

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

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ARE the citizens of the United States aware of the present crisis in this country? There is a crisis. It involves the existence of the Government as it was established. It involves the question as to whether this is to continue to be a government of the people, or is hereafter to be a government by a religious hierarchy.

EVERY judicial precedent necessary to establish the authority of that hierarchy has been had. The decision of Feb. 29, 1892, by the Supreme Court—the highest judicial authority known to an American citizen—completed the line of precedent and affirmed it. What remained?—That Congress should bow to judicial precedent and legislate upon religion! This had long been sought in vain. But no sooner was the series of judicial precedent made complete by the decision of the highest—the Supreme—Court, than the legislation was immediately had.

THAT legislation was the passage of the Sunday-closing proviso for the World's Fair, in the first session of the Fifty-second Congress. This piece of legislation was marvelously well calculated to secure the result desired. The effort from the beginning has been to secure some precedent, however small, for congressional legislation upon religion. Only a foothold was sought. The Fifty-second Congress, except it repeal this Sunday-closing proviso, will have the immortal ignominy of having granted this foothold. Is this Congress willing to so go down into history? There are few congressmen unable to comprehend the responsibility of this Congress in this matter. There are few who do not realize that responsibility, and deprecate it. But the responsibility can not be avoided or shifted.

WHY can not the burden of the future

support, at least, of this religious legislation be shared with others? Why can not its repeal be left to the next Congress?—Because when the next Congress convenes, the people of the United States and of the world will have been for six months, subject to this law, and it will have been for one month an historical precedent. It would be *ex post facto* legislation, indeed, to call for its repeal then, when it had completed the full term for which it was enacted, and had gone into history. The Fifty-second Congress shares the burden of this—can share it—with none. Neither the next Congress nor any succeeding Congress can expunge the record. When this Congress shall have adjourned, the evil act will be past remedy, completed, irrevocable.

Do the congressmen of the United States know that this legislation is unconstitutional? This question cuts close, close, very close home. It raises an ugly alternative. It either impugns their intelligence, or it convicts them of having knowingly legislated contrary to a strict prohibition of the Constitution, the fundamental and supreme law. Which horn of the dilemma will they accept? Is it not much more honorable, more worthy, in every way more creditable, to acknowledge the error and repeal the erroneous legislation? True, it was not only insinuated, but openly said, in the late hearing, that congressmen would hardly acknowledge by repealing the proviso that they had been in error in passing it. Was that insinuation a just one? Are congressmen made of such stuff as this? American manhood is of no such material. It is from their pretended friends and supporters that this accusation comes. Can it be just? The American people will not believe it. They will not believe that they have confided the highest public trust in the Nation to men so inferior in moral stamina that they will permit the principle upon which this Government was established to be subverted before they will admit that they have made a mistake, and, while yet they have time, undo the mistake before its consequences have become irremediable. Who is the friend? he who says, "Deny your wrong and conceal it?" or he who says, "Be a man, acknowledge the error and undo it?"

The American people wait to see whether they have sent, to the Congress of the United States, men—or what!

It has been said to those who would oppose all religious legislation—this as well as all else—and upon constitutional grounds: "You have had your day; your plea is now outlawed. The law has been passed, and is on the statute books. These objections should have been made before Sunday closing became a law. They have no force now." Is it true that a constitutional objection is ever outlawed so long as the clause upon which it is based remains in the Constitution? Would it be proper for a robber to make the plea that the robbery had been committed and therefore no procedure could be had, that all action should have been taken previous to the commission of the deed? Is it then a fit claim that because the people have already been robbed of their constitutional rights they have, because the deed is done, no recourse, no right to object? Such a claim will not hold for a moment. It is, in such case, their right to object, always and everywhere. More, it is their duty to object, and to object without ceasing. Let all the people object, and let them make their objections known to their congressmen.

The Chicago Directory Prejudged.

ACCORDING to the Washington correspondence of the *Mail and Express*, of January 13, "Hon. John B. Robinson struck terror into the hearts of the Sabbath desecrators of Chicago by introducing into the House of Representatives today a resolution instructing the Attorney-General of the United States to sue for and recover the value of all souvenir coins issued to the World's Columbian Exposition in case the Exposition, from any reason whatever, is not kept closed on Sunday, and giving the United States Circuit Court in the district of Illinois jurisdiction to try the action."

The record of congressional proceedings for January 13 does not corroborate this statement. No such resolution as this anywhere appears, as introduced by Mr. Robinson or any other representative.

The statement, evidently, was prema-

ture. The confident way in which it is made, however, shows conclusively that such a resolution was prepared and its introduction intended. For what reason was it withheld? Perhaps because at the last moment it occurred to those having the resolution in charge that no possible interpretation could be put upon the resolution, or the legislation it would ask for, except that of a gratuitous threat. To presuppose law-breaking is contrary to the genius of all law. Shall Congress take it for granted in advance that the management of the World's Fair does not intend to observe the proviso attached to the appropriation, but does intend to keep the money? Would not such a resolution be an accusation of intended bad faith? Such a proceeding would be like issuing an indictment for a man on the supposition that he was going to commit a crime so as to have it in readiness in case he did; in fact prejudging him to be a criminal in intent and at heart. It would be quite another sentiment than terror which such a resolution would naturally inspire at Chicago. Although the resolution was not introduced, it is certain that such measures as this are in the minds of those who have promoted, and now defend, Sunday closing by congressional edict. What do they mean? To see their intent it is well to recur to their own language.

They say that this resolution "struck terror into the hearts" of—the Chicago Directory, of course, for that is the body which has the responsibility of the business affairs of the Exposition. But the resolution was not introduced. How then could it have "struck terror"? This makes it perfectly clear that the intent of those who drew the resolution was looked forward to as attained, and the result desired was given out as achieved.

This measure and its imaginary results are but the logical continuation of the campaign of threat and boycott which has marked the whole course of this struggle to subvert constitutional principle, and establish congressional precedent for legislation on religious questions. The fact is, the precedent has been established and its supporters are ready to go to any length to maintain it.

But, although it is true that this indictment was not found against the Chicago Directory, and the court fixed in which they should be tried, yet it was true that the preliminary step was taken by the submission and adoption in the Senate of this resolution, offered by Senator Wilson:

Resolved, That the Secretary of the Treasury be directed to transmit to the Senate a copy of the opinion of the law officer of the Government for his department under which he is disbursing the \$2,500,000 in souvenir coins in aid of the World's Columbian Exposition appropriated by the Act of Congress, approved August 5, 1892, and conditioned upon Sunday closing; and also to transmit a copy of such regulations relative to the issuance and delivery of said coins as he may have established in pursuance of said opinion.

It will be remembered that the Solicitor of the Treasury was visited by a deputation of the American Sabbath Union present at the late hearings before the House Committee on the World's Fair. What is the opinion which they want from the Solicitor of the Treasury? Do they wish from him an opinion which will warrant the issuance of the indictment which has been withheld? This matter will bear much reading between the lines. It is more and more clearly evident that the end of this is not yet.

W. H. M.

How Christianity Became Part of the Common Law of England

THE following letter from Thomas Jefferson, which was published in the *Gospel Advocate*, Buffalo, N. Y., August 25, 1826, is specially interesting just now in view of the fact that the Supreme Courts of several of the States of the Union have, following the lead of the English courts, decided that Christianity is part of the common law of their respective States; while, in the same general line, the Supreme Court of the United States has declared that this is a Christian Nation. Mr. Jefferson's letter, published originally in an English work, "Life and Correspondence of Major Cartwright," is as follows:—

Monticello, in Virginia, June 5, 1824.

Dear and Venerable Sir: I am much indebted for your kind letter of Feb. 29th, and for your valuable volume on the English constitution. I have read this with pleasure and much approbation; and I think it has deduced the constitution inherited by the English nation, from its rightful root, the Anglo-Saxon.

It has ever appeared to me, that the difference between the whig and the tory of England is, that the whig deduces his rights from the Anglo-Saxon source, the tory, from the Norman; and Hume, the great apostle of toryism, says, in so many words (note *aa* to chap. 42), that in the reign of the Stuarts, it was the people who encroached upon the sovereign who attempted as is pretended to usurp upon the people; this supposes the Norman usurpations to be rights in his successors; and again (c. 59), the commons established a principle which is noble in itself, and seems specious, but is belied by all history and experience, that the people are the origin of all just power! And where else will this degenerate son of science, this traitor to his fellowmen, find the origin of just power, if not in the majority of the society? Will it be in the minority, or in an individual of that minority?

You will perceive by these details, that we have not so far perfected our constitutions as to venture to make them unchangeable—but still, in their present state we consider them not otherwise changeable, than by the immediate authority of the people, or a special election of representatives for that purpose expressly. They are till then the *lex legum*.

But can they be made unchangeable? Can one generation bind another, and all others in succession for ever? I think not. The Creator hath made the earth for the living, not the dead. Rights and powers can only belong to persons, not to things; not to mere matter unendowed with will—the dead are not even things. The particles of matter which composed their bodies make part now of the bodies of animals, vegetables, or minerals of a thousand forms. To what then are attached the rights and powers they hold while in the form of man? A generation may bind itself as long as its majority continues in life. When that has disappeared, another majority is in place, holds all the rights and powers their predecessors once held, and may change their laws and institutions to suit themselves; nothing then is unchangeable but the inherent and unalienable rights of man.

I was glad to find in your book a formal contradiction, at length, of the judiciary usurpation of legislative powers; for such the judges have usurped in their repeated decisions that Christianity is a part of the common law. The proof of the contrary which is adduced is incontrovertible, to wit, that the common law existed while the Anglo-Saxons were yet pagans; at a time when they had never yet heard the name of Christ pronounced, or knew that such a character had existed. But it may amuse you to show when and by what means they stole this law in upon us. In a case *quare impedit*, in the year book, 34 H. 6, fo. 38 (1458), a question was made, how far the ecclesiastical law was to be respected in a common law court? And Prisot, c. 5, gives his opinion in these words—"A tiel lies qu' ils de saint eglise ont en *ancien scripture*, coveint a nous a donner credence; car ceo common ley sur quels tous manners leis sont fondes. Et auxy, Sir, nous sommes obleges de conustre lour ley de saint eglise: et semblablement ils sont obliges de conustre nostre ley. Et, Sir, si poit apperer a nous que l'evesque ad fait come un ordinaire fera en tiel cas, adong, nous devons ceo adjuger bon, ou auterment nemy," &c. See S. C. Fitz. Abr. qu. imp. 89, Bro. Abr. qu. imp. 12. Finch in his first book, c. 3, is the first afterwards who quotes this case, and misstates it thus—"To such laws of the Church as have warrant in *holy scripture*, our law gives credence," and cites Prisot,

mistranslating "ancient scripture," into "holy scripture," where as Prisot palpably says "to such laws as those of holy church have an *ancien writing*, it is proper for us to give credence; to wit, to their ancient written laws." This was in 1613, a century and a half after the dictum of Prisot. Wingate, in 1658 erects this false translation into a maxim of the common law, copying the words of Finch, but citing Prisot. Wingtan max. 3, and Sheppard tit.—"Religion," in 1675, copies the same mistranslation, quoting the N. B. Finch and Wingate. Hale expresses it in these words, "Christianity is parcel of the laws of England," 1 Ventr. 293, 3 Keb. 607, but quotes no authority. By these echoes and re-echoings from one to another, it had become so established in 1728, that in the case of the King vs. Woolston, 3 Stra. 834, the court would not suffer it to be debated whether to write against Christianity was punishable in the temporal courts at common law! Wood, therefore, 400, ventures still to vary the phrase and says, "that all blasphemy and profaneness are offenses by the common law," and cites 2 Stra.; then Blackstone, in 1763, iv. 59, repeats the words of Hale, that "Christianity is part of the common law of England," citing Ventis and Strange; and finally Lord Mansfield, with a little qualification, in Evan's case in 1767, says, "that the essential principles of revealed religion are parts of the common law," thus engulfing Bible, Testament and all, into the common law, without citing any authority. And thus far we find this chain of authorities hanging link by link one upon another, and all ultimately upon one and the same hook, and that a mistranslation of the words "ancient scripture" used by Prisot. Finch quotes Prisot, Wingate does the same; Sheppard quotes Prisot, Finch and Wingate; Hale cites nobody; the court, in Woolston's case, cites Hale; Wood cites Woolston's case; Blackstone quotes Woolston's case and Hale; and Lord Mansfield, like Hale, ventures it on his own authority. Here I might defy the best read lawyer to produce another script of authority for this *judiciary forgery*; and I might go on farther to show how some of the Anglo-Saxon priests interloped into the text of Alfred's laws, the 20th, 21st, 22d, and 23d chapters of Exodus, and the 15th of the Acts of the Apostles, from the 23d to the 29th verses. But this would lead my pen and your patience too far. What a conspiracy this between Church and State!!!

Your age of eighty-four, and mine of eighty-one years, ensure us a speedy meeting. We may then commune at leisure, and more fully, on the good and evil, which in the course of our long lives, we have both witnessed; and in the meantime, I pray you to accept assurances of my high veneration and esteem for your person and character.

TH: JEFFERSON.

This letter was not published until after Mr. Jefferson's death, which occurred in July, 1826. In giving it to the American public, the *Gospel Advocate* said:—

Anything from the pen of the illustrious statesman, Thomas Jefferson, whose spirit has but recently departed "to be with God," must be interesting to the inquiring mind. With political matters we desire not to interfere, but the letter has a direct bearing on the subject of toleration, and therefore may be with safety published in a religious paper. We maintain that all men have equal rights in matters of conscience, and should have equal privileges guaranteed to them by the laws of our country. But that all do not enjoy these privileges is evident.

"Judicial blindness" has not always been able to discriminate between Christianity and the dogmas of "orthodoxy"! Now if the reader will examine this subject it will be found that some of our courts, taking it for granted that Christianity is a part of the common law, and that "orthodoxy" is Christianity, have made a serious blunder! By so doing, they have, as with the besom of destruction, abrogated the rights of all but the "orthodox." Perhaps we go too fast; they have not deprived all others of their rights; for those who are hypocritical enough to pretend to believe "orthodoxy"—whether they do believe it or not—are welcomed to a participation in all the benefits enjoyed by the faithful!

Things have changed but little since the *Advocate's* comment was written. "Orthodoxy" is still favored by our courts; true, "orthodoxy" is not now just what it was sixty-six years ago, but the principle has not changed; judicial recognition of "Christianity" as a part of the common law, or of any other civil law, is just as mischievous as it ever was. Already the literary blunder that made "Christianity" a part of the common law of England has resulted in this country in the imprison-

ment of honest, conscientious citizens for quiet Sunday work; and the end is not yet, for in Henry County, Tennessee, on the last Monday in this month, seventeen Adventists out of a total church membership in that neighborhood of less than fifty are to answer before the District Court for their faith, and the prosecuting attorney threatens to prosecute every man, woman, and child of them until they quit their Sunday work.

Sunday Laws in the United States.*

(Continued.)

BUT the fact is clear enough without authority that Sunday laws embody a religious dogma, and that they constrain the citizen on religious grounds alone. There are two sides, again, to this religious character of Sunday laws—the side of the constrainer and the side of the constrained. So far as the latter is concerned, the real spirit of such legislation has been frankly stated by a North Carolina judge, who says that work on Sunday “offends us not so much because it disturbs us in practicing for ourselves the religious duties or enjoying the salutary repose or recreation of that day, as that it is in itself a breach of God’s law and a violation of the party’s own religious duty.”† A plainer truth, one more clearly and fully appreciated by Sunday law advocates, while they seek to ignore and even deny it, was never printed. So far, then, as the constrained are concerned, the object of Sunday laws is to compel them to perform a religious duty, and to punish an offense against religion *as such*. And as this religious duty is exacted by some religious communions and not by all, the “preference” among religions is established.

In strict accordance with this view are the New Hampshire decisions on the point of what constitutes a “disturbance” of one person by another on Sunday. At first sight it might seem unobjectionable to provide that no work should be done on Sunday “to the disturbance of others,” as is done in New Hampshire. But the value of the qualification, if it had any, is destroyed by the judicial construction. The court has taken the North Carolina view that the statute was intended to prevent “acts calculated to *turn the attention of those present from their appropriate religious duties* to matters of mere worldly concern,”‡ and hence it is settled in that State that business, however quietly conducted on Sunday, “disturbs” those engaged in it, and that a man is “disturbed,” though he be willing and even anxious to do business on Sunday, by the doing of it, or by any act, however voluntary, which *tends to distract him from religious observances.*§

There is no mitigation, then, of Sunday law rigor in the use of the proviso about disturbance. Nor is the New Hampshire court to be reproached for pandering to the spirit of Puritanism in construing its law, proviso and all, as intended to apply to individual conduct, without any reference whatever to its actual effect on

others. How the words “to the disturbance of others” came to be inserted in the New Hampshire statute it may not be practicable to ascertain; but there can be no doubt that they would have been promptly stricken out if it had been suggested to the framers of that statute that such words might be taken to mean that a man might do as he pleased on Sunday, if he only did it quietly. There is no doubt that the court, as in duty bound, gave effect to the legislative intent in its view of the objects of the Sunday law.

There are other considerations which may be noted here in connection with the subject of “disturbance.” Even if the New Hampshire court were wrong, and the word was meant to apply to others than the doer of the act in question, there would be no saving efficacy in the phrase. We are at once confronted with the difficulty—who is to determine whether or not one man is disturbed on Sunday by the act of another? If the first man’s assertion is to be taken as conclusive on the subject, of course there is no use in having such words in the statute. But when we admit that the question of disturbance *vel non* is one for judicial determination in any given case, we see at once that this qualification involves a fatal confession of the nature and purpose of all Sunday laws. For, without any statutes, wherever the common law, or any other logical system jurisprudence prevails, that is, among any civilized people, work which “disturbs” others is unlawful at all times. To “disturb,” in the eye of the law, is to infringe on some right or privilege which it creates or recognizes. When, therefore, the law recognizes a privilege as existing on Sunday which exists on no other day, and considers that acts will amount to a “disturbance” of others on Sunday which will not amount to such disturbance on any other day, we must ask ourselves what this special privilege of Sunday is, which is thus honored. It can not be the right “peaceably to assemble.” In every American constitution this right is guaranteed expressly or impliedly, and it exists at all times. Nor does it matter what the purpose of assembling may be, unless it be tainted with treason. People may assemble at any hour of the day or night, and talk religion or infidelity, or politics or dress reform, and if anybody disturbs their assembly, the police will lock him up. The right of assembly and the question of what constitutes a disturbance of or an infringement of that right does not in the smallest degree depend on the object of the assembly, as religious or otherwise, nor does it depend in the smallest degree on the time of the assembly, as on Sunday or Monday. The standard of the law, its test of the right and its violation is the same for all assemblies and all periods. What special “right” is it, then, which is disturbed on Sunday by certain acts which disturb no rights on any other day? Let a Pennsylvania court answer for us: “There are other rights intimately associated with the rights of conscience which are worth preserving. *The right to rear a family with a becoming regard for the institutions of Christianity, and without compelling them to witness hourly infractions of one of its fundamental laws*”*—that is to say, Sunday statutes are passed to compel one man to observe a “fundamental law” of Christianity for the benefit of another man’s children. But a

statute passed for the purpose of enforcing a law, fundamental or otherwise, of any particular religion gives a “preference” to that religion, unless an equal privilege be accorded to a like law of every other religion.

These authorities are adduced not in order to establish the proposition that Sunday laws embody a preference of one religion over another, but merely, as is proper in an article written for a law magazine, to show that this fact has, at least in some cases, been frankly recognized by the courts. It would be equally a fact if all the courts in the country denied it. All the decisions of all the courts can not make black white. The decision of a court may settle whether or not a Sunday law is enforceable, but it can have no effect upon the question of the origin, or the inspiring motive of such legislation. So the more numerous decisions (more numerous especially among the later cases) which take what is known as the “secular view” of Sunday laws are of no account whatever as evidence of the correctness of that view, because this is a question not of law at all, but of historic fact.

It has been said that the law will prevent the disturbance of a meeting without regard to its character as religious or otherwise. Like many other things in law, this disregard results from its refusal to attempt impossibilities. The law has no test whereby to determine whether a meeting is religious or not. This being claimed as the character of a Spiritualist camp-meeting in a Sunday-law case, the court left the point to the jury.* The “unseemliness” of controversies over such a point, the impossibility of settling any rule for deciding them, the purely religious nature of the dispute are self evident. It is a mere evasion to leave such a question to a jury. An American jury has no authority to decide any question of which American law can take no cognizance. Neither jury nor judge can decide in this country the right and title of any system of belief to be called religious. It is a usurpation for a jury to render a verdict on such a question. It is quite as much a usurpation for a judge to render and enforce a judgment on such a verdict by a jury of others as it would be for him to do so after sitting as a jury himself.

But even were it practicable for American law to discriminate between a religious assembly and any other in the protection afforded against disturbance, no reason whatever exists for attempting such a discrimination. The simple fact is—though, like many other facts, it is constantly “blinked” in the discussion of this subject—that a religious assembly is disturbed by just precisely the same acts which would disturb any other assembly, and by no other acts whatever. From this point of view all sorts and conditions of men are alike. The orderly and regular conduct of a caucus and a church service, the ability of those present to keep abreast of what is going on, and to influence others—these things require precisely the same police conditions in the one case as in the other. This, again, is not matter of law, but fact. The Seventh-day Adventists, that remarkable people whose headquarters are at Battle Creek in Michigan, lately protested before Congress through their clear-headed and eloquent representative, Mr. Alonzo T. Jones, against the attempt of the Women’s Christian Temperance Union to have a Federal Sunday law enacted. Mr.

*This article which is written by Jas. T. Ringgold, of the Baltimore Bar, is reprinted from the *American Law Register and Review*, of Philadelphia, by permission of the publishers.

†William’s Case, 4 Sec. 400.

‡George v. George, 47 N. H., 27.

§See Varney v. French, 19 N. H., 223; Thompson v. Williams, 58 Id., 248.

*Johnston’s Case, 22 Pa., 102.

*Feital v. Middlesex R.R., 100 Mass., 308.

Jones consistently—he and his people are nothing if not consistent to the core—disclaimed any desire to have his “seventh day” substituted for Sunday, declaring, with perfect correctness, that all such legislation, involved that union of Church and State which his organization is pledged to oppose with unrelenting hostility. But he also laid special stress on the fact that his brethren were not disturbed in any manner whatever in their “seventh-day” observances by other people’s pursuit of their regular occupations—and therefore they did not need the law, even if they felt it right to ask its aid, in order to enable them to observe their day according to their wish. We have among us Jews and Seventh-day Baptists, and their experience is the same—that no “Sunday law” is needed to protect them in the full enjoyment of their scriptural Sabbath. We have also Roman Catholics and Episcopalians who observe such fasts and feasts as Lent, Christmas, Good Friday, “saints days,” etc., by holding religious assemblies. Not one of them has ever complained that these assemblies are in any wise disturbed by the steady course of the world’s daily work and traffic. The case is still stronger when we come to those who are specially interested in Sunday laws, to whose agency such laws and their spasmodic enforcement are due. These may be broadly grouped as “Evangelicals.” Such persons make a regular practice of holding “prayer-meetings” on week-days. The claim has never been advanced that these assemblies are disturbed by the ordinary labor of those who fail to attend them. So, also, with the great “revivals” to which some of them are addicted. Day after day, every day and night in the week, they assemble for religious purposes on such occasions. It has never been remarked that the week-day services are disturbed any more than those held on Sunday—that they are any less satisfactory to those who conduct them, or less profitable in the ratio of “conversions” to attendance.

So that we see our proposition that nothing can disturb a religious meeting which does not disturb any other kind of meeting proven by daily experience of the life around us. And we see further that, as the disturbance of religious meetings at any time will be prevented by the “police-power” of the State, no “Sunday law” is needed to prevent such disturbance. And we are thus brought face to face with the truth of the matter—namely, that the only disturbance involved in Sunday work is the disturbance of one man’s right to constrain another to a certain line of conduct as a religious duty; and that Sunday laws are therefore passed with a religious purpose, and designed to punish offenses against religion *as such*, and so constitute a “preference” by the State of one religion over another.

As this true character of Sunday laws becomes more and more evident to the American people, the demand for their repeal grows stronger and stronger. Nor is this demand to be thwarted by quibbling over what constitutes a union of Church and State. Like other unions, this may be complete or partial. The only instance in history of a complete union of the two, or an absolute identity of Church and State was the polity of the Hebrews in Palestine.† But in every civilized country the union exists to a greater or less extent. It was to guard against it that all such

provisions as those forbidding a preference among religions have been inserted in the American constitutions. It exists in the very teeth of such provisions wherever a Sunday law is found.

(Concluded next week.)

Is Sunday Closing a Temperance Measure?

[Upon being requested to join in a memorial to Parliament praying that the sale of liquor might be stopped on Sunday, the *Present Truth*, published in London, Eng., made the following response in its issue of December 29, 1892:—]

We are always glad to see any advancement in the cause of temperance. We do not regard temperance as an aid to or a handmaid of religion, but as being a necessary part of religion. Faith, virtue, knowledge, temperance, patience, godliness, brotherly kindness, charity, are the graces, the possession of which the Apostle Peter declares will make one fruitful in the knowledge of our Lord Jesus Christ. Temperance, therefore, is not a light matter. It embraces total abstinence from all intoxicating liquors; but that alone does not constitute the whole of temperance. While nominally a total abstainer from intoxicating liquor passes for a temperate man, and nothing less than that can have any claim to be called temperance, true temperance really implies the possession of all the Christian graces. In the Scriptures temperance is classed with righteousness. It is the outgrowth of faith in the Lord Jesus Christ.

The first question to be settled, and indeed the only question, is whether or not the Sunday-closing movement is in reality a temperance measure. It will readily be admitted that although a movement may profess to be for the promotion of temperance, yet the most ardent temperance man is bound to stand aloof from it if it is evident that it will not accomplish anything for temperance. Much more is this true, if on the other hand it appears that its supporters are wholly deceived in the matter, and that it really tends to the upbuilding and strengthening of the liquor traffic. Without in the least questioning the sincerity of those who are laboring so earnestly for the securing of Sunday closing of public-houses, we are bound to say that the movement is in the interest of intemperance rather than of temperance. A few points taken from the memorial and from the *Reporter* will make this appear.

In the argument against Sunday closing by local option, we find the following reason:—

It will place Sunday closing at a disadvantage in relation to other questions. If the matter could be referred to the inhabitants direct for their decision there would be less objection to it, because there are few districts, probably none, where, if the people had the power, they would not close public-houses on Sundays. But the bodies to whom it is proposed to give the necessary powers will be elected on many issues, and there will be many personal and local considerations. Amongst them, in not a few districts, Sunday closing might be lost sight of and not obtained, though the people would have welcomed it. Even if the authority were elected solely to deal with the liquor traffic, it must be remembered that Sunday closing is quite distinct from prohibition. In such a case the election would turn on prohibition, and Sunday closing might be lost to the district because its inhabitants were not prepared to vote for closing public-houses seven days in a week.

ONLY A QUESTION OF DAYS.

The italics in the above quotation are our own. It is clear enough that the stopping of the liquor traffic is not the

object of the proposed legislation. Neither is the movement prompted by opposition to the liquor traffic in itself. The objection is solely to the time when it is carried on. It is a question of days, and not of the selling of liquor. This appears further from the statement that those who are in the liquor-selling business and are opposed to the movement for Sunday closing “are in a miserable minority,” and that “they are repudiated even by their own class.” Now anyone who takes time for even one moment’s serious thought well knows that no people will favor a movement that will curtail their own business. The drapers would not for a moment listen to any proposition looking toward the limiting of their sales of clothing, the shoemakers would never be found favoring an act of Parliament which would diminish by one-seventh the sale of shoes, and least of all will the publicans ever be found assenting to a proposition to curtail the sale of liquor, by which they get their living. The statement that publicans are in favor of Sunday closing is the strongest proof that Sunday closing will not in the least diminish the amount of liquor consumed.

This will be still more apparent by another quotation from the *Sunday Closing Reporter*. It is said that at the last meeting of the West Derby Board of Guardians, “Mr. Beesley observed, as an old publican, that the best thing for the people would be the closing of the public-houses on Sunday. Workingmen who had only five or six shillings a week to spend with a publican, without distressing their families, had quite enough to do to make their money last them six days.” Exactly. The people can spend all their money at the public-houses in six days, and have hard work to make it last even that long, and therefore what is the use of keeping the houses open on Sunday? When the publicans can get all the money of their customers in six days what is the use of their working seven days to get only the same amount? As the *Reporter* says, “This is candid testimony.” It is indeed; but it is fatal to the idea that the Sunday-closing movement is to any degree whatever a temperance measure, or that it will in the least diminish the amount of liquor sold and consumed.

On the contrary, it is in reality a movement to clothe the liquor traffic with greater respectability. We do not mean that the Sunday Closing Association has any such object in view, but that will be the result. They are beyond all doubt sincere in their efforts, but the outcome, if they are successful, will be to intrench the liquor business more firmly than ever before. This is evident because the very nature of the movement recognizes the right of the traffic to exist, and puts it on a level with “other trades.” The attempt to stop the sale of liquor on Sunday is a tacit admission that it is all right to sell it on any other day of the week. It puts the liquor traffic on a level with any legitimate business.

AN APT ILLUSTRATION.

A little illustration will make this more clear. Here are two ladies who are both very devoted observers of the Sunday. One of them sees her little boy out trundling his hoop on Sunday morning, and cries out to him, “Willie, you must not play with your hoop on Sunday; it is wrong.” Would Willie get the idea that it is a sin to roll his hoop? Would he,

†See Milman’s History of the Jews.

if requested on Monday to take a run with a playmate, say, "My mother says that it is wicked to roll hoops"? Certainly not. The fact that his mother specified the day of the week, when she bade him not to roll his hoop, showed plainly that the thing itself was not wrong in her eyes, but that she was troubled only for the desecration of the day.

But the other lady sees her boy out in the garden beating a poor, harmless kitten. Will she call out to him, "Jack, don't you know that it is wrong to beat kittens on Sunday? Leave off at once"? Indeed she will not. She will peremptorily command that he stop beating the kitten, and call him to account for cruelty to animals. Not a word will be uttered in regard to the day. And Jack will not get the idea that it is all right to beat kittens provided he does not do it on Sunday. Now why this difference in the way the two ladies reprove their sons? Simply this, that the first boy is doing a thing which is all right in itself, but which would be wrong if there were any sacredness to Sunday; while the second boy is doing a thing which is wrong in itself, no matter what the day, and no more wrong at one time than at another.

From this it will appear that the movement to stop the sale of liquor on Sunday is simply an effort to enforce the observance of Sunday. Indeed, the memorial states that the measure "is based upon the peculiar character and circumstances of the day." It is a movement wholly in the interest of religion, but not true religion, however, for true religion was never aided in any way by civil legislation. Religion is a matter between the individual and his God, with which government has nothing to do. Since the foundation of the world, every attempt to uphold religion by civil law has been a victory for the devil. This seems like strong language, but a few words will show that it is warranted.

True religion is an affair of the heart and life, and not of form. "Pure religion and undefiled before our God and Father is this, to visit the fatherless and widows in their affliction, and to keep himself unspotted from the world." James 1: 27, R. V. And "if any man thinketh himself to be religious, while he bridleth not his tongue, but deceiveth his heart, this man's religion is vain." Verse 26. Now it must be evident to everyone that government can not do anything that will in any way change a man's heart. Civil legislation can not in the least degree affect a man's life and character. It can no more make a man religious than it can cure him of consumption. But the effect of all religious legislation is to cause men to think that religion is but an outward form—that he who complies with the civil law has discharged all the obligations of religion. This has invariably been the result. Therefore the inevitable outcome of all religious legislation is to lower the standard of religion among the people.

It is evident, therefore, that the sincere, well-instructed Christian must be the one who is the most opposed to all religious legislation. As lovers of the Lord Jesus Christ, and of his gospel, we could not for a moment admit the right of any government on earth to meddle in any way with religious questions. And our opposition to such legislation would not in the least be diminished if the thing sought

to be enforced were right in itself. As a matter of fact, Sunday observance has not the slightest warrant in the Scriptures, but if it had, the principle of the case would not be altered. It is a religious, and not a civil institution, and therefore with it the State has no business to deal.

The fact that men have long been accustomed to regard the day, and that the observance of it is almost universal, does not give the State any right in the matter. Surely it will not be claimed that all the world combined are equal in importance to the Lord Jesus Christ. He alone is a greater majority than all men together. But he did not use force to bring people to his ways. Said He, "If any man hear my words, and believe not, I judge him not; for I came not to judge the world, but to save the world." John 12: 47. Nay, he prohibited his followers from using force in any way. When the multitude came with swords and staves to take Jesus, and Peter, having a sword, drew it and cut off the ear of one of the men, Jesus healed the wounded man, and said to Peter, "Put up again thy sword into his place; for all they that take the sword shall perish with the sword. Thinkest thou that I can not now pray to my Father, and he shall presently give me more than twelve legions of angels? But how then shall the Scriptures be fulfilled that thus it must be?" Matt. 26: 52-54. Jesus could in an instant have put all those men to flight. He had power enough to compel all men to acknowledge his claims. But then the object for which he came on earth would not have been accomplished. He came to convert men by the power of his own life of love, and not to change their actions only, without their hearts being affected. And even so is the object of the gospel frustrated whenever any of His professed followers think to advance it by the arm of civil law. This question has to do with the very heart of the gospel, and therefore we shall have much to say about it in the future.

He Misunderstands Us.

A PHYSICIAN in Tennessee who has received several copies of the SENTINEL from a gentleman in the State of Washington, writes us as follows:—

Green Brier, Tenn., Jan. 8, 1893.

EDITOR AMERICAN SENTINEL: In your paper of October 13, 1892, you say: "The whole trouble is in the fact that the Government ever became involved in the support of denominational schools among the Indians or anywhere else. The Government can be impartial as between the sects only by letting religion and all religious questions entirely alone."

This expresses my idea on this great question now confronting the American people, so perfectly that I can not do better than to copy it entire.

In your issue, however, of December 1, under the head of "Religious or Political—Which?" you say: "To be sure the Bible is the rule for all, or should be," etc.

Now, my dear brother, you must allow me to say that this shows clearly just where *your intolerance* comes in. Does the Constitution of the United States—which is the magna charta of our liberties rather than any Bible—tell us that the Bible is the rule for all? Nothing of the kind. On the contrary, it distinctly disavows both in spirit and letter any commendation of any Bible, leaving the citizen to be guided by any Bible or no Bible, claiming only his allegiance to the Constitution or the laws made under it. I ask no other ground to stand upon, to successfully combat the audacious pretensions of the Catholics on the educational question, or to join with you in protecting those who believe the seventh day to be the Sabbath. I readily concede you the field, when you undertake to prove from the Christian

Bible that Saturday is the Sabbath, for I am fully settled in the conviction that all time is sacred—that one day is just as much so as another.

I believe the trouble now brewing on these subjects is the result of overtures from the Catholic party with leading Protestant clergy, and that nothing short of a union of Church and State in this country is aimed at, and hence want to see all religionists patriotic enough to stand on a platform free from sect entirely.

In this way only can we ride successfully the impending storm.

Yours respectfully,

V. FELL.

Our correspondent evidently misunderstands our position. The SENTINEL does teach that the Bible should be the rule for all, and that all are under obligation to obey its teaching; but by this we do not mean that any human power has any right to require anybody either to believe or to obey the Bible. The obligation to accept the Bible as the rule of life, is purely a moral obligation, and civil government can, properly, have nothing to do with it.

The Influence of Paganism upon Christianity.

In the Apostolic Age there was the sharpest possible line of demarcation between the Church and the world. "The world lay in the wicked one;" he was "the god of this world." The condition of Gentile society under the Empire was unspeakably corrupt. The truly frightful stigmas branded upon its forehead by Saint Paul in the first chapter of the Epistle to the Romans, are burned into it no less indelibly by its own poets, romancers, satirists, and philosophic teachers. The writings of Juvenal, Persius, Petronius, Apuleius, Suctonius, and Martial, have been called by a great French writer the *pieces justificatives* of Christianity; but the terrible indictment of Saint Paul is proved to the letter, and in every particular, not only by these, but in the graver pages of Tacitus, Seneca, and Pliny.

The powers of evil, which could not prevent the triumph of Christianity, did their utmost to render it ineffectual. They wrought to weaken the spirituality of the Church, and to poison the inner springs of her life, in exact proportion as she won the political dominance. "The religion of Constantine," says Gibbon, with perfect truth, "achieved in less than a century the final conquest of the Roman Empire; but the victors themselves were insensibly subdued by the arts of their vanquished rivals." The nominal members of the Church more and more sank back into the seductions of the world, as the Church was more and more able to set at defiance the hatred, contempt, and persecution which has done their utmost to destroy her existence. It may not be un-instructive to touch on one or more of the directions in which the devil tried to reduce to unreality and impotence the victory which had overcome the world. Of the corruption of theology I do not here speak.

The early presbyters and bishops of Christianity (the two words were originally interchangeable) were often men of humble rank, and since they were placed by their position in the forefront of the battle, and were the first to perish by the sword, the stake, or the wild beasts in early persecutions, there was little to tempt avarice or ambition in their spiritual dignity. It is said that almost all the early bishops of Rome perished one after another by martyrdom. When, however, Constantine had laid his somewhat tainted hand

upon the Cross, and the position of a bishop became one of

Status, *entourage*, worldly circumstance,

a shocking change for the worse took place. Christian bishops lived in splendor and luxury and no longer abstained from joining in the turbulent intrigues of politicians and partisans. They began to flaunt in superb ecclesiastical vestments brodered with gold and enriched with gems. They reveled in such artificial and inflating titles as "Your Beatitude" and "Your Sanctity," and when they went abroad they appeared in magnificent apparel, lolling in lofty chariots.

2. Like priests, like people. If worldliness, avarice, and ambition so successfully invaded the ranks of the episcopate, we are hardly surprised to find them triumphant among the Christian laity. There is enough to shock us beyond measure in the picture of the state of Christianity at Rome itself which is given us by Saint Jerome, who came to it as to a very ark in the world's deluge, and found it an intolerable Babylon, seething with immorality, intrigue, lust, scandal, and spite.

3. Another sign of evil pagan influence was the growing irreverence in worship. The accounts of the early assemblies tell us of deep and rapturous devotion; of responses which sounded like the voice of many waters; of the AMEN rolling its sounds afar like thunder. Already in Origen's time, much of this solemnity had vanished. It had been destroyed by deadening familiarity and unreal adhesion to the cause of Christ. Christians, as Saint Chrysostom tells us, would adjourn from their church to pagan shows; they pushed and jostled each other to get first to the Holy Table; they turned the great festival into scenes of intemperance and excess; they broke out into tumults of applause at the rhetoric of their preacher, but paid no attention to the spiritual truth; forgot the application, and absented themselves from the prayers.

4. But the worship itself—which was a most serious evil—had been in various directions assimilated to paganism. If the heathen had their idols, the Christians after a time began to have their images and pictures. Faustus, Manichee though he was, had some grounds for the charges he made against the orthodox.

(a) He made a charge of idolatry and semi-idolatry. At first Christianity was utterly opposed to pictures and images in churches, but they have become universal. Beausobre speaks of what he calls the "Christian idolatry," which was thus gradually introduced.

(b) The charge of paganized religious gatherings is also abundantly proved by the regretful admission of contemporary saints.

(c) It is needless to touch on the groveling relic-worship and cross-worship which earned for Christians from the pagans the nicknames of ash-adorers (*cinerarii*) and idolaters.

5. The pernicious influence of paganism showed itself in two other directions—in literature and government. The writings of the Apostolic Fathers are gentle and dignified. In time, however, as in the case of Saint Jerome, controversy was conducted with rabid abuse, in which words and epithets were used, disgraceful even on the lips of an ordinary gentleman and trebly disgraceful to a Christian. Writers called each other names, sometimes too coarse for translation, and to

this day, I deeply regret to say, their vile example is followed in the columns of what are called religious and semi-religious newspapers.

6. We can hardly be surprised that when to call a man "a monster," and "a scorpion," and "a grunter," and "an impure demon," is regarded as a ferociously eloquent way of saying that you disagree with him, actual persecution and cruel violence should speedily be resorted to for the enforcement of religious opinion.

It would be quite possible to point out other directions in which the Church suffered grievous harm from her contact with the world. These, however, are sufficient, and they furnish abundant warning that the Church must never relax her vigilance, or forget that even a nominally Christian world may still be essentially of the world worldly.—*Archdeacon Farrar, D. D., in Sunday Magazine, London, November.*

Basis of Civil Law.

THE *Christian Patriot* asks this question:—

If you refuse to base legislation on the moral convictions of the majority of the people, on what will you found it?

The editor of the *Christian Patriot* seems hopelessly bound to a centre stake around which he travels in a never ending circle, *i. e.*, the idea that civil law must, of necessity, be based on the "moral convictions" of the people; and according to his view, moral convictions and religious convictions are synonymous terms. For many years people of a poetic or romantic turn of mind have had the idea, and freely expressed it, that all law is based upon the ten commandments. This all sounds very beautiful, but it has no foundation in fact.

All just, civil laws are based upon the inherent rights of all men. In other words, all just laws are but the development or the expression of rights already existing. Justice is eternal, self-existing and self-evident, and the only province of legislation is to protect rights, not to accord them.

Too many people assume, without a second thought, that Sunday legislation is based upon the moral convictions of the majority of the people, when, in fact, the real basis is the narrow, bigoted opinions of a number of church members.

"The people" have never been consulted in this matter, and were the question fairly canvassed and submitted to them, Sunday laws would be snowed under by an overwhelming majority, and the advocates of the measure know it well, and so they resort to threats of boycott, to fraudulent, padded petitions to bolster up an unrighteous, unholy movement.

It is the moral conviction of the majority of church members in the United States, that sprinkling and pouring, only, are baptism and they exclude immersion. Would these people be justified in forcing their views upon the minority, simply because they, the majority, considered immersion vulgar or immodest? And yet the same principle obtains in regard to Sunday legislation.

One grave mistake made by the editor of the *Christian Patriot* and by many other people, is, in taking it for granted that the "moral convictions" of the majority are necessarily right and true. It

is a sad but undisputable fact that in all ages of the world, the lovers of eternal truth and justice have been in the minority, and the very principle advocated by Mr. Converse has invariably led to the persecution of the minority by the bigoted uncharitable majority.

Had *Christian Patriot* views been carried out, we would have had no Luther or Calvin, no Wesley or Roger Williams, for these would have submitted to the "moral (?) convictions" of the majority.

It may be, as the *Patriot* says, that "the State can not do theoretical or exact justice;" but it can do one thing, and that is, attend to its own affairs, mind its legitimate business; turn its attention to affairs within its own jurisdiction.

The editor of the *Christian Patriot* admits that a Seventh-day Adventist or a Mohammedan would have a theoretical right to be protected in his observance of another day than Sunday, but immediately follows it up with the statement that to grant him such rights would be practical injustice. How a thing can be theoretically right and practically wrong, is beyond the comprehension of ordinary mortals. Perhaps Mr. Converse can reconcile his paradoxes.

"On what will you found legislation?" asks the *Patriot*.

On the same basis recognized by the founders of our Government, the framers of the Declaration of Independence and the Constitution—the natural, eternal, self-evident, inherent rights of *all* men; not the rights of the majority only.

It is an almost worn-out saying that "right wrongs no man," and it is childish and absurd to say, that to grant to any man his natural right, will wrong some other man.

It has yet to be shown that the work of any Seventh-day Adventist has ever disturbed a religious gathering on Sunday. The only thing that ever disturbed Sunday-keepers seems to have been the fact that a mile or so from the church was a man who presumed to have views of his own and preferred the Bible to the traditions of men.

It appears remarkably strange that while the Sunday-keepers of Springville, Tenn., are annoyed, and their "moral sensibilities" are shocked, at the thought of a few God-fearing, Bible Sabbath-keepers working on a day that has no sacredness attached to it, nobody is annoyed or disturbed, or shocked in any manner whatever by the smelting furnaces near Graysville, Tenn., which are never closed on Sunday.

"Mathematical justice is impossible in the political sphere," remarks the *Patriot*.

For over a hundred years, the Constitution has guaranteed religious liberty to the people of this country, and no one complained of any infringement upon their rights; no one felt that they were deprived of any privilege which was justly theirs: then why should not this state of things continue? One reason is that men are becoming selfish, bigoted, narrow-minded; that apostate Protestantism is reviving the spirit of her corrupt mother, Roman Catholicism. Another reason is that the Spirit of God has foretold this movement and it is inevitable.

ERNEST H. RUSSELL.

If the religion of Jesus has not sufficient vitality to stand, independent of State patronage, then let it fall.—*Rev. Joseph Glasson.*

Jew-baiting and German Arms.

DESPATCHES from abroad make it clear that there is to be a revival of Jewish persecution both in Russia and Germany. In Moscow Jewish merchants of the first guild of professional men, who have hitherto from their financial importance deemed themselves safe from attack, have been notified to leave the empire unless they unite with the Orthodox Church. The alternative is not a novel one to the Russian Jew, who for generations has nominally accepted it, but in this instance the genuineness of his conversion is to be demonstrated by a three years' residence in a monastic village outside of Moscow and a daily inspection of his piety by the monks.

The conditions imposed would be laughable did they not apply to educated and refined people, and did they not involve a partial confiscation of property, which will be total in the event of expulsion. Another decree issued by the authorities, imposing still greater hardship because applying to a more numerous class, is that requiring Hebrew artisans to reside only in towns where official boards of trade exist, the pretext being that they can thus be kept more effectively under official regulation and supervision. As official boards of trade exist in only about ten per cent of the Russian towns, and thousands of artisans will thus be compelled to remove from the places in which they live, the result will be a vast and barren addition to the sum of Hebrew misery.

In Germany, all reports agree, the anti-Semitic agitation is growing more intense, more than half the Conservative party being committed to it, and in many of the rural districts the peasantry show a disposition to repeat the physical outrages perpetrated a few years ago.

In Berlin, recently, a conference of Conservative members of the Reichstag greeted with applause radical proposals for the abasement of all Hebrews in Germany, and more serious still, the demand is being pressed that all Jews shall be declared by law to be foreigners, and so disqualified for State and university service. The court is opposed to the crusade, but the better classes are plainly in sympathy with it, the inciting cause apparently being jealousy of the Jew intellect rather than of the faculty for acquiring wealth; the movement being the more singular because in Germany the Hebrew has been so assimilated as to be outwardly, indistinguishable from the rest of the people. —*New York Observer.*

Others Can See It.

WHILE the National Reformers and American Sabbath Union oracles are claiming that all "evangelical" preachers of the country are in sympathy with their movement, and are putting forth the still worse claim that the Sunday legislation of Congress last July is not in conflict with the Constitution of the United States, some, even some pastors of Presbyterian churches, prove the falsity of the one claim, and can see in the other that such is not the case, as note the following from the *Chicago Herald*, of recent date:—

Rev. W. A. Broadhurst, pastor of the First Presbyterian Church (Chippewa Falls, Wis.), preached a sermon Sunday night on the Sunday opening phase of the World's Fair, which has stirred a number of elders to such a pitch that they have denounced Mr. Broadhurst's liberal ideas and threaten to have him brought before the synod. Several elders, however, who support the pastor,

stand in the way and may prevent any action. Mr. Broadhurst denounced as Puritanical the opposition to the opening of the Fair Sunday, and said that the action of Congress in putting a proviso in its bill making an appropriation to the effect that it should not be opened on Sunday is unconstitutional and against public policy.

Whatever else may be the result of the agitation of this Sunday question in connection with the closing of the Fair, it is certain to lead many to a correct understanding of the proper relation of Church and State.

Literary Notice.

AN invaluable book, a copy of which we have recently received, is the "Secretary's Manual." It is a complete compendium of a secretary's duties, from the most simple to the most complex, fully explaining, as it does, about every kind of duty that a secretary will be called upon to perform. It is especially designed as a book of reference for secretaries of legally incorporated bodies, giving points of law. Never before has a book of this character come under our notice, and we commend it to those who need such a manual as something they will not regret purchasing. It has 216 pages of matter, besides a copious index. Price, \$1.50. For sale by Pacific Press, Oakland, Cal., also at 43 Bond St., New York, and by the author, W. A. Carney, Santa Paula, Cal.

Abiding Sabbath And Lord's Day.

BY ALONZO T. JONES.

A pointed review of the \$500 and \$1,000 prize essays in support of the Christian Sabbath, so called. Those desiring some \$1,000 reasons for keeping the first day of the week, will find them here. 173 pages, 20 cents. Pacific Press, 43 Bond St., New York City.

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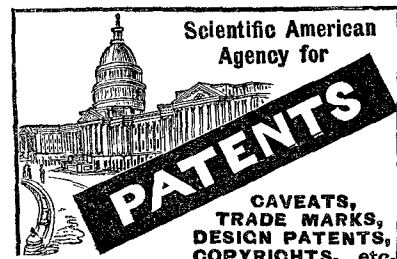
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NEW YORK, JANUARY 26, 1893.

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.

THE *Mail and Express* makes the statement that "the President, within the last few days, has stated most positively that should any bill pass Congress looking to the repeal of the law for the Sunday closing of the World's Fair, and the bill comes to him, he will veto it." It seems improbable, however, that Congress will pass any such bill. The Government appears to be hopelessly committed to religious legislation.

In view of the trials to take place in Henry County, Tennessee, on the 30th of this month, the reader will find the article on another page, which we reprint from the *American Law Register*, of special interest because of the able manner in which the writer treats the question of what constitutes a disturbance within the meaning of Sunday statutes.

THE Tennessee Adventists imprisoned last summer, and also those to be tried next Monday, are charged, in the indictments against them, with doing secular work on Sunday "to the great annoyance and disturbance of the people;" yet it is in evidence in the cases of last summer that nobody was disturbed—all the witnesses testified that the work did not disturb them; and in fact it was of a character and done in such places that it could not be a disturbance in the common acceptance of the term.

BUT as shown in the article referred to, the term "disturbance" does not have its ordinary, every-day meaning when used in Sunday statutes. The North Carolina judge stated a truth which less candid, but scarcely less bigoted, jurists are slow to admit, namely, that the object of Sunday laws is to compel the performance of a religious duty. The judge's exact language concerning Sunday work is that it "offends us not so much because it disturbs us in practicing for ourselves the religious duties or enjoying the salutary repose or recreation of that day, as that it is in itself a breach of God's law and a violation of the party's own religious duty."

BUT a still more remarkable turn has been given to a similar statute in New Hampshire, namely, that *those who do the work are disturbed by it!* There the court has defined the law as prohibiting "acts calculated to turn the attention of those present from their appropriate religious

duties to matters of mere worldly concern;" and hence, as Mr. Ringgold remarks, it is settled in that State that business, however quietly conducted on Sunday, "disturbs" those engaged in it, and that a man is "disturbed," though he be willing and even anxious to do business on Sunday, by the doing of it, or by any act, however voluntary, which tends to distract him from religious observance."

THE Tennessee courts have taken substantially the same view of the matter of disturbance as the courts of North Carolina and New Hampshire. The "disturbance" and "nuisance" charged in indictments for Sunday work consist in the fact that the work is done on Sunday, and it is not necessary to show that anybody has been disturbed. The courts assume that Sunday work shocks the moral sense of the community, and it is not even necessary that any body should see the work done or even know certainly of its being done. If Sunday work is suspected and can be proved even by members of the same family, it is a nuisance under the judicial legislation of the Tennessee courts.

ANOTHER point in Mr. Ringgold's article worthy of special mention is that Sunday laws are not necessary to protect religious assemblies from disturbance. Religious meetings of all kinds are held every day and every night in the week and nobody thinks of being disturbed except on Sunday when not one-tenth, no, not one-hundredth part as much traffic is going on; then it is necessary to have a law to protect public worship!! If slang is ever excusable, one will surely be pardoned for remarking in this connection that the plea is "too thin"!

THE *Industrial World*, of the 23d ult., has this to say of the imprisonment of Adventists in Tennessee:—

The record of the Tennessee courts is the record of a religious inquisition. The Sunday closing of the World's Fair and the faintness of protest from the press is proof that the same craven, mercenary spirit gags them in this as in secular matters.

If these statements as to the spirit and purpose of the churches are not true, let them show it by removing the thumbscrews and taking away the fagots of the Tennessee inquisition. If liberty in America is to be more than the mouthing of politicians, those men must be set free and indemnified for false imprisonment. The chains about their legs will canker the flesh of all the people if they are not stricken off. An injury to one is the concern of all, because it makes easy the way to the injury of all. It is time to wake up.

The fact that these men are not now in prison as the *World* seems to think, does not alter the case one whit; several others, members of the same church, are under indictment and will be tried probably the last Monday in this month—and in the Henry County court trial means conviction, for men who are too honest to avail themselves of any thing savoring of indirection in order to secure acquittal.

In a recent memorial to Congress praying for the Sunday closing of the World's Fair, the Mount Vernon Place M. E. Church South, Washington, D. C., said: "We present this memorial in behalf of millions of Christian citizens." But what is the use of any such memorial? The "Christian" citizens of this land have already been counted several times over in favor of closing the Fair. Are they all to be counted again?

THE *Post-Intelligencer*, of Paris, Henry County, Tenn., publishes the following item of news:—

CIRCUIT COURT.

The Circuit Court convenes the fourth Monday, January 23. The State docket will be taken up on the second Monday of the term, which will be January 30.

The number of civil cases on the docket are about fifteen, on the reference docket, twelve; on appearance docket, one; State docket, ninety-five. Of these there is one case for murder; for felonious assaults, four; for gaming, four; for carrying pistol, sixteen; for disturbing public worship, eight; for giving liquor to minors, two; for injuring church property, one; for selling liquor on Sunday, three; for assault and battery, two; for perjury, two; for selling liquor without license, five; for selling liquor in four miles of school house, two; for larceny, two; attempt to rape, one; for selling liquor to minors, six; for keeping open saloon on Sunday, two; for fraudulent breach of trust, one; for work on Sundays, seventeen; for lewdness, two; for public drunkenness, two; for horse racing on public road, one; for keeping gaming table, one; for injuring spring, one.

The *Post-Intelligencer* does not, however, explain that the indictments for Sunday work are against men who are acknowledged by the prosecuting attorney to be good citizens, aside from the fact that they do not observe Sunday; it does not tell what is the fact, that any one of them would be trusted by any merchant in the county to any reasonable amount, for they are known to be scrupulously honest; in short, it does not tell, as it might truthfully do, that they are upright Christian men suffering persecution for conscience' sake.

JUST as we are closing up the last page of this number of the SENTINEL, a letter comes to us from Henry County, Tenn., telling us that the sheriff is summoning mere children as witnesses in the cases of the indicted Adventists. One boy of only eleven years has been subpoenaed as a witness against his own father! In another family the father will be required to testify against his sons and the sons against the father and against each other! and this to prove something which in the indictment is described as being "to the great annoyance and disturbance of the people," and "against the peace and dignity of the State"!!

AMERICAN SENTINEL.

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