THE AMERICAN SENTINEL

Equal and exact justice to all men, of whatever state or persuasion, religious or political.—*Thomas Jefferson.*

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MEN do not form civil societies for the maintenance of any form of religious opinions, but for purposes common to all and antecedent to all; consequently all attempts to found any civil superiority upon religious belief, are simply attempts at fraud and robbery; and are to be resisted, like other attempts at fraud and robbery.—*Westminster Review.*

ACCORDING to the report of a special agent of the Agricultural Department, fifteen per cent. of the food sold in the country is adulterated or misbranded, causing a total loss to the consumers of about $675,000,000 a year. This would be a large and perfectly legitimate field of operation for those philanthropists who are so profoundly concerned for the public health that they are fearful that people will not take sufficient rest. They should at least combine with their demand for "civil" rest on Sunday a demand for pure food. In that case their movement would certainly be partially civil; something which cannot be said of it now.

THE AMERICAN SENTINEL is as much opposed to lotteries as any one can be, and holds that the State should suppress them; but we cannot approve the sentiment expressed recently by Mr. Foster, the leader of the anti-lottery fight in the Louisiana Senate. He declared that the side which he represented could fight $1,000 bills with twenty-five dollar shot guns. This was simply a declaration that they would meet fraud by force. The lottery which they are fighting is bad, but, bad as it is, it is not as utterly demoralizing as is the use of the shot-gun argument in politics. Those who espouse great moral ideas should themselves be moral, and should confine themselves to methods that at least are not opposed to good morals. The use of the shot gun in politics, should be left for the other side in this lottery fight.

A Dangerous League.

EARLY in the year we noticed in THE SENTINEL the organization in this city of the National League for the Protection of American Institutions, and promised at the time to tell more about it when we should find out more. We have now found out more about it, and we are going to tell it; and what we tell about it shall be simply what we know.

Document No. 1 of the League, says:—

> The objects of the League are to secure constitutional and legislative safeguards for the protection of the common school system and other American institutions, and to promote public instruction in harmony with such institutions, and to prevent all sectarian or denominational appropriations of public funds.

Hon. John Jay, ex-Minister to Austria, is President, and Rev. James M. King, D. D., of the Methodist Episcopal Church, is General Secretary. Quite a large number of millionaires, and other prominent men, are members of the League, among whom are Bishops Potter and Coxe, Drs. Howard Crosby and John Hall, and Rabbi Mendes. Other well-known names are those of Clinton B. Fisk, H. H. Boyesen, and E. P. Bellamy.

The primary step taken, and the first work proposed to be accomplished by the League, is to secure the following amendment to the Constitution of the United States:—

> No State shall pass any law respecting an establishment of religion, or prohibiting the free exercise thereof, or use its property or credit, or any money raised by taxation, or authorize either to be used, for the purpose of founding, maintaining, or aiding, by appropriation, payment for services, expenses, or otherwise, any church, religious denomination, or religious society, or any institution, society, or undertaking which is wholly, or in part, under sectarian or ecclesiastical control.

That amendment says very much, or it says very little. It says very much that is good, or it says very much that is bad. If it be taken plainly upon what it says, and interpreted according to its true meaning, it is well enough. The latter clause forbids the State to devote any of its funds, or credit, to any sectarian or denominational school, or any school under ecclesiastical control. That is, it forbids the appropriation of any funds for church uses or for use in any church institutions. It forbids any State money, or credit, to be given to any church schools; but that clause does not forbid in any way the teaching of religion in the public schools. It does not forbid the use of State money, property, or credit for the purposes of teaching religion in the public schools. The first clause, however, would forbid this if given its true meaning, because no religion can be taught in the public schools and at the same time leave everybody the free exercise of religion.

If, therefore, this should become a part of the Constitution, and should be interpreted and enforced according to the true meaning of the words used, it would be well enough; *but this is not intended by the League which proposes the amendment.* They do not intend by it that the teaching of religion—of Christianity in fact—shall be excluded from the public schools. And this is why we have said that the proposed amendment means much that is good, or much that is bad. If it be fairly interpreted, if it be interpreted according to the meaning of the words used, it is good; but if it be interpreted according to the intents of the League which framed it, then it is only bad.

We have not the individual views of all the enrolled members; but we have the printed views of both the President and the General Secretary, and if the principles of the League, and the intents

of the League, in this matter, are represented by its President and its General Secretary, and if those principles and intents are expected to be carried into effect under the amendment when adopted, then the amendment means much that is bad.

Fairly and honestly interpreted, the amendment would forbid the use of the Bible or the teaching of any religion in the public schools; yet, February 15, 1889, Dr. James M. King, then the representative of the Evangelical Alliance, and now the General Secretary of this League, appeared before the United States Senate Committee on Education and Labor, and argued in favor of the proposed Blair Amendment to the United States Constitution, which distinctly proposed to enforce by national power, the teaching of "the principles of the Christian religion" in all the public schools of the Nation. In his speech he argued earnestly for that "Christianity" which is "a part of American law." He said:—

The Christianity which has from the beginning characterized our public schools, and which properly belongs to the schools of Christian people, is thus alluded to by the Evangelical Alliance in a recent circular to the American people:—

Touching the management of our common schools on the purity of whose teaching depends the character of the Nation, this Alliance would earnestly and respectfully entreat all who would maintain in their purity and beneficence our American institutions, to have eye to the schools in their own immediate neighborhood; to cherish them with affectionate and jealous care; *to guard them from* partisan and *sectarian manipulation*, to see that the teachers are fitted for their work, morally as well as intellectually, and that they worthily appreciate the grandeur of their task in training children for their high duties as American citizens. They should clearly understand that while those duties are based upon the broad, tolerant Christianity which our country holds to be, in a modified sense, a part of the American law—*the Christianity revealed in the Bible*, and whose divine origin and birth are judicially recognized—a Christianity not founded upon any particular tenets, but Christianity with liberty of conscience to all men; the *Christian ethics* and *influence* thus *authorized* and *demanded in our schools* must never be narrowed or perverted *in our State institutions*, and *least of all in our public schools*, by the admission of denominational dogmas or doctrines, or of decrees or maxims at variance with American rights, American principles, or American law; or inconsistent with the fundamental American principle of a complete separation of Church and State.

Again: It is now known everywhere that the Wisconsin Supreme Court lately decided against the use of the King James version of the Bible in the public schools. The Court decided thus upon the strength of the clause in the State Constitution forbidding sectarian instruction in the public schools, and which forbade the State to make any law respecting an establishment of religion or prohibiting the free exercise thereof. In short, the Supreme Court of Wisconsin decided against the use of the Bible in the public schools, under constitutional provisions which in substance and on their face *are identical with this amendment* which is proposed by the National League for the Protection of American Institutions; yet, on the eighth day of April, 1890, in the New York Conference of the Methodist Episcopal Church, Dr. King, at the time General Secretary of this League, as Chairman of the Conference Committee on Religion and Public Education, presented a report in which are the following statements of what the committee called "principles":—

2. That the separation of Church and State cannot mean under our form of government the separation of Christian morality and the State.

3. Historically, and by the highest legal and judicial precedent we are a Christian Nation.

4. It is well settled by decisions in leading States of the Union that Christianity is a part of the common law of the State: "the American States adopted these principles from the common law of England."

5. Education consists in the symmetrical development of the whole man for the purpose of his creation. This purpose is admitted to be moral. Purely secular education is impossible in a land whose literature, history, and laws are a product of a Christian civilization.

12. We repudiate as un-American and pagan, and as a menace to the perpetuity of our free institutions, the recent Supreme Court decision in the State of Wisconsin, a decision dictated and defended by the enemies of the public schools, that the reading of the Bible, without comment, is "sectarian instruction of the pupils, in view of the fact that the Bible contains numerous passages upon some of which the peculiar creed of almost every religious sect is based. And that such passages may be reasonably understood to inculcate the doctrines predicated upon them." The enemies of the common school declare that "exclusion of the Bible would not help the matter. This would only make the schools purely secular, which were worse than making them purely Protestant. For as it regards the State, society, morality, all the interests of this world, Protestantism we hold to be far better than no religion."

In the present state of the controversy, we hold it to be the duty of the citizens of a commonwealth, Christian in its history and in the character of its laws, to deny that the Bible is a sectarian book, and *to claim for it a place whenever the State attempts to educate youth* for the duties of citizenship.

And April 16, 1890, in a long letter to the New York *Times*, Hon. John Jay, the President of the League, took the *Times* to task for its criticism of the above report. The sole object of the letter is to prove that "Christianity is a part of American law" and that therefore Christianity and its interests must be respected and enforced by the law, and it distinctly defended the right of the State "to teach morality," "to approve the ten commandments," and "to instruct children in the law of God and the sermon on the mount." And he assumes the task of "defending American law from the charge of ignoring Christianity" which he declares "is not difficult for even a layman."

By these evidences it is plain enough that this League for the Protection of American Institutions does not really intend to protect the American public school. While proposing that this amendment shall prohibit the State from devoting any money to any church school or institution, the League *does intend* that *the State shall teach the Christian religion* in the *public school*, and shall use its money for that purpose. The League gives to the word "sectarian" a meaning of its own, a meaning which the word cannot fairly be made to bear, and it intends that under that meaning its views of the Christian religion shall be forced upon the people in the public schools at the public expense.

We are not alone in the view that by interpretation this proposed amendment is to be made to enforce what it does not say. The same day on which Dr. King spoke before the Senate Committee in behalf of the Blair Amendment, Rev. T. P. Stevenson, Corresponding Secretary of the National Reform Association, spoke immediately preceding Dr. King, and presented a memorial of which the two following resolutions are a part:—

Resolved, That our common schools, as one of the most important institutions of our country, should correspond to the Christian origin, history, and character of the Republic itself. Our schools should teach the history of our country, and the character of our institutions, our laws, and the reasons for them, the prerogatives and responsibilities of the sovereign people and their government, on the loyalty due, under God, to the authority of our own rulers. *The Bible ought not only to be read but taught in all the schools.* The public schools must prove a failure if they do not train our rising generation to be honest, virtuous, and loyal citizens. Such training, the ordinance for the Territory of the Northwest, and Washington's farewell address, assure us, can be found only in the principles of religion.

Resolved, That while our schools are and should be Christian, no preference or advantage should be given to any one sect or denomination in connection with the public schools. Above all, no sect can justly or fairly claim any share of the public money for the support of its own sectarian schools.

This expresses the same principles precisely as those held by Dr. King and Mr. John Jay; and of this amendment that is framed and proposed by the League, the *Christian Statesman* of which Mr. Stevenson is editor, says:—

It ought to receive the immediate and serious support of all loyal Americans.

And then says:—

Rightly interpreted, the foregoing amendment could not be used in any way as a lever to overthrow the Christian elements in our public schools.

By these evidences it is plain enough that if that amendment were adopted and were a part of the United States Constitution, and the United States Supreme Court should by it decide against the use of the King James version of the Bible in the public schools, that Court would be denounced by this League as an aider and abettor of "the enemies of the common schools," and such decision would be denounced by this League as "un-American and pagan."

Another thing, it is only Protestants who demand, as in Wisconsin, that the Bible, that is, the King James *version* of the Bible, shall be used in the public schools. This according to the above report of the General Secretary of this League is not sectarian. It is held not to be sectarian because the leading Protestant denominations all agree that it is proper. With this meaning given to the word "sectarian" these denominations might establish

what they would call a National University, say at Washington City. They could put it under State control and then could draw from the public treasury all the money that by any influence they could secure in support of that school, and so teach their views of Christianity in the school. All this, even though that amendment were a part of the national Constitution, because the school would not be under ecclesiastical control, but State control, and according to their interpretation the teaching of their views of Christianity and the Bible would not be sectarian.

Or, on the other hand, the United States might be persuaded as Senator Edmunds' bill proposes, to establish a National University itself, and these denominations, according to their interpretation of the word "sectarian," could have taught there at the national expense, their views of Christianity and the Bible. And if these things were not so taught in such an institution, then according to these "principles" they would repudiate the instruction as "un-American and pagan, and a menace to the perpetuity of our free institutions."

According to their idea, their view of Christianity and the Bible is not sectarian, therefore it must be taught in the public schools. But if the question be left to the States there will be a disagreement between them, as has already appeared in supreme court decisions. But if this proposed amendment should be adopted the whole question would be at once removed from State jurisdiction and made national only. Then if a decision of the United States Supreme Court should be secured sustaining the ideas of the League that Christianity and the Bible are not sectarian, a national religion would thus be established at one stroke. And *that* is what this League means, according to the expressed views of its President and General Secretary.

Therefore, judged and interpreted by the views and intents of the President and General Secretary of the National League for the Protection of American Institutions, this proposed amendment to the Constitution of the United States is to be used only as a means of establishing so-called Protestant Christianity as a national religion. It means in the end just what the so-called Blair Amendment means, but it is worse than that, in that whereas the Blair Amendment plainly says what it means, the amendment offered by this League means the same thing, but sets it forth in language which appears to promise precisely the opposite, leaving it to their own interpretation to secure by it what the League intends. If those who propose and advocate this amendment mean what the amendment says, it would be all well enough; but when they mean the opposite of what it says, then it makes the whole thing to be only evil. If the amendment were adopted as it reads, and were interpreted as it says, it would be perfectly proper and a good thing; but when those who have framed it and who propose to secure its adoption mean the opposite of what it says, then the danger is that the influence which they exerted to secure its adoption might be available to secure their interpretation, which is the opposite of what it says.

Therefore the best thing for the American people to do, is to protect American institutions *by giving no place* to the National League for the Protection of American Institutions, at least so far as its views are represented in the published ideas of its President and General Secretary. A. T. J.

"The Civil Side of the Sabbath."

IN Eccl. 7:29 we read: "Lo, this only have I found, that God hath made man upright; but they have sought out many inventions." The above title, quoted from a National Reformer so-called, displays one of the many inventions of those who are clamoring for civil law to compel all to observe an institution wholly religious. They call it the "Christian Sabbath," and claim for it divine sanction and religious obligation. If this claim is just, civil law has no more to do for its enforcement, than it has for the enforcement of the Christian ordinances of baptism and the Lord's supper. It is a matter entirely at the option of each individual. God leaves men free to serve him or not as they choose, retaining the right to call them to judgment in his own time. And our unequaled Constitution forbids the making of any law prohibiting the free exercise of choice in all religious matters. This is as it should be; it is in harmony with the Golden Rule. All have the right to keep Sabbath, if they choose, and when they choose.

But National Reformers wish to compel all to keep Sabbath when they do; and to evade the truth that they wish to enforce a religious institution by civil law, they tax to the uttermost their inventive powers to find a way to make it appear that they do not ask for religious legislation. Hence their Sabbath has many sides; as the sanitary side, the merciful side, the protection side, and the civil side. All this, and I know not how much more, to persuade the good people that legislation in favor of a religious observance is not religious legislation, or the establishing a form of religion by law, the very thing which our peerless Constitution prohibits.

All have the privilege of resting one day in seven, if they think it for their health; but if they do not rest on a particular day, it is not a contagious disease, like the small-pox or yellow fever, that will endanger the lives of those who do rest. Workingmen have the privilege of resting on Sunday, without compelling everybody else to rest on that day. And in regard to protection, our laws justly protect all in religious worship on every day in the whole year. And there is nothing uncivil —nothing which infringes upon the rights of others—in quietly attending to one's own business on any day. But it would be quite uncivil to compel any man to lose the reward of honest labor on any day on which he chooses to work. The civil side of religious legislation has been sufficiently exemplified in past ages of the world. To repeat the experiment is worse than folly.

R. F. COTTRELL.

No Need of Sunday Legislation.

THE *Examiner* (Baptist) of this city, had an article some time since on "The Need of Sunday Legislation," in which some ideas worthy of notice were advocated. The article is a review of a paragraph or two from an article in a secular paper expressing the sentiment that no laws should be made in regard to Sunday, and that consequently everybody should do as they please about observing it. This, the *Examiner* thinks, would be utterly destructive of all Sunday observance. That paper admits, however, that "no laws should be made enforcing the religious observance of Sunday."

Just what those who say they are in favor of Sunday laws, but not in favor of enforcing the "religious observance" of the day, mean, we do not know. Sunday is purely a religious institution. It is observed because it is a religious institution, and how any observance of it whatever can be enforced without enforcing a religious observance, is more than we can understand. It is true that no law can compel anyone to have a real regard for Sunday, and possibly the advocates of Sunday laws would regard nothing short of that as religious observance; but any law that prohibits secular occupations on Sunday, compels people to act as though they had a sacred regard for the day, and what is that but religious observance as far as it goes?

The *Examiner* argues that Sunday laws are necessary in order to afford those an opportunity to rest who desire to do so. To prove this, it cites the case of the Saturday half-holiday in this city, of which it says:—

> For several years, by a concerted action, some few large firms in the same lines of business adopted a system of early closing during the summer, but the practice was by no means general, and it had no sure basis until a statute made Saturday afternoon a legal holiday. When all banks and public offices closed at noon on Saturday, it was found not only practicable to close private offices and shops, but of little use to keep them open, and so the half-holiday became assured as a summer institution, and is more and more generally observed with every year.

But instead of proving the necessity of Sunday laws, this proves conclusively that no such laws are required further than to make Sunday a legal holiday. There is no law forbidding work upon Saturday afternoon; the law simply makes

Saturday afternoon a legal holiday, and banks, courts, etc., must of necessity suspend business, because business done at that time would not be legal. But to make Sunday *dies non* would not satisfy Sunday-law advocates. This is exactly the case with Sunday in California. It is a legal holiday, no public business is done and would not be legal if it were done, and yet, Sunday advocates say that California has no Sunday law, and they are demanding that a Sunday law be enacted in that State. The truth is, that that which they want is a statutory recognition of Sunday as a sacred day. And that, they say, would not be religious legislation! C. P. B.

The Bible in the Schools.

THE Rhode Island Congregational Conference recently adopted resolutions denouncing the action of the School Board in discontinuing the reading of the Bible in the public schools of Providence. This action of the Conference is reviewed and criticised in the following excellent editorial from the Providence *Evening Bulletin*:—

The view of the matter taken by the Congregational Conference is, we think, wholly mistaken. It is based on a radical misunderstanding of the function and scope of the public schools; and we cannot believe that it is taken by the great majority of intelligent and fair-minded people, whatever their religious predilections. The idea lying behind these resolutions, as well as the thought running through all arguments for the retention of the Bible in the schools, seems to be that its removal is in some way a concession to the Catholics. As a matter of fact it is nothing of the sort. The reason that decided the discontinuance of Bible reading in the schools of Providence, the reason that has ruled in other similar cases, and the reason that must finally prevail everywhere, is that this change is necessary in order to make the public schools exactly what they are intended to be and nothing more.

In a land like ours where freedom of conscience and of worship is a fundamental guarantee, the only justifiable purpose of the public-school system must be to furnish a purely secular education under such circumstances and conditions as will make it available to all classes and sects in the community. The concession, then, would be in leaving the Bible in the schools. That would be a concession to the extreme, but it cannot be thought common Protestant contention that the public schools should be Protestant institutions as regards both control and instruction and, inevitably if not intentionally, as regards attendance.

For the Bible cannot be used in the schools, to be read without comment or explanation, without putting sectarianism into the system of public instruction. That the reading of the Bible in the schools is a sectarian act has been established by the recent court decision in Wisconsin, and it is obvious, indeed, from the most ordinary common sense view of the question. Any pupil of ordinary intelligence who listens to the reading of doctrinal portions of the Bible will be more or less instructed thereby in . . . doctrines about which there is sectarian difference of opinion.

Now, sectarian instruction must certainly comprehend the inculcation of religious doctrines upon which there is any difference of opinion. And as the Catholic Church declares that the version used in the schools is inaccurate and misleading on many points, as the Unitarian and Universalist Churches must hold that the reading of the Scriptures without comment or exposition is likely to lead to erroneous beliefs, as the Jews cannot consider the New Testament a sound body of doctrine, and as Agnostics would not have the Bible as a whole made a part of dogmatic instruction, it is clear that its reading is sectarian teaching. Consequently its reading has no proper place in schools that are meant to be non-sectarian. That is the first reason why it is excluded. Its retention makes the public educational system something other than "free" to all classes and sects. It makes them sectarian and leaves them available by only a portion of those who are compelled to pay taxes to support them.

But that is not the only reason for the discontinuance of a practice which, at the best, is perfunctory and of no practical advantage from any point of view. Perhaps the stronger reason is in the necessity of entirely separating religion and worship from public education if the functions of State and Church are to be kept wholly separate. As cannot be too often insisted the sole purpose of the public-school system is to provide a secular education, which is clearly within the province of the Government. It is not to give religious instruction or provide a place of worship, which is as clearly a private matter. But the reading of the Bible, so far as it amounts to anything at all, is religious instruction and the place where the Bible is read is, to that extent, as the Supreme Court of Wisconsin lately declared, a place of worship.

Even were it practicable, then, to provide an amended version of the Scriptures which should contain no doctrinal points, its reading would still be out of place in the public schools. There is no more reason for opening the sessions of the latter with devotional exercises than there would be in beginning the day's labor in stores and factories with similar ceremonies. The school is a place of work. It is a place where children are sent to get a secular education. The inculcation of religious doctrine and the cultivation of the feelings of worship are matters for the home and Church. They are matters with which the Government has no concern and which it cannot interfere in without uniting the functions of Church and State in a manner and to a degree wholly repugnant to the spirit of American institutions.

We, here in Providence, have taken that broad and sensible view of the question and by discontinuing the practice of opening the schools with Bible reading, have removed the last vestige of sectarianism from our school system. We have thus placed the system on a basis of equal opportunity for all, making it equally available, without violation of conscience, for Protestants or Catholics, Jews or Agnostics, though, of course, those who hold that religious training should be an integral part of education are not, and cannot be, satisfied with it. That much it was our plain duty to do as citizens of a State that intends to offer free education to all, and that is supposed, indeed, to compel the school attendance of all children of school age; and anything less than that would not have sufficed.

We have simply made the schools of this city what they are intended to be, on our theory of government, and nothing more. In deprecating that action, the Congregational Conference puts itself in a position which reflects little credit on its intelligence and liberality, and in which it cannot be believed it will be joined by the majority of American people, least of all by the people of Rhode Island, who from the first have so strenuously insisted on absolute freedom of conscience, and the entire separation of the affairs of the Church from the affairs of the State.

The Sabbath Is Not a Civil Institution.

I NOTICED recently an article in defense of Sabbath laws by Hon. E. L. Pancher, LL. D., entitled, "The Sabbath as a Civil Institution," which set me to thinking. The drift of the argument seems to be that as the "Christian Sabbath is observed and well established in the United States," and is "regulated by laws passed to secure the good order of society," that it is therefore a "civil institution," and "is a *right* of the citizen that it should be observed as a day of cessation from labor, and of quiet and order."

Now I cannot possibly see any logic in these statements. The mere fact that it is observed and well established, and protected by laws does not prove that it is either the Sabbath or a civil institution. When we come to examine the Sabbath as a religious institution, we want better authority than its being "observed and well established" in any nation. If that argument be true, the Sabbath of the Mohammedan is just as much the Sabbath or

a civil institution, as the Sabbath of the Christian, Mr. Pancher to the contrary notwithstanding, for that day *is* "observed and well established" among that people. But it is not my purpose to examine in regard to whether Sunday is the Sabbath or not; I desire to examine "the Sabbath as a civil institution." Is it? I repeat that the mere fact that the law requires cessation from labor, etc., upon Sunday, or any other day, does not make it a civil institution. Its observance may have been required from time immemorial by nations, but that fact does not make it a *civil* institution. The definition of the word "civil" is as follows:—

Civil: Pertaining to a city or State, or to a citizen in his relations to his fellow-citizens, or to the State.

As fellow-citizens, we all recognize the fact that we sustain to the State and to each other, a certain relationship. The functions of the Government pertain to this relationship. They cannot possibly extend beyond it. In the requirement of the Government, and the obligation of the citizen, there should be harmony and justice. For this very purpose "governments are instituted among men." Let us test the institution of the Sabbath upon this principle.

Suppose the Government requires the observance of a day as "a day of cessation from labor, and of quiet and order." They claim that it is a *right* of the citizen that it should thus be observed,—a *civil* requirement. Now if this be true, the violation of this institution will be an *uncivil act*, and that relationship that the violator sustained to the State or fellow-citizen, will be broken. He will be accounted as subverting that right guaranteed to the citizen by the Government. Let us see what acts constitute a breach of this institution. Mr. Pancher cites as precedents the action of the English Government that passed statutes "regulating the keeping of the people from any sports and pastimes whatsoever, worldly labor, the opening of a house or room for public entertainment or amusement, the sale of beer, wine, spirits, etc., and other like acts on that day." He says there were other acts designed to compel attendance at church, etc., which would be prohibited now (?), "but the acts referred to do not relate to religious profession or worship, but to the *civil* obligations and duties of the subject and citizen," etc.

I have now defined some of those duties, at least, that the citizen owes the State, the violation of which will be a breach of the civil law. Let us examine this a little.

"Keeping the people from any sports or pastimes whatsoever." There are many things that would come under this head, such as hunting, fishing, ball-playing, driving, walking, etc., etc. Suppose that on a Sunday (or any other day that the Government may set apart), neighbor A takes his fishing tackle to some stream, for pleasure; neighbor B and his wife drive to their country residence; neighbor C and family visit the park, or some other place for recreation. The law forbids any "sports or pastimes whatsoever," and these parties have violated the laws and are held as criminals. They have violated a *civil* (?) institution. But let us see what these people did. Neighbor A was fishing; neighbor B was driving to the country; neighbor C and family were enjoying nature and the pure air of heaven. Is fishing an uncivil act? Has B broken his relationship to the State or to his fellow-citizen by driving? Has C and family infringed upon the rights of any as they were recreating? It is so held; because for committing these acts they were found guilty—so we would be led to the conclusion, logically, that the *acts* were uncivil. But let us see. On any other day, the observance of which is not required, others can fish all day, drive as much as they please, recreate all they desire. I look, but they are not apprehended. Why? They have committed the very same acts, but the law does not say they are criminals. Why? "Oh," says one, "these acts were not done on the day set apart." But if they were *uncivil* acts on a *set day* and infringed upon the right of the State or citizen, why would they not be *uncivil upon another day?* So it will be said of "worldly labor." That will be forbidden on the day set apart for the Nation, and the man who will presume to till the soil, reap his grain, or do any other work coming under this head will be apprehended and punished. But on any day not so set apart, men can engage in these duties and will not be interfered with. We are led to the just and logical conclusion, that it is not the *act*, but the *day* upon which it is performed that constitutes the offense. So the matter reverts to the *observance* of the day and not the nature of the *acts* performed upon it.

Is the observance of a day a civil requirement? Let us see. Is the Sabbath an institution of the State, or of God?—Of God most assuredly. It antedates earthly governments. The observance of the day being required, is it a civil or a moral obligation?—A moral obligation in the strictest sense. None but God can truly know that we do observe it as we should. In all his requirements, he takes cognizance of the thoughts and desires of the heart, and to be acceptable, our service must be a willing and delightsome one. Neither can we find in its non-observance a breach of that relationship we owe to the State or to our fellow-citizen. To whom do we owe civility? Answer, to the State. To whom do we owe morality? Answer, to God. The Sabbath being a moral institution, and not a civil, to whom do we owe its observance?—To God, most assuredly.

"But" says one, "would you not prohibit the sale of intoxicants and many other things that you have not mentioned, upon that day?" There are a great many things that should be prohibited, but not because they are performed upon that day, but because they are uncivil, and for that reason they should be prohibited every day. Let us first decide whether the act is an uncivil act, and infringes upon the right guaranteed to the citizen, and then let the Government not only prohibit it upon *one* day, but *every* day. Therefore we claim that as the Sabbath day is an institution of God, and not of the State, and as its observance or non-observance does not interfere with that relationship with which governments only have to do, that the Sabbath is not a civil institution.

R. D. HOTTEL.

Religion and the State.—No. 3.

GOD has never established authority with any man, or any number of men, to declare what is final law for others, in matters of religious faith. Give this power to either the Governor of a State, or to the popular majority of a community, and such authority gradually becomes invested with a force that is sure, sooner or later, to be swayed oppressively. Men who stand with the minority, have a more vivid realization of this, than those on the opposite side. Macaulay stated the truth on this point, in a few words, when he said:—

The doctrine which, from the very first origin of religious dissensions, has been held by all bigots of all sects, when condensed into a few words, and stripped of rhetorical disguise is simply this: I am in the right and you are in the wrong. When you are the stronger, you ought to tolerate me; for it is your duty to tolerate truth. But when I am the stronger I shall persecute you, for it is my duty to persecute error.—*Macaulay's Essay on Sir James Mackintosh, Par. 57.*

It was observed in the beginning of this book that crimes and misdemeanors are a breach and violation of the public rights and duties, owing to the whole community, considered as a community in its social aggregate capacity. And in the very entrance of these commentaries it was shown that human laws can have no concern with any but social and relative duties, being intended only to regulate the conduct of man considered under various relations as a member of civil society. All crimes ought therefore, to be estimated merely according to the mischief which they produce in civil society, and of consequence, private vices, or breach of mere absolute duties, which man is bound to perform considered only as an individual, are not, cannot be, the object of any municipal law.—*Cooley's Blackstone, Book 4, P. 40.*

Cooley in his work on Constitutional Law, also sets forth the relation of the individual conscience to the civil law, as follows:—

It is the province of the State, to enforce, so far as it may be found practicable, the obligations and duties which the citizen may be under, or may owe to his fellow-citizen, or to society; but those which spring from relations between himself and his Maker are to be enforced by the admonitions of conscience, and not by the penalties of human laws. Indeed, as all real worship must essentially and necessarily consist in the free-will offering of adoration and gratitude by the creature to the Creator, human laws are obviously inadequate to

incite or compel those internal and voluntary emotions which shall induce it; and human penalties, at most, could only enforce the observance of idle ceremonies, which, when unwillingly performed, are alike valueless to all the participants, and devoid of all the elements of true worship.—*Constitutional Limitations, X 469, 3.*

To state the proposition in another form, Macaulay, in his review of Gladstone, "Church and State," says:—

Now here are two great objects: one is the protection of persons and estates of citizens from injury; the other is the propagation of religious truths. No two objects more entirely distinct can well be imagined. The former belongs wholly to the visible and tangible world in which we live; the latter belongs to that higher world which is beyond the reach of our senses. The former belongs to this life; the latter, to that which is to come. Men who are perfectly agreed as to the importance of the former object, and as to the way of obtaining it, differ as widely as possible, respecting the latter object.—*Par. 13.*

There is one prominent doctrine set forth in the foregoing quotations to which there must be a general agreement: that is, that the Christian religion is designed to do a work which civil government is in nowise qualified to do. The former accomplishes its mission, and saves the transgressor of God's law, by offering mercy to all who confess their guilt. The latter restrains crime only by the rigid application of its laws, which can in no way change men's hearts. There is no mercy in law, not even in that of Jehovah. True, the word "mercy" occurs in the moral law, but its use there in no way signifies that there is mercy in the execution of that law. Neither could God make men good and save them by the moral law after sin had once entered the world. It was therefore necessary that an atoning sacrifice be offered in behalf of man, and thus the gospel was established, by which all who choose may be eternally saved. The gospel, thus necessitated, was committed to the Church to be proclaimed and administered; but never to the State. In the hands of the Church, it is God's supernatural interposition for the salvation of individual sinners. The State having no gospel, nothing but law, and that only of human enactment, cannot, from the very nature of the case, be qualified to instruct in matters of faith and conscience.

J. O. CORLISS.

SOME of the provisions in the Sunday laws of New York, are worthy of having emanated from the Sunday Union itself, instead of being, as they are, a survival of the blue-law code established by the Church and State union of Colonial days. The *Ellicottville* (N. Y.) *News*, makes this jocose suggestion: "Hunting on Sunday, subjects the offender to a fine of twenty-five dollars. One half of the fine goes to the prosecutor. Here is an opportunity for some one to make money without very much hard work." How long will it be before this will be adopted, together with the grab-bag and the church-lottery, as a legitimate means of assisting the church and Sunday-school treasuries?

What We May Expect.

THE Washington Baseball Club has been prevented from filling an engagement for a Sunday game at Atlantic Park, Washington, by the Commissioners of the District of Columbia.

District Commissioner Douglass thus states the law and the gospel of the case, as reported in the Washington *Evening Star:*—

"Commissioner Douglass in an interview with a *Star* reporter upon the subject said: 'I thought it would shock the country to learn that such a thing as Sunday baseball was permitted at the national capital. If we had been unsuccessful in finding a law I should have done my utmost to manufacture one.'"

"You found a law then?" queried the *Star* man. "Yes, we did, the old common law of England held that the Christian religion was part of the common law, and when the first settlers came to this country they brought the common law with them. You know that it's against the Christian religion to play ball on Sunday, for on the face of it, it's a violation of the fourth commandment. That is the law we operated upon in this case."

So the time has already come when the Commissioners, having in charge the administration of the local government of the national capital, search the statute books for an authority, however obscure, to uphold them in enforcing a religious requirement; and openly assert their readiness to manufacture a law to suit if none shall be found.

So far as its applicability is concerned, that is just what they have done,—manufactured a law. Blackstone says, in Book IV, page 58 (Cooley's Blackstone): "These are offenses punishable at common law by fine and imprisonment, or other infamous corporal punishment; *for Christianity is part of the laws of England.*" Commissioner Douglass is no more endowed with authority to decide what is a "violation of the fourth commandment," or with power to enforce such a decision, than is the chief executive of this Nation endowed with political perfection, because Blackstone says, in Book I. page 245 (Cooley's Blackstone), "The law also ascribes to the king, in his political capacity, absolute *perfection.* The king can do no wrong. . . . The king, moreover, is not only incapable of *doing* wrong, but even of *thinking* wrong; he can never mean to do an improper thing: in him is no folly or weakness." One of these political dogmas is just as sound as the other, and if one may be applied as binding now and here, the other may be also, for the same reason.

The Christian religion is a part of the law of the land; the President (and Commissioner Douglass) "can do no wrong, neither think any wrong, in him is no folly or weakness." This is the perfection which the Commissioner has arrogated to himself in assuming to decide that to play ball on Sunday is a violation of the fourth commandment, and then, as he says, "to operate upon that law."

The Commissioner decides that when Jehovah wrote, on Sinai, "the seventh day is the Sabbath of the Lord thy God, in it thou shalt not do any work," etc., he intended to have written, "the first day of the week, commonly called Sunday, is the rest day of a Christian nation, in it thou shalt not play baseball," etc.; and having so determined, the Commissioner by virtue of divine right of authority as the representative of the chief executive, who can do no wrong, constitutes himself the vicegerent of God to enforce his law. This is the common law precedent upon which the Commissioner has seen fit to take summary action as a public official of the capital city of the United States.

It is well to look through that chapter of Blackstone on "Offenses against God and Religion," from which the Commissioner obtains his "law," that we may know what to expect in the future. (See Cooley's Blackstone, Book IV, pp. 41–64.) In this chapter Blackstone enters into the consideration of those offenses "which are more immediately injurious to God and his holy religion."

I. Of this species (of offenses) the first is that of *apostasy*, or a total renunciation of Christianity, by embracing either a false religion, or no religion at all. This offense can only take place in such as have once professed the true religion. . . .

II. A second offense is that of *heresy*, which consists, not in a total denial of Christianity, but of some of its essential doctrines, publicly and obstinately avowed.

III. Another species of offenses against religion are those which affect the *established church*. And these are either positive or negative: positive, by reviling its ordinances; or negative, by non-conformity to its worship.

IV. The fourth species of offenses, therefore, more immediately against God and religion, is that of *blasphemy* against the Almighty, by denying his being or providence; or by contumelious reproaches of our Saviour Christ. Whither also may be referred all profane scoffing at the holy Scriptures, or exposing it to contempt and ridicule. These are offenses punishable at common law by fine and imprisonment, or other infamous corporal punishment; for Christianity is part of the laws of England. . . .

VI. A sixth species of offense against God and religion of which our ancient books are full, is a crime of which one knows not well what account to give. I mean the offense of *witchcraft, conjuration, enchantment, or sorcery.* . . .

VII. A seventh species of offenders in this class are all *religious impostors;* such as falsely pretend an extraordinary commission from heaven; or terrify and abuse the people with false denunciations of judgments. These, as tending to subvert all religion, by bringing it into ridicule and contempt, are punishable by the temporal courts with fine, imprisonment, and infamous corporal punishment. . . .

IX. Profanation of the Lord's day, vulgarly (but improperly) called *Sabbath-breaking*, is a ninth offense against God and religion, punished by the municipal law of England. . . . And therefore the laws of King Athelstan forbade all merchandizing on the Lord's day, under very severe penalties. And by the statute 27 Henry VI., chap. 5, no fair or market shall be held on the principal festivals, Good Friday, or any Sunday (except the four Sundays in harvest), on pain of forfeiting the goods exposed to sale. And since, by the statute 1 Car. I., chap 1, no person shall assemble out of their own parishes for any sport whatsoever upon this day; nor in their parishes, shall use any bull or bear-bating, interludes, plays, or other *unlawful* exercise, or pastimes; on pain that every offender shall pay 3s. 4d. to the poor.

These are some of the provisions of Chapter IV. Book IV., Blackstone's Commentaries, from which the Commissioners of the District of Columbia obtain their law for the ordering of the civil affairs of the capital of this free and enlightened country, just entering upon the last decade of the nineteenth century, and after more than a hundred years of supposed separation of Church and State.

W. H. M.

NEW YORK, JULY 17, 1890.

THE *Catholic Review* remarks that "the theory that not a dollar should be spent by Government for the spread of religion is a very good theory, but it does not work, never did, and never will." It is not strange that Roman Catholics should take such a view of this matter, but it is surprising that so many Protestants should agree with them.

JUNE 17, the Sheriff of Rock County served a writ of *mandamus* on the School Board of the city of Edgerton, Wisconsin, commanding it to compel teachers not to read the Bible in the public schools. This is the district from which the famous Bible case came, which was decided by the Supreme Court against allowing the Bible in the public schools. Teachers have thus far ignored the decision.

"I NOTICED a queer thing recently in Philadelphia," said a New York man the other day. "It was Sunday, and all the street cars ran as usual except that there were no bells on the horses. They told me that was the law there. They have to wear bells week-days, so that people will notice them coming and get out of the way, but Sundays, apparently, it does n't make any difference whether folks are run over or not. The proprieties are observed you see, but business is n't interfered with."

THE *Union Signal* has grown enthusiastic over Senator Blair, and finds vent in the following piece of sentimental sweetness:—

Senator Blair is one of the wisest statesmen in Congress; the white-ribbon army, the home-folk, the wage-earners, the militant Christians, are proud of his leadership. Though a recreant Senate voted down his Educational Bill by six majority, his plan of national aid against illiteracy is sure to win. More than any other senator of this generation he represents the hopes of the classes that need a champion. He has dared to take up the gauntlet for them; dared to devote himself to their interests, and we humbly trust they may not only dare but have the power to do, that he may yet be President of the United States. Two pillars must be set up between which the processions of the future shall march into America's temple of prosperity and peace. They are National Education and National Prohibition. When put in place these pillars of our moral Hercules will bear the name of Henry W. Blair.

We know that the United States Senate is not composed of the highest model of statesmenship, but as for Senator Blair, we know that he is not a statesman at all, in any true sense of the word, where American principles are concerned. The legislation which he has originated, and the speeches which he has made in support of that legislation, show that he does not understand the first principles of the United States Government. It is true that he is the champion of the classes who need that kind of a champion, and it is true that to people who need that kind of a champion, he is the very kind of a champion that they would like; but there are two things about it that are too bad. First, it is too bad that there should be anybody to need such a champion. Secondly, even though there be such, it is too bad that they can find anybody in the United States to be their champion.

THE *Loyal American* plaintively asks: "Shall we permit priests to deprive native born Americans of a birthright, the right to know the language of their native land?" Certainly not; neither shall we suffer them to be deprived of the privilege of learning the language of their fathers if they wish to learn it. The fact is, however, that no priests wish to deprive "native born Americans," or anybody else, of learning the language of their native land; indeed they are anxious for them to learn it, and to learn every thing else that will enable them to become legislators, etc., and so rule the country. The *Loyal American* need not fear that any considerable number of "native born Americans" will grow up in ignorance of the language and customs of the country.

IN the article on the Bennett Law in THE SENTINEL of June 5, we said:—

The Lutherans maintain the perfect right of the public school to exist, and willingly pay their proportion of the public-school taxes.

We have received letters from Nebraska and Wisconsin, stating that this is not true in the localities from which these letters come. One of the letters coming from the County Judge of Jefferson County, Nebraska, says that to his knowledge the Lutherans pay the public school taxes unwillingly and only because they must do so. Another comes from a trustworthy citizen of Liberty Bluffs, Wisconsin, in which he says the same thing and gives the following facts:—

When I settled in this part of Wisconsin, the German Lutherans were not in the majority, and we had eight or nine months school in the year, and fairly good teachers; but just as soon as they got a majority of votes in our district, the time was cut down to five months in the year, all in the winter, no summer term; and teachers wages cut down as low as thirteen dollars to sixteen dollars per month. They voted down all propositions to repair school house, purchase maps, dictionary, etc. Finally when this did not break up the school altogether, they voted to have no school at all, and actually *had no school for over a year;* and if the State Superintendent had not interfered, this state of things might have continued. Many other districts that I know of have this same difficulty, more or less. where the German Lutheran element predominates, especially in rural districts.

We made our statements upon the authority of the statements of the synods of the West. The official statements of the Lutheran body must be taken as the principles of the body; and although these facts no doubt exist in the localities named, it is clearly in violation of the principles announced by the body as such in the United States. We are glad to know these facts. We do not indorse the action in the slightest degree, yet from the official statements of the Lutheran body, in our position we cannot hold that body responsible for the action of the Lutherans in these localities. These facts only show that the Lutherans in those localities have gone contrary to their principles; and whether in that place or any other, such action has ever been taken, we earnestly hope that they may reform, and conform to the principles set forth as the principles of the Lutheran body.

We have no sympathy with any antagonism to the public-school system. But, the practice of the Lutherans in the localities named, even though it were more general, will not justify, to the least extent, the State in invading private rights, and taking charge of the private school, and putting itself in the place of the parent, as the Bennett Law does. Clearly the Lutherans named by these correspondents were, and are, in the wrong; and the State of Wisconsin, in the Bennett Law, is also clearly in the wrong; and the wrong course of the Lutherans does not make right the wrong course of the State.

REFERRING to the King case, the details of which are familiar to our readers, the Denison, Texas, *Gazette* says:—

The case has been taken to the Supreme Court of the United States by the National Religious Liberty Association, a society that admits no person to membership who does not believe in Christianity, but holds that the functions of Church and State are entirely distinct. If the United States Supreme Court does not teach the Tennessee witch-burners a lesson, a majority of the American people will be disappointed. We have had entirely too much of the Sabbath invasion of other men's homes. It feeds prejudice, embitters enmity, fractures friendship, wrongs individuals, and does no manner of good whatever.

It is certain that this case is bound to attract a great deal of attention. It is being very extensively noticed by the press of the country.

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