; and that it was introduced in the Western church without authority from the Scriptures. This single argument will make void all the arguments of modern Pedobaptists, for sprinkling and pouring as actions of baptism.

We have fully answered all the Counsel's perversions of the arguments and evidence offered to sustain our position; and we have also shown the insufficiency of his supposed opposing evidence and arguments. We are now prepared to enter upon the refutation of those arguments offered by the Counsel, independent of those that related directly to the meaning of *baptizo* in the law. To the consideration of these we now invite your attention.

#### THE BAPTISM OF THE HOLY GHOST.

This baptism is made a strong plea for the practice of Pedobaptists. When they are found discussing this baptism, they do it with apparent confidence of their success. To its scrutiny we invite your impartial attention.

1. *The scriptural view of this baptism.*—This is important to an intelligent judgment, in relation to so important a subject.

1. The baptism of the Holy Spirit is so called, because it is a figurative one, and not a literal action as the word baptism imports. This seems to be evident, because its action refers to that operation of the Spirit about which

we can have no knowledge, only through the medium of a reality of which we have knowledge, selected to communicate the fact of its operation to us. Is not this process the adopted law by which spiritual knowledge is communicated by Jehovah to his creatures? It is impossible for us to receive spiritual knowledge through any other medium, than by literal things already known. Who would dare to plead that spiritual things are like literal things, to which they are compared, in the reality of their substance and the mode of their operation? Surely none who entertain sound scriptural sentiments; and with any other class of persons our development of the law, by which spiritual knowledge is communicated, has very little to do. We can find in this development the reason why Professor Stuart, R. Watson, and other leading Pedobaptists, call this baptism a figurative one.

2. The New Testament clearly teaches the baptism of the Holy Spirit to have been one of promise to the disciples, and not a law of obedience for them. Baptism in water, as a duty, was well understood by the disciples, and for this reason you never find them confounding it with the baptism of promise. Nor do you find them making the baptism of promise the ground for an argument, to teach the action of literal baptism. In this important respect, the disciples of Christ and modern Pedobaptists materially differ in their conduct. The striking difference manifested in the conduct of these parties, should excite our suspicions of the soundness of the argument, which finds for its foundation a ground unknown to the disciples. The reason they are found dif-

fering in their conduct in relation to baptism, may be found in the object sought to be gained by it—the disciples saw their duty in a plain law—Pedobaptists seek to shroud this duty in a mystery, by appealing to the baptism of the Spirit to find the action in literal baptism. In this may be found the reason why Pedobaptists chiefly rely for a foundation for their practice in modern times on this baptism, because of the mystery of Divine operations. The weakness of this effort may be seen in its antagonism to the conduct of the disciples. This is sufficient for its rejection by us.

3. The New Testament teaches generally, that of the manner of the Spirit's operations we have no knowledge. This fact is fully and unanswerably confirmed by all sound theology concerning the Spirit's divinity. Let us quote the language of the Saviour as found in the third chapter of John, in way of confirmation of this principle. "The wind bloweth where it listeth, and thou hearest the sound thereof, but can'st not tell whence it cometh and whither it goeth. So is every one that is born of the Spirit." The Spirit in this Scripture adopts the manner of the resembling object, the likeness is to be found in the certainty of the effects produced by the Spirit in its operation, and the effects produced by the resembling object. We may have a knowlege of the manner of the resembling object to which the Spirit's operations are compared; but it is a lamentable mistake to suppose, that this knowledge reveals to us the Spirit's manner. This, from a necessity, founded in the nature of the Spirit, must remain a profound mystery to us; for of its manner

we can have no knowledge. It would be blasphemy in us to make the profession of this knowledge.

4. The certainty of the Spirit's operation is represented to us, by it adopting the manner of a number of objects to which its operation is compared. It is likened to a "well of water springing up into everlasting life," to "rivers of living water" flowing; to "rivers whose streams make glad the city of God," "like a rushing mighty wind," to fire; to anointing of oil; to "drinking into one spirit;" to breathing; to falling, to "descending like a dove," to "pouring out," and to an immersion into the spirit. All these things are used to elucidate the certainty of the effects of the Spirit's operation. Who would be so insane as to say, these actions and things in their manner are all scriptural modes of baptism? This no Pedobaptist would dare to affirm, because it would make so many modes of baptism for him, that would make him blush with shame at the result of his affirmation. What right has he to select the manner of one of these resembling objects, out of all contained in the above enumeration, and claim for it the right to determine the action of literal baptism? And yet he does this without the least authority for his conduct, and against the remonstrance of all the rest which he passed by. The principle that authorizes the selection of "pouring," from all the actions to which the Spirit's operation is compared, will give them all a joint right to the title of scriptural baptism, because the principle of action is only the choice of the party. This joint right principle can never be successfully contested by Pedo-



baptists, because it rests on the same foundation upon which they build their argument for pouring in baptism. In repudiating the right of *all* these to be baptism, you necessarily destroy pouring as the action of baptism, because they are all founded on the principle that the Spirit's operation is compared to them.

5. For Pedobaptists to lay hold of pouring, as one of the motions of water to which the Spirit's operation is compared sometimes, and exclude all other motions of water, to which it is likened, and to do this, too, with the professed object of making pouring the action of literal baptism, is to assume a position unsupported by the Scriptures and sound reason. This process is adopted for their argument, apparently because more deceptive and plausible than a fair issue on the meaning of the word by authoritative evidence. The argument adopted by them must be unsound; for the evidence in testimony comes in conflict with its conclusion, and it authorizes too many modes of baptism, as we have already shown.

6. The argument of Pedobaptists, founded on the pouring out of the Holy Ghost, as the foundation of literal pouring in baptism, of necessity makes God material; because they, in their argument, have the Holy Ghost literally poured out. A conclusion so revolting in its character, which yet is the result of their argument, must show the desperate position of their cause. How irreconcilable is their argument here with their views of the Spirit's divinity! One or the other must be given up. When Pedobaptists deny this legitimate conclusion, necessitated by their promises, they will

make void their argument ; because pouring literally, in relation to the Holy Spirit, will be given up.

Every person knows that the only thing that can be poured out is matter. When the spirit is said to be poured out, from the nature of spirit it must be figuratively. It is the abuse of this figurative use of "pour," in relation to the Spirit's operation, that leads to the frightful conclusion of the materiality of God.

When Pedobaptists deny this legitimate conclusion, necessitated by their premises, they will make void their argument ; because pouring literally, in relation to the Holy Spirit, will be given up.

7. Literal baptism is made the resembling object to which the Spirit's operation is compared, and therefore the latter is called baptism. We are called upon by every good law of interpretation to determine first what literal baptism is in its action, from which this figurative baptism receives its origin and name. This has been our mode of proceeding, and it brings with it the unmistakable result, that *baptizo* signifies only to immerse. But Pedobaptists, in their mode of proceeding, seek to determine the action in spiritual baptism that is beyond human apprehension, and then their conception of some supposed action belonging to it, must be the action of literal baptism ! This mode of proceeding is set aside by themselves, when they are found inquiring after other forms of spiritual manifestation, because the principle applied to this baptism is notoriously unsound—to seek the meaning of a figure before we ascertain its foundation. It is an axiom, that no figure can exist without a litera

foundation. Who will dare to deny this axiom to be self evident? It refutes the whole course of Pedobaptists, adopted for the solution of spiritual baptism, because they are found seeking the action of the spiritual to determine the literal.

The Spirit's manifestation on the day of Pentecost will in its effects, also help to show the foundation upon which the gift of the Spirit on that occasion was called a baptism; the room was "filled where they were sitting," and they were also "filled with the Holy Ghost." The disciples in the chamber were surrounded on all sides by the influence of the Spirit, because it is said the room and themselves also were filled. Does not the language import fully a surrounding, physically and morally? We answer it certainly was such a surrounding. The only literal baptism corresponding to all that is said of the spiritual on this occasion, is immersion; for only in immersion is there a literal surrounding on all sides of its subjects. Let us see whether there is a resemblance between this spiritual baptism and one of literal pouring or sprinkling. In these literal baptisms there is not even a partial surrounding or covering, and for this reason they offer no resemblance to the baptism of the Spirit. Without a resemblance in the literal to the figurative baptism, it can show no claim to its foundation. On the ground of this want of resemblance, you are bound to reject pouring in literal baptism.

8. The baptism of the spirit finds its origin literal immersion as baptism; to which, according to the law of figurative language, there must be a resemblance. It

is designed to represent the believer's interest in Christ. To be immersed in the Spirit, in the language of figurative speech, is no more impossible than it is to be "in Christ," "in God," "in the Spirit" and "to walk in the Spirit." This same relation is represented under another form of speech, when the bodies of believers are said to be "temples of the Holy Ghost," and again, "Christ will dwell in them," &c. All these forms are used in way of accommodation to our capacities, and to communicate to us spiritual knowledge. To deny that the Spirit's baptism does figuratively denote immersion, will, for the same reason, require the denial of the representations above named of the believer's interest in Christ, because all these relations and things are founded on the common principle which we have sought to unfold.

9. In the Spirit's baptism, there cannot be a literal pouring, sprinkling, or an immersion as its action, as we have already shown, for the reason that the Spirit is not material, or subject to these actions. What a frightful result would follow the application of this literal principle, to the development of the Divine character! Jehovah is said to have eyes, hands, feet, and to come down from Heaven. Now the application of it to these things said of God, would make him have a body like unto ours, and must lead to the denial of His Spirituality and Universality. The fact that it would establish such baseless absurdities, and God dishonoring representations, compelled us to turn from it with utter disgust, and leave those who use it, to reconcile it with these things if they can.

10. The argument of Pedobaptists, applied to spiritual baptism, confounds things that are different. The pouring out of the Holy Ghost, is no where in the Scriptures called baptism. They take the very point in dispute to be granted. This is certainly begging the question. Until they can make this essential point in their argument good, it must remain a baseless assumption. This I know they never can do, because the proof can no where be found in the Scriptures. The baptism of the Spirit, on the day of Pentecost, took place after the pouring out, for it was effected after the disciples were surrounded on all sides by the gift of the Spirit. This state of the disciples alone is called a baptism, and without it, there could be no baptism in fact or in figure.

11. The words "poured out," when used in relation to the Spirit's manifestations, are employed figuratively, and in compliance with a common usage. For instance, it is said God pours out his indignation, wrath, anger, blessing, curses, &c. If these latter uses of "poured out" are figurative, because they relate to God's conduct towards men, the former must be so for the same reason. Let us apply the argument of Pedobaptists to these latter uses of "poured out." Then desolation, affliction and death, will be the meanings of "poured out," for these were the things promised and expressed. The argument is as sound in the one case, as it is in the other. It proves too much, and therefore is worth nothing.

II. *Answer to the argument of the Counsel in relation to this baptism.* The defendant's Counsel said:—1. "This baptism was a real and not a figurative one." He

signifies in this language, that there was a literal action made known to us in this baptism. This we have already shown to be impossible, because the Spirit is not a material substance, and of its manner of operation we have no knowledge.

2. "The manner of this baptism was by pouring."—This is an assumption without a tittle of evidence to support it, and contrary to the evidence before us. The sum of the evidence is this: (1) To pour out the Spirit literally is impossible, or all theology, teaching the Spirit's divinity, is a fable. (2) The word used to denote the pouring out of the Holy Spirit is not *baptizo*, but *ekkeo*, to pour. (3) There is not a solitary instance in the Scripture where *baptizo* is used for pouring out.

3. "We have in this baptism Divine authority for pouring." Such authority is all that we demand of him to establish his practice. Why not give it, if it is at hand? It would settle the controversy forever! He fails just at this essential point. When we ask for evidence, he gives us assumptions.

4. "We are taught plainly, that the application was of the Spirit to the person, and not the person to the Spirit." The application (as he calls it) of the Spirit, neither here nor any where else is called baptism. This spiritual baptism is the result of what he calls the application of the Spirit—when immersed in its influence.

His whole effort here is a complete failure, as is evident from the fact, that his proposition contains two different words from the one that expresses the baptism

of the Spirit. His contains "*poured out,*" and is so found in the passage in Acts 2d. In the other proposition, it is "*baptized in,*" and not poured upon. This representation is true in Greek as well as in English. The two verbs, and the two prepositions in these propositions, belong to two different families, and are construed with prepositions of the kind which you find here. The Counsel confounds these verbs and prepositions in his argument, without the authority of a single example to justify him. To call such a mode of argumentation sound or logical, is to make void the end of language altogether. For if two distinct and opposing propositions are made to signify the same thing, when the contingency occurs for it in our argument, human speech ceases to be the vehicle of intelligent communication.

III. We shall now call a number of Pedobaptist witnesses, to confirm our position, and refute that of the Counsel.

Neander: "John's followers were entirely immersed in water; the Messiah would immerse the souls of believers in the Holy Ghost."—*Life of Christ*, p. 50.

Gurtlerus: "Baptism in the Holy Spirit, is immersion into the pure waters of the Holy Spirit; or a rich and abundant communication of his gifts. For he on whom the Holy Spirit is poured out, is, as it were, immersed into him."

Bp. Reynolds: "The Spirit under the Gospel is compared to water; and that not a little measure, to sprinkle, or bedew, but to baptize the faithful in; (Matt. 3: 11.

Acts 1: 5,) and that not in a font, or vessel, which grows less and less, but in a spring of living water."

Le Clerc: "He shall baptize you in the Holy Ghost. As I plunge you in water, he shall plunge you, so to speak, in the Holy Spirit."

Casaubon: "To baptize is to immerse, and in this sense the apostles are truly said to be baptized; for the house in which this was done, was filled with the Holy Ghost, so that the apostles seemed to be plunged into it, as into a fish pool."

Grotius: "To be baptized here, is not to be slightly sprinkled, but to have the Holy Spirit abundantly poured upon them."

Mr. Leigh: "Baptized; that is, drown you all over, dip you into the ocean of his grace; opposite to the sprinkling which was in the law."

Abp. Tillotson: "It (the sound from Heaven, Acts 2: 2,) filled all the house. This is that which our Saviour calls baptizing with (in) the Holy Ghost; so that they, who sat in the house, were, as it were, immersed in the Holy Ghost, as they who were buried with water, were overwhelmed and covered all over with water, which is the proper notion of baptism."

Bp. Hopkins: "Those that are baptized with the Spirit, are, as it were, plunged into that heavenly flame, whose searching energy devours all their dross, tin, and base alloy."

Mr. H. Dodwell: "The words of our Saviour were made good, ye shall be baptized (plunged or covered)



with the Holy Ghost, as John baptized with (in) water, without it."

Cyril of Jerusalem, who lived in the fourth century, speaks in the following manner: "As he who is plunged in water and baptized, is encompassed by the water on every side; so are they that are wholly baptized by the Spirit."

How can the Court and jury give any countenance to the argument of the Counsel, on the baptism of the Holy Ghost, when it is brought to the light of the arguments which we have presented, and weighed by the testimony of these Pedobaptist witnesses? These two considerations must make void all his defence on this point.

The Counsel next proceeded to answer the confirming argument of the Prisoner's Counsel, for pouring being the action of literal baptism, founded on the pouring out of the Holy Ghost.

The first passage of Scripture he referred to, may be found in Ezekiel 36: 25. "Then will I sprinkle clean water upon you, and ye shall be clean: from all your filthiness and from all your idols, will I cleanse you." What has this Scripture to do with Christian baptism? He says, a good deal, because the inspired writers did constantly represent sanctification by sprinkling and pouring." There is no evidence offered by him, that these actions alone are so used; in what he has said upon this passage. He takes it to be granted, that sprinkling here is the proper action for Christian baptism; because the word sprinkle happens to be found in this promise. His duty is to show the relation of this promise and its

action, to baptism and its action. This he does not attempt to do.

The following things are suggested by this passage: (1) The persons addressed—"the Jews in captivity."—(2) The promise made to them—"I will cleanse," &c. (3) The means to be employed—"I will sprinkle clean water upon you." (4) To determine the process here contemplated, we must go to the law under which they lived. We learn from the law, the following things were laid down: (1) How the water of purification should be prepared. Numb. 19, &c. (2) If a leper, the water was to be sprinkled upon him. (3) The oil of olive was poured upon his head. (4) The whole person of the leper or polluted one was to bathe in common water. This whole process was required to secure the desired result—their cleansing.

Baptism cannot be the anti-type of all these things. It can be of the bathing in common water after the previous process required had been accomplished. So Paul seems to contemplate it, when he says: "Having our hearts sprinkled from an evil conscience, and our bodies washed with pure water." Paul makes the sprinklings of the law typical of the blood of Christ, and the bathings under the law typical of baptism, whose action is to cover the whole body. Surely Paul's exhibition of this subject, is more reliable than the Counsel's.

The Counsel's argument is based on three assumptions: (1) Baptism for sanctification. (2) The act of its administration is by sprinkling. (3) That this passage refers to gospel days and to its baptism. It is impossi-

ble for him to prove these three things, for they are nowhere to be found in the document. Without these things being in evidence, you are bound to reject his use of this passage.

The second confirming passage he referred to may be found in Isa. 53: 15. "So shall he sprinkle many nations." He assumes that this passage refers to baptism under the gospel administration, for he gives no evidence to support it. If it were true, then Christ would have selected *raino*, to sprinkle, as expressive of the action of the ordinance which he commanded. The fulfilment of this prophecy imperatively demands it. The fact that Christ selected *baptizo*, which never signifies to sprinkle, as the action of baptism, shows that Christ understood this prophecy altogether differently from the Counsel. We are bound to believe Christ, and refuse submission to a fancy of the Counsel proposed to us as a fact.

To make this Scripture of any available importance for the Prisoner's conduct, two things must be proven:—  
1. It refers to baptism as commanded in the New Testament. 2. That *baptizo* signifies to sprinkle. Without these two things in the proof offered by him, we are bound to reject his use of this passage.

His third confirming argument for pouring being the action of baptism, may be found (he says) in this fact, that the inspired writers did constantly represent "the washings of the Old Testament, the mode of which was prescribed, as performed by sprinkling." "The only exception was in regard to vessels." He refers to the following passages of Scripture to confirm this principle,

Levi. 14, and Num. 19: 17, 20. You will find in reading these two Scriptures, that the washings required were not performed by sprinkling, but by the bathing of the persons in water. The sprinklings in the passages are not called washings, nor are they substituted for the washings required. His argument proves too much for him, for the passages demand the sprinklings first, and the bathing of the whole persons in water last.

His whole superstructure reared to support pouring as the action of baptism, is founded on unsound principles, viz: to determine the meaning of a positive institution, by a promise, or by another institution under another dispensation. In this fact you will find the cause of his a complete failure. Why did he appeal to the Old Testament, to prove the action of a New Testament ordinance? It was not because the same word was used to denote the action in both. No fact of this kind can be found. He first made up his mind what the action ought to be, and then the places where this action is designated appeared to him to afford an argument. What a wild and baseless theory! Sufficient to startle insanity and make reason blush with shame. You will not ask us to argue against an absurdity so exceedingly absurd. We have exposed it. No more can be demanded of us.

*The last argument of the Prisoner's Counsel considered.*

We will now take notice of his last argument, expressed in the following language: "You find that no Apostle or Christian minister, so far as the New Testament informs us, ever went a single step after water to baptize." If this was true, it would not in the least affect the ques-

tion in debate. Are we not plainly taught that Christ came from "Galilee to Jordan unto John, to be baptized of him?" If it was necessary for Him to go in pursuit of a place to be baptized in water, the same must be true of all cases. Did not Philip and the Eunuch continue their journey until they came unto a certain water? Why stop just at that place if it was not a necessary object? They are found going into it, and the baptism follows. The same fact is implied in the conduct of Paul, Silas, and the jailor. A place of water is sought for two purposes, to wash the stripes of Paul and Silas, and to baptize the jailor. The water was as necessary for the one purpose as it was for the other. These cases are sufficient to meet this argument and make it void.

This argument seems to be based on this false principle, that we are under obligation to show that all the essential circumstances of an ordinance must be found connected with every case of its performance. The institutions of the Old and New Testament repudiate a principle so false. All history and the current languages of the day brand it with utter unsoundness. For instance, when it is said they were circumcised, or eat the Lord's Supper, have we a right to deny these facts, because that in their connections all the circumstances essential to these acts are not detailed? No one would think of doing it. In history, we may read that a man was shot, stabbed, or drowned. Who doubts that all essential to these things existed? Otherwise the statement could not have been made. For this reason, in the New Testament, we have not always detailed the essential circum-

stances connected with the baptism. We know that a baptism, like the above, could not take place without its prerequisites. We have examined the case where these circumstances are named. Let him give us a case where they did not exist.

We have now followed the Counsel through his defence of the Prisoner's conduct, and feel that we have a right to the following conclusions :

1. The whole defence of the Prisoner is based on assumptions and inferences, which cannot be admitted as evidence by a legal tribunal.

2. For want of evidence to sustain these assumptions and inferences, the Counsel's defence must fail.

3. The pretence set up for the Prisoner's conduct, arising from the differences of country and climate, with the ambiguity of *baptizo* in the law, are practical acknowledgments of his guilt of the crime charged in the indictment.

4. The argument founded on the number who practice after the Prisoner's conduct, and contrary to the constitutional law, does not in the least mitigate the crime charged, or justify the change of the law without authority. For the same argument would establish idolatry, and a host of other evils which could plead numbers in their favor.

Gentlemen of the jury, before we recapitulate the law and evidence offered by us to sustain the charge in the indictment, and close our address, we will invite your attention for a few moments, to several general arguments, suggested by a view of the whole evidence before us.

I. *The Christian Church, both real and nominal, from its origin down to the present time, cordially endorses the immersion in water of a believer in the name of the Trinity, as Christian baptism.* This general admission by the church, makes immersion *the only undisputed baptism* in evidence. It must hold this position until another baptism is proven, for all others claiming to be actions of baptism, are denied to be such. To make sprinkling and pouring also actions of baptism, in connection with immersion, they must be proven. Without such evidence, they have no claim upon your consideration.

It is just as impossible to have a baptism by sprinkling, and one by immersion, as it is to have two Lords—two faiths—two spirits—two Saviours—two hopes—two Heavens—two hells; when there is only one of each in evidence. Until those disputed are *proven*, there can only one of each of the above be received. This is self-evident. To deny this principle, is to admit all the corruptions of Christian doctrine and practice to be legitimate.

The Counsel for the Prisoner was bound in his defence, to prove, from the New Testament, that sprinkling and pouring are legitimate actions of baptism. Until this is done you are bound to hold the Prisoner guilty of practising what he calls a baptism, but which is unknown to the New Testament.

Let us elucidate the principle upon which this argument is founded, by referring to the disposition of an estate by law. Mr. Immerse is admitted by every one to be a legal heir to the estate, or to baptism. His right to

the estate is not disputed by Messrs. Pour, Sprinkle, &c. They all acknowledge him to be an undoubted heir. At the time of the disposing of the estate by the Court, as the law directs, there are found to be other claimants. Messrs. Pour, Sprinkle, &c., claim to be joint heirs with Mr. Immerse. The Counsel for Mr. Immerse would say to the Court, my client's heirship is not contested by any one, and those claiming joint heirship concede his undoubted right. We deny that these gentlemen are legitimate children of his father, and we are unwilling to share the estate, or Christian baptism, with them.— Let them now prove that they are legitimate children of his father. Until this is done, their claim is only founded in a fiction created for a purpose. To show the Court that it is impossible for these gentlemen to make good their joint heirship to the estate, or to baptism, the father of Mr. Immerse in his will says there is but "one baptism," or immersion. The language of the will makes it very clear and undoubted, that he contemplated in the language of the will but one heir, and not many. How can they all be heirs of the estate, when there is only one named and designated in the will? The Court under the circumstances is bound to put these disputed claimants to the proof of their heirship; for the only heir known to the Court and the will, up to this time, is Mr. Immerse. Now it is impossible for them to prove their joint heirship without making void the will; because the will knows only one heir, and not many. The Court, under these circumstances, would order the estate to be given to Mr. Immerse. There is only one other



possibility that seems to us could occur, that is, for the Court to order all the claimants to prove their title to joint heirship, and until their professed relation to Mr. Immerse was in evidence, the Court would be bound to hold Mr. Immerse as the only heir known to the law.

This case illustrates the state of the parties in this controversy. We claim at the hands of the jury the whole estate, or Christian baptism, because our right is not disputed, and the Counsel for the Prisoner has entirely failed to prove another baptism. There is but "one baptism" known to the Constitution. This correct view of the controversy between the parties, places the burden upon Pedobaptists, to prove another baptism to be scriptural as well as immersion. Until this is done by them, our work in this debate is completed by the general admission, of immersion as a scriptural baptism. All we do more than this is a work of supererogation; because our position to the opposing party makes no such demands of us. When they offer what they call proof of another baptism, we are then only bound to show that the evidence offered does not prove another baptism.

II. *God never commanded the sprinkling or pouring of common or unmixed water upon any person for a religious purpose.* This fact is fully evident from the testimony offered, and in itself must make entirely void all the supposed arguments of the Counsel for the Prisoner. Under the administration of the law, you read of the water of purification. This was not unmixed water, but a compound, Num. 19. This Divine ordinance unfolds the following things: (1) The composition of the water

of purification, as found in the 17th verse. (2) The object of its application—9 v. Heb. 9: 13. (3) Its subjects—unclean persons and things, 13–18. (4) Administrator—a clean person, 18 v. (5) The mode of application—by sprinkling, 13 v. (6) The consequence to an unclean person who neglected it—cut of from Israel, 13 v. This law of purification from uncleanness, makes the sprinkling or pouring of *unmixed* water on a person for a religious purpose, under the law, an impossible thing. This accounts for the Counsel's death-like silence in relation to an institution demanded by our argument. There is none in the Scriptures. I know we are met with God's promise in Ezekiel—"I will sprinkle clean water upon you." We have already examined the application of this promise, and proved that it had no relation to a Divine law requiring the sprinkling of unmixed water; for there is no such law to be found among the Divine enactments. We have also ascertained the law of purification, and found that this law imperatively required the ashes of a red heifer to be mixed with water. Without this ingredient, water alone was of no avail. Again: this passage contains only a promise and not a law of obedience; and therefore cannot be a legitimate offset to the sweeping character of my argument. If this passage be taken spiritually, it can have no reference directly to a law administered by men, but to God's favor promised. He then would be the only administrator of this promise. Let this passage be taken as you please, still it does not in the least invalidate the power and force of my argument.

This single argument unrefuted, takes the foundation from the superstructure reared in support of sprinkling and pouring by Pedobaptists, and leaves them no support from the Scriptures. In view of this important fact, they should cease to plead Divine authority for their practice, for they find only the influence of human authority for its support.

But suppose they could find that God did command the sprinkling or pouring of unmixed water upon a person, for a religious purpose, this *per se*, would be of no avail to them, unless they could prove it to be the action commanded in Christian baptism. It might be the action and thing commanded in a number of institutions, and yet not in baptism. It is true, this argument would lose its force, if these things were in evidence. It is also true, that institutions containing these things would not in the least affect the arguments, which prove immersion to be the action commanded in baptism, because baptism is a distinct institution from all others commanded.

III. Consider a common sense argument, founded upon a comparison drawn between the practice of Pedobaptists and the practice of the New Testament, in relation to baptism. The following striking contrarieties may be observed: (1) The place of administration. The New Testament practice was in *the water*; Pedobaptist practice is not in the water. (2) The New Testament teaches that the administrator and subjects of baptism, went down into the water, in order to the baptism of the subjects. The other practice teaches, that to go down into the water, is not necessary for its baptism. (3) The one

practice teaches that the baptism takes place in the water; the other practice teaches, the baptism takes place out of the water. (4) The one teaches, that after the baptism was performed, they came up out of the water; the other, that there is nothing of this character required in baptism. In all these essential characteristics, found in these two baptisms, you cannot but observe a striking dissimilarity. The cause of this want of uniformity in the two must be sought, and found in the diversity of their origin. The one has a Divine origin; the other a human. The practical question is after all, do Pedobaptists appear to have copied after the Divine example? You should find no trouble in coming to an intelligent judgment, whether these baptisms are the same in their character. If not, you are bound to receive the one, and reject the other. There is no other alternative that can be adopted by Christians, and our profession dictates the only choice to be made.

If you will note carefully the analogy between the practice of the Baptists and that of the New Testament, you will find a striking likeness in all the essential features of their baptisms, which will prove their identity beyond a reasonable doubt. The reason of this identity is, that the one is copied from the other. That this is well founded, may be easily ascertained by comparing the essential features of the two baptisms. We have no fears of the result of such comparison, because the features of each are moulded by the same law.

IV. *We found an argument on the conflicting positions occupied by learned Pedobaptists, in defending their prac-*

*tice*. President Dwight says, *baptizo* signifies "cleansing." President Beecher says, it signifies "to purify." Dr. Miller says, it signifies "to wash, to sprinkle, to pour on water." Dr. Scott says, it signifies "the use of water in the sacrament of baptism." Dr. Owen says, it "signifies to wash." Dr. Bogue says, it signifies "water applied to the body of the person baptized." Rev. Mr. Hibbard says, it means "to purify and to consecrate." Dr. Peters says, it signifies "to sprinkle," &c. These and other definitions are given to *baptizo*, as the foundations of the practice of sprinkling and pouring in baptism. Is it possible to make common sense believe that *baptizo* signifies all these actions, designated by these Doctors of Divinity? To us it seems to be impossible. God's will could never be ascertained under the operation of this law of interpretation. It would convert light into darkness. Is it not a fact, that *baptizo* cannot have all these significations? There are words in the Greek language, which definitely express all these actions, said to be signified by *baptizo*, and until the assumptions of these authors are supported by examples of the use of *baptizo*, from the language, they have no claims upon our indulgence, for a single moment, in this debate. If you will consider what they say in favor of their assumptions, you will find it destitute of all reliable authority beyond their own opinions.

A complete refutation of these assumptions may be found in this fact, that each one of these authors claims his own definition of *baptizo* to be the true one. If you believe any one of them to be correct in the premises,

upon which he rests his meaning of *baptizo*, you are, from the necessity of your faith in his judgment, bound to reject all the opposing meanings offered by the other authors. All these authors practically show in their conduct, one towards another, that all have failed to find the true meaning of *baptizo*, except themselves; for all of them claim to be correct in their supposed ascertained meaning of the word. The natural question is, who among them has the true meaning, or whether they have it at all? They have not as yet settled among themselves this first question, nor will they ever be able to do so, unless all, except one, relinquish their opinions to the significations of *baptizo*. Who would be the successful claimant, remains a profound uncertainty. But until they become reconciled among themselves, they have no claim to public favor.

Is it not a well settled principle in law, when witnesses disagree as to a material fact in controversy, that we are bound to reject all their testimony concerning this material fact? Apply this principle to the testimony of these interested witnesses concerning the meaning of *baptizo*. Are we not by its just mandate, as honest men, bound to reject all they say upon the subject? This will only be doing to them, what they are practically doing one to the other, by each one claiming his meaning of *baptizo* to be the true one.

If you look at the foundation upon which all Baptists build their argument for immersion, you will find they all occupy a common ground—the use of *baptizo* in the language, and the practice of the primitive church. This

mode of proceeding is the only legitimate one on all questions of inquiry. Here we all stand united.

This diversity of sentiment shows how many shifts are adopted to justify a practice unknown to the constitutional law and early practice in this government. The object of this prosecution is to restore the primitive practice of baptism throughout the whole Commonwealth. This, we are satisfied from the evidence, you will do by your verdict.

#### RECAPITULATION OF THE ARGUMENT FOR THE PROSECUTION.

Gentlemen of the jury, we are now prepared to recapitulate our argument in support of the charge in the indictment, after which we will close our address for the Commonwealth.

I. *The principles of law and evidence applicable to this controversy.*—We unfolded and confirmed them by witnesses not challenged, because they were the friends of the Prisoner. They have remained unimpeached by the Counsel, from the time of my opening speech, until he closed for his client. These principles are in law, for the guidance of judicial proceedings, what the granite rock is to the earth—the foundation of its solidity and endurance. I shall look to the Court so to instruct the jury. We ask this of the Court, because these principles overspread the whole case with light, so that all can discern clearly their duty, as well as the best way to execute it. The fair fame of our country among the other nations, demands the application of these principles, to

quiet the premonitions of coming ruin that now so fearfully threaten our national existence.

II. *The proof offered to show that BAPTIZO, in the law, signifies to immerse.*—This fact is essential to sustain the charge in the indictment. We are sure we have fully made it out beyond a reasonable doubt, by the testimony of the following witnesses:

1. Mr. Classic. In his testimony, we find the use of *baptizo* in the language in which our Constitution was written. This testimony becomes invaluable to us all, because it furnishes the occurrences of the word in the language. In all the places it is used, it is found to denote only immersion. What more evidence do we want of a fact than this array of examples affords? A more convincing fact cannot be found, in relation to any word in the Greek, or any other language. Another convincing fact which you will also find associated with this one, is, there is not a solitary instance in all these examples, where *baptizo*, even by implication, signifies to sprinkle, or to pour. This speaks volumes against the Prisoner, and affords to him not the remotest plea for his conduct.

2. Mr. Josephus, a Jew, who lived in the days of the apostles, tells us the same story about *baptizo*. In his testimony concerning the uniform meaning being to immerse, the Counsel has failed to find an instance that could be tortured to speak any other language.

3. Mr. Lexicon and his family, who were all Pedobaptists, are compelled to give to *baptizo* the primary or common meaning, to *immerse*. It is true, that some of



the members of this family are found giving the *effects* of immersion, in the end of their classification of the use of the word. We might expect conduct of this kind from them, because they were interested in the issue of the case, as its determination might involve their fidelity to the country. In their classification of the following effects of immersion, "to cleanse," "to purify," and "to wash," you will find that they give no veritable authorities from the language to support their classification. Without authority from use, the classification must be fabulous. It is a consolatory fact, however, that they all find undoubted authority for immerse, as its meaning.

A fact of grave consideration here must not be forgotten. A number of these lexicographers, with Beza, tell us the reason why these effects are found in some of their classifications of the meaning of *baptizo*, is, because they are usually produced by immersion, therefore they become figurative acceptations of the word. It must be remembered that this solution of the difficulty is not manufactured for the occasion, but is the one given by some of these Pedobaptist lexicographers. That this solution is well founded, may be fully ascertained by consulting the use of the word in the language. The use of *baptizo* does not afford a single clear example of its signifying "to cleanse," "to purify," or "to wash."

It must be obvious to all who will reflect a few moments upon this subject, that when we immerse for purification, cleansing, or washing, these three things cannot, under any circumstances, be proper *meanings* of immerse. Yet on this absurdity is built the argument of Pedobap-

tists, that the *effects* of an action are proper *significations* of the word. There cannot be found any reliable authority sustaining a principle which appears so exceedingly false when exposed to public gaze. It is the sophistry thrown around it by its friends, that deceives many honest inquirers after the truth.

There is one more remarkable fact which we must notice in relation to the lexicons. It is this: In all their classifications of the meaning of *baptizo*, they give no authority for sprinkling or pouring as meanings of *baptizo*. These witnesses, all friends of the Prisoner, give no countenance to his practice.

4. The testimony of Pedobaptists in relation to the practice of the Jews, when they baptized proselytes.— We have not undertaken to ascertain the origin of this practice, but to ascertain the thing done by them at the baptism of proselytes. The entire testimony on this point is, that it was by immersion in water. I have not observed a single exception to this way of introducing proselytes among the Jews.

What surer way could be adopted to ascertain the meaning of the word in the law of baptism, than by the mode we have adopted—by consulting the Greeks and the Jews? They both agree in their testimony that *baptizo* signifies to *immerse*.

5. We offered a class of Learned Witnesses, whose denominational character was not inquired into. Their testimony is clear and unquestionable. From this we support the following *axiom*: if *baptizo* in the Greek language signifies to *immerse*, it never can with this mean-

ing usurp authority over *raino*, and *cheo*, the acknowledged heads of the families of sprinkle and pour, by supplanting them entirely by the substitution of *bapto*, nor can it likewise be the root of these two additional families. But we are compelled to adopt this absurdity, to give character and strength to the argument of Pedobaptists on the subject of baptism. Their argument blots out the individuality of the families of sprinkle and pour in the language, and incorporates them into the family of *bapto*. The families of sprinkle and pour deny to *bapto* this power of absorption, and also deny the existence of a single marriage relation. Because of this protest, these families, all represented in the language by a numerous posterity, in their intercourse with the family of *bapto*, pay to it the compliments which the Jews paid to the Samaritans.

6. We offered a large number of Pedobaptist witnesses to prove the *constitutional* meaning of *baptizo*. They all agreed that it signifies to *immerse*. These witnesses were men of understanding, learning and authority in their several communions. We classified them in the following order: 1. German witnesses. 2. Presbyterian. 3. Episcopalian. 4. Roman Catholic. 5. Armenian Professors. The weight of their testimony in favor of the position of Mr. BAPTIST, ought to be estimated by their friendship for the Prisoner, and the power of truth which compelled them to testify against their interest and in condemnation of their own practice.

7. The testimony of the Friends or Quakers, which was only a confirmation of those witnesses previously

examined. Their religious sentiments place their testimony above suspicion, because their views of baptism will not be affected by your decision.

8. We offered a class of unexceptional witnesses, embracing English Lexicographers, &c. They all fully make out the charge in the indictment against the Prisoner, and prove the practice of the ancient church to have been immersion.

All these several classes of witnesses in their testimony placed it beyond a reasonable doubt, that the meaning of *baptizo* in the Constitution, is to *immerse*. Can we find a stronger array of testimony deposing to the same fact, and yet that the fact shall be doubted? We answer no, never. To doubt the meaning of *baptizo* in the light of this united testimony, is to impeach the learning and varacity of these witnesses, nearly all of whom are the personal friends of the Prisoner. You will be unable to find a parallel in the annals of judicial proceedings to justify such conduct, and by your verdict will justify a practice unknown to the Constitution and contrary to all the facts in testimony. In truth, it would be one of the most fearful outrages ever attempted by a jury.

III. The scriptural use of *baptizo*, and the circumstances connected with its action in the ordinance. It was under the terms of this argument we replied to Professor Schmucker, as read by the Counsel for the Prisoner. We so dissected his arguments, and showed their entire imbecility and insufficiency to help the cause of the defendant, that when the sophistry, by which they were

supported was exposed, they only gave additional strength to our chief argument.

IV. That the Apostolic baptism was a burial in water for an object. This fact was sustained by the testimony of the illustrious Apostle to the Gentiles, and confirmed by the Christian Fathers and Reformers. This design of Christian baptism, makes immersion as its action, essential to its existence.

V. The History of the Eastern and Western churches, affords an unanswerable argument in favor of *baptizo* in the Constitution, signifying to *immerse*. Their practice fully meets her claims, as you will observe in the testimony on this point, and affords no countenance for the conduct of the Prisoner. Their history comes from the pens of Pedobaptist writers.

VI. That Mr. PEDODAPTIST did abandon Christian immersion as commanded, and substituted sprinkling and pouring in its place. We have fully developed this argument, which in itself is sufficient to condemn the Prisoner. We hope the Court and jury will give it that attention which its importance imperatively demands. It brings this whole contest to a single point, and triumphantly determines it.

VII. Our four arguments founded on the general aspect of the whole testimony in evidence.

1. The general consent of the real and nominal church, that immersion is Christian baptism.

2. That God never commanded the pouring or sprinkling of unmixed water upon a person, for a religious purpose.

3. An argument founded upon a comparison of the baptisms of the New Testament, with those of Pedobaptists in their essential characteristics.

4. From the conflicting claims of Pedobaptists in their endeavors to settle the meaning of *baptizo*.

How strong are all the arguments we have offered in proof of a single fact, the meaning of *baptizo* in the law ! We are sure their power must be felt by the Court, jury and country.

#### CONCLUSION OF THE SPEECH OF THE PROSECUTING COUNSEL.

The hour has arrived for congratulation in this case. Toward this hopeful period, we have looked with a longing eye of expectation. It has come to us all at last, with the pleasing and encouraging reflection, that we have all, up to this time, performed our duty. The close of the whole controversy is upon us—a few more duties, by others interested, will soon be performed, and the work will then be completed for our country and our cause. To a kind Providence we owe our heartfelt gratitude for its protection and preservation. My work is done. To you, gentlemen, is left the judgment of this case. The fate of our nationality is bound up in your verdict. Our people are waiting with palpitating interest for your decision. You dare not falter in this trying emergency. The hour for your action has come. Let it be firm and decisive. Your country and consciences will commend you. I submit the case into the hands of the Court and jury.

After the Counsel had closed his address, the Court ordered silence, and proceeded to deliver the following

CHARGE TO THE JURY.

Gentlemen of the jury, I can congratulate you, that we have arrived at a point in this case, when your labors, with ours, will soon be terminated. It is seldom a jury is called upon to give so much of their time as you have done for the public good. The present case imperatively demanded this inconvenience of you, and your patriotism has led you to respond with a cheerful cordiality, which will not soon be forgotten by your countrymen. The personal sacrifices you have made in obedience to our call, are fully appreciated by the Court. There is another consideration which we all appreciate, the parties in this controversy have expressed their confidence in your intelligence and impartiality. It now becomes our duty to lay down the law, and it is yours to apply it to the evidence before you. After this application you will give your judgment to the Court and country:

I. The importance of this trial must be estimated by its relation to the Commonwealth, and the parties personally engaged in the controversy. It is a question of no small moment to the country, to know in these times of violent agitation, what was commanded to be done by the Lawgiver, when he instituted Christian baptism. Its original meaning was intended to be immutable. If the perversion of one of His institutions is tolerated and sanctioned, the same reason that suspended it will apply with equal force to all others that are found in the or-

ganic instrument of our government. The adoption of a principle of this fearful character, by the Court and country, would work the abrogation of all the landmarks which our Fathers appointed. I know the jury and country are not prepared for a calamity of such a heart-sickening character. We all deprecate it with indignation. This consideration gives an importance to the issue of this trial which is incalculable.

The conviction of this important fact rests heavily upon the public heart, whose agitated and irregular throbbings are felt throughout the entire body politic. It accounts for the great multitude of people that has assembled from all parts of the land to witness this trial. They act as if they felt a nation's weal or woe was involved in its determination.

There is another consideration that increases the importance of this trial in the public judgment—the character of the parties directly concerned in this controversy. Your judgment will determine whether the allegation of Mr. BAPTIST is truthfully made or not, or whether Mr. PEDOBAPTIST has been loyal to the government or not. Your judgment, from necessity, will forever brand with infamy the conduct of one of the parties, in the eyes of the public.

These momentous considerations should awaken in all our minds the nature and extent of our responsibility to all the parties interested in the judgment of this case. Let us enter upon a review of the law and evidence, applicable to the issue joined by the parties, with an honest



impartiality, and with a determination to administer justice to all concerned.

II. The principles of law and evidence applicable to this case will now claim our attention. It is a consoliatory fact found in the discussion of this case by the Counsel on both sides, that they agree in their interpretation of the law applicable to the evidence offered. They are found differing about the application of some of the principles, and about the character of *baptizo*, whether it is generic or specific. You will look to the Court for its understanding of these principles, and how they are to be applied to the evidence.

1. *Baptism is a Positive Institution of the New Testament.* The distinction made by the Counsel between positive and moral institutions is well taken and sustained by our best authorities.

2. *The words in this institution must be taken in their literal or popular acceptation, unless the Lawgiver, in the law, or somewhere else, signified a different meaning.* This principle has been cordially accepted by the Counsel.

3. It is clearly and fully settled by Stuart and Carson, that *the word employed to designate the act in Christian baptism, is BAPTIZO, always, and not BAPTO in a solitary instance.* This fact will save us a great deal of trouble in summing up the case. The only legitimate inquiry will be to ascertain the meaning of *baptizo* in the law. On this single point the whole controversy turns for, or against the parties.

4. *The meaning of BAPTIZO at the time it was incorpo-*

*rated in the law, must be the only meaning received by us.* The application of this principle will be better understood, when we call your attention to the duty of the parties in the controversy, and the weight due to the testimony offered. Until this branch of the case comes before us in its order, we will suspend its application, because it relates to the heart of the whole subject before us, for a judicial determination.

5. BAPTIZO, *if a specific word denoting an action, cannot, by any law of interpretation, be made to signify three distinct actions.* For the words that claim to be the actions of baptism are all specific words. Dip, sprinkle, and pour, are of this character from necessity. If *baptizo* signifies any one of these actions, it cannot signify the other two. This is true in Greek as well as in English. These words constitute the roots of three distinct and separate families, and the one can never be truthfully substituted for the other. 1. If *baptizo* is a generic word, designating the *effect* of a specific action, or actions, it can never be said to properly signify the *actions* by which it may be effected—it *per se* only denotes the thing to be done—the manner of doing it is designated by other words suited to the manner. The evidence in testimony must determine whether *baptizo* is a specific or a generic word.

6. *The contemporaneous history of the action of the ordinance, will help us to determine the thing done—designated by baptizo in the law.* This is always a subject of legitimate inquiry, to ascertain how an institution was understood at, and about the time of its adoption,

and the practice that followed. It is an undoubted fact that the primitive church had more opportunities for knowledge of this litigated point, than we have. Their testimony is an important auxiliary to us in estimating this case.

7. *It is a fact that this subject was so well understood by the first ministers and their hearers, that no definition of the action of Christian baptism was called for, nor was there one given.* This fact apprizes us of an understanding existing in those early times concerning this much mooted subject; and we should carefully see, whether the testimony points it out to us, and if it does, to let our action in this case so declare.

8. *The design of the institution ought to reflect back to the thing done in it.* The only thing here debated was, what baptism in its design contemplated. This contested point you can settle only by consulting the light the New Testament, and the subsequent history of its administration, will throw upon this subject. You must look at the arguments and evidence on this point, and make the inquiry, what was the design of baptism in the light of this evidence? and what action, if any, was necessary for this design?

9. *The weight of evidence must be determined by the character, learning, and interest of the witnesses in the issue joined by the parties.* It is well settled by the laws of evidence, that a party testifying who is interested in the issue, is not equal to one who has no interest at stake, or one who testifies against his interest. The reason of this well recognized distinction in estimating the testi-

mony of three witnesses of the character we have named is obvious—the one is liable to be blinded by his interest involved in the issue, the other two of necessity are impartial in their statements, because there are no inducements to lead them to color them. Again, when an opposite party of equal learning and authority, testifies to the truthfulness of the opposing party's position, his testimony is invaluable to the party, and is of tenfold more weight than the testimony of an interested witness in the judgment of a jury ; because truth compels him to testify at the sacrifice of interest. You must apply this principle in estimating the weight due to the witnesses' testimony.

10. *Witnesses can only testify to FACTS in a legal investigation, and facts only can be received by you as a legal evidence.* The *opinions* of witnesses are to have no influence over your judgment of this case. For you are called upon to determine a question of *fact*, and not of *opinion*. This is certainly a plain law of evidence, and it cannot be departed from, without endangering the whole science of jurisprudence. It will therefore be your duty to make up your minds in this case by the *facts* in the testimony.

11. *Consistency, in testimony, is essential to its weight and influence over the judgment of a jury.* This principle bears upon its face its importance and necessity. By its mandate we are compelled to reject all that is conflicting. This is a reasonable law of evidence, and has always been approved of by this Court.

You have often observed a blind inconsistency devel-

oped by a class of witnesses in their testimony for a party. This inconsistency always excites a suspicion of the truthfulness of their testimony. But when you find a large number of witnesses agreeing in their testimony, it gives a moral certainty to the fact, or facts testified to. The application of this principle to the testimony offered by the parties, will help you to determine on which side of this controversy the truth is to be found.

It becomes the duty of the jury to apply these principles of law and evidence, to the arguments and testimony offered to you by the parties. You are not to consult the consequence that follows their application. Your judgment of the result of the application is alone demanded by your oaths, and the Constitution under which you are acting.

III. Consider the duty of the parties in controversy according to the forms of law.

1. They require of Mr. BAPTIST to prove clearly, that *baptizo* in the law signifies to immerse. You have before you all the testimony on which he relies for the proof of this proposition. You are to judge whether it sustains the charge in the indictment or not.

2. The duty of Mr. PEDOBAPTIST is to show that the proof does not sustain the allegation of Mr. BAPTIST. This plea alone is sufficient until some veritable evidence is offered. Until then he has no other duty to perform.

3. There is a striking conflict between the parties, as to the meaning of *baptizo*. Both cannot be correct. You

are to determine on which side the testimony is to be found.

IV. Observe how this whole case can be brought to a conclusion.

1. By keeping constantly before you that the question is one of fact and not opinion.

2. The fact can only be ascertained by reliable testimony.

3. You are, under the law, judges of the weight to be given to testimony. To let no fear of consequences deter you from an impartial examination and a disinterested judgment.

This mode of proceeding on your part, will enable you to come to an intelligent conclusion.

Before I close, it may be justifiable in me to notice the outside influence, that has been made to bear upon the judgment of this case. You witness here an excited multitude, giving the weight of their influence for or against the Prisoner. And further, from all parts of the land come here inflammatory addresses at this time, from the friends of the parties. Their power may appear potent and appalling, and their influence may deter you from rendering an impartial verdict, because of the consequences that would follow, as you may be led to suppose, to the country.

You must not forget that a true verdict is the only safe-guard of our Constitution in perilous times. There are loyal men of sufficient number in this Commonwealth to maintain the honest decision of any constitutional question. They would look with scorn and contempt

upon a jury that would sacrifice justice in the hour of danger. They hold that the purity of our institutions must be maintained at any price. Unless the jury, the palladium of our safety, maintains in its verdicts our laws unmutilated, the country will hasten to ruin.

When this crisis in our country's history is past, your position in this trying hour will be fully appreciated, and coming generations will commend your sterling integrity. The founder of this government, and its first administrators, look down upon this scene of strife with anxious eyes. To you is entrusted this God-like work of removing the apple of discord from among the people. Disappoint not the confidence reposed in you. The hope of the nation is committed to your hands. Illustrate in your judgment the virtues of our ancestors, who periled their all for the existence of this government. It is a source of pleasure to me to say that I believe you are prepared for the emergency. Your action, I know, will not disappoint my hope.

Gentlemen of the jury, I have performed my duty to you and the country ; all that yet remains is to afford you an opportunity fully to discharge yours. This will now be given you.

A constable was sworn, and he conducted the jury to their room to deliberate upon a verdict, after which the Court adjourned.

The first part of the report is devoted to a general  
description of the country and its resources.  
It is followed by a detailed account of the  
various industries and occupations of the  
people.

The second part of the report contains a  
description of the climate and the  
various diseases which are prevalent in  
the country. It also contains a  
description of the various plants and  
animals which are found in the country.

The third part of the report contains a  
description of the various minerals and  
metals which are found in the country.  
It also contains a description of the  
various manufactures and industries  
which are carried on in the country.

The fourth part of the report contains a  
description of the various public works  
and improvements which have been  
carried on in the country. It also  
contains a description of the various  
public institutions and societies which  
exist in the country.

The fifth part of the report contains a  
description of the various public works  
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carried on in the country. It also  
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public institutions and societies which  
exist in the country.



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