



Equal and Exact Justice to all Men, of Whatever State or Persuasion. Religious or Political.—Thomas Jefferson.

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THE AMERICAN SENTINEL is in the seventh year of its publication. From the first number that was ever issued, it has been telling the people that in this Government, though forbidden by the Constitution, there would be established a national religion; and that there would be national Sunday legislation at the demand of the churches.

ALL of this is now done by the United States Supreme Court decision of February 29, 1892, declaring this to be a Christian Nation,\* and by Congress, in the act closing the World's Fair on Sunday. In these two governmental actions there lies wrapped up, and only awaiting swift development, all that THE SENTINEL has been telling about, and warning against, these seven years. In thus establishing Christianity as the national religion, the United States is doing just what was done in the Roman Empire in the fourth century; and the result will be the same now that it was then, namely, persecution for conscience' sake.

IN the beginning of the fourth century there was in the Roman Empire, even as there is now in the United States, a powerful ecclesiastical organization, the leaders and managers of which were "only anxious to assert the government as a kind of sovereignty for themselves."—*Eusebius' Ecclesiastical History, book 8, chap. 1.* While "it was the hope of every bishop in the empire to make politics a branch of theology," "it was the aim of

Constantine to make theology a branch of politics." In an intrigue therefore with Constantine, they succeeded in bartering to him their influence and power in theology for his in politics.

As one of the very first fruits of this intrigue, Constantine was established in the rulership of one half of the Roman Empire. Jointly with Licinius, he then issued the Edict of Milan, reversing the persecuting edicts of Diocletian, and granting "liberty and full freedom to the Christians to observe their own mode of worship;" granting "likewise to the Christians and to all, the free choice to follow that mode of worship which they may wish;" "that each may have the privilege to select and to worship whatsoever divinity he pleases;" and commanding that the churches and the church property which had been confiscated by Diocletian, should be restored to "the whole body of Christians," "and to each conventicle respectively."—*Id., book 10, chap. 5.*

THIS was all just and proper enough, and innocent enough, in itself and on its face, if that had been all there was to it. But behind it there lay the ecclesiastical organization, ambitious to assert the government as a kind of sovereignty for itself, and that religio-political intrigue which had been entered into to feed and satisfy this ambition. This ecclesiastical organization likewise claimed to be the legitimate and only true representative and depository of Christianity in the world—it was the Catholic Church. And no sooner had the Edict of Milan ordered the restoration of property to the Christians, than it was seized upon and made an issue by which to secure the imperial recognition and the legal establishment of the Catholic Church.

THE rule had long before been established that all who did not agree with the bishops of the Catholic Church were necessarily heretics, and not Christians at all;

it was now claimed by the Catholic Church that therefore none such were entitled to any benefit from the edict restoring property to the Christians. In other words, the Catholic Church disputed the right of any others than Catholics to receive property or money under the Edict of Milan, by disputing their right to the title of Christians. And by this issue the Catholic Church forced an imperial decision as to who were Christians. Under the circumstances, it was a foregone conclusion that this decision would be in favor of the Catholic Church; and accordingly, Constantine's edict to the consul contained these words:—

It is our will that when thou shalt receive this epistle, if any of those things belonging to the Catholic Church of the Christians in the several cities or other places, are now possessed either by the decurions or any others, these thou shalt cause immediately to be restored to their churches.

BUT this did not settle the controversy. Immediately there were two parties claiming to be the Catholic Church. Therefore the emperor was obliged next to decide which was the Catholic Church. Later Constantine addressed a letter to Cæcilianus, bestowing more favors upon what he now called "the legitimate and most holy Catholic religion." No sooner was it decided what was "the legitimate and most holy Catholic Church," than the civil power was definitely placed at the disposal of this church, with positive instructions to use this power in compelling conformity to the new imperial religion. And persecution was begun at once.

NOR was this long in coming. It all occurred in less than four years. The Edict of Milan was issued in the month of March, A. D. 313. Before that month expired, the decision was rendered that the imperial favors were for the Catholic Church only. In the autumn of the same year, 313, the first council sat to decide which was the Catholic Church. In the summer of 314 sat the second council on the same question. And in 316 the de-

\* The principal part of this decision will be found on another page of this paper.

creed was sent to Cæcilianus, empowering him to distribute the money to the ministers of "the legitimate and most holy Catholic religion," and to use the civil power to force the Donatists to submit to the decision of the councils and the emperor.

#### FOLLOWED INEVITABLY.

The first step taken in the union of Church and State in the Roman Empire, subsequent steps followed, not only easily and naturally, but inevitably. Constantine favored Christianity at the first, just as a whole—"the whole body of Christians." And then he established a particular sect, the "Catholic Church of the Christians," just as easily as he did the first. Just so certainly as the Supreme Court of the United States has established Christianity as the religion of this Nation, in exclusion of all other religions, just so certainly will it, or some other power, have to establish one particular sect in exclusion of all other sects. The Supreme Court hints at Protestantism; but if that is it, somebody will have to decide which sect of Protestantism it is.

Madison and other statesmen of his time knew just as certainly as they knew anything, that if Christianity was established as the State religion there must be a particular sect established, and everybody else be oppressed. Of the attempt to establish Christianity in Virginia, Madison wrote:—

Who does not see that the same authority which can establish Christianity, in exclusion of all other religions, may establish, with the same ease, any particular sect of Christians.

And of such action he said:—

Instead of holding forth an asylum to the persecuted, it is itself a signal of persecution.

Now mark; Madison and his compatriots held this position; they had experienced this in their day. We have had some of it too in our day. They saw in the mere proposition to make Christianity the established religion of Virginia, "a signal of persecution." Just as certainly as the proposition to make Christianity the established religion of the State of Virginia was the signal of persecution in that State, just so certainly this Supreme Court decision *making* Christianity the religion of this Nation, is a signal of persecution through all the Nation. But read again from Madison's remonstrance:—

Distant as it may be in its present form from the Inquisition, it differs from it only in degree. The one is the first step, the other is the last, in the career of intolerance.

In that proposition to establish "the Christian religion" in Virginia, Madison and other lovers of liberty saw the Inquisition. What does the reader see in this decision of the Supreme Court of the United States, which establishes "the Christian religion" as the national religion, and in the act of Congress which establishes as an essential part of Christianity the dogma that Sunday is the Sabbath? Just as certainly as that, back there, was a signal of persecution, and persecution throughout the State, just so certainly are these a signal of persecution, and persecution through all the Nation. Just so certainly as that had in it the Inquisition, just so certainly these have in them the same thing. And just as certainly as that edict of Constantine had in it the Papacy, just so certainly have these in them an image or likeness to the Papacy—an American papacy, distinct from, but no better than, the Roman Papacy.

#### KNEW IT WAS COMING.

We knew it was coming. And this is why for years we so continuously and so earnestly protested, and warned the people, against it. We knew not exactly *how* this union of Church and State, or as some prefer to call it, of religion and the State, would be brought about; we only knew *that* it would come; but we knew enough about the evil thing, to be able to recognize it when it should be formed. We have protested against this great evil; and we still protest against it. We protest against the evil principle itself, and we protest and shall continue to protest against any and all the consequences of the principle.

We had the right to protest against the establishment of a national religion; and we have the right to protest against this national religion now that it is established. In short, we have the divine and everlasting right to dissent from any and every religious organization on earth; and when the Government joins a religious organization, we have the same right still; even to the extent of refusing obedience to the Government itself, *in so far* as it is joined to the religious organization.

The one great object of the grand movement of the churches to secure governmental recognition of religion was to secure legislation by which Sunday observance could be enforced throughout the Nation, backed up by national power and influence. We protested against their movement, and disputed their right, to use the governmental power for any such purpose. Now that they have secured it, we still dispute their right to use it. We had the right to dissent from their claim of right to use the Government for any such purpose; and we have still the right to dissent from their use of the governmental power for this purpose. We had the right to refuse to keep Sunday when it was required by the churches without the aid of the Government; and we have the same right to refuse to keep it when it is required by the churches *with* the aid of the Government. In other words, governmental aid of churches in enforcing their dogmas and ordinances can not take away any man's right to dissent from those dogmas and ordinances. The Government does wrong in aiding the churches; and men do right in dissenting from both churches and Government in the things wherein they are allied.

#### WHY THEY SOUGHT AID.

It was lack of power to convince the people that they ought to keep Sunday as the Sabbath, that caused the churches to demand the governmental power to aid in compelling the people to do this. Lacking the power to persuade the people, the churches resorted to power to compel the people to observe the ordinance of the Church. The religious controversy, as to whether Sunday is a sacred day or not, has been going on in the United States longer than has the movement to secure the recognition or declaration of the Government that it is sacred. Those who demand that Sunday shall be observed have admitted over and over again that there is no divine command for it. And the effort of these churches to secure the alliance and aid of the Government was only an effort to get the national Government to take their side of this controversy. They now have the Government committed to this. In the effort to gain this they have been boastful, and arrogant, and insolent,

enough, in all conscience, as has been abundantly shown by their own words all these years. If any one is inclined to think they will be any less so, now that they have their wish, then the writer only wishes that that one could have sat where he did, in the gallery of the House, when the final vote was taken by which Congress committed the Government to their side of the controversy, and could have seen and heard their exultation.

In this act of closing the World's Fair on Sunday, Congress has distinctly taken sides in a theological controversy. Congress in this, and the Supreme Court in its decision, have committed the Government of the United States to the decision of a religious question. Neither the act of Congress nor the decision of the Supreme Court, will convince the Jew, or the Christian who observes the seventh day, that Sunday should be observed. No more will the National Reformers be able to convince these with the aid of the power which these acts give, to inflict pains and penalties upon dissenters. We disagreed with the National Reformers before; we disagree with them now. We denied before that Sunday should be observed; we deny now that it should be observed. We refused before to keep Sunday; we refuse now to keep Sunday. We denied before, the National Reform claim of right to use the governmental power to compel anybody to keep Sunday; and although they have secured the use of the power, we deny now their right to use it.

#### COMMITTED TO A FALSEHOOD.

All these years we have denied the right of Congress to legislate in behalf of Sunday or any other religious rite or institution. We denied this wholly upon *principle*. We protested against Sunday legislation because it is religious legislation. We would have protested equally if it had been proposed to legislate in behalf of any other religious day. We can appeal to the life of THE SENTINEL as clear evidence that this has always been the one prominent feature and reason of our protest against Sunday legislation. And as long as the question had maintained this standing only, so long would this have still been the prominent feature of our protest. But now Congress has legislated upon the subject. Congress has now decided, and has committed the Government to the decision, that Sunday is the Sabbath and shall be observed. And now we protest against it, not only because it is religious legislation, but also, *because it is not true*. In this act Congress has committed itself and the Government to a falsehood.

Sunday is not the Sabbath. Sunday is not the Lord's day. Sunday is not in any sense a sacred day. As before stated, the chiefest advocates of this Sunday legislation admit in writing that there is no divine command for the observance of Sunday in any way. They know that the only authority for it is the authority of the Church. And if they do not know, they, and everybody else who will look into the question, may learn that "the church" which is authority for Sunday sacredness is *the Catholic Church*, and that alone. And they may likewise know that professed Protestants who keep Sunday, are following the authority of the Catholic Church, and that alone, for there is no other authority for Sunday observance whether by church rulers or governmental statute. And Congress in requir-

ing the observance of Sunday, is requiring submission and obedience to the authority of the Catholic Church, for there is no other authority for Sunday observance. It was therefore perfectly fitting that in the chief speech that was made in favor of the Sunday bill in the Senate (the speech of Senator Hawley of Connecticut), the chief place in the speech should be given to the views of Catholic archbishops upon the subject. But the authority of the Catholic Church is no authority at all; it is only usurpation and fraud, and its Sunday sacredness is a falsehood. Therefore it is that the Congress of the United States, in legislating in behalf of Sunday observance, has committed itself, and the Government of the United States, to a falsehood. And not only to a falsehood, but to a *papal* falsehood. And we refuse to recognize it or yield any respect to it as either true or right.

The seventh day is the Sabbath of the Lord, and Sunday is not the Sabbath. The seventh day is the Lord's day, and Sunday is not. The seventh day is the sacred day and the only sacred day, and Sunday is not at all a sacred day. For thus saith the Lord:—

Remember the Sabbath day to keep it holy. Six days shalt thou labor, and do all thy work; but the seventh day is the Sabbath of the Lord thy God: in it thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maid-servant, nor thy cattle, nor thy stranger that is within thy gates: for in six days the Lord made heaven and earth, the sea, and all that in them is, and rested the seventh day: wherefore the Lord blessed the Sabbath-day, and hallowed it.—Ex. 20: 8-11.

And God blessed the seventh day and sanctified it because that in it he had rested from all his work which God created and made.—Gen. 2: 3.

This is the position and the protest of THE AMERICAN SENTINEL now and always.

### The Supreme Court Establishes a National Religion.

THE methods by which it has been attempted to secure a union of religion and the State in this country have been various. The sought-for end has been obtained in a manner unlooked for either by those who desired its consummation, or by those who opposed it. The first persistent, organized effort was to secure the insertion of the name of God in the Constitution with such language as should declare a governmental acceptance of the moral laws of the Christian religion, and indicate this to be a Christian Nation. No direct efforts to gain this ever met with a shadow of success.

In the Forty-ninth Congress began the present agitation to secure congressional legislation upon the observance of Sunday, bills to that end were introduced in the Fiftieth, Fifty-first, and Fifty-second Congress. The first positive step in the governmental establishment of a national religion, however, was to come from the judiciary, instead of from the legislative branch of the Government. The adverse opinion of Judge Hammond, of the Circuit Court of the United States for the Western District of Tennessee, Aug. 1, 1891, in the appealed case of R. M. King, convicted on indictment for Sunday labor, foreshadowed the judicial status on this question. Feb. 29, 1892, Mr. Justice Brewer, of the United States Supreme Court, delivered the opinion of the Court in the matter of the Rector, etc., of the Church of the Holy Trinity, of New York City vs. the

United States. In this case an English clergyman came to New York under contract to serve a religious body in a ministerial capacity. The contract labor law was invoked, and it was held that the law had been violated. The case was appealed to the United States Supreme Court.

In this matter the ground of decision would seem to have been simple enough. Questions pertaining to religion, or the ecclesiastical business of religious bodies, are not within the sphere of congressional legislation. They are not within the jurisdiction of civil courts. They are excluded by the language, spirit and intent, of the First Amendment to the Constitution.

Legislation by Congress including such matters would have been unconstitutional and void. This would have been the correct view. But this view Justice Brewer did not take. He took it for granted that Congress may properly legislate as to ministerial and missionary labor, and argued for a restricted interpretation in this case, admitting this class of laborers. Following this division of his argument, he says:—

#### COLONIAL CHARTERS ESTABLISH A UNION OF RELIGION AND THE STATE.

No purpose of action against religion can be imputed to any legislation, State or Nation, because this is a religious people. This is historically true. From the discovery of this continent to the present hour there is a single voice making this affirmation. The commission to Christopher Columbus, prior to his sail westward, is from "Ferdinand and Isabella, by the grace of God, King and Queen of Castile," &c., and recites that "it is to be hoped that by God's assistance some of the continents and islands in the ocean will be discovered," &c. The first colonial grant, that made to Sir Walter Raleigh in 1584, was from "Elizabeth, by the grace of God, of England, France and Ireland, queene, defender of the faith," &c.; and the grant authorizing him to enact statutes for the government of the proposed colony provided that "they be not against the true Christian faith now professed in the Church of England." The first charter of Virginia, granted by King James I in 1606, after reciting the application of certain parties for a charter, commenced the grant in these words: "We, greatly commending, and graciously accepting of, their Desires for the Furtherance of so noble a Work, which may, by the Providence of Almighty God, hereafter tend to the Glory of his Divine Majesty, in propagating of Christian Religion to such People, as yet live in Darkness and miserable Ignorance of the true Knowledge and Worship of God, and may in time bring the Infidels and Savages, living in those parts, to human Civility, and to a settled and quiet Government; DO, by these our Letters-Patents, graciously accept of, and agree to, their humble and well-intended Desires."

Language of similar import may be found in the subsequent charters of that colony, from the same King, in 1609 and 1611; and the same is true of the various charters granted to the other colonies. In language more or less emphatic is the establishment of the Christian religion declared to be one of the purposes of the grant. The celebrated compact made by the Pilgrims in the *Mayflower* 1620, recites: "Having undertaken for the Glory of God, and Advancement of the Christian Faith, and the Honour of our King and Country, a Voyage to plant the first Colony in the northern parts of Virginia; Do by these Presents, solemnly and mutually, in the Presence of God and one another, covenant and combine ourselves together into a civil Body Politick, for our better Ordering and Preservation, and Furtherance of the Ends aforesaid."

The fundamental orders of Connecticut, under which a provisional government was instituted in 1638-1639, commence with this declaration: "Forasmuch as it hath pleased the Almighty God by the wise disposition of his diuine prudence so to Order and dispose of things that we the Inhabitants and Residents of Windsor, Hartford and Wethersfield are now cohabiting and dwelling in and vpon the River of Conectecotte and the Lands thereunto adioyning; And well knowing where a people are gathered together the word of God requires that to mayntayne the peace and vnion of such a people there should be an orderly and decent Government established according to God, to order and dispose of the affayres of the

people at all seasons as occasion shall require; doe therefore assoiate and conioyne our selues to be as one Publike State or Comonwelth; and doe, for our selues and our Successors and such as shall be adioyned to vs att any tyme hereafter, enter into Combination and Confederation together, to mayntayne and presecure the liberty and purity of the gospell of our Lord Jesus wch we now p'fesse, as also the disciplyne of the Churches, wch according to the truth of the said gospell is now practised amongst vs."

In the charter of privileges granted by William Penn to the province of Pennsylvania, in 1701, it is recited: "Because no People can be truly happy, though under the greatest Enjoyment of Civil Liberties, if abridged of the Freedom of their Consciences, as to their Religious Profession and Worship; and Almighty God being the only Lord of Conscience, Father of Lights and Spirits; and the Author as well as Object of all diuine Knowledge, Faith and Worship, who only doth enlighten the Minds, and persuade and convince the Understandings of People, I do hereby grant and declare," &c.

#### THE DECLARATION CLASSED WITH COLONIAL CHARTERS.

Coming nearer to the present time, the Declaration of Independence recognizes the presence of the Divine in human affairs in these words: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness." "We, therefore, the Representatives of the united States of America, in General Congress, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name and by Authority of the good People of these Colonies, solemnly publish and declare," &c.; "And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor."

#### STATE CONSTITUTIONS ALSO UNITE RELIGION AND STATE.

If we examine the Constitutions of the various States we find in them a constant recognition of religious obligations. Every Constitution of every one of the forty-four States contains language which either directly or by clear implication recognizes a profound reverence for religion and an assumption that its influence in all human affairs is essential to the well being of the community. This recognition may be in the preamble, such as is found in the Constitution of Illinois, 1870: "We, the people of the State of Illinois, grateful to Almighty God for the civil, political, and religious liberty which He hath so long permitted us to enjoy, and looking to him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations," etc.

It may be only in the familiar requisition that all officers shall take an oath closing with the declaration "so help me God." It may be in clauses like that of the Constitution of Indiana, 1816, Article XI, section 4: "The manner of administering an oath or affirmation shall be such as is most consistent with the conscience of the deponent, and shall be esteemed the most solemn appeal to God." Or in provisions such as are found in Articles 36 and 37 of the Declaration of Rights of the Constitution of Maryland, 1867: "That as it is the duty of every man to worship God in such manner as he thinks most acceptable to him, all persons are equally entitled to protection in their religious liberty; wherefore, no person ought, by any law, to be molested in his person or estate on account of his religious persuasion or profession, or for his religious practice, unless, under the color of religion, he shall disturb the good order, peace, or safety of the State, or shall infringe the laws of morality, or injure others in their natural, civil or religious rights; nor ought any person to be compelled to frequent or maintain or contribute, unless on contract, to maintain any place of worship, or any ministry; nor shall any person, otherwise competent, be deemed incompetent as a witness, or juror, on account of his religious belief: *Provided*, He believes in the existence of God, and that, under his dispensation, such person will be held morally accountable for his acts, and be rewarded or punished therefor, either in this world or the world to come. That no religious test ought ever to be required as a qualification for any office of profit or trust in this State, other than a declaration of belief in the existence of God; nor shall the legislature prescribe any other oath of office than the oath prescribed by this Constitution." Or like that in Articles 2 and 3, of Part 1st. of the Constitution of Massachusetts, 1780: "It is the right as well as the duty of all men in society publicly and at stated seasons, to worship the Supreme Being, the great Creator and Preserver of the universe. . . . As the happiness of a people and the good

order and preservation of civil government essentially depend upon piety, religion, and morality, and as these can not be generally diffused through a community but by the institution of the public worship of God and of public instructions in piety, religion, and morality: Therefore to promote their happiness and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies-politic or religious societies to make suitable provision, at their own expense, for the institution of the public worship of God and for the support and maintenance of public Protestant teachers of piety, religion, and morality in all cases where such provision shall not be made voluntarily." Or as in sections 5 and 14 of article 7, of the Constitution of Mississippi, 1832: "No person who denies the being of a God, or a future state of rewards and punishments, shall hold any office in the civil department of this State. . . . Religion, morality, and knowledge being necessary to good government, the preservation of liberty, and the happiness of mankind, schools, and the means of education, shall forever be encouraged in this State." Or by article 22 of the Constitution of Delaware, 1776, which required all officers, besides an oath of allegiance, to make and subscribe the following declaration: "I, A. B., do profess faith in God the Father, and in Jesus Christ His only Son, and in the Holy Ghost, one God, blessed for evermore; and I do acknowledge the Holy Scriptures of the Old and New Testament to be given by divine inspiration."

#### THE CONSTITUTION ITSELF AN ECCLESIASTICAL DOCUMENT.

Even the Constitution of the United States, which is supposed to have little touch upon the private life of the individual, contains in the First Amendment a declaration common to the Constitutions of all the States, as follows: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," &c. And also provides in article 1, section 7, (a provision common to many constitutions,) that the Executive shall have ten days (Sundays excepted) within which to determine whether he will approve or veto a bill.

#### THE COURTS AFFIRM A UNION OF RELIGION WITH THE NATION.

There is no dissonance in these declarations. There is a universal language pervading them all, having one meaning; they affirm and reaffirm that this is a religious Nation. These are not individual sayings, declarations of private persons; they are organic utterances; they speak the voice of the entire people. While because of a general recognition of this truth the question has seldom been presented to the courts, yet we find that in *Updegraff v. The Commonwealth*, (11 Serg. & Rawle, 394, 400,) it was decided that, "Christianity, general Christianity, is, and always has been, a part of the common law of Pennsylvania; . . . not Christianity with an established church, and tithes, and spiritual courts; but Christianity with liberty of conscience to all men." And in *The People v. Ruggles*, (8 Johns. 290, 294, 295,) Chancellor Kent, the great commentator on American law, speaking as Chief Justice of the Supreme Court of New York, said: "The people of this State, in common with the people of this country, profess the general doctrines of Christianity, as the rule of their faith and practice; and to scandalize the author of these doctrines is not only, in a religious point of view, extremely impious, but, even in respect to the obligations due to society, is a gross violation of decency and good order. . . . The free, equal, and undisturbed enjoyment of religious opinion, whatever it may be, and free and decent discussions on any religious subject, is granted and secured; but to revile, with malicious and blasphemous contempt, the religion professed by almost the whole community, is an abuse of that right. Nor are we bound, by any expressions in the Constitution, as some have strangely supposed, either not to punish at all, or to punish indiscriminately, the like attacks upon the religion of *Mahomet* or of the grand *Lama*; and for this plain reason, that the case assumes that we are a Christian people, and the morality of the country is deeply ingrafted upon Christianity, and not upon the doctrines or worship of those impostors." And in the famous case of *Vidal v. Girard's Executors*, (2 How. 127, 198,) this court, while sustaining the will of Mr. Girard, with its provision for the creation of a college into which no minister should be permitted to enter, observed: "It is also said, and truly, that the Christian religion is a part of the common law of Pennsylvania."

#### AMERICAN CUSTOMS ESTABLISH A UNION OF CHURCH AND STATE.

If we pass beyond these matters to a view of

American life as expressed by its laws, its business, its customs and its society, we find everywhere a clear recognition of the same truth. Among other matters note the following: The form of oath universally prevailing, concluding with an appeal to the Almighty; the custom of opening sessions of all deliberative bodies and most conventions with prayer; the prefatory words of all wills, "In the name of God, amen;" the laws respecting the observance of the Sabbath; with the general cessation of all secular business, and the closing of courts, legislatures, and other similar public assemblies on that day; the churches and church organizations which abound in every city, town, and hamlet; the multitude of charitable organizations existing everywhere under Christian auspices; the gigantic missionary associations, with general support, and aiming to establish Christian missions in every quarter of the globe. These, and many other matters which might be noticed, add a volume of unofficial declarations to the mass of organic utterances that this is a Christian Nation. In the face of all these, shall it be believed that a Congress of the United States intended to make it a misdemeanor for a church of this country to contract for the services of a Christian minister residing in another nation?

Suppose in the Congress that passed this act some member had offered a bill which in terms declared that, if any Roman Catholic Church in this country should contract with Cardinal Manning to come to this country and enter into its service as pastor and priest; or any Episcopal Church should enter into a like contract with Canon Farrar; or any Baptist Church should make similar arrangements with Rev. Mr. Spurgeon; or any Jewish synagogue with some eminent Rabbi, such contract should be adjudged unlawful and void, and the church making it be subject to prosecution and punishment, can it be believed that it would have received a minute of approving thought or a single vote. Yet it is contended that such was in effect the meaning of this statute. The construction invoked can not be accepted as correct. It is a case where there was presented a definite evil, in view of which the legislature used general terms with the purpose of reaching all phases of that evil, and thereafter, unexpectedly, it is developed that the general language thus employed is broad enough to reach cases and acts which the whole history and life of the country affirm could not have been intentionally legislated against. It is the duty of the courts, under those circumstances, to say that, however broad the language or the statute may be, the act, although within the letter, is not within the intention of the legislature, and therefore can not be within the statute.

The judgment will be reversed, and the case remanded for further proceedings in accordance with this opinion.

#### THE COURT OF LAST RESORT HAS INTERPRETED THE CONSTITUTION.

From this opinion there was no dissent. It stands as the unanimous decision of the highest tribunal in the land. Thus the supreme judicial authority of this country declares for an establishment of religion. More than that, it asserts that there has never been a separation of religion and the State here. It assures the American citizen and the world, that there is no dissonance between the Declaration of Independence, the First Amendment to the Constitution, the bills of rights of the different State Constitutions, and the Colonial Church and State charters, or the governmental Church establishments which sent out their explorers and adventurers to aggrandize and enrich their State Church.

To the American citizen the Supreme Court of the United States is an arbiter in the last resort. To that is his final recourse; beyond that he can appeal no farther, except to his Maker. The Constitution itself defines the extent of the judicial powers of the Supreme Court, and gives that court power over the Constitution itself. The jurisdiction of the Supreme Court extends to all cases arising under the Constitution and the laws of Congress. It is the sphere of the Supreme Court, then, to interpret the Constitution, and its authority is final as to whether acts of Congress, or of Legislatures, or decrees of courts are in conflict with the Constitution or are consonant

with it. Judging from this unanimous decision of the Supreme Court, what religious enactment by Congress, what religious statute from State Legislatures, what religious decree by civil courts, would be in dissonance with the Constitution?

Further developments must follow such a deliverance from the Supreme Court. An organized and aggressive religious minority is in readiness to make the fullest possible use of such an utterance, from such a source. To such an authority every court and every legislator, either State or national, must bow. That religious minority knows this well. It will use this knowledge and this power. Corresponding developments are to be expected. They have already presented themselves in congressional legislation.

W. H. M.

#### Legislative Developments Uniting Religion and the State.

##### THE BLAIR EDUCATIONAL AMENDMENT.

THE first bill, having for its purpose the union of religion and the State, to receive the approval of the congressional committee to which it had been referred, was the joint resolution proposing a constitutional amendment, respecting religion and the public schools, offered in the Senate by Henry W. Blair, then senator from New Hampshire, May 25, 1888, and introduced in succeeding Congresses. The first section of this proposed amendment applied the First Amendment to the Constitution to the individual States, prohibiting them from legislating in respect to religion or interfering with its free exercise. The second section of the proposed amendment, however, contained a clause requiring the principles of the Christian religion to be taught in the public schools by the State. As first presented, this clause read, "In the principles of the Christian religion;" it was afterwards changed to read, "In knowledge of the fundamental and non-sectarian principles of Christianity." This called for the legal establishment of the principles of the Christian religion. It also, by necessary implication, required a belief in the principles of the Christian religion as a necessary qualification of a teacher,—thus affixing a religious test to the position of teacher in the public schools. By this the legal status of the Federal and State governments respecting legislation upon religious questions would have been reversed. A positive prohibition would have been put upon State legislatures, while that which was prohibited to the States would have been assumed by Congress; and the First Amendment to the Constitution, and the clause forbidding the application of any religious test as a qualification for a public trust, would have been done away with. This would have been one way to have established a national religion in the United States. The measure was however finally lost by a very close vote in the Fifty-first Congress.

##### THE NATIONAL SUNDAY BILL.

A few days previous to the presentation of this constitutional amendment as to religious education in the United States,—May 21, 1888,—the same senator presented another bill "to secure to the people the enjoyment of the first day of

the week, commonly known as the Lord's day, as a day of rest, and to promote its observance as a day of religious worship." This title was afterwards changed to read, "A bill to secure to the people the privileges of rest and of religious worship, free from disturbance by others, on the first day of the week." The six sections of the bill constituted a national Sunday law, complete in all its specifications, forbidding all Sunday labor, and amusements, in territory subject to the exclusive jurisdiction of the United States; the carrying and delivery of mails, inter-state commerce, all military and naval drills in time of peace; and providing that when payment had been made for Sunday services rendered it might be "recovered back" by the person first suing for it.

This measure would naturally follow in logical order the proposed constitutional amendment. That would have forbidden the States to establish religions independently, and by providing for the national teaching of religion, would of course necessitate the defining and establishing of a national religion to be taught. The national Sunday law would then have been a statute under the Constitution as amended. It would have been the first religious law enacted under a national religion. It would have been a consistent means by which to have begun the active enforcement of the tenets of the national religion which the amendment would have incorporated into the Constitution. But the national religion of the United States was not to be so established, nor its enforcement so begun. The bill to create a national Sunday law never was reported from the committee to which it was referred and died with the close of the senatorial career of Mr. Blair.

#### SUNDAY BILL FOR THE DISTRICT OF COLUMBIA.

January 6, 1890, Mr. Breckinridge, of Kentucky, introduced into the House of Representatives "A bill to prevent persons from being forced to labor on Sunday." This bill enacted:—

That it shall be unlawful for any person or corporation, or employee of any person or corporation, in the District of Columbia, to perform any secular labor or business, or cause the same to be performed by any person in their employment, on Sunday, except works of necessity or mercy; nor shall it be lawful for any person or corporation to receive pay for labor or services performed or rendered in violation of this act.

Any person or corporation, or employee of any person or corporation, in the District of Columbia, who shall violate the provisions of this act, shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars for every such offense: *Provided, however,* that the provisions of this act shall not be construed to apply to any person or persons who conscientiously believe in and observe any other day of the week than Sunday as a day of rest.

The purpose of this was to commit Congress, in local legislation for the District of Columbia, to the general principles of legislation upon religion and the enactment of law for the enforcement of Sunday observance. Could the passage of this bill have been secured, the way would have been opened for the bill to secure national Sunday observance, as the only difference between the two would have been in the extent of their application. This bill was referred to the House Committee on the District of Columbia, and has never been reported from that committee.

#### SUNDAY ICE BILL FOR THE DISTRICT.

The failure to secure a general Sunday

law for the District of Columbia led to the presentation of a bill of still more restricted application but precisely the same in principle. April 25, 1892, Mr. McMillan, of Michigan, in the Senate, and Mr. Hemphill, of South Carolina, in the House introduced this bill, by request:—

A bill prohibiting the delivery and sale of ice within the District of Columbia on the Sabbath day, commonly known as Sunday.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:*

That from and after the passage of this act it shall be unlawful to sell or deliver ice in any quantity or quantities, by means of wagons or other vehicles, on the public streets or thoroughfares or at depots or offices within the District of Columbia, on the Sabbath day, commonly known as Sunday.

Sec. 2. That any person or corporation violating the provisions of this act shall be liable to a penalty of not less than twenty-five dollars nor more than fifty dollars for each offense upon conviction in the police court of the District of Columbia.

Sec. 3. That all acts or parts of acts inconsistent with this act be, and the same are hereby, repealed.

This varies from the Sunday bill for the District,—“To prevent persons from being forced to labor,”—in no way except that while the other is an attempt to secure a sweeping Sunday law to include all forms of labor, this specifies but one, but its passage would pave the way for other special enactments, until, at length, the full scope of the general act would be reached. This bill met the approval of the District Committees of both Houses, and was reported to the House and passed. Before passage, the word “prohibiting” in the title was amended to read, “regulating;” and the insertion of the words, “except between the hours of 7 and 9 o'clock antemeridian and 5 and 6 o'clock postmeridian,” was made after the expression, “commonly known as Sunday.” This was the first instance, in the legislative history of the United States, in which either house of Congress ever intelligently and deliberately legislated upon a religious question. In this case, too, it is to be noticed, and remembered, that the House of Representatives presumes to decide authoritatively, so far as the wording and spirit of the bill can go, that Sunday is “the Sabbath.” This bill has not yet been reported to the Senate.

#### TO PROHIBIT SUNDAY OPENING OF EXPOSITIONS.

No sooner had the holding of the great Exposition, commemorative of the discovery of America by Columbus, been determined upon, than it was immediately seen that here was an opportunity to further the cause of Sunday observance by congressional legislation. Mr. Morse, a representative from Massachusetts, and Mr. Dawes, a senator from the same State, introduced in the House and the Senate, respectively, the following:—

A bill to prohibit the opening of any exhibition or exposition on Sunday where appropriations of the United States are expended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:*

That no exhibition or exposition for which appropriation is made by Congress shall be opened on Sunday.

Sec. 2. That any violation of this act shall be punishable by a fine of not less than one hundred dollars nor more than one thousand dollars for every violation of the foregoing act.

This bill was referred to the committees on the World's Fair, of both Senate and House, and strenuously advocated before them; several hearings being granted on the matter by both committees. It was soon seen, however, by the advocates of

congressional legislation upon Sunday observance that the terms of this bill were too general, and that it covered so much as to be in danger of failure from that fact. Their demand was therefore reduced to the very least compatible with the attainment of their purpose. It was determined to attain Sunday closing of the World's Fair and the committal of Congress to legislation upon religion by an indirection.

#### PROVISO CONDITIONING APPROPRIATIONS ON SUNDAY CLOSING.

The insertion of the appropriation for the World's Fair as a clause in the Sundry Civil Appropriation bill was decided upon. There was a purpose in this,—for, once passed, with whatever provisos might be attached, being incorporated into the bill providing for the running expenses of the Government, it must stand with the entire bill. However, on May 25, in the House of Representatives, Mr. Johnstone, of South Carolina, precipitated the discussion of the Sunday closing question, by offering an amendment to the clause of the Sundry Civil bill, then under consideration, appropriating funds for the Government exhibit, as follows:—

*Provided,* That no part of the amount hereby appropriated shall be available unless the doors of the Exposition shall be closed on Sunday.

This would have made the Sunday closing of the entire Exposition a condition precedent to the making of an individual exhibit by the general Government. After two days of the most boisterous and excited scenes witnessed during this session of Congress another provision was substituted for this and passed, as follows:—

*Provided,* that the Government exhibits at the World's Columbian Exposition shall not be opened to the public on Sundays.

This was carried by a vote of 131 to 36. In this the House of Representatives committed itself, a second time, to an acknowledged act of religious legislation, and by a vote of almost four to one.

#### THE SENATE CONDITIONS THE ENTIRE APPROPRIATION ON SUNDAY CLOSING.

When, in the Senate, an amendment to the Sundry Civil bill, appropriating five millions of dollars for the World's Fair, was offered, Mr. Quay, of Pennsylvania, moved to insert a Sunday closing provision in language and manner worthy of note; and to be remembered as the real initial step in the general enforcement of religion by the Government of the United States, in pursuance of the decision of the Supreme Court that this is a religious and a Christian Nation.

The *Congressional Record* reads thus:—

MR. QUAY. On page 122, line 13, after the word “act,” I move to insert:

And that provision has been made by the proper authority for the closing of the Exposition on the Sabbath day.

The reasons for the amendment I will send to the desk to be read. The secretary will have the kindness to read from the Book of Law I send to the desk, the part enclosed in brackets.

THE VICE-PRESIDENT. The part indicated will be read.

The secretary read as follows:—

Remember the Sabbath day to keep it holy. Six days shalt thou labor, and do all thy work; But the seventh day is the Sabbath of the Lord thy God: in it thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor thy stranger that is within thy gates: For in six days the Lord made heaven and earth, the sea, and all that in them is, and rested the seventh day: wherefore the Lord blessed the Sabbath day and hallowed it.

The discussion which followed upon this amendment deserves well to rank among the debates in the great religious councils of the fourth century. It was

even more significant than they. Its result is fraught with even greater peril, as it marks the culmination of added centuries of error, and also because, that, amid the greater opportunities to know and do the right, the wrong has been deliberately chosen.

As an amendment to Mr. Quay's amendment Mr. Gray, of Delaware, offered the following—it was accepted by Mr. Quay and reads thus:—

And it is hereby declared that all appropriations herein made for, or pertaining to, the World's Columbian Exposition are made under the condition that the said Exposition shall not be open to the public on the first day of the week, commonly called Sunday; and if the said appropriations be accepted by the corporation of the State of Illinois, known as the World's Columbian Exposition upon that condition, it shall be, and it is hereby made, the duty of the World's Columbian Commission, created by the act of Congress of April 25, 1890, to make such rules or modification of the rules of said corporation as shall require the closing of the Exposition on the said first day of the week, commonly called Sunday.

This was adopted by the Senate, on July 14; and by the House, on July 19; and received the signature of the President of the United States on August 5. It is now the law.

This is the first finished enactment of religion by the Congress of the United States in the history of the Government. Its importance as a historical event can not be over-stated. Its significance as to the legislative future of this country can not be put into language too vivid or too intense. The centuries have waited to see this day. The Spirit of all evil has bided his time to this hour. Here and now he begins an onset upon the principles of justice and equity, for which this Nation and Government has heretofore stood, such as humanity has never yet met in all its bitter experiences. He is about to come to the conflict himself, in great wrath, knowing that his time is not long.

#### THE DEVELOPMENT OF LEGISLATION UNITING RELIGION AND STATE.

The first attempt to develop a State religion was made through educational channels. It was consistent. The success of that measure would have established a State religion, and would have provided for the education of the young in that religion.

The passage of the National Sunday law and the Sunday law for the District of Columbia was necessarily dependent upon the success of the constitutional amendment, which would have reversed existing constitutional principles, and made their adoption technically possible.

The failure to establish a religion left no basis upon which to legislate for a religion. The enactment of religious statutes must therefore be held in abeyance until a basis should be made, or found, in the supreme law of the land, by which they might be justified. Justice Brewer both found and made this basis, in the decision of the Supreme Court in the case of the Rector of the Church of the Holy Trinity, etc. vs. the United States, delivered February 29, 1892. He decided that the national religion was not only established, but had always existed.

No better apparent foundation than this could possibly be made. Had the previous attempt succeeded, its validity, its terms, and its form, would have been subject to the interpretation of the Supreme Court. Here, however, the necessary dictum issued, first hand, from the Supreme Court itself. Whether congressmen consciously

recognized this fact or not it is nevertheless true that they were waiting, and did wait, for this before they acted. When this decision had been made they acted forthwith, and acted consistently therewith. They accepted it as a decree for a national religion, and proceeded in due manner and form to develop that religion on legislative lines.

Of the congressional discussion of the legislative measure in which that was done, by conditioning Government appropriations on Sunday observance, the *New York Christian Advocate* says:—

Every utterance upon this subject was in harmony with a late decision of the United States Supreme Court whereby it is to be forever regarded as a settled principle that this is a Christian nation.

The chaplain, himself, of the Senate, said, in an article in the *New York Independent*, in reference to this same occasion:—

During this debate you might have imagined yourself in a general council, or assembly, or synod, or conference.

The chaplain was more right than he dared to say. It was no imagination. He characterized the occasion correctly. The Supreme Court had established a religion, and the chaplain had just witnessed the first legislative council of that religion held in the Senate chamber of the United States.

The first enactment of the General Council of the national religion at Washington was to enforce Sunday observance. The second was passed seven days later, and consisted of a law for the District of Columbia, which reads:—

That it shall not be lawful for any person or persons to curse, swear, or make use of any profane language, . . . under a penalty of not exceeding twenty dollars for each and every offense.

Already the "general council, or assembly, or synod, or conference," has touched two points of the many which, as representing a religion, it is now bound to legislatively consider. It has provided against the desecration of Sunday at the World's Fair, and forbidden profanity in the District of Columbia.

A sufficient foundation has been laid. There is no higher authority than a decree of the Supreme Court. Until such a foundation had been placed, either by the Supreme Court, or by a constitutional amendment,—subjected to the revision, criticism and interpretation of the Supreme Court,—such legislation upon religion could not have been logically had. The constitutional amendment would have involved a long course of procedure. But now the result sought has been gained without recourse to legislatures or people. The fatal work has been done speedily, and without the knowledge of the people. Now, the remaining religious bills referred to the different congressional committees, and not yet reported, may be consistently passed at any time. The national Sunday bill may be re-introduced and adopted. New and more vigorous measures, such as have not yet been framed or conceived, may be offered and passed in their regular course. The way is now fully open.

The necessary logical line of action which must have been taken had been followed in the progress of this matter. It makes no difference whether the originators of these measures, or whether the congressmen in general, or whether the Supreme Court itself realized these facts or not, they are none the less facts,—and part of the inexorable march of history and history-making.

The decision of the Supreme Court, as voiced by Justice Brewer, has established a national religion; the first decree, under this establishment, is the conditioning of governmental appropriations, for the World's Fair, upon the assurance that respect shall be paid, at that time and place, to the especial and distinctive sign, or public evidence, of the acceptance of that religion, which the Supreme Court has affirmed to be the national religion.

The Supreme Court has established a religion. Congress has legislated in accordance with that established religion.

W. H. M.

#### The Change of the Sabbath, and its Relation to Sunday Legislation.

THE friends of the Sunday Sabbath are fast becoming the friends of Sunday laws and their enforcement. With such we are compelled to join issue, for they are wrong in both respects. Sunday is not the Sabbath of the Bible; and Sabbath laws, whether the Sabbath legislated upon be true or false, are out of place in a civil government, for such governments can of right have nothing whatever to do with the enforcement of religious rites, or in determining what are one's duties to God or how he should perform them.

Many are not aware of the origin of the Sunday Sabbath, or how or by what means it came to take the place of the seventh-day Sabbath—the Sabbath of the Bible. But if they will study the history of the first four centuries of the Christian era, they will learn how this, together with other errors and corruptions, came in by the workings of that "mystery of iniquity," and that "man of sin" foretold by Paul. From an alleged desire to have "nothing in common with the Jews," the Bible Sabbath was cast aside, and a day which had come to be regarded as a church festival in honor of the resurrection, as others were, likewise, of the betrayal and crucifixion, was afterward allowed to take the place of the seventh-day Sabbath, the only weekly Sabbath God ever made or gave to man.

Although the elements which finally culminated in this were early at work, even in Paul's day, the substitution, or the putting of the Sunday in the place of the Bible Sabbath, did not take place until the Church had become so corrupted and so lost to the simplicity of the gospel as to ally itself to worldly power. This alliance took place in the fourth century, under the reign of Constantine. This is attested by the best historians, such as Neander, Schaff, Draper, etc. Draper says: "It was the aim of Constantine to make theology a branch of politics; it was the hope of every bishop in the empire to make politics a branch of theology." And speaking further of the condition of things under the reign of Constantine, he says: "The unavoidable consequences were a union between the Church and State." See his "Intellectual Development of Europe," chapters 9 and 10.

Under Constantine, Christianity, through an advantage taken by the church bishops of his edict of Milan, was recognized as the religion of the empire, and the first day of the week was made the national weekly rest-day.

It is asked by some if a government has no right to establish a weekly rest-day, why God established a weekly rest-day for the Jewish nation, and incorporated it into their national law. The answer is

easy. The Jewish nation was a theocracy. God was its primary ruler and lawgiver; and consequently his law, of which the Sabbath commandment is a part, was the fundamental law or constitution of the nation. He gave them their laws, ordained their manner of worship, and chose their leaders, their prophets, their priests, and their kings. This was a theocracy—a religious government, a government by God. No such government now exists, and has not since the diadem was removed from the head of its last and rebellious king, and the kingdom thrice overturned. Ezek. 21: 25-27. All governments upon earth now are simply civil governments. In these the people elect or crown their own rulers, and make their own laws. Although they may meddle with religious matters, they have no right to. It is not their business. This is why all Sunday legislation is out of place in civil government. It is the business of such governments to protect men from violence or real disturbance in keeping Sunday if they wish to keep it, but not to compel others to keep it just because their neighbors do, or because some or even the great majority may think it is the Sabbath.

The testimony of what are called "the fathers" is sometimes referred to in support of the Sunday Sabbath. Tertullian, Justin Martyr, Barnabas, Ignatius, and others, are quoted; but by none of these is it shown that the day was at first observed as "the Sabbath," but rather as "a solemn festival of the resurrection," which they had instituted themselves.

Says Sir William Domville:—

Centuries of the Christian era passed away before the Sunday was observed as a Sabbath. History does not furnish us with a single proof or indication that it was at any time so observed previous to the Sabbatical edict of Constantine, in A. D. 321.—*Examination of the Six Texts, p. 291.*

"Chambers' Encyclopedia" says:—

By none of the fathers before the fourth century is it identified with the Sabbath, nor is the duty of observing it grounded by them either on the fourth commandment or on the precept of Jesus or his apostles.—*Article "Sabbath."*

Bishop Jeremy Taylor thus testifies:—

The primitive Christians did all manner of work upon the Lord's day [Sunday], even in the times of persecution, when they are the strictest observers of all the divine commandments; but in this they knew there were none.—*Ductor Dubitantium, part 1, book 2, chap. 2, sec. 59.*

As scriptural authority for the Sunday Sabbath, Acts 20: 7, and John 20: 19, 26, are adduced as proof. From these it is claimed that the disciples met on the first day of the week to worship, that Christ met and worshiped with them, and that the day thenceforth was the Christian Sabbath. From Acts 2: 46, it will be seen that the disciples and early Christians at one time met every day to worship, but this does not prove that all days are Sabbaths. Meeting on a day for worship does not make a Sabbath out of it, else the day on the evening of which prayer-meetings are usually held would be a Sabbath.

But there is no proof that the disciples met on the evening of the day of the resurrection to worship. They had a common abode (Acts 1: 13), and were partaking of their evening meal (Mark 16:14) when Christ appeared to them. John says that on the evening of this day "when the doors were shut where the disciples were assembled for fear of the Jews, came Jesus and stood in the midst." John 20: 19. Neither did Jesus meet with them to worship, but to show himself to them, that they might be witnesses of his resurrection on "the third day" after his betrayal

and crucifixion, according to his word, which was the first day of the week. Matt. 16: 21; 17: 22, 23; Acts 2: 32; 10: 39-41.

Christ's resurrection on this day did not make a Sabbath out of it, neither did his meeting with his disciples and showing himself to them set it apart as such. Furthermore, there is no scripture showing that this day was ever divinely set apart in honor of the resurrection. All observance of it as such is therefore gratuitous and without divine authority. The Methodist Theological Compendium correctly states the case when, on page 103 (edition 1865), it says:—

It is true, there is no positive command for infant baptism, . . . nor is there any for keeping holy the first day of the week.

This being the case, Sunday is therefore not the Sabbath; it is not the Lord's day; neither is it a sacred or a holy day. In explanation of how it came to be regarded as such, the testimony of Eusebius, who wrote his history of Christianity in the year 324, should not be forgotten. He says:—

And all things whatsoever that it was the duty to do on the Sabbath, these we have transferred to the Lord's day, as more honorable than the Jewish Sabbath.—*Sabbath Manual, p. 127.*

The change of the Sabbath from the seventh day to the first day was therefore by human and not divine authority. In the substitution lies the evil. The seventh day is still the Sabbath of the Lord. Baptism is the only divinely appointed memorial of Christ's burial and resurrection (Rom. 6: 3, 4; Col. 2: 12; 1 Peter 3: 21), and the Sabbath is still the Lord's rest-day, and the sign between Him and his people that they know and worship the true and living God, who created the heavens and the earth. It is also the sign that they may know that the one who sanctified the day is the one who sanctifies them. Ex. 31: 13, 17; Ezek. 20: 12.

But many will not have it this way. They will cling to the human institution after it has been clearly proved that there is no divine authority for it. They are so wedded to custom and the way their fathers trod they will not change and walk in the light, shine it never so brightly. They are bound to keep Sunday anyway. And they can not endure to have any one say it is not the Sabbath, though God in all his Word has nowhere said it is. The keeping of the seventh day is an offense to them; and laboring on Sunday, especially upon the part of those who keep the seventh day, they regard as sinful, though God has never pronounced it such. And because of a general and growing disregard for the day as a holy and a sacred day, and because they can not find in the Scriptures proof for the institution with which to convince the people of its sacredness and urge upon them its observance, appeal is made to civil law. The State is asked to enforce its observance under civil pains and penalties. This accounts for the existence of all the Sunday laws from Constantine's time down to the present day. They have been asked for by "the Church," to take the place of a law God never gave, and to enforce the observance of a day he never set apart, blessed, nor commanded to be kept holy. And the inherent wickedness of these laws is manifested in the fact that, wherever they are operative, about the only ones against whom it is sought to rigidly enforce them are those who conscientiously observe the seventh day, the only weekly Sabbath day God ever set apart, sanctified,

and blessed. Sunday laws have a direct reference to the fourth commandment, and are subversive of and antagonistic to it. Their unchristian character is shown in the attempt made through them to change, and thus strike against, that law which Christ honored and magnified in all his life and teachings, and in the persecuting nature manifested in their enforcement. Reader, on which side of the controversy do you want to stand when called to answer in the Judgment of God?

W. A. COLCORD.

### What Is Rightful Authority?

THE AMERICAN SENTINEL believes in obedience to civil law and to civil rulers. Civil government is divinely ordained for the good of mankind, and is to be respected in civil things; that is in its own proper sphere, for there it is supreme. But the realm of conscience is a domain that the State has no right to invade.

Religion comes to us as a supernatural thing, a revelation from God, regulating our duty toward God; and thus appeals to the consciences of men and binds them under penalties entirely beyond the power of human governments either to enforce or to revoke. This it is that places it beyond the domain of civil government, and removes it from the jurisdiction of human courts.

No man can surrender his conscience to the keeping of another and maintain his loyalty to his God. Governments have in past ages assumed to dominate the realm of conscience; the sequel is the history of the Inquisition. The thumbscrew, the rack, and the fagot are inseparable from the theory that civil government has any jurisdiction whatever in religious things. The advocates of religious legislation may affirm that they would not carry it so far as that, but it is impossible for them to stop short of it without abandoning their theory. It is for this reason that we oppose all laws touching religious questions and controversies. They are the beginnings of intolerance. If Sunday were not regarded as sacred there would be no demand for laws enforcing its observance. It is not physical rest but spiritual worship that is the object of Sunday laws. It is therefore a matter that the State has no right to touch. It is for this reason that we oppose any and all Sunday laws.

God's word is, "Thou shalt not go with a multitude to do evil." This places every man on his own responsibility, and shows that a question of duty toward God, a question of conscience, is a question with which majorities and minorities have nothing to do. The rights of a single individual are just as sacred, and should be just as carefully guarded as the rights of a multitude. The State properly protects from interruption religious meetings upon every day; and it very properly does the same for other meetings. Such laws are right, they apply to all people and to all days, but laws setting apart certain days for religious purposes and stopping on those days all the ordinary vocations of life, are contrary to the spirit of our institutions, and to the spirit of true Christianity; and should be opposed alike by the patriot and by the Christian.

This is the principle upon which we stand; we could not, with our understanding of the word of God, do otherwise and maintain our Christian integrity.

C. P. B.



NEW YORK, SEPTEMBER 22, 1892.

NOTE.—Any one receiving the AMERICAN SENTINEL without having ordered it may know that it is sent to him by some friend, unless plainly marked "Sample copy." It is our invariable rule to send out no papers without pay in advance, except by special arrangement, therefore, those who have not ordered the SENTINEL need have no fears that they will be asked to pay for it simply because they take it from the post-office.

A DENIAL that persecution is intended, or that it will result from the passage of religious laws in this country, is of no avail in the face of existing facts. It is a political maxim that "the domain that government invades it dominates; the jurisdiction it takes it keeps." And this Government having invaded the domain of religion and assumed jurisdiction in religious questions, will inevitably dominate that domain and retain that jurisdiction. Moreover, those who are clamoring for governmental recognition of religious dogmas and institutions, have shown that they are not slow to avail themselves of any advantage afforded by legislative action, whether State or national.

"REVOLUTIONS never go backward," especially when they are in the wrong direction; and a most wonderful religio-political revolution has taken place in this country in the last decade. By this revolution, persecution for conscience' sake has been inaugurated in several different States of the Union; the First Amendment to the Federal Constitution has been practically swept away by the Supreme Court decision of Feb. 29, 1892; and the Government has been made a party to a religious controversy by the act of Congress conditioning the World's Fair appropriation on the Sunday closing of the Columbian Exposition. And the promoters of this religio-political movement themselves declare that these are only the beginnings. What then will the end be?—Clearly, anything except the continuance of the liberty of conscience hitherto enjoyed by a free people.

THAT the spirit of bigotry and intolerance is not dead, nor even sleeping, in this the closing decade of the nineteenth century, is proven beyond a doubt by the fact that honest, God-fearing men, members of a Christian church, and conscientious observers of the Sabbath enjoined by the fourth commandment of the Decalogue, have been fined and imprisoned in several different States, at the instigation of members of other churches, and that for no other offense than doing quiet farm work on Sunday after having, according to their faith, observed the day of their choice. And not the least significant feature of this persecution is that it has elicited practically no protest from the religious press of the country. The facts have been published broadcast, and special pains have been taken to bring them to the attention of the press everywhere. The silence is not due therefore to ignorance but to indifference and approval. Thus by silence, the religious press of this country has given assent to persecution for conscience' sake, and by giving assent,

it has become partaker in the evil deeds of the persecutors.

THE facts in the most recent of these persecutions are briefly as follows: Near Springville, Henry County, Tenn., there is a church of nearly sixty Seventh-day Adventists. They are, as even their persecutors admit, honest, God-fearing people. They observe the seventh day of the week by rest and worship. On Sunday they ordinarily go quietly about their secular pursuits, choosing on that day only the more quiet and less conspicuous kinds of farm labor. For this, "five of the leading members of the church" were, not at the instigation of their immediate neighbors, but on complaint of Sunday-keeping church members of adjoining neighborhoods, indicted for maintaining a nuisance by their Sunday work; were tried and convicted, notwithstanding the fact that their immediate neighbors testified that they were not annoyed by the work, and were actually imprisoned in the common jail, and though not chained themselves, were worked in the chain gang with common criminals, in this 1892nd year of grace, and in "free America;" and that without protest from the churches or from the religious press.

THE Constitution of Tennessee declares "that no human authority can, in any case whatever, control or interfere with the rights of conscience; and that no preference shall ever be given by law to any religious establishment or mode of worship;" yet the courts of the State hold that this provision of the Constitution is not to be understood as permitting dissenters from the prevailing religion to disregard laws made in aid of the religion of those having control of legislation, but only as guaranteeing to every man freedom to hold and practice his own religion without molestation. The same view of the matter was taken by Judge Hammond, of the United States District Court, in the case of R. M. King, indicted and fined for Sunday work. The case was brought before Judge Hammond on writ of *habeas corpus*. The Judge said:—

Sectarian religious belief is guaranteed by the Constitution, not in the sense argued here, that King, as a Seventh-day Adventist, or some other, as a Jew, or yet another, as a Seventh-day Baptist, might set at defiance the prejudices, if you please, of other sects having control of legislation in the matter of Sunday observance; but only in the sense that he himself should not be disturbed in the practices of his creed; which is quite a different thing from saying that in the course of his daily labor . . . he might disregard laws made in aid, if you choose to say so, of the religion of other sects.

That is to say, a man may belong to a sect; that sect may have a creed; they may practice according to that creed, and may not be disturbed in such practice; but at the same time, they must conform to the laws made in aid of the religion of other sects, that have control of legislation.

ACCORDING to this interpretation of Tennessee law, if a man be a Baptist he may practice the precepts of the Baptist creed, but if the Methodists should have control of legislation, they could oblige the Baptists by law to conform to the precepts of the Methodist creed. Or one company of people might be Methodists, another Baptists, another Quakers, and so on; but if the Roman Catholics only had

control of legislation, and should enact laws enforcing Roman Catholic doctrines and precepts, then the Baptists, Methodists, Quakers, etc., would all be obliged to conform to the Roman Catholic precepts, as by law required. And although protected in the undisturbed practice of *their own* creeds, none of these dissenting sects would be in any wise at liberty to disregard the laws made in aid of the religion of the Roman Catholic sect! And such, according to the courts, is the freedom of religious belief guaranteed by the Constitution of Tennessee! And the Supreme Court decision of February 29, of the present year of grace, and the act of Congress closing the World's Fair on Sunday, show that practically nothing more than this is guaranteed by the Federal Constitution.

IN view of the facts cited, and very many more might be given, does not THE SENTINEL do well to sound an alarm; to say that the United States is following in the footsteps of Rome; that already our fancied constitutional guarantees of religious liberty have been swept away; and that liberty of conscience in America rests now not on a substantial basis in our fundamental law, but upon the whim of the majority, or even worse, upon the forbearance of an arrogant and aggressive minority?

UNITED STATES senators have declared it to be "not wise statesmanship" to disregard the demands of the churches for legislation deciding a religious controversy as to whether Sunday is the Sabbath, or not. Now why shall not this principle apply in other cases? Why shall not the Spiritualists now work up some issue by which they can demand legislation which will decide the question as to whether or not people are alive when they are dead? There are as many Spiritualists as there are church members; and, of course, it would not be "wise statesmanship" to disregard their demands. Besides this, they would have the unanimous and hearty support of all the "evangelical churches" in the country. And as Congress has granted the demands of the churches alone on this Sunday-Sabbath question, how much more would the same body grant the demands of the same ones over again with largely increased numbers with them. For such would only be "wise statesmanship," according to the latest definition of the term. What queer ideas these gentlemen have of what statesmanship is! The truth is that it is not statesmanship at all. It is sheer demagogism; and that of the worst sort. These gentlemen should be told that statesmanship does not pander to the selfish and arbitrary demands of classes; it creates sound and healthy public opinion.

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