



My Bible School Lessons

Exploring the Word of God

Lesson #15: "Sunday Keeping"

Tales of a Tennessee Chain Gang

Bill Burchard jerked his head up and peered quizzically from among the cornstalks. What was that noise? He pushed a crumpled blue bandana slowly across his brow and then stood scanning the underbrush forty yards away.

Seeing nothing, he moved to the next stalk and ripped the blades off. His family of seven had long since consumed the last of the corn, and now, early in September, 1894, he was salvaging the blades to feed his scrawny cow.

Burchard worked five days a week in the Dayton Coal and Iron Mine. He ascended from the brutal bowels of the earth to go to church on Saturdays, and this schedule left Sunday as his only day to catch up on work around his home.

He straightened up again. He *had* heard something. A screeching jay betrayed two men about to disappear over a low ridge.

Burchard thought nothing more about the incident until one evening a week or two later when he came home to find Sheriff Darwin sitting on his front stoop. The sheriff rose slowly as Burchard approached.

"Help ya 't all, Sheriff?" Burchard asked.

Darwin looked down, slipping the four fingers of each hand into his front pockets.

"I'm sorry, Bill," he mumbled, "but I got to take ya in."

"Take me in!" Burchard's face paled in shock even under the layer of coal dust. "But what in the world for?"

"Here," said the sheriff, slipping a long folded piece of paper out from under his vest, "listen to this."

"State of Tennessee. To the Sheriff of Rhea County, Greeting: You are hereby commanded to take the body of William S. Burchard, if found in your county, and him safely keep, so that you have him before the judge, of our Circuit Court ... at the Courthouse in the town of Dayton, on the first Monday in March next, then and there to answer the state for violating Sabbath. Herein fail not... C.G. Gillespie, Clerk."

By the time Burchard returned home late that night he understood what his two secretive visitors had been doing that Sunday.

Burchard lived four and a half miles from Graysville, Tennessee, in a little valley called the Cove. In Graysville, a town of 600, about 20 percent of the town of 600 kept the seventh-day Sabbath. The religious community had built up around Graysville Academy, a school begun two years earlier by a Sabbath keeping minister named G. W. Colcord. (The school was later moved and grew into what is now a college near Chattanooga.)

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Not only Burchard had been arrested but also Colcord and two of the Academy teachers, along with several other Sabbathkeepers, were under indictment for violating Tennessee's Sunday law. Burchard was charged on two counts—stripping fodder and helping to dig a well on Sunday. Others were charged with such crimes as putting chicken wire around a garden or carrying a few boards.

The trials made obvious that the chief instigator of the trouble was an angry coal miner named Wright Rains, who had been refused credit by the Sabbath-keeping proprietor of a local grocery store. Two of his friends had slipped out of the services in their church just over the ridge from Burchard's cabin to spy on him.

For more than 15 years Sabbathkeepers had been subjected to sporadic persecution for Sunday-law violations in various states. They believed at the time that to rest on Sunday was an admission of Sunday's sacredness. They believed that that would be giving in to a false system of worship.

By the time of the Graysville cases, fifty-three Sabbathkeepers had been convicted of Sunday violations and thirty had gone to prison. Prior to the Supreme Court's "Christian Nation" decision in 1892, Sabbathkeepers had spent thousands on lawyers' fees to escape conviction, usually without success. After 1892 they considered the cause hopeless, and spoke the best they could in their own defense.

But though the beleaguered Graysville Sabbathkeepers had little hope in the court, they had plenty of help outside. The *American Sentinel*, an eight year old journal of religious liberty, sent reporters to cover the trials.

The three newspapers in Dayton, Tennessee, were outspoken in defense of the Sabbathkeepers, and before the Graysville cases finally were resolved, more than 250 newspapers across the country would side with the Sabbathkeepers.

Anyone arriving in Dayton by rail on Sunday, March 4, the day before the trial began, could have gathered ample evidence that what Sabbathkeepers faced was religious discrimination rather than simple prosecution under the law.

The fact that one could get to Dayton on a Sunday train would have been the first proof. Then walking down the street toward the courthouse, doubtlessly one would see three small boys sucking hard candy in front of the drugstore and hear the cash-register bell jangle periodically inside.

From the courthouse one could see the belching smokestack of the Dayton Coal and Iron Company. Like a black flag, the smoke signaled that 400 or more workmen were keeping the furnaces hot on Sunday. The switch engine as it coughed and whistled away with its load of slag could also be heard. But only the Sabbathkeepers were charged with working on Sunday.

A little investigation by Dayton's local papers revealed that members of the grand jury that indicted the Sabbathkeepers were hiring extra help to pick their strawberries on Sundays just as on other days. (Colcord was arrested, not for working himself, but for letting his students wash clothes and saw wood on Sunday.)

Bill Burchard pleaded not guilty to the charges, saying he had not violated the Sabbath, because the Bible says Saturday is the Sabbath. Colcord—stoop-shouldered, aging, and wearing a giant patriarchal beard appealed to the Declaration of Rights in the Tennessee Constitution, which said that "no human authority can, in any case whatever, control or interfere with the rights of conscience." The declaration also forbade any preference to any religious establishment or mode of worship.

Judge J. G. Parks was sympathetic, but he said his was a secular not a religious court. The only question for the jury, he said, was what the law said and whether it had been violated. He pointed out that lie had a sworn duty to enforce the law and ensure its respect.

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Judge Parks then argued weakly that the Sunday law was not one that protects a particular belief but one that "protects the unanimous belief of nearly all Christian denominations."

Then he presented his dilemma: "But here we have a very respectable element of Christian believers who are honest, inoffensive, law-abiding people in all matters not conflicting with their sense of duty, who believe they are under divine command to observe the seventh day as the Sabbath.... If there were only one of them, he would be entitled not only to his honest belief but to the exercise of that belief so long as in so doing he did not interfere with some natural right of his neighbors.... Do the defendants in keeping the seventh day and working on the first thereby interfere with any natural right of their neighbors? Or is it an artificial right created by human law?"

Judge Parks left his question unanswered, but it was clear where he stood. He said in closing, "I have serious doubts as to the justice of the law, but the remedy is not to be found in disobeying it, but in having it repealed."

He fined the defendants \$2.50 each, suspended the sentences, but asked them to pay the court costs. The Sabbathkeepers refused to pay the costs, choosing rather to go to jail. They explained their reasons by saying that the State had taken them from their homes and work for no just cause, and they simply submitted to the powers that be, but they refused to become parties in any degree to the iniquitous proceeding by the payment of a fine.

They were given prison sentences of twenty to seventy-six days.

Bill Burchard left behind a note in his daughter's autograph album: "Dear Hattie, This is the 6th day of March in the year 1895 A.D., in the Cove in Rhea County, Tennessee, in the so-called free America. I go to Dayton today expecting to go to jail for the crime (?) of believing the Bible. I was found guilty by the court.... Yet these things and worse happened in all ages to God's people-why not to us? Second Timothy 3:12 says 'all who live Godly in Christ Jesus shall suffer persecution.' I want you to be a good girl and live for God and His truth. That is the only thing we can live for in this world, that is worth living for. Read and meditate on Hebrews 11:32-40 (a brief history of persecutions suffered by Old Testament heroes) and you can see what awaits us only a little way in the future."

Jailhouse life was not severe, but there were hardships involved in the incarceration. Several of the men were nearly penniless, and their families were left without support. Then, too, with three key staff members gone, Graysville Academy had to send its one hundred students home two months early, some of them without the diplomas they had expected.

Sheriff Darwin was kind enough to put the men up in the two-story house attached to the jail rather than in the cells. The quarters, the Sabbathkeepers reported, were not "offensively dirty." They were allowed to have visitors and were given access to the well in the front yard, thus escaping the mucky water from the jail-yard pump.

The citizens of Dayton petitioned the court to release the prisoners, but in spite of the uproar in the nation's press, the court denied the petition by a narrow margin.

Judge Parks recommended to Governor Peter Turney that the prisoners be pardoned, and finally the last two still serving sentences were granted clemency even though they gave no evidence of repentance.

Scarcely had they returned home than twenty more indictments were out for Graysville Sabbathkeepers. Burchard and Colcord were arrested again.

While they waited for the next session of the court in July, the Sabbathkeepers listened for developments in the Tennessee legislature. A bill providing exemption from the Sunday law for those

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who observed a different day had been introduced. It cleared the committee but lost on the floor by more than two to one. Bill Burchard and his friends knew their chance of acquittal this time was slim.

The court convened in July. Some of the cases were continued, a few dismissed, but eight Sabbathkeepers-including Burchard and Colcord again were convicted. This time, however, their enemies had succeeded in reinstating the county chain gang-a practice that had not been followed for years.

Shortly before nine o'clock in the morning on July 16, 1895, two heavy wagons lumbered out of Dayton loaded with picks, shovels, eighteen prisoners, and an equal number of balls and chains.

Bill Burchard must have thought of his own family as he eyed a fellow convict who had tried to slit his wife's throat. Guarding Sabbathkeepers and assassin alike, Deputy Sheriff Jim Howard cradled a double barrelled shotgun in his arms as he rocked back and forth on the high seat.

The wagons lurched for eighteen miles over the dusty road that ran north from Dayton and stopped at an empty house near Spring City, Tennessee. The afternoon was spent filling straw ticks, making crude tables, and attaching old wagon wheels to the upstairs windows, "to keep the wild prisoners in," as Burchard put it.

A black convict assigned to kitchen duty delivered cabbage, onions, bread, and sugar for supper, and Bill Burchard settled down for fifty days "on the hard rock ground." After cold biscuits and molasses for breakfast ("and not enough of that") the Rhea County chain gang set to work breaking up rock for the approaches to a nearby bridge.

The first full day of work was a Friday, so when the Sabbathkeepers went to bed that night they doubtless had special prayer about the events of the next day. They probably were waiting nervously when Deputy Howard clomped into their room the next morning.

"Spouse this is the day y'all won't do no work," he said.

"That's right, sir," Pastor Colcord replied, as politely as he knew how.

"Well, don't make no differences just won't count your Saturdays against your sentence, and it wouldn't do to have ya work tomorrow either."

The deputy's arbitrary decision was obviously illegal, but it was better to keep quiet than create a confrontation over working on Saturday.

Their short evenings, often enlivened by fights among the other convicts, became almost too exciting when one prisoner grabbed a sleepy guard's gun, aimed it at another prisoner, and pulled the trigger. Luckily, the gun failed to discharge. Perhaps emboldened by the incident, two of the other prisoners slipped past the guard one night and escaped.

Meanwhile, the *Sentinel* kept up weekly reports on every phase of the prisoner's plight, and newspapers round the country kept up their barrage against the bigotry of Tennessee.

Once the Spring City job was done, the chain gang was moved to a two story log house about a mile and a half from Graysville. Burchard noted that this was really his first time behind bars since all the windows were equipped with them. The weather was hot, though, so the guard left the front door open at night and stood on the porch.

When the last of the cases came to trial, Sabbathkeepers enjoyed the free legal assistance of a former Congressman from Tennessee and the attorney for the Cincinnati Southern Railroad of Chattanooga. The combination of their skill and the jury's weariness over the whole affair won acquittals in the remaining cases.

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In Bill Burchard's last report he said: "We are all well, healthy, and happy. The sun has been extremely hot today. One big fellow got so hot this afternoon he had to stop, but none of us has done that yet.

"They furnish us plenty to eat now, and as Brother Morgan is cook, it is well prepared. My time should be out in a week from today. I must close as it is dark, and the workhouse is out of lamp oil."

What a privilege it is to be a citizen of these United States today. How thankful we can be for the freedom we each have to worship God according to our individual beliefs. It is actually a rare privilege seen in the history of this earth. How carefully we need to guard that freedom. It has been said that, "That freedom can be retained only by the eternal vigilance which has always been its price." There have been times when that liberty of conscience in this basically Christian nation has been denied to individuals as you saw in the preceding story. According to Revelation, the time will come when much more serious religious persecution will happen again as the whole earth wonders after the beast.

May God bless you as you search the Scriptures for hidden truths. May you be one of those that are blessed because they love God and keep His commandments no matter what.