

# LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM

DEVOTED TO THE AMERICAN  
EXEMPLIFIED IN THE  
\* \* OF CHURCH

IDEA OF RELIGIOUS LIBERTY  
COMPLETE SEPARATION  
AND STATE

Religious Liberty

Threatened

Church and State in the  
two Republics—Rome  
and the United States

An Argument Against  
Religious Legislation

The Saloon a  
Legalized Outlaw

Published Quarterly

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### FORGING THE CHAIN

A Change from "A New Order of Things" to "The Old Order of Things."

# LIBERTY

*Proclaim liberty throughout all the land unto  
all the inhabitants thereof. Lev. 25:10.*

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## Editorial

THE same authority which ordained both the church and the state ordained that they should occupy distinct spheres, and the violation of this divine principle will result in disaster both to the church and to the state.

BECAUSE the founders of this government believed in Christianity, they made every provision against the union of church and state in the national government. There is now danger that the principles which they advocated may be repudiated, and every lover of liberty should be on the alert to prevent such a disaster.

IT is not sufficient that the purpose of a man or of an organization of men should be good, in order to justify the method followed in seeking to accomplish the purpose. We should be glad to see the principles of Christianity as enunciated in the ten commandments and summarized in the principle of love to God and love to one's neighbor, exemplified in the lives of all the citizens of the United States, but we are opposed to any effort to enforce these commandments by law. The great apostle to the Gentiles said: "Knowing therefore the terror of the Lord, we persuade men;"

but neither by precept nor example did he ever authorize the use of civil power to compel men.

### What We Believe

WE believe in a properly constituted civil authority and in a pure religion. We are, therefore, opposed to any semblance of a union between church and state.

We believe in divine authority in spiritual things, and are, therefore, opposed to the use of the civil power to enforce even the appearance of a regard for any religious institution.

We believe that the union of religion and the state is the same in principle, and will produce the same results, as a union of church and state. We are, therefore, just as much opposed to the former as to the latter.

We believe in religion as a personal experience, and should be glad to have all men in public life true to the principles of the gospel of Christ; but we are uncompromisingly opposed to a state religion, or to any compulsion in religion. It is of the very essence of Christianity that it should be free.

We believe that a union of church and state or the union of religion and the state will inevitably have a tendency to

bring the authority of the state and the claims of religion into contempt. We are, therefore, unalterably opposed to any such union.

We believe that the first step toward a union of church and state, or of religion and the state, violates the true principle just as much as the last step; and we, therefore, protest most earnestly against the taking of the first step.

We believe that religion, being the duty which man owes to God and the manner of discharging it, is wholly outside the sphere of civil government; and that civil government has, of right, no power over matters of faith. We are, therefore, opposed to any attempt, either direct or indirect, to place religion under the jurisdiction of civil authority.

We believe that the state should not be the servant of the church, and that the church should not be the servant of the state. We, therefore, urge that each should be left free in its own proper sphere.

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### Some Significant Facts

IN view of the present situation as it relates to the enactment of religious legislation by the United States Congress, it seems to be an opportune time to direct attention to some facts which are worthy of the most serious consideration.

The United States as a nation is specifically mentioned in prophecy, and the part which it will act in the closing scenes of the drama of this world's history is clearly described.

Represented in the prophecy by the living creature having two horns, symbolizing the two vital principles of this nation, Republicanism and Protestantism, the United States of America, according to the vision of the prophet, will follow the example set by the papacy (the beast with the seven heads and the ten horns) in abridging the rights of conscience and

in subjecting to pains and penalties those who choose to obey God rather than men.

It is unnecessary to say to those who have read history that the papacy has persecuted those who refused obedience to its decrees. Millions of martyrs bear testimony to this fact. The papacy was able to accomplish her purpose through a union of church and state, in which the church used the state to enforce her dogmas.

The story of the means and the steps by which this union of church and state was accomplished in the fourth and fifth centuries, shows that the making and enforcing of laws and decrees relating to the observance of Sunday was the leading feature of the whole movement. The power to compel a show of respect to the authority of the church in requiring the observance of the first day of the week instead of the original seventh day required by the fourth commandment, seemed to be a test of the practical efficiency of the union of church and state.

The papacy was not formed in a day. Its arbitrary and despotic power was not gained in a moment. By a constant assumption of authority, by repeated encroachments upon the rights of conscience, and by its growing influence with the government, it gradually brought about that change which made it the practical head of the Roman commonwealth after the authority of the Cæsars had been overthrown. This is the answer of history to that prophetic foreview when John "saw a beast rise up out of the sea," and that "power was given him over all kindreds, and tongues, and nations." Rev. 13:1, 7. The fulfilling of this prophecy may be designated as the making of the beast.

According to this same prophecy (verse 14), an image will be made to this beast in the United States. The making of the image will be a repetition of the

acts which made the beast. It will, therefore, be accomplished by the union of church and state, in which Sunday laws will occupy the same place as they did in the history of the fourth and fifth centuries.

The union of church and state in the fourth and fifth centuries resulted in apostasy in the church and in the ruin of the republic. Neander says:—

Despotism, arrayed in open hostility to Christianity, only served to call forth, in still greater strength, the Christian sense of freedom rising superior to all earthly constraint. But despotism in outward alliance with the church, proved a more dangerous enemy. . . . In forgetting and denying its own essential character, on the simple preservation of which its true power depends,—in consenting to make use of a foreign might for the furtherance of its ends, the church succumbed to that might. Such is the lesson taught by the history of the church of the Roman empire in the East.—“*Neander's General Church History*,” *Volume III, Section 2, Division I, Par. 1.*

The union of church and state in this century will bring the same results to the church and to this republic.

When, therefore, we see the United States Congress on the verge of committing itself to the policy of religious legislation by passing a Sunday law for the District of Columbia, we can do no less than call attention to the result as foreshadowed in the prophecy and illustrated by past history. The taking of this first step involves the acceptance of a principle which, followed to its logical and inevitable result, will mean a government dominated by the church, the rights of conscience outraged, and religious liberty denied to all citizens.

These views and the basis upon which they rest are more fully set forth in another part of this magazine, in the articles entitled, “Church and State in the Days of Rome,” and “Church and State in the United States.”

### Religious Liberty Threatened

DURING the first session of the Sixtieth Congress, which closed on May 30, several bills relating to the observance of Sunday in the District of Columbia were introduced in the two houses. No hearings were held on either of the bills introduced in the House of Representatives, and neither one of them was reported out of committee. One hearing was held on the two bills introduced into the Senate by Senator Johnston, of Alabama, and the argument presented on that occasion, by one of the editors of LIBERTY, was printed in the last issue of this magazine.

A printed report was afterward made to the Senate by the Committee on the District of Columbia, recommending the passage of a substitute bill. On Friday, May 15, this report was acted upon in the Senate. The following extract from the *Congressional Record* of that date, tells the story:—

#### *Sunday Closing in the District*

The bill (S. 3940) requiring certain places of business in the District of Columbia to be closed on Sunday was considered as in committee of the whole.

The bill had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and insert:—

That it shall be unlawful for any person or corporation in the District of Columbia, on the first day of the week, commonly called Sunday, to labor at any trade or calling, or to employ or cause to be employed his apprentice or servant in any labor or business, except in household work or other work of necessity or charity, and except also newspaper publishers and their employees, and except also public-service corporations and their employees, in the necessary supplying of service to the people of the District.

SECTION 2. That it shall be unlawful for any person in said District on said day to engage in any circus, show, or theatrical performance: *Provided*, That the provisions of this act shall not be construed so as to prohibit sacred con-

certs, nor the regular business of hotels and restaurants on said day; nor to the delivery of articles of food, including meats, at any time before 10 o'clock in the morning of said day from June 1 to October 1; nor to the sale of milk, fruit, confectionery, ice, soda, and mineral waters, newspapers, periodicals, cigars, drugs, medicines, and surgical appliances; nor to the business of livery stables, or other public, or the use of private, conveyances; nor to the handling and operation of the United States mail.

SEC. 3. That any person or corporation who shall violate the provisions of this act shall, on conviction thereof, be punished by a fine of not more than ten dollars or by imprisonment in the jail of the District of Columbia for not more than ten days, or by both such fine and imprisonment, in the discretion of the court: *Provided*, That persons who are members of a religious society who observe as a Sabbath any other day in the week than Sunday, shall not be liable to the penalties prescribed in this act if they observe as a Sabbath one day in each seven, as herein provided.

SEC. 4. That all prosecutions for violations of this act shall be in the police courts of the District of Columbia and in the name of the District.

The amendment was agreed to.

*Mr. Kean*: I should like to inquire whether it is a unanimous report from the committee.

*Mr. Johnston*: It is. I desire to offer an amendment. I move to strike out the proviso in Section 3 and to add it to Section 1, in just exactly the same language.

*The Vice-President*: The senator from Alabama proposes an amendment, which will be stated.

*The Secretary*: On page three of the committee amendment, Section 3, it is proposed to strike out the proviso and to add it at the end of Section 1.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the proper observance of

Sunday as a day of rest in the District of Columbia."

The bill thus passed the Senate was sent to the House, and there referred to the Committee on the District of Columbia, but owing to the short time intervening before the adjournment of Congress, no hearing was held, and no action was taken by the committee.

When Congress convenes again in December, this Sunday bill, with the several bills introduced in the House, will doubtless be considered by the committee, and some kind of report made thereupon. It seems fitting, therefore, that so far as possible the attention of all the people should be called to this pending legislation, to the principles involved therein, and to the result likely to accrue in case one of these bills should become a law.

*Sunday "as a Sabbath"*

It is plainly the purpose of this Senate bill to secure the observance of Sunday "as a Sabbath" in the territory to which it is applicable. There can be no doubt about this, as the title declares it to be "A bill for the proper observance of Sunday as a day of rest in the District of Columbia." This title might with equal propriety have read: "A bill for the proper observance of Sunday as the Sabbath," etc. This is certain from the proviso which is attached to Section 3, in which certain persons are exempt from the penalties of this bill "If they observe as a Sabbath one day in each seven, *as herein provided.*" [Italic ours.] There can be no question, therefore, that the aim of those who are urging the passage of this bill is to require in the District of Columbia observance of one day in the week "as a Sabbath." The day to be so observed is preferably "the first day of the week, commonly called Sunday," although the observance of another day "as a Sabbath" will be permitted under certain conditions.

*A Usurpation of Power*

In view of the very evident purpose of the bill, it is proper now to inquire what Congress has of right to do with the observance of any day of the week "as a Sabbath," and where it obtained this right. All the powers of Congress are delegated powers, and the constitution of the United States both defines and limits those powers. We look in vain to this instrument to find that it grants to Congress any authority whatever in matters of religion. On the contrary, the first amendment explicitly declares, "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." A little reflection, however, will show that this bill does interfere with the free exercise of religion even on the part of those who conscientiously believe that the first day of the week ought to be observed "as a Sabbath." This principle has been clearly stated by Mr. Justice Burnett, of the supreme court of California, in his opinion rendered in *Ex parte Newman*, 9 California, 513-14: "The fact that the Christian *voluntarily* keeps holy the first day of the week, does not authorize the legislature to make that observance *compulsory*. The legislature can not compel a citizen to do that which the constitution leaves him free to do or omit at his election. The act violates as much the religious freedom of the Christian as of the Jew. Because the conscientious views of the Christian compel him to keep Sunday as a Sabbath, he has the right to object when the legislature invades his freedom of religious worship, and assumes the power to compel him to do that which he has a right to omit if he pleases. The principle is the same whether the act of the legislature compels us to do that which we wish to do or not to do." It is one of the first principles of Christianity that the service rendered to God must be

wholly voluntary. The divine invitation is, "Whosoever will, let him take the water of life freely." The moment the service rendered ceases to be voluntary, that moment it ceases to be Christian, and it is therefore impossible that Christian duties should be performed under the compulsion of civil law.

*A Distinction in Days*

It is idle to argue that this bill simply contemplates the exercise of the police power to secure proper protection for those who desire to observe the first day of the week "as a Sabbath." In the first place, if such a law were necessary in behalf of the first day of the week, it is also necessary in behalf of the seventh day of the week, which day is observed "as a Sabbath" by more than two million citizens of this country. The observers of the seventh day, however, not only do not ask for any such legislation, but on the contrary they vigorously protest against this evil principle, whether it is proposed to apply it to the first day, or the seventh day, of the week. In the second place, if such a law is required in order to make it possible to hold religious services on the first day of the week, it is equally required for other days of the week on which similar services are held. Furthermore, it can not be claimed that this bill treats the first day of the week as a civil holiday, inasmuch as on a properly designated civil holiday, such as the fourth of July, the twenty-second of February, Thanksgiving day, etc., common labor and amusement are not prohibited. From whatever standpoint it is viewed, therefore, it is plain that this bill is religious in its nature, and that its real intent is to make a distinction between the first day of the week and all other days,—a distinction which is intended to make all men treat Sunday "as a Sabbath."

*A Sliding Standard of Morals*

The absolute inconsistency of such legislation with any recognized standard of morals, and the utter absurdity of its basis of distinguishing between criminal and non-criminal acts, are apparent on the surface. A variety of articles, some necessary and some unnecessary, are permitted to be sold during the whole day. The grocer's wagon may rumble along the streets from June 1 to October 1, conveying articles of food until the clock strikes ten, and at the stroke of ten during the summer and at any time of day from October 1 to June 1, this same act becomes criminal; while one who drives a wagon at any time of the day during any part of the year, laden with furniture, clothing, or other legitimate articles of merchandise aside from food, according to this law, is committing a crime for which he may be arrested and fined or imprisoned. It is thus evident that it is the day, or the time of the day, when the act is performed, rather than the act itself, which determines the question of criminality. This is a kind of fast-and-loose morality which depends upon the whims of legislators, and which tends to confuse all legitimate distinctions between right and wrong. And the situation is further complicated by the fact that one person is subject to arrest as a criminal for doing work on a particular day which his next-door neighbor may perform on the same day with impunity, provided he has already observed another day "as a Sabbath." What a sliding standard of morals! A may hoe in his garden on Sunday without fear of arrest, while B, whose garden joins A's, may be fined and imprisoned for the same act. C may drive a grocer's wagon until ten o'clock, but D, who drives a similar wagon five minutes after ten, may be subjected to the penalty of the law; and E, the driver of

any other delivery wagon, is under the ban of the law all the day. It would require all the casuistry of an expert juggler of moral sentiments to defend successfully such legislation as this.

*Unnecessary and Ill-Advised Legislation*

We affirm that this bill is religious in its character; that it is a flagrant usurpation of power never granted to Congress by the people; that it is a violation of the fundamental principles of religious liberty; that it tends to confuse the moral sense of the community by making the time of day or the day of the week an element in the criminality of an act; that its purpose is to compel men to make a distinction between days for purely religious reasons; that it is a violation of the constitutional prohibition that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;" that it is a long step toward the union of church and state; and, finally, that it is unnecessary and ill-advised legislation, which will do injury to the cause of religion and tend to bring into contempt the authority of the state. We, therefore, most earnestly protest against this Sunday bill or any similar legislation.

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**Some Weighty Utterances**

WE desire to emphasize the fact that Congress has no right whatever to enact any legislation which will compel the conduct of men in their attitude toward religion or a religious observance. We fully agree with Mr. James Madison, who, in discussing the Constitution before the Virginia Convention (Elliot's "Debates on the Federal Constitution," Vol. III, page 330), said:—

There is not a shadow of right in the general government to intermeddle with religion. Its least interference with it would be a most flagrant usurpation.

We heartily commend the view taken by Thomas Jefferson in his letter to the Rev. Mr. Millar ("Works of Thomas Jefferson," Vol. V, page 236):—

I consider the government of the United States as interdicted by the Constitution from intermeddling with religious institutions, their doctrines, discipline, or exercises.

We are in the fullest harmony with the position taken by James Madison in his letter to Edward Everett, written March 19, 1823 ("Writings of James Madison," Vol. III, page 305):—

The settled opinion here is that religion is essentially distinct from civil government, and exempt from its cognizance; and that a connection between them is injurious to both.

We believe that Mr. Richard M. Johnson, of Kentucky, was right when, in his report from the Committee on Post-Offices and Post-roads, communicated to the Senate, Jan. 19, 1829, he said:—

It should, however, be kept in mind that the proper object of government is to protect all persons in the enjoyment of their religious as well as civil rights, and not to determine for any whether they shall esteem one day above another, or esteem all days alike holy. . . . It is not the legitimate province of the legislature to determine what religion is true or what false. . . . If the principle is once established that religion, or religious observances, shall be interwoven with our legislative acts, we must pursue it to its ultimatum. We shall, if consistent, provide for the erection of edifices for worship of the Creator, and for the support of Christian ministers, if we believe such measures will promote the interests of Christianity.

Every American citizen ought to read, and ponder earnestly upon, these utterances made by men who knew the meaning of religious liberty, and who sought to maintain it for themselves and for their posterity. The disregard of these sound principles may bring ruin upon this nation.

### "Except Only"

IN the report of the Senate Committee on the District of Columbia (report No. 596), accompanying Senate bill 3940, requiring certain places of business in the District of Columbia to be closed on Sunday, an attempt was made to answer the objections to this bill presented at the hearing on the same. In this report occurs the following paragraph:—

To the second objection [that it tends to unite church and state], it can be said that the bill of the committee is purely a civil and not a religious measure. No religious duty is enjoined; no attendance on any church is any more required than there is any prohibition of hearing a lecture in support of infidelity. Every person is permitted the widest liberty of conduct, except only following the ordinary avocations and amusements of the week. There is no invasion of the home, no disturbance of the family, no prohibition of friendly intercourse. The bill imposes no restraint whatever upon the religious liberty of any citizen of the District.

Because this bill does not re-enact the old blue laws of New England, and does not require attendance at church or any outward act of worship, it is asserted that the "bill imposes no restraint whatever upon the religious liberty of any citizen of the District." This declaration betrays an utter misapprehension of what constitutes religious liberty. "Every person," it is stated, "is permitted the widest liberty, . . . except only," etc. Permitted liberty is no liberty at all. It is mere toleration. If Congress can make one exception to "the widest liberty," it can make as many exceptions as it pleases, and there is no real safety. That "except only" is fatal. Congress has as much right to compel a man to attend church as to compel him to refrain from common labor and amusements on the first day of the week. This bill presupposes that it is within the province of

the civil power to regulate the conduct of men on a certain day of the week by compelling deference to a religious observance, and the principle of religious liberty is violated just as certainly when the first step is taken in this direction as when the extreme limit of oppression is reached.

Why is it proposed to make it "unlawful for any person or corporation in the District of Columbia, on the first day of the week, commonly called Sunday, to labor at any trade or calling"? On no other day of the week, and on no other day in the year, is it a criminal act to perform ordinary labor or to indulge in amusements. Can any possible reason be advanced for thus distinguishing between the first day of the week and other days of the week, except only that the majority of professed Christians in this country regard Sunday as the Sabbath? But what has civil government to do with the question of the Sabbath? And how can that be called "purely a civil and not a religious measure" which compels a different course of conduct on a particular day of the week on the basis of an existing religious belief or sentiment, and on no other possible basis?

No man is at present compelled to labor on the first day of the week in the District of Columbia unless he chooses to do so. If his religious scruples require him to rest on that day, no legal enactment can be invoked to compel him to violate his conscience. If he chooses to work on that day, there is no reason why Congress should forbid it. Sabbath observance is a duty which man owes to God and not to man, and Congress is not the divine agency for enforcing a religious observance.

The people have never granted to their representatives in Congress the power to compel the observance of any day "as a Sabbath," or to compel any one to show

an outward deference to the religious sentiment of the majority. For Congress to assume this right, and to make a man a criminal for pursuing legitimate occupations on the first day of the week, is a pure usurpation of power. If the people of the United States have not lost their true spirit of independence, and the appreciation of that liberty which was purchased at so great a price, they should rise up in a body in such a protest against this flagrant action as would make it impossible for a few politicians to curry favor with religious leaders by securing the passage of such iniquitous legislation.

What will be the attitude of the people at this time when such an invasion of their rights is threatened?

### The Exemption-Clause Fallacy

IN the Sunday Observance Act of the Quebec Legislature, there is an exemption clause which provides that any one "who habitually and conscientiously observes the seventh day of the week as a Sabbath day, and actually abstains from work on that day, shall not be punished for having worked on the first day of the week, if such work do not disturb other persons in the observance of the first day of the week as a holy day." An observer of the seventh day was arrested at South Stukely, P. Q., charged with having performed work on Sunday contrary to law, and the case was tried at Waterloo, P. Q., before Judge Mulvena. During the trial one of the witnesses, a Roman Catholic, testified that he was "spiritually disturbed" by the defendant in the performance of his work, and another testified that the work caused him "mental annoyance." In the decision Judge Mulvena said:—

The whole question, to my mind, turns

on the meaning to be given to the word "disturb." One of the witnesses for the prosecution swears that the work carried on by the defendant on Sundays disturbed him "spiritually." Another swears that it caused him "mental annoyance." Others that it did not bother them at all. I can not see that the context of clause six allows any other meaning to be put upon the word "disturb" than is the obvious every-day meaning. It must necessarily mean material disturbance,—the hindering of, or interfering with, other people in the discharge of their religious duties, by noise, or some other tangible interference, and in the present case there is no proof whatever of anything of that kind.

This case emphasizes two things: first, that even a clear and comprehensive exemption clause does not prevent any person from being arrested and subjected to the expense of trial for an alleged violation of the Sunday law, second, that those who prosecute alleged violators of the Sunday law are often afflicted with mental dishonesty, and do not hesitate to give to ordinary words a new and unusual meaning in order, if possible, to secure conviction. In this particular case, the presiding judge would not permit the law to be interpreted contrary to its obvious meaning, and the complaint was dismissed.

The exemption clause which has been inserted in one of the proposed Sunday laws for the District of Columbia is the same in effect as the one in the Sunday Observance Act of the Quebec Legislature; and if the bill should become a law, even those who are expressly exempted from the provisions of this act are still liable to arrest and trial.

This experience in Canada shows the use which religious bigotry can make of legislation designed to enforce a religious observance in persecuting even those who are plainly exempt from the penalties of the law. A Sunday law is always an infringement upon religious liberty.

### Sunday-Breakers as Traitors

IN a sermon at Lansing, Mich., an Episcopal clergyman, according to the press report, branded as traitors those who neglect to observe Sunday. The following paragraph is from an abstract of the sermon printed in the *Lansing Republican* of May 25:—

Rev. Hicks appealed not to the religious sentiment of his parishioners so much as to the patriotic sentiment, believing that the observance of Sunday is essential to a nation's life and prosperity. . . . The great nations of the world have been Sunday-observing nations, and no nation, Rev. Hicks stated, can disregard the day without inviting the same consequences as those of the French Revolution. A person by neglecting to observe the sabbath day, Rev. Hicks believes, is a traitor to his country.

Sunday has often been called "the American sabbath," and "a national institution," and on that basis it may seem appropriate to appeal to the spirit of patriotism in order to secure its observance. It is certainly useless to appeal to the Bible, as Sunday is not the Sabbath of the Bible, and there is no authority in that book for its observance. There is, however, great significance in the suggestion that those who do not keep Sunday are traitors. It implies a state religion with Sunday-keeping as the mark of loyalty, and the death penalty to be inflicted upon those who refuse to acknowledge the sovereignty of the state in the realm of conscience.

### Two Reports Contrasted

NEARLY fourscore years ago, Jan. 19, 1829, a report was communicated to the United States Senate by the Hon. Richard M. Johnson, of Kentucky, Chairman of the Committee on Post-offices and Post-roads, in which the relation be

tween civil government and religion was ably discussed. The document is of considerable length, and the arguments adduced are both weighty and convincing. It is shown by a course of reasoning which can not be controverted, that it is wholly outside the proper sphere of civil government to take any part in settling religious disputes or in compelling religious observances. The closing paragraph of this notable report runs as follows:—

Our Constitution recognizes no other power than that of persuasion, for enforcing religious observances. Let the professors of Christianity recommend their religion by deeds of benevolence, by Christian meekness, by lives of temperance and holiness. Let them combine their efforts to instruct the ignorant, to relieve the widow and the orphan, to promulgate to the world the gospel of their Saviour, recommending its precepts by their habitual example; government will find its legitimate object in protecting them. It can not oppose them, and they will not need its aid. Their moral influence will then do infinitely more to advance the true interests of religion, than any measure which they may call on Congress to enact. The petitioners do not complain of any infringement upon their own rights. They enjoy all that Christians ought to ask at the hands of any government—protection from all molestation in the exercise of their religious sentiments.

During all the decades since this report was adopted, the United States Senate has consistently maintained the position then taken until the first session of the Sixtieth Congress recently closed. By passing the Johnston Sunday bill, the record which has stood more than three fourths of a century was reversed, and the United States Senate has committed itself to the policy of religious legislation.

There is a striking contrast between the report submitted in 1829, when the Senate took right ground upon this sub-

ject, and the report submitted in 1908, when the Senate yielded to the demand for religious legislation. The latter report is brief, and does not carry with it the conviction based upon sound principles. In another article we have considered one paragraph from this report. Another reads thus:—

The seat of government of the United States is perhaps the only territory within its jurisdiction in America where the fourth commandment has been repealed, or is practically ignored.

The framer of the proposed law interprets the fourth commandment as applying to Sunday, and has written his bill on that basis, although the plain wording of the commandment calls for the observance of the seventh day, which is Saturday, and there are many citizens of the District of Columbia who govern their practises accordingly. It is thus the avowed intent of this bill to supply an alleged defect in the legislation for the District of Columbia by compelling a regard for such an interpretation of the fourth commandment as makes it require the observance of Sunday. In other words, by such legislation as this it is expected that Congress will interpret the fourth commandment contrary to its plain letter, and will then enforce obedience to its interpretation. This is a complete repudiation of the principle laid down in the Senate report of 1829 in these words:—

We are aware that a variety of sentiment exists among the good citizens of this nation, on the subject of the Sabbath day; and our government is designed for the protection of one as much as another.

By passing this Sunday bill, the United States Senate has lost sight of the fact that "the proper object of government is to protect all persons in the enjoyment of their religious as well as civil rights, and not to determine for any whether they shall esteem one day above

another, or esteem all days alike holy;" and has taken it upon itself to decide a religious controversy. This is the first step in the path of intolerance, which will lead inevitably to religious persecution.

What has Congress to do with the interpretation or the enforcement of the fourth commandment, or any other commandment? Who conferred upon this body of lawmakers the power to settle religious disputes? Will the people permit their most sacred liberties to be thus encroached upon without making a most vigorous protest? This is the time for earnest action.

### Five Reasons Examined

It will doubtless be conceded that the *Christian Advocate* of New York, may be taken as an authoritative interpreter of Methodism, and we think further that it would be fair to regard this paper as a representative of religious journalism in America. We are, therefore, gratified to find in a recent issue (June 18, 1908), a clear statement of the grounds upon which so representative a periodical favors the enactment of Sunday laws. In an editorial article, the *Advocate* states in the following paragraphs its reasons for its position on this question:—

1. Sunday laws in this country do not require any person to worship God or to attend any church whatsoever. So far as the laws of the States or the federal government go, a man may freely stay away from religious services all the days of his life, and never mention the name of God or think of him.

2. It is necessary to the welfare of the people of the United States that there be a general sentiment of respect for religion.

3. For the physical and intellectual welfare of the people it is desirable that one day in *seven* shall be a legal holiday.

4. Special protection for such days is necessary, that those who wish to use

them for religious purposes can do so without disturbance, and those who would make the day a corrupting day may be held in check.

5. With due regard to laws for the purpose stated in the preceding paragraph, citizens may make this day a *holy* day or a holiday, or partly a holy day and partly a holiday, according to their consciences or tastes.

An examination of these five paragraphs will show how vaguely the real principles underlying this question of religious liberty are comprehended even by some representative teachers, and into what inconsistencies those are led who commit themselves to the defense of an unworthy cause.

#### *The Principle at Stake*

It is no sufficient answer to the claim that Sunday laws constitute religious legislation, and that they are, therefore, both un-American and unchristian, to say that "Sunday laws in this country do not require any person to worship God or to attend any church whatsoever." To concede to civil authority, the right to distinguish between days on religious grounds, and to require a different kind of behavior from its citizens on one day than on another, in order to secure to a portion of the citizens a state of mind more favorable to religious observances, is to grant to the state the full control of conduct on that day. Whether the state exercises this control to a less or to a greater degree is then wholly at its own option, and should it decide to compel church attendance or contributions for the support of public worship, as has been done in the past, those who concede the right of the state to enact any Sunday law, would have no just ground for complaint. It may seem to some minds that the American colonists might better have paid the tax of three pence a pound upon tea rather than to have precipitated a revolution, but those who know the difference between being slaves and free

subjects, will understand that the American colonists were not fighting for three pence a pound but for the rights of freemen. It is not necessary that the Sunday law should require a man to attend public worship or recite the apostles' creed, or sing religious hymns, in order to constitute an interference with religious liberty.

*No Forced Respect for Religion*

We certainly agree with the *Advocate* that "it is necessary to the welfare of the people of the United States that there be a general sentiment of respect for religion," but in the name of that Christianity which declares, "Let every man be fully persuaded in his own mind," we ask what kind of "respect for religion" will that be which is extracted under threat of pains and penalties? Because we believe it desirable that there should be "a general sentiment of respect for religion," we must and ever will protest against any effort to compel an outward appearance of regard for religion, when it is not a matter of the heart. More efficacious than civil laws to accomplish this result is religion itself, revealed in the unselfish lives of those who seek to do to others as they would have others do unto them, and refusing to place other people under bondage in order that they themselves may secure an appearance of greater freedom. The Galilean himself knew how necessary it was for the welfare of the human family that each one should assume the right attitude toward the Christian religion, but knowing also that the very essence of the gospel is freedom of the mind, he accorded to every one the privilege of either accepting or disdaining the message from heaven. A forced respect for religion may be to formalists a more gratifying form of expression, but it really means an inward disgust molded in the forms of hypocrisy.

*The Province of Government*

Will the *Christian Advocate*, or any other defender of Sunday laws, give a sound reason, other than religious, why "it is desirable that one day in seven shall be a legal holiday." Why not one day in six or eight? Has it been scientifically demonstrated that the physical system demands exactly this proportion between holidays and non-holidays; and even if this were capable of being demonstrated, is it the province of civil government to enact into law every requirement for our physical and intellectual well-being? Is it not just as necessary that a man should sleep one fourth or one third of each twenty-four hours, as that he should have one day in seven as a legal holiday? Yet the *Advocate* does not urge that our legislators should pass laws regulating both the amount and the time of sleep. If it were always borne in mind that the business of civil government is to protect every citizen in his natural rights, rather than to attempt to control his conduct, there would be much less said and written about the necessity of moral and religious legislation. If one citizen should interfere with the right of another to sleep at proper times, the courts could take cognizance of such a case, but this is a very different matter from compelling a person to sleep; and so regarding Sunday laws. If one citizen interferes with the right of another citizen to perform religious duties either public or private on any day of the week, civil government has a right to interfere, but when more protection is demanded on one day of the week than on another, the protection is really sought in behalf of the day rather than in behalf of the citizen. This is the real point in all Sunday laws.

*"Special Protection"*

The claim that "special protection" is necessary for that one day in seven which is set apart as a legal holiday in

order that those who wish to use it "for religious purposes can do so without disturbance, and those who would make the day a corrupting day may be held in check," is wholly inconsistent with the nature of "a legal holiday." Thanksgiving is a legal holiday, and a day on which it is recommended that special religious services should be held, but no "special protection" has yet been demanded lest some should make the day "a corrupting day." Lent covers a period of six weeks, during which daily religious services are held both in Episcopal and Roman Catholic places of worship, but it has not been deemed necessary to provide "special protection" for this time of religious observances. The only explanation of this difference is that there are some misguided persons who under the plea of securing "a legal holiday," are demanding enforced respect for a religious institution, contrary to the very fundamental principle of religious liberty. No man has a right to declaim about religious liberty who is not willing to grant to every man the right *not* to believe and *not* to worship, and who is not willing to refrain from any attempt to compel unbelievers to act as if they believed, or to compel non-worshippers to assume, in some degree at least, the same attitude toward a religious observance as is assumed by worshippers.

Furthermore, it is not true that where such "special protection" as is demanded by Sunday law advocates has been granted "citizens may make the day a *holy* day or holiday, or partly a holy day and partly a holiday, according to their consciences or tastes." Under existing State Sunday laws in this country peaceable and inoffensive citizens have been arrested and convicted as criminals for working quietly in a field far removed from any dwelling house; for repairing a fence by the side of a rarely used road, in order to protect growing

crops against straying cattle; for painting the back side of a building entirely out of sight of all passers-by; and for other similar acts which could by no possible stretch of imagination be regarded as improper on "a legal holiday."

The first draft of the Sunday bill for the District of Columbia, which was passed by the United States Senate, during the recent session of Congress, and is now pending in the House of Representatives, made it "unlawful for any person to engage in fishing," but in what way could this quiet pastime possibly disturb those who wish to use the day for religious purposes?

#### *Religious, not Civil*

The fact is that it is utterly impossible to defend Sunday laws upon any other than religious grounds, and an attempt to justify them on a civil basis leads to just such inconsistencies as were indulged in by the *Christian Advocate*. It makes no difference whether the religious observance is based upon a definite command or whether it rests, like the Sunday institution, upon tradition and the authority of the church. It is not within the province of civil government to determine whether a religious institution rests upon a sufficient basis, or whether a person endangers the salvation of his soul by refusing to pay due regard to church observances. It is the duty of the state to protect all its citizens in their right to assemble peaceably, and to hold a public meeting for any proper purpose on any day of the week, and in their right to practise or to refrain from practising any form of religion, so long as in so doing they do not interfere with the equal rights of other citizens, but further than this, the state can not go without committing itself to become the judge in religious matters and to become an oppressor of a portion of its citizens, by granting special privileges to one class which are withheld from another.

# General Articles

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## Church and State in the Days of Rome

### *The Church's Greatest Mistake*

C. M. SNOW

THE Author of the Christian religion bequeathed to his followers the greatest power in the universe. The very arsenal of heaven was requisitioned in their behalf. So he said: "All power is given unto me in heaven and in earth. Go ye therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost: . . . and, lo, I am with you alway, even unto the end of the world."

Jesus Christ had won the right to call down from heaven all power necessary to enable Christians to meet and overcome every obstacle placed in their way by Satan and evil men. And he further declared, "Without me ye can do nothing." Panoplied with that power and bearing such a commission, the Christianity of apostolic days went forth to win out of the darkest haunts of heathenism most precious jewels for the kingdom of God. They won them, and that, too, in spite of buffetings, stonings, whippings, imprisonments, exilings, crucifixions, and persecutions of every kind. In spite of the most bitter and bloody persecutions of such emperors as Nero, Decius, and Galerius, the cause of Christ won its way into all parts of the world. Persecutions winnowed the chaff from the wheat. Such men and women as joined the church of Christ in those days joined it from force of strong conviction, and could be depended upon to stand for its principles in spite of cruel emperors, personal foes, or false brethren. To such a company belonged Stephen and Paul, John and the converted Peter, and those who, following their example, witnessed to their faith with their lives.

### *Constantine's Conversion Explained*

When Constantine came to the throne of the Roman empire, he found it leavened with the leaven of Christianity. He found a strong and substantial portion of his subjects professing faith in Christ. He knew also that this class of people existed in his dominions in spite of all that his predecessors had been able to do in attempting to crush them. He was too good a politician not to profit by the lessons of the past and the existing conditions. He professed Christianity himself, and issued a decree granting liberty of worship to all his subjects. Thus, while winning the active approval and support of the Christians, he would not lose the support of his heathen subjects.

### *Imperial Preferment and Apostasy*

This elevation to imperial favor paved the way for the greatest mistake the church ever made. That mistake was coveting and accepting temporal power at the expense of the only power Christ ever promised to his church. It came about in this way. Bishops, forgetting in what their true glory consisted, allowed their eyes to be dazzled, and their heads to be turned, by the glamor of imperial preferment. They flattered Constantine and set him forth almost as a god. That pleased him, and he gave them what they desired. Then there arose questions among themselves; and they appealed to Constantine to judge their cause. He seemed glad of the opportunity, and undertook it without demur. Soon he was appointing bishops, deciding between rival bishops as to which should have certain bishoprics, and calling together councils of bishops, over which he himself presided, to determine questions of polity, doctrine, and discipline.

Constantine's predecessors had held the office of *Pontifex Maximus*, that is, high priest of the heathen religions.

Being *Pontifex Maximus* by virtue of his imperial office, why should he not take upon himself the oversight and administration of the Christian religion within his empire? The course taken by the power-loving bishops openly invited the exercise of his pontifical functions in that field, and he needed not to be urged into it.

*A Pagan Principle Perpetuated*

In the year 313 the edict of Milan, the joint edict of Constantine and Licinius, was published to the peoples of the eastern and western empires, granting fullest liberty to all "to follow the religion which they choose." These emperors in this edict declare it to be their duty "to establish ordinances respecting the worship of Divinity." Thus, while both emperors recognized both religious systems as "*religiones licite*" (legal religions), they reserved to themselves the right to "establish ordinances" of worship. Men were left free to practise what religion they would, but the pagan idea of state interference in religious things was still maintained.

One of the provisions of the edict of Milan restored to the Christians their places of worship wherever they had been deprived of them; and Constantine began immediately to confer benefits upon the Christians. This is seen in his directions to Cæcilianus, bishop of Carthage, to disburse among "certain ministers of the legitimate and most holy Catholic religion" within his diocese large sums of money "to defray their expenses," and also in his directions to the proconsul Anulinus to exempt all clergy of the Catholic Church from the duty and burden of public office. In his instructions to the same proconsul, Constantine warns him regarding "some men who are of no settled mind," who "wished to divert the people from the most holy Catholic Church by a certain pernicious adulteration," and instructs him to report all such to the judges. In this and similar ways did Constantine subvert the principles of religious liberty

by seeking to mold the entire religious system into a machine for the accomplishment of his own purpose and the exaltation of himself. Christianity had proved its power to maintain itself through centuries of bitter struggle, permeating all strata of society; but the most difficult test of all it was now to meet—the test of prosperity and imperial favor. The active influence of Constantine began at once to bring into the organized church an element, pagan at heart, that was destined to do what persecution had failed to accomplish, that is, to work the ruin of the church as a body. Through all these years when imperial favor was subverting true faith, there was still a body of faithful followers of the cross, protesting against the apostasy, and frequently paying with their lives for so doing. In fact, at the very side of Constantine stood one, a bishop, Hosius by name, who understood the true principles of religious liberty, if we might judge alone by the admonition which, years later, he gave to Constantine upon the question of the proper functions of church and state. "Intrude not yourself," he writes, "into ecclesiastical matters, neither give commands unto us concerning them; but learn them from us. God hath put into your hands the kingdom; to us he hath entrusted the affairs of his church. . . . It is written, 'Render unto Cæsar the things that are Cæsar's, and unto God the things that are God's.'" But for exercising his own religious liberty not to subscribe to the creed of Arianism, Hosius was finally, during the reign of Constantius, exiled, imprisoned, cruelly beaten, and at last put upon the rack, and all this in spite of his great age of about one hundred years. This mode of persuasion was effective at last, and Hosius signed the creed. The record shows, however, that Hosius was far from practising at all times the principles he enunciated in his letter to Constantius. He is even charged with being the author of the first Christian persecution, having stirred

up Constantine against the Donatists, many of whom were sent into exile or condemned to death.

*Constantine Decides a Religious Controversy*

Constantine, soon after beginning to bestow his favors upon the "most holy Catholic Church," was called upon to decide which of the contending parties was the Catholic Church. He decided the question. Not long thereafter he found himself in a position to decide what should be the creed of the Catholic Church. He decided that also in the Nicene creed, which in its final form, was the expression of his will; for into the creed proposed by Eusebius, Constantine injected the word that outlawed Arianism. He went further; for he commanded all the bishops at the council who would not sign the creed of their own free will to sign it anyway, under pain of banishment. Arius, against whose doctrine the creed was aimed, was banished; his books were burned; and it was decreed "that if any one shall be detected in concealing a book compiled by Arius, and shall not instantly bring it forward and burn it, the penalty for this offense shall be death." Only two of the seventeen bishops who at first refused to subscribe to the Nicene creed had the courage to stand by their convictions, and these two were sent into exile. Later, when Constantine's son, Constantius, became sole ruler of the realm, he determined to establish Arianism. He therefore called a council of the bishops to convene at Arles, 353.

*The Emperor Dictates the Creed*

The first move of the Arian majority was to secure the condemnation of Athanasius, who had been the chief opposer of Arius. They were successful, and all the bishops, under pain of banishment, were compelled to sign the condemnation. All signed but one, and he was exiled. Then came the council of Milan, two years later, at which Constantius demanded that all the Catholic bishops sign the condemnation of Athanasius, and sign also an Arian formula

of faith. Those who did not wish to sign pleaded that it was contrary to the canons of the church. The emperor's reply was, "My will is the canon." The eastern bishops signified their assent to the proposition; and the emperor declared that whoever would not sign the condemnation of Athanasius, and also sign the Arian formula of faith, would be banished.

This was none other than the logical result of the failure of the organized church to stand the test of imperial preference. She had coveted temporal power, and had received it; but in the sorrowful transaction she had lost the power of the Holy Spirit, she had lost the spirit and the freedom of the gospel; and the forms, rituals, and ceremonies of religion became to her a matter of merchandise, emolument, aggrandizement. As an organized body, that church, accepting the dictates of a temporal sovereign in its declaration of faith, and helping to bind the consciences of men to his chariot-wheels, forsook its Lord, and became Babylon, the mystery of iniquity, the cage of every unclean and hateful bird. That is history's lesson writ large for our learning, lest we, too, deserting the arm of Omnipotence, should turn to the state for succor and support.

*Reason for Establishing Sunday*

But there is one feature of this record that we can not overlook. Those power-loving bishops had come to entertain a rankling hatred for the Jews,—a hatred which has been perpetuated in all Catholic countries to this day. They were more favorable to the heathen than to those whom they stigmatized as the "murderers of our Lord;" and it was through the influence of such Jew-hating bishops of the early church that the Sabbath of Jehovah, because kept by the Jews, came into disrepute. This is hinted at in the following sentence from the bishop Eusebius, who was Constantine's adviser: "All things whatsoever that it was duty to do on the Sabbath, these we

have transferred to the Lord's day." This makes plain the reason for Constantine's Sunday law of 321: "On the venerable day of the sun let the magistrates and people residing in cities rest, and let all workshops be closed," etc. It is significant that Constantine's first act in the realm of religious legislation was a law for the observance of Sunday — the state's first answer to the plea of the organized church for power and influence and the enforcement of its will upon the people.

Four years later, at the council of Nice, another decree was issued, whose purpose was further to exalt the Sunday institution. By that decree the celebration of Easter on Sunday only was made obligatory throughout the Roman realm. This, too, was done in order, as Constantine says, "that we should have nothing in common with that nation of parricides, and of those who slew their Lord." But there were in the church very many who did not take kindly to the idea of changing from the Sabbath of Jehovah to the day of the pagan sun-festival, and refused to obey the law, or at least to work upon the Sabbath. The bishops, confident of their ability to accomplish their designs, and determined to crush out the observance of the true Sabbath, undertook, and secured, at the Council of Laodicea, the passage of the following canon: "Canon 29. Christians shall not Judaize and be idle on Saturday, but shall work on that day; but the Lord's day they shall especially honor, and, as being Christians, shall, if possible, do no work on that day." This was about 364, but it was not until 386 that the spirit of the canon was carried into the law of the realm.

But the passage of these laws, even, did not accomplish the bishops' aims. They purposed to secure larger church attendance. To bring this about, other laws were passed, closing all outside attractions, "in order that the devotion of the faithful might be free from all disturbance." That, too, did not satisfy,

and then came the working out of that nefarious doctrine of Augustine, that "many must often be brought back to their Lord, like wicked servants, by the rod of temporal suffering, before they attain the highest grade of religious development." The outworking of that evil principle ushered in the Inquisition and the *autos da fé*, and made the Dark Ages. As the oak lies in the acorn, so lay the terrible experiences of the Dark Ages, the terrible apostasy of the early church, in that union of religion and the state accomplished in the days of Constantine; and worked out to its dreadful climax under the popes from Melchisedech and Leo I to the end of the list.

#### *A New Power Appears*

The union of church and state under Constantine opened the way for the début of a power such as the world had never seen before. The Christian Church, or that organized body calling itself such, became, through Constantine's benefices, an empire within an empire, in a different sense than the Author of Christianity had intended. He had a kingdom in this world, but separate and distinct from any worldly connection whatever. "My kingdom is not of this world," said he. "If my kingdom were of this world, then would my servants fight." But that organized body, calling itself Christian, receiving the emoluments, preferments, and benefices of the emperor, and accepting his dictation in its affairs, and his decisions in the making of its creeds, took itself out of that spiritual realm, the kingdom of Christ, where love and conscience reign, and entered the temporal realm, the kingdom of this world, where force and oppression hold sway, and conscience is an outlaw.

Great as was the power of the Roman rulers, this growing power within the realm was moving steadily toward a point where realm, king, and emperor must bow to it, even as men bow before the Almighty. There was a gradual transition from the condition where the

emperor could dictate the polity and even the creed of the church, to the condition where the church was the sole authority in all things that concerned her and in many things that did not concern her.

*The Roman Bishop  
Exalted*

Melchiades, who held the position of bishop of Rome from 311 to 314, was constituted by imperial authority the head of the synod of bishops who sat to judge the disputes of the Donatists. In 325 the bishop of Rome was recognized as the first bishop of the empire. In 347 the bishop of Rome was made the source of appeal in disputed matters. The emperor Valentinian (364-375 A. D.) made the bishop of Rome the judge of other bishops. In 385 the bishop issued a decretal which was to be

strictly observed under penalty of excommunication. He also declared that "no one should presume to ordain a bishop without the knowledge of the apostolic see." During the episcopate of Innocent I (402-417) an order was promulgated to the effect that "all ecclesiastical matters throughout the world are, by divine right, to be referred to the apostolic see, before they

are finally decided in the provinces." Zosimus (417-418) went a little further than Innocent, and declared that the Roman bishop not only had the right to



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THE PAPAL CHAIR-BEARERS AND THE GORGEOUS CHAIR OF  
STATE IN WHICH THEY CARRY THE POPE TO ST.  
PETER'S ON CEREMONIAL OCCASIONS

judge all causes, but that his judgment was irrevocable. But it was during the episcopate of Leo I, or "Leo the Great," that the most important and decisive step was taken in exalting the bishop of Rome to the headship of the churches, and carrying out the purpose of that apostate church to dominate the whole world. In 445 A. D. the Emperor Valentinian III, at the instigation of Leo himself, issued

a perpetual edict "commanding all bishops to pay an entire obedience and submission to the orders of the apostolic see;" "to observe, as law, whatever it should please the bishops of Rome to command," and "whoever refused to obey the citation of the Roman pontiff should be compelled to do so by the moderator of the province" where such bishop resided. Following this came the Council of Chalcedon, dominated by this same Leo, and the acceptance of its creed made obligatory upon all bishops by the emperors Marcian and Valentinian III. Leo then declared that "the decrees of Chalcedon are inspired by the Holy Spirit, and are to be received as the definition of the faith for the welfare of the whole world."

But "the decrees of Chalcedon" were but the expression of the will of Leo. They were accepted as such; but they were "inspired by the Holy Spirit." Then must Leo, who expressed them, have been "inspired by the Holy Spirit." This paved the way for the doctrine of infallibility. This was the papacy in full bloom. From that eminence Rome, religious, began the real subjugation of the religious world, of the rulers as well as of the people. Kings received their scepters at her hand and trembled at her word of disapproval, sought favor from her instead of granting it to her as a beneficiary. The people were condemned to ignorance—especially of the Word of God. Man's word was regnant; and God's Word, with those who read it, was condemned to the stake. Ecclesiastical dungeons were full of victims of the secret spies of the church dignitaries. The pope was in the place of God, abrogating his law, trampling upon his subjects, and blasphemously arrogating to himself the titles of divinity, while he poured out upon the earth the best blood of humanity.

#### *The Papacy Prophetically Portrayed*

That power and the work it did are plainly depicted in the Word of God. Daniel saw it and its work, and was

grieved and astonished. He saw it symbolized by a "little horn" (Dan. 7: 7-21), the special object of whose wrath was "the saints," and its special characteristics the speaking of great things,—self-exaltation, and an opposition to the law of God. Dan. 7: 8, 25. That power fulfilled that prophecy when the pope took to himself the titles "Vicerent of the Son of God," "Lord God, the Pope," "King of the World," "King of Kings, and Lord of Lords;" also when the popes permitted themselves to receive such adulations as these: "The pope, who is called God by Constantine, can never be bound or released by man; for God can not be judged by man;" "Thou art our Shepherd, our Physician, in short, a second God upon earth;" "The sight of thy divine majesty does not a little terrify me."—*Anthony Pucci, in the Fifth Lateran*. That power's opposition to the law of God was also shown in the granting of indulgences for sin, and in the substitution of the Sunday sabbath for the Sabbath of Jehovah. That she did "wear out the saints," history testifies with fifty million martyrs.

The prophet John saw that same power, symbolized by a dissolute woman; and when he had witnessed her work, he says, "I wondered with a great wonder;" for, he says, "I saw the woman drunken with the blood of the saints and with the blood of the martyrs of Jesus." Rev. 17: 3-6. "And," says the angel, "the woman whom thou sawest is the great city, which reigneth over the kings of the earth." Verse 18.

The same prophet sees the same power also represented by "a beast," having the characteristics of all the beast symbols of preceding governments, and adding to these the phase of religious domination. See Rev. 13: 4. This symbol also is given to the work of blasphemy against God, war against his people, and dominance over the whole earth in religious things. Verses 6-8.

Thus do history and the Word of God witness together, the complements each

of the other, in pointing out a power that, claiming to represent God, has usurped the prerogatives of the Almighty, and established throughout the world a rule utterly antagonistic to every principle of the gospel, at war with the law of God itself, and claiming the right and the power to open and shut heaven as it shall please itself to do, the while it commands worship to itself, and penalizes every belief and opinion not in harmony with its own. That is "the beast" of prophecy, and "the beast" is the product of a union of religion and the state.

## Church and State in the United States

### *An Interpretation of Prophecy*

G. B. THOMPSON

THE United States of America has a place on the prophetic page. The history of other nations has been outlined by prophets, and written in the Book. Why should not this nation be the subject of prophecy? No other nation has ever risen to such greatness, and acquired so vast a territory by such peaceful means, in so short a time. No nation has ever existed, which was established upon principles so broad and deep and just, and where men were so free to worship, or not to worship, according to the dictates of their consciences. No man can give a weighty reason why such a nation should not be a subject of prophecy, and there is abundant proof that it is.

#### *The Prophecy*

The Scripture which we believe applies to this nation is found in Rev. 13: 11-17, and reads as follows:—

"And I beheld another beast coming up out of the earth; and he had two horns like a lamb, and he spake as a dragon. And he exerciseth all the power of the first beast before him, and causeth the earth and them which dwell therein to worship the first beast, whose deadly wound was healed. And he doeth great wonders, so that he maketh fire come down from heaven on the earth in the

sight of men. And deceiveth them that dwell on the earth by the means of those miracles which he had power to do in the sight of the beast; saying to them that dwell on the earth, that they should make an image to the beast, which had the wound by a sword and did live. And he had power to give life unto the image of the beast, that the image of the beast should both speak, and cause that as many as would not worship the image of the beast should be killed. And he causeth all, both small and great, rich and poor, free and bond, to receive a mark in their right hand, or in their foreheads: And that no man might buy or sell, save he that had the mark, or the name of the beast, or the number of his name."

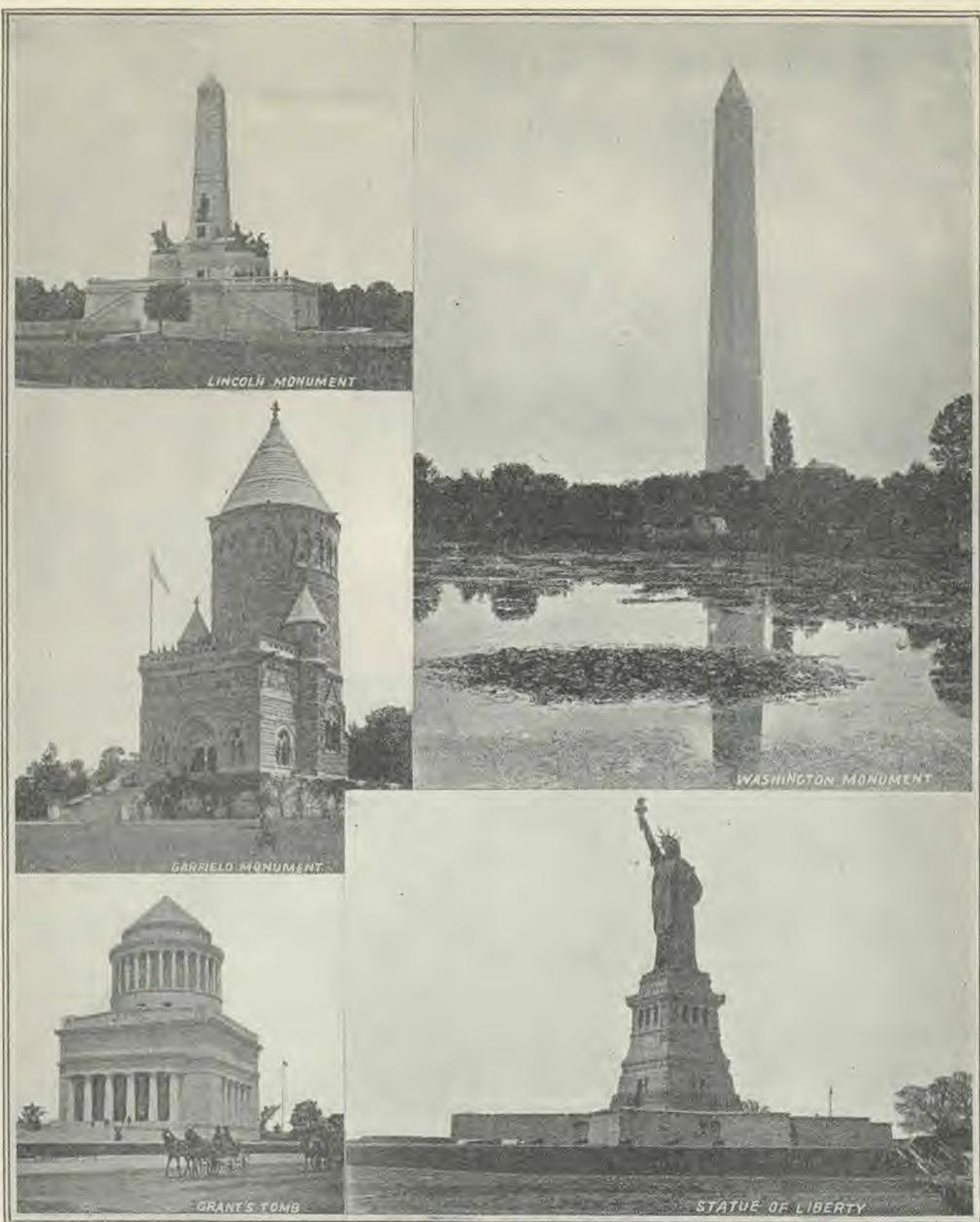
In the preceding verses of this same chapter is given by the seer a description of the beast, or papal power, the place from which it received its seat, power, and great authority, the worship and homage received by it from the nations, and its political beheadal or overthrow, in 1798, when General Berthier, acting under the French Directory, entered the eternal city, and took the pope, the head of the papal hierarchy, captive, thus inflicting a deadly wound. All this and more is outlined by the prophet in Rev. 13: 1-10. Then, he says, I beheld "another beast coming up out of the earth; and he had two horns like a lamb, and he spake as a dragon."

#### *Application of the Prophecy*

In these few words the application of the symbol is made certain. The Revelator says:—

1. That it is "another beast."
2. That he saw it "coming up"—evidently at the time the previous beast was seen going into captivity.
3. That it came up "out of the earth," instead of from the sea, as other nations were seen to arise.
4. That it had "two horns."
5. That these horns were like those of "a lamb."
6. That it "spake as a dragon."

The location of this power can be



### SOME PUBLIC MONUMENTS IN AMERICA

The names of Washington, Lincoln Grant, and Garfield are associated in the minds of the American people with the building of the republic. While it is fitting that suitable memorials to their memory should be erected as constant reminders of their achievements, yet the most enduring monument to their greatness is the nation whose history they helped to make.

The attention of foreigners as they enter New York harbor is attracted to the Statue of Liberty, one of the prominent objects which greet the eye. For many years America has been a land of liberty, but there are movements now on foot which, if successful, will extinguish the torch of liberty, and bring the dark shadow of persecution over the land. To enlighten the people concerning the meaning of these movements is the mission of this magazine.

nowhere else than in our own country. The territory of the Old World had been covered by previous symbols, but this is "another beast." It came up just at the time when the previous beast, symbolizing the papacy, went into captivity, A. D. 1798. It was at this time that the prophet saw a power "coming up." What nation except our own was "coming up" at that time? History tells of none, except the United States. The Declaration of Independence was signed in 1776, and the Constitution adopted by Congress in 1789. The nation was then "coming up."

Again, other nations came up from the sea, symbolic language indicating that they came up from populous territory amid the din of war and the upheaval of revolution. But this nation appeared to the prophet to be coming forth amid the silence and vacancy of the earth. This very figure has been chosen by political writers in describing this nation's rise. Mr. G. A. Townsend says:—

"Since America was discovered, she has been a subject of revolutionary thought in Europe. The mystery of her *coming forth from vacancy*, the marvel of her wealth in gold and silver, the spectacle of her captives led through European capitals, filled the minds of men with unrest, and unrest is the first stage of revolution."—*The Old World Compared with the New*, page 462.

"Two horns like a lamb." Both youth and gentleness are here indicated. How true to the symbol here also. This giant among the nations is yet clothed with the garments of youth. The principles of liberty expressed in the Constitution of this young yet great republic are indeed lamblike. What could be more lamblike than these statements from the fundamental law of the nation:—

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

"No religious test shall ever be required as a qualification to any office or public trust under the United States."

The Declaration of Independence also says: "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."

In these statements the principle enunciated by Jesus of Nazareth in the words, "Render therefore unto Cæsar the things which are Cæsar's, and unto God the things that are God's," is recognized, and church and state are completely separated. Well would it be for this great republic if these righteous principles would always be recognized. So long as they are, its foundation stands sure.

#### *The Dragon Voice*

But the prophecy indicates a change. After beholding its lamblike appearance, the prophet said, "And he spake as a dragon;" and that it would say to the people that "they should make an image to the beast, which had a wound by a sword and did live. And he had power to give life unto the image of the beast, that the image of the beast should both speak, and cause that as many as would not worship the image of the beast should be killed." A nation speaks through its lawmaking power. Its laws are its voice. As long as righteous and just principles are recognized, its voice is lamblike. Speaking with the "voice of a dragon" must indicate a change in the principles of the nation.

An image to the beast would be something made which resembled the beast. The papal beast was a union of church and state. The church controlled the state, and ecclesiastical decrees were enforced by the civil power, at the dictation of the church. The dungeon, the stake, and all the terrible work of the Inquisition during all the dreary years of its existence, tell the sequel.

Making an image to the beast is, therefore, reversing the principles upon which the republic has been founded for more

than a century, and effecting a union of church and state. This means the destruction of liberty, and the enthronement instead of a despotism which will invade the citadel of conscience, and tyrannize over the souls of men.

More than fifty years ago the people now known as the Seventh-day Adventists took the position, based upon their interpretation of prophecy, that this nation would turn away from the principles upon which it was founded, make an image to the beast, and become a persecuting power. There were no outward signs at that time that such a catastrophe would ever overtake the nation. Men ridiculed the position, and said, This will never be done. But some believed the unfailing Word, and waited. But what do we see to-day? Religious liberty, which has been enjoyed for more than a dozen decades, is being threatened.

#### *A Striking Parallel*

In the preceding article, entitled, "Church and State in the Days of Rome," it is clearly shown that the union of church and state which formed the papacy and ushered in the Dark Ages (when for more than a millennium of years it was a crime to think), began through the enactment of laws making the observance of Sunday, the first day of the week, compulsory as a day of rest. These laws were religious in character, and intended to enforce by civil law an institution of the church. This opened the way for the terrible persecution which followed. Sunday laws were the first step in the union of the church and the state; the Inquisition was the last.

In the formation of an image to the beast in this country, history is repeating itself. Strong religious organizations are demanding the enforcement of Sunday as a day of rest. Congress and state legislatures are being continually besieged with petitions asking that civil laws be enacted which will make the observance of this institution of the church compulsory. And just as surely as the enactment of Sunday laws in the fourth cen-

tury prepared the way for the complete union of church and state, and the development of the beast and the Dark Ages, just so surely will the enactment of Sunday laws at this time prepare the way for the complete union of church and state and the development of an image to the beast, and an inevitable period of persecution.

#### *Organized Efforts Against Religious Liberty*

From the time of the adoption of the Constitution in 1789, to 1863, there was no organization formed whose avowed object was to unite religion and the government. There was some agitation on the question. Particularly during a period of twenty years — from 1810 to 1830 — Congress was petitioned to stop the carrying of mail on Sunday. Both houses of Congress — the Senate in 1829 and the House of Representatives in 1830 — considered the matter, and decided adversely on the question. The reason set forth was that for them to comply with the wishes of the petitioners would involve the decision of a religious controversy, and introduce a principle they did not care to follow, and whose bounds it would be impossible to define.

In 1863 a convention composed of eleven different religious organizations was held at Xenia, Ohio. The object of this association was especially to consider the state of religion. The first national convention of this association was held the following year at Pittsburg, Pa., and a permanent organization formed, known as "The National Association to secure a religious amendment of the Constitution of the United States." The avowed object of this association was to amend the Constitution, and to place all Christian laws and usages of the government upon a legal basis.

In 1886 the Woman's Christian Temperance Union united its influence with the National Reform Association at the annual convention by establishing a Sabbath Reform Department, with Mrs. J. C. Bateham as secretary.

In 1888 the American Sabbath Union



### The Honorable William H. Taft From Boyhood to Manhood

This combination picture includes typical photographs of Mr. Taft from the child three years of age (1), the boy of eight years of age (2), of eleven years of age (3), of fifteen years of age (4), and the young man of twenty in his junior year at Yale University (5), to Mr. Taft Judge of the Circuit Court in Ohio (6), governor of the Philippines (7), governor of Cuba (8), among the Yale alumni (9), and Mr. Taft of the present day, the presidential candidate of the Republican party (10). The other pictures were taken at different times on board ship, on his famous trip to the far East; at the White House, in Cincinnati, Philippines, Japan, Cuba, San Francisco, etc.

#### Key to Bryan Combination Photograph on the Opposite Page

- |                                                                                   |                                                                      |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------|
| No. 1. William Jennings Bryan, Democratic presidential candidate, as he is to-day | No. 7. In Egypt, on his tour around the world                        |
| No. 2. As Congressman from Nebraska, 1891-95                                      | No. 8. In Syria, on his tour around the world                        |
| No. 3. Nominated for President in 1896                                            | No. 9. In London, England, 1906                                      |
| No. 4. At his home, 1900, nominated for President                                 | No. 10. In New York, returning from his tour around the world, 1906  |
| No. 5. Colonel Bryan at Tampa, during the Spanish-American War                    | No. 11. As one of America's greatest orators                         |
| No. 6. In the Philippines, on his tour around the world                           | No. 12. At the Natural Resources Conference at the White House, 1908 |



MISS GRACE BRYAN



WILLIAM S. BRYAN, JR.



MRS. RUTH BRYAN LEAVITT



MRS. F. H. BRYAN



DR. W. L. WOOD, DR. H. W. WOOD, DR. J. W. WOOD

was organized in New York City. This became at once a strong auxiliary to the National Reform Association in its work of securing religious legislation by Congress, and thus removing the pillars of our Constitution, and sapping the foundations of the republic. The object of the Union was declared to be to "preserve the Christian sabbath as a day of rest."

The same year the field secretary of the American Sabbath Union wrote to Cardinal Gibbons, and asked him to join with them in petitioning Congress to pass a bill for the enactment of a national law intended to promote the observance of Sunday. The Cardinal replied that he was "most happy to add his name to those of the millions of others who are laudably contending against the violation

of the Christian sabbath by unnecessary labor." Upon the strength of the Cardinal's name, over seven million Catholics were at once counted by the American Sabbath Union as petitioners, so anxious were professed Protestants to unite with Catholics in this work.

In 1889, at a Congress of Catholic laymen of the United States, a paper was read by the editor of the *Catholic Universe*, in which he said: "What we should

seek is an *en rapport* with the Protestant Christians who desire to keep Sunday holy. . . . We can bring the Protestant masses over to the reverent moderation of the Catholic Sunday."

In 1892, Justice Brewer, of the Supreme Court of the United States, in an argument leading to a decision, stated

that this is a Christian nation. This dictum has been used by the so-called National Reformers as a fulcrum over which to pry in their efforts to overturn the pillars of liberty guaranteed by the Constitution, through the securing of the legislation asked for in behalf of Sunday. That same year Congress made an appropriation to the World's Fair at Chicago, on condition that the gates be closed on Sunday. The fourth commandment of the decalogue



RELIGIOUS LEGISLATION DARKENING THE WORLD

was read in the halls of Congress upon this occasion, and the command to keep the seventh day was interpreted by the nation's lawmakers to mean the observance of Sunday. A decision was thus rendered in a religious controversy, and another long step taken in the formation of an image to the beast.

Since 1892, at each session of Congress, one or more bills have been introduced, and the national legislature has

# THE LAW OF GOD

## AS GIVEN BY JEHOVAH.

*"I will not alter the thing that is gone out of my lips."*

### I.

Thou shalt have no other gods before me.

### II.

Thou shalt not make unto thee any graven image, or any likeness of anything that is in heaven above, or that is in the earth beneath, or that is in the water under the earth: thou shalt not bow down thyself to them, nor serve them: for I the Lord thy God am a jealous God, visiting the iniquity of the fathers upon the children unto the third and fourth generation of them that hate me; and showing mercy unto thousands of them that love me, and keep my commandments.

### III.

Thou shalt not take the name of the Lord thy God in vain; for the Lord will not hold him guiltless that taketh his name in vain.

### IV.

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.

### V.

Honor thy father and thy mother: that thy days may be long upon the land which the Lord thy God giveth thee.

### VI.

Thou shalt not kill.

### VII.

Thou shalt not commit adultery.

### VIII.

Thou shalt not steal.

### IX.

Thou shalt not bear false witness against thy neighbor.

### X.

Thou shalt not covet thy neighbor's house, thou shalt not covet thy neighbor's wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor anything that is thy neighbor's.

[Ex. 20: 3-17.]

## AS CHANGED BY MAN.

*"He shall think himself able to change times and laws." Dan. 7: 25, Douay Bible.*

### I.

I am the Lord thy God, thou shalt have none other gods before me.

### II.

Thou shalt not take the name of the Lord thy God in vain.

### III.

Remember to keep holy the festivals.<sup>1</sup>

### IV.

Honor thy father and thy mother.

### V.

Do not kill.

### VI.

Do not commit adultery.

### VII.

Do not steal.

### VIII.

Do not bear false witness.

### IX.

Do not covet your neighbor's wife.

### X.

Do not covet your neighbor's goods.

*Translated from Bellarmine's "Dottrina Cristiana Breve" ("Short Christian Doctrine"), printed at Rome in 1836, by Peter Aurelj, "Condicenza de Superiori," pages 23, 24.*

[<sup>1</sup> It is a significant fact that in Bellarmine's time all the festivals commanded by the Church, Sunday included, were put into the same class, and the Fourth (third) commandment was interpreted as requiring the proper observance of all these days alike. This is shown by this wording of the commandment.—Ep.]

been urged to enact some legislation favoring the compulsory observance of Sunday. In 1904 a Sunday rest bill passed the House, but failed to pass the Senate. The last session of Congress, however, surpassed all others in the number of Sunday bills introduced and the earnest efforts put forth to have them passed. No less than ten separate bills were before Congress, most of them asking for a Sunday law for the District of Columbia. May 15, 1908, one of these bills passed the Senate, and is at the present time in the hands of the House Committee ready to be considered when Congress convenes again in December.

#### *Concluding Appeal*

Much more might be said if space permitted, showing the steps already taken to form in this nation an image to the beast, when this lamblike government will reverse the policy of more than a century, and "speak like a dragon."

It is time that the people were aroused. When human liberty is being experimented with, it is time to become alarmed. The clamor of the religious element of the nation for the support of religious dogmas indicates a sad condition of spiritual decadence, and once the civil power yields to it, the catastrophe of other nations furnishes an awful example of the sequel.

## Steps Toward a Union of Church and State in the United States

W. A. COLCORD

THE following are a few of the more prominent steps, arranged in chronological order, which have been taken toward the union of church and state in the United States:—

1. 1811 — First petition to Congress for laws prohibiting the carrying of mails on Sunday.

2. 1812 — More petitions to Congress against Sunday mails.

3. 1815 — Sunday memorials against the transporting and opening of the mails on "the sabbath."

4. 1829 — Many petitions to Congress against Sunday mails; bringing out Col. Richard M. Johnson's famous "Sunday Mail Report" on same.

5. 1830 — Numerous petitions to Congress against Sunday mails on the "sabbath, or first day of the week;" eliciting Col. Richard M. Johnson's House of Representatives' Report in response to same.

6. 1863 — First organization to change the Constitution of the United States (Xenia, Ohio).

7. 1864 — Permanent organization formed, called the "National Reform Association," with the avowed object to secure a religious amendment to the Constitution of the United States.

8. 1864 — Motto, "In God We Trust," placed on coins at suggestion of a Pennsylvania minister, being authorized by Act of Congress, April 22.

9. 1884 (Dec. 11) — First offer of National Reformers to join hands with Catholics.

10. 1886 — The Woman's Christian Temperance Union induced, through the efforts of Rev. W. F. Crafts, to join the movement, by adding a "Sabbath Observance Department" to its national organization.

11. 1887 — The Prohibition party joins the movement.

12. 1887 (Nov. 13) — The American Sabbath Union formed.

13. 1888 (May 21) — Senator H. W. Blair's bill for a National Sunday Rest Law introduced.

14. 1888 (May 25) — The Blair Educational Amendment to the Constitution proposed in Congress.

15. 1888 (Dec. 1) — The field secretary of the American Sabbath Union wrote to Cardinal Gibbons, inviting him to join in the movement.

16. 1888 (Dec. 14) — Cardinal Gibbons indorsed the movement for a National Sunday Rest Law, in a letter addressed to Rev. W. F. Crafts.

17. 1889 (Nov. 12) — Catholic Congress at Baltimore resolved to unite with

Protestants in movement for "proper Sunday observance."

18. 1890 (Jan. 6) — Breckenridge District Sunday bill introduced.

19. 1892 (Feb. 29) — The dictum of the Supreme Court of the United States that "this is a Christian nation."

20. 1892 (July) — Congress decides for Sunday and against the seventh-day Sabbath in the matter of closing the Chicago World's Fair on Sunday.

21. 1900 (February) — Congress conditioned the \$5,000,000 appropriation to the Louisiana Purchase Exposition (the St. Louis Exposition of 1903) upon Sunday closing "during the whole duration of the fair."

22. 1904 (April 6) — District Sunday bill (H. R. 11819) passed the House of Representatives.

23. 1906 (May) — Congress made the payment of its \$250,000 appropriation to the Jamestown Exposition (of 1907) conditional upon the Jamestown Exposition Company agreeing "to close the grounds of said Exposition to visitors on Sunday during the period of said Exposition."

24. 1906 (June 11) — Wadsworth District Sunday bill (H. R. 16483) again passed the House of Representatives.

25. 1908 (Sept. 14) — Mr. Samuel Gompers officially announced the American Federation of Labor as in favor of Sunday rest, and as having "done as much, if not more, than any other organized body of men and women to enforce the observance of the Sunday rest day."

26. 1907-08 — Motto, "In God We Trust," removed from coins by order of President Roosevelt; but ordered restored by Congress.

27. 1907-08 (Dec. 5 to May 1) — Ten Sunday bills introduced during the Sixtieth Congress, first session.

28. 1908 (May 15) — Johnston District Sunday bill (S. 3940) passed Senate.

It will be noticed that in nearly all these steps, Sunday observance plays an important part.

## An Interpretation of Present Movements

MRS. E. G. WHITE

SATAN'S policy in this final conflict with God's people is the same that he employed in the opening of the great controversy in heaven. He professed to be seeking to promote the stability of the divine government, while secretly bending every effort to secure its overthrow. And the very work which he was thus endeavoring to accomplish, he charged upon the loyal angels. The same policy of deception has marked the history of the Roman Church. It has professed to act as the vicegerent of heaven, while seeking to exalt itself above God, and to change his law. Under the rule of Rome, those who suffered death for their fidelity to the gospel were denounced as evil-doers; they were declared to be in league with Satan; and every possible means was employed to cover them with reproach, to cause them to appear, in the eyes of the people, and even to themselves, as the vilest of criminals. So it will be now. While Satan seeks to destroy those who honor God's law, he will cause them to be accused as law-breakers, as men who are dishonoring God, and bringing judgments upon the world.

God never forces the will or the conscience; but Satan's constant resort—to gain control of those whom he can not otherwise seduce—is compulsion by cruelty. Through fear or force he endeavors to rule the conscience, and to secure homage to himself. To accomplish this, he works through both religious and secular authorities, moving them to the enforcement of human laws in defiance of the law of God.

Those who honor the Bible Sabbath will be denounced as enemies of law and order, as breaking down the moral restraints of society, causing anarchy and corruption, and calling down the judgments of God upon the earth. Their conscientious scruples will be pronounced obstinacy, stubbornness, and contempt of authority. They will be

accused of disaffection toward the government. Ministers who deny the obligation of the divine law will present from the pulpit the duty of yielding obedience to the civil authorities as ordained of God. In legislative halls and courts of justice, commandment-keepers will be misrepresented and condemned. A false coloring will be given to their words; the worst construction will be put upon their motives.

As the Protestant churches reject the clear, Scriptural arguments in defense of God's law, they will long to silence those whose faith they can not overthrow by the Bible. Though they blind their own eyes to the fact, they are now adopting a course which will lead to the persecution of those who conscientiously refuse to do what the rest of the Christian world are doing, and acknowledge the claims of the papal sabbath.

The dignitaries of church and state will unite to bribe, persuade, or compel all classes to honor the Sunday. The lack of divine authority will be supplied by oppressive enactments. Political corruption is destroying love of justice and regard for truth; and even in free America, rulers and legislators, in order to secure public favor, will yield to the popular demand for a law enforcing Sunday observance. Liberty of conscience, which has cost so great a sacrifice, will no longer be respected. In the soon-coming conflict we shall see exemplified the prophet's words: "The dragon was wroth with the woman, and went to make war with the remnant of her seed, which keep the commandments of God, and have the testimony of Jesus Christ."

"THE smallest and mildest act of religious intolerance contains the whole principle of intolerance, and its justification is therefore just as vigilantly to be opposed as the greatest act of oppression would be. The greatest things are not always the most dangerous. The little thing is often capable of doing more harm than something of ponderous size."

## An Argument Against Religious Legislation<sup>1</sup>

*Mr. Chairman and Honorable Members of the Board of Commissioners:*

I APPEAR here as secretary of the Religious Liberty Bureau, a department of the General Conference of Seventh-day Adventists, in opposition to the District Sunday bills now pending in Congress, and to urge that you do not favorably recommend these bills, or any one of them, for passage, for reasons which follow:—

We believe in religion, in the Sabbath, and in Sabbath-keeping; but we do not believe in religion, the Sabbath, or Sabbath-keeping *by law*.

We believe that when properly observed, one day's rest in seven is beneficial, otherwise the Creator would not have commanded it; and we deplore that greed for gain which would ignore this beneficent provision, and employ all days in toil and secular pursuits; but we do not believe that it is within the legitimate sphere of civil government to *compel* men to rest one day in seven, or to seek to remedy the evils of worldliness and covetousness by establishing a weekly sabbath by law, and declaring honest toil and trade on Sunday or on any other day of the week a crime. Many things are sinful that are not criminal, and that can not properly be dealt with as crimes or regulated by law. Now, as ever, religion if genuine, or of any value or virtue, must be of the heart. It is not within the purview of civil government, and can not properly be directed or regulated by law.

### *Of National Significance*

Whether Congress passes a District Sunday law or not is of interest to more, and concerns more, than the people of the District of Columbia. It is of na-

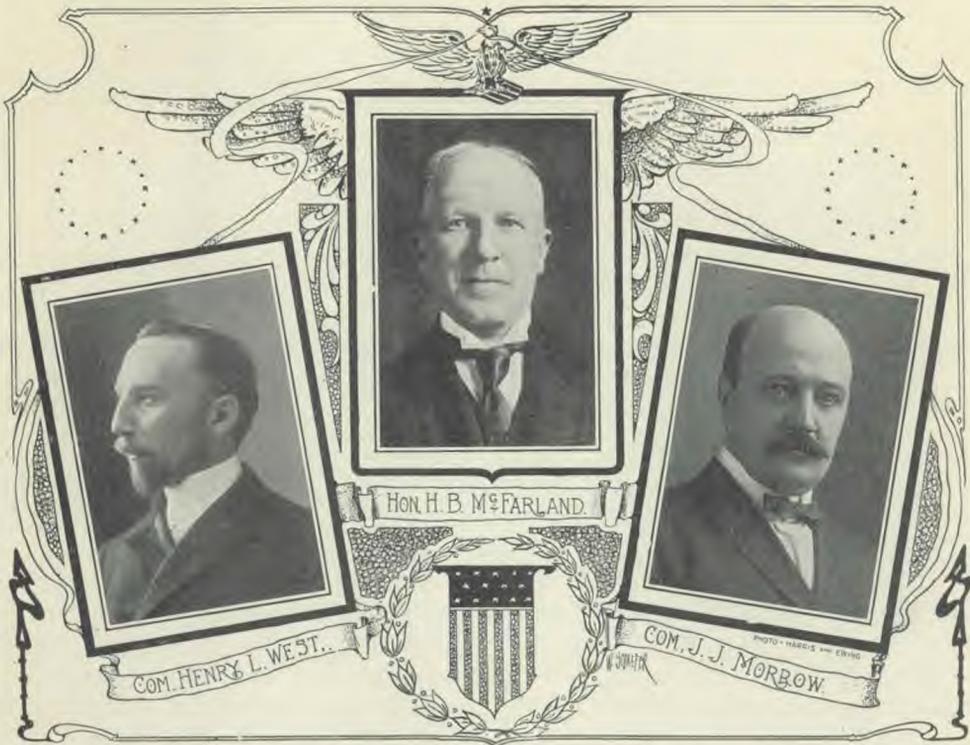
<sup>1</sup> At a hearing, March 13, 1908, before the Commissioners of the District of Columbia on the District Sunday bills pending before the House of Representatives, this argument was presented by W. A. Colcord, the Secretary of the Religious Liberty Bureau.

tional, and, we may even say, of world-wide significance, involving, as it does, a fundamental principle of legislation, and the establishment of a precedent in legislation on the part of this, the foremost of nations.

That I speak advisedly in saying this, I need but cite the fact that at the annual meeting of the Executive of the Federation of Sunday Rest Associations

Similar action was also taken by the International Sunday Rest Congress, held last September 25 and 26, at the Jamestown Exposition. In the published "Report of the International Federation of Sunday Rest Associations of America," for 1907 (page 5), distributed at this Congress, appears the following:—

"The District of Columbia has no



THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA

of America, including Canada, held in Philadelphia last May, action was taken recommending the various societies embraced in this Federation to secure and send in petitions to Congress urging the passage of laws that shall,—

"1. *Compel* the Alaska, Yukon, Pacific Exposition to close its grounds entirely on Sunday.

"2. *Compel* all railway companies to diminish the Sunday work of their employees as much as practicable; and,—

"3. *Secure an efficient Sunday law to the District of Columbia.*"

Sunday law. We should secure the passage of one by an act of Congress as soon as possible."

We repeat, therefore, that the enactment of such a law as is called for by the District Sunday-law bills now pending, is of national and international significance, involving a question of constitutional and inalienable rights. It can not, therefore, be treated as a matter of little concern. Momentous consequences hang upon this issue.

The question is not merely whether a few hundred or a few thousand laborers

and employees in Washington shall have the privilege of resting one day in seven without fear of being discharged by their employers; but, Shall Congress enter upon a course of legislation upon which, for over a century, it has steadily refused to enter? shall it disregard and violate the Constitution? shall it enact a religious law?

In 1889, when the Blair National Sunday Rest Bill was before Congress, Rev. W. F. Crafts, who prepared the bill, said:—

“The national law is needed to make the State laws complete and effective.” —*Christian Statesman*, April 11, 1889.

In view of what is already going on in this respect in the States, what, we ask, may be expected here when those now clamoring for national Sunday legislation secure the laws they desire?

Plainly, national legislation upon this subject is desired as a precedent, and to give national sanction to the State Sunday laws and their enforcement. It is desired to establish Sunday as the Sabbath of the nation.

#### *Religious Significance of the Movement*

It has been said that the movement demanding this legislation is not religious: that it has no religious significance whatever, but is solely in the interests of certain labor organizations. Nothing could be further from the fact. While certain labor organizations may at the present time be calling for legislation of this kind, this does not prove that the movement is not religious. These organizations may have been influenced in this, as we know they have in the past, by religious influences from the outside; and, what is more, it is not to be supposed that these organizations are themselves altogether irreligious. Many of them, no doubt, are composed largely of those who have some religious sentiment and bias. Whatever other factors may be brought into the subject, there can be no denying the fact that prima-

rily, in its *origin, object, and ultimate intent*, the movement is most decidedly religious. Of this there is abundant proof.

At a mass-meeting held February 26 in the New York Avenue Presbyterian Church, this city, in the interests of this proposed legislation, the pastor of the church, giving a brief history of the origin of this present movement in the District, stated that it originated about one year ago with the ministers of the various denominations of the city, who formed themselves into what is known as “The Interdenominational Committee on Sunday observance.” To arouse public sentiment in the movement he said this committee had recently prepared and distributed throughout the city twenty thousand copies of a publication entitled, “A Christian Appeal in Behalf of Sunday Observance.” This appeal is dated Jan. 1, 1908, and is addressed, “To the People of Washington.” Among other things it says:—

“The custom of setting apart one day in seven from secular work *for worship and communion with God* antedates the ten commandments.”

No one can deny that the reason given here for “the custom of setting apart one day in seven from *secular work is religious.*” The reason is plainly stated. It is “*for worship and communion with God.*”

The publication further says:—

“To keep the Lord’s day *holy*, Christians must conscientiously make it a *day of rest from all secular work.*”

The prevailing idea throughout the entire publication is that secular work should cease on Sunday, in order that the day may be devoted to worship; that cessation from secular labor is a prerequisite to proper Sunday observance. But this is precisely what these Sunday bills call for,—the cessation, as far as possible, of all secular work on Sunday.

#### *Religious Legislation Wanted*

In a published “Report of the Interdenominational Committee upon the

Observance of the Lord's Day in the District of Columbia," dated Oct. 1, 1907 (page 3), appears the following statement:—

"The main and necessary feature of such a movement should be the enlistment of all good citizenship for the procuring of sufficient Lord's Day legislation for the District."

Note the expression, "*Lord's day* legislation." This itself shows that it is religious legislation that is wanted.

There can be no question, therefore, but that the movement supporting and calling for the passage of these bills is religious; but if the movement is religious, so also are the bills. And if the bills are religious, to enact them into law plainly *would be unconstitutional*.

The chairman of this mass-meeting, a member of the Supreme Court, in his opening address almost invariably called Sunday "the Sabbath." The title to one of these District Sunday bills, H. R. 4929, reads: "A bill prohibiting labor on buildings, and so forth, in the District of Columbia on the *Sabbath day*." But, again, the terms "Sabbath" and "Sabbath day" are religious terms, and at once betray the character of the legislation sought.

The title to the Allen bill, H. R. 4897, is, "A Bill to further protect the first day of the week as a day of rest in the District of Columbia." This again reveals the character and object of the desired legislation; it is to protect the *day*, not the *people*. In order to "*protect the day*" the people, by the provisions of these bills, are to be subject to heavy fines, ranging from five dollars to one hundred dollars, and long terms of imprisonment, for engaging in that which on any other day of the week would be regarded as honest labor and trade. This again shows that it is on account of *the religious character of the day*, and not *the criminal character of the deed*, that this legislation is demanded.

#### *Legislating on the Ten Commandments*

Another speaker at this mass-meeting, Senator Johnston, himself the author of one of the Sunday bills now before Congress, advocated civil government's legislating on all ten of the ten commandments. Who that has ever read them does not know that the first four of these commandments relate to God and to his worship, and are therefore religious?

It is useless, therefore, to deny that this movement is a religious movement, or that these bills are religious bills. As well deny that a measure requiring the teaching of religion in the public schools, or commanding men to attend church, or bow down to an idol or a crucifix is religious.

From their earliest origin, Sunday laws have been religious. In the very nature of the case they could not be otherwise; for the Sunday institution itself, like the Sabbath of original and divine appointment, is, and always has been, religious; first, as a pagan institution, dedicated to the sun and to its worship, and later as a professed Christian institution, introduced into the Christian church during the early centuries of the Christian era as a substitute and supplanter of the original Sabbath, the seventh day.

The first Sunday laws forbade only secular labor and business, but they were made in the interest of the *church*; or, as the historian Sozomen tells us, "that the day might be devoted with less interruption to the purpose of devotion." This reason reveals the secret of the legislation. It is in the behalf of the church, and with a view to church attendance.

Later Sunday laws forbade not only secular labor, but shows, theaters, games, sports, and like amusements. These laws were issued in response to demands made by the church leaders of those times, who complained, as Neander informs us, that "the people congregate more to the circus than to the church,"

— the same complaint that is now being made by the church leaders of to-day, who are demanding laws to forbid all games, sports, theaters, excursions, and like pastimes on Sunday. One of the provisions of the Allen bill reads:—

“Nor shall any public playing of football or baseball or any other kind of playing, sports, pastimes, or diversions disturbing the *peace and quiet of the day*, be practised by any person or persons within the District of Columbia on Sunday.”

*The Object of Sunday Legislation*

And, as from the first, church attendance was the real object of this legislation, still later laws actually required church attendance, such as the Sunday law of Charlemagne, in the year 800; that of Charles II, in 1676; the first Sunday law enacted in the United States, that of Virginia, in 1619; and the Massachusetts Sunday law, of 1782.

And that church attendance is the chief object in this present Sunday-law movement, not only in Washington but throughout the entire country, is evident from the following words by Rev. S. V. Leech, D. D., of Pueblo, Colo. He says:—

“Give us good Sunday laws, well enforced by men in local authority, and our churches will be full of worshipers, and our young men and young women will be attracted to the divine service. A mighty combination of the churches of the United States could win from Congress, the State legislatures, and municipal councils, all legislation essential to this splendid result.”—*Homiletic Review, November, 1892.*

A writer in the *Baltimore Sun*, of March 25, 1907, says:—

“Unless immediate steps be taken to stop the religious decline in New York, the city will become a nest of infidels, and the belief in God will be forgotten, and our great metropolis will become a city of no religion. I would advise a remedy in the shape of a law compelling every man, woman, and child in this

country, physically able, to attend divine services on Sunday, and insist on them hearing the Word of God, those who neglect such a duty to be punished by a fine or imprisonment. A compulsory education law has been passed, a child labor law also; let's have a soul-saving one passed. Then we will build the temple of mankind on the granite foundation of good morals, and instead of churches decreasing they will increase; and those who will help enforce this law will be doing an everlasting good to their fellow creatures.”

There can be no mistaking the meaning of this. A compulsory “soul-saving” law, in the shape of a Sunday law requiring church attendance, is set forth as the means of saving men from irreligion and infidelity. And this is but a sample expression of a sentiment that is rapidly growing.

In the *Christian Statesman*, of July 3, 1890, Rev. W. F. Crafts said:—

“During nearly all our American history the churches have influenced the States to make and improve Sabbath laws.”

This is true, and it is “the churches” who are now seeking to influence Congress to pass a national “sabbath law.” They are determined that the national government, in violation of its established principle of separation of church and state, and of the express terms of the Constitution forbidding Congress to make any law “respecting an establishment of religion, or prohibiting the free exercise thereof,” shall pass a Sunday law,—a law mild and apparently humanitarian and harmless at first, but with a view to securing more stringent and rigorous laws later on. This thought was clearly indicated in the speech of Senator Johnston at the meeting already alluded to, when, in speaking of his being a member of the Senate District Committee, he said:—

“I have reported but one bill from that body, and that was to close some of the shops on Sunday; and I thought

when I did that, it was curious that it went no further than it did; but I thought we would better take what we could get, and then go afterward to get more."

*"Political Beheadal"*

They are determined, I say, that Congress shall pass such a law, and commit the government of the United States to a course of relig-

i o u s legislation. Said Rev. W. F. Ireland, recently, a Baptist minister of Los Angeles, Cal., and cousin of Archbishop Ireland of the Roman Catholic Church:—

"I am going back to Washington to confer with Rev. W. F. Crafts. We purpose to organize a Sunday Rest League, and to erect a guillotine in the United States in view of which every politician will recognize the fact that he is destined to political beheadal if he does not give to us

the legislation we demand for the protection of the moral welfare of the people."—*Signs of the Times*, Nov. 27, 1907.

Well did the Senate Sunday Mail Report of 1829 say:—

"All religious despotism commences by combination and influence; and when that influence begins to operate upon the political institutions of a country, the civil power soon bends under it; and the catastrophe of other nations furnishes an awful warning of the consequence."

*A Unique Position*

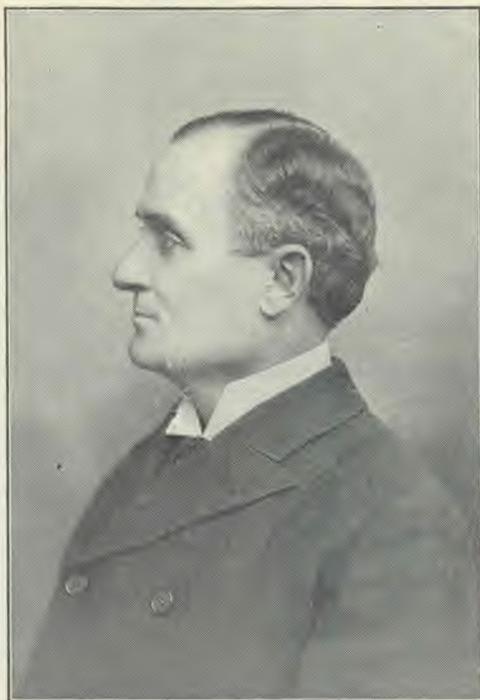
It has recently been stated that in the matter of Sunday laws the District of

Columbia is unique, it having no Sunday law, while all, or nearly all, of the States have such laws. This is true, and it should remain unique so long as the States retain their Sunday laws; for such laws, being religious, have no place or business in any civil government. Instead of the national government following the States in making religious laws,

the States should follow the example set by the national government in refraining from making such laws. Nearly all of the original States had religious establishments; but when the national government set the example of establishing no religion, the States having religious establishments soon laid their establishments aside. So should they have done in the matter of Sunday laws.

In consequence of having no general Sunday law, the District of Colum-

bia is unique also in another respect; it has not, be it said to its credit, persecuted and oppressed those who conscientiously observe another day than Sunday as the Sabbath, as have many of the States. Neither has it had any such general upheavals and social disturbances, nor the stirring up of any such bitter feelings, animosities, and heartburnings as have Chicago, Kansas City, Omaha, New York, and other cities where religious bigotry has inaugurated campaigns for the enforcement of the "blue laws." In Kansas City alone one judge, Judge Wallace, has caused two thousand persons to be indicted for violation of the



JUDGE W. H. WALLACE OF KANSAS CITY

State Sunday law since the twenty-first of last September.

*Significant Utterances*

But the enactment of such a law by Congress will be the signal for persecution. For years the National Reformers have published to the world the following utterances:—

“Our remedy for all these malefic influences is to have the government simply set up the moral law, and recognize God’s authority behind it, and lay its hand on any religion that does not conform to it.”—*Rev. M. A. Gault.*

“Those who oppose this work now will discover, when the religious amendment is made to the Constitution, that if they do not see fit to fall in with the majority, they must abide the consequences, or seek some more congenial clime.”—*Dr. David McAllister.*

“We propose to incorporate in our national Constitution the moral and religious command, ‘In it [the Sabbath] thou shalt do no work,’ except the works of necessity, and by external force of sheriffs we propose to arrest and punish all violators of this law.”—*M. A. Gault.*

“Give all men to understand that this is a Christian nation.”—*Christian Statesman.*

“Let those who will, remember the Sabbath to keep it holy from motives of love and obedience; the remnant must be made to do so through fear of law. We have no option.”—*Christian Nation.*

You are doubtless well aware that there is a controversy on as to which day is the Sabbath, the seventh or the first. For the national government to enact a Sunday law, therefore, will mean for it to take sides in, and settle, a religious controversy. It can not do so without showing preference between the sects. In a Memorial to the General Assembly of Virginia, in 1776, protesting against the establishment by law of the Episcopal religion in that colony, the Presbytery of Hanover said:—

“Certain it is, that every argument

for civil liberty, gains additional strength when applied to liberty in the concerns of religion; and there is no argument in favor of establishing the Christian religion, but what may be pleaded, with equal propriety for establishing the tenets of Mahommed by those who believe the Alcoran; or, if this be not true, it is at least impossible for the magistrate to adjudge the right of preference among the various sects that profess the Christian faith, without erecting a chair of infallibility, which would lead us back to the church of Rome.”

What right, therefore, we ask, has a State or a nation to establish any day as the Sabbath, and command men to observe it under pains and penalties of law? Including Jews, Seventh-day Baptists, and Seventh-day Adventists, there are something like two millions of people in the United States who observe, or believe in observing, the seventh day. What right have the States or has the Nation to say that these millions shall observe Sunday? What right has any man to say to another man that he must observe Sunday? Every man has a right to observe Sunday or any other day he chooses; but what right has he to compel another man to observe it? Abraham Lincoln said: “When the white man governs himself, that is self-government; but when he governs himself, and also another man, that is more than self-government—that is despotism.” So we say, that when a man chooses his own religion and his own day of rest, that is religious liberty; but when he chooses these for himself and also for another man, that is more than religious liberty—that is religious despotism.

If it is desired that a simply civil holiday should be made of Sunday, no law, with fines and penalties, is needed; a mere proclamation appointing the day as such will do, as in the case of Christmas, Thanksgiving day, Memorial day, and the Fourth of July.

If one day in seven for physical rest merely is all that is wanted, this

day need not necessarily be Sunday; any day will do. But the very fact that these laws in the States are enforced upon those who have already rested upon another day of the week, is good evidence that this is not their object. While speaking before the general assembly of the Knights of Labor some years ago to secure their indorsement of the Blair Sunday Rest bill, Mr. Crafts was asked the following question:—

“Could not this weekly rest day be secured without reference to religion by having the workmen of an establishment scheduled in regular order for one day of rest per week, whichever was most convenient—not all resting on any one day?”

To this he replied:—

“A weekly day of rest has never been permanently secured in any land except on the basis of religious obligation. Take the religion out, and you take the rest out.”

True, one of these bills exempts those who keep another day. If one does this, why should not all? But if it is right for the state to compel *any* to keep Sunday, why is it not right for it to compel *all*? Why exempt any? Moreover, the right to exempt carries with it the right to require. The exemption could easily be withdrawn.

#### *The Evident Aim*

The evident aim in the whole movement is to compel all to keep Sunday; and the spirit behind the movement is well shown in the following words of the Rev. Dr. Bascom Robins, from a sermon preached in Burlington, Kan., Sunday, Jan. 31, 1904. He said:—

“In the Christian decalogue the first day was made the Sabbath by divine appointment. But there is a class of people who will not keep the Christian sabbath unless they are forced to do so; but that can be easily done. We have twenty million men, besides women and children, in this country, who want this country to keep the Christian sabbath. If we would say we will not sell any-

thing to them, we will not buy anything from them, we will not work for them, or hire them to work for us, the thing could be wiped out, and all the world would keep the Christian Sabbath.”

What is this but a recommendation to resort to the use of the boycott in this matter? If ministers in this country, without the sanction of a national law, will recommend the use of the boycott in the work of converting those who do not believe in keeping Sunday to Sunday-keeping, what may we expect they will do should the national government set its approval upon enforced Sunday observance?

The House Sunday Mail Report, of 1830, spoke truly when it said:—

“Religious zeal enlists the strongest prejudices of the human mind; and, when misdirected, excites the worst passions of our nature, under the delusive pretext of doing service for God. Nothing so infuriates the heart to deeds of rapine and blood; nothing is so incessant in its toils, so persevering in its determination, so appalling in its course, or so dangerous in its consequences.” “When man undertakes to become God’s avenger, he becomes a demon. Driven by the frenzy of a religious zeal, he loses every gentle feeling, forgets the most sacred precepts of his creed, and becomes ferocious and unrelenting.”

#### *The Safe Course*

The only safe course, therefore, is to keep religion out of legislation. With President Grant we say: “Leave the matter of religion to the family altar, the church, and the private school, supported entirely by private contribution. Keep the state and the church forever separate.”

The object of this hearing, as announced, was to ascertain public opinion upon this question. Public opinion is of importance, and a factor to be reckoned with; but in dealing with questions of this character there is something of vastly greater importance, and of more fundamental concern, than public opin-

ion, and that is the question of *what is right*. Public opinion justified the crucifixion of Christ, the martyrdom of the martyrs, the enslavement of the slaves; but justice and right principles, *never!*

To avoid the evil consequences of religious legislation, we urge you, therefore, to stand true to right principles, true to the Constitution, true to God and man, and not recommend for passage any of the Sunday bills now before Congress.

### The Nation's Influence

K. C. RUSSELL

THE influence which has been, and is being, exerted upon other nations by the United States is unparalleled. Its location, miraculous growth, and character have all contributed to the magnificent position to which it has attained among the nations of earth. One writer in describing its location says:—

"If all the minds of all the statesmen who ever lived were combined into one vast intellect of world-wisdom, and if this great composite brain should take an eternity to plan, it could not devise a land better located for power and world-wide influence than the United States. On the east is Europe with an ocean between. This ocean is a highway for commerce and a fluid fortress for defense—an open gateway for trade and a bulwark of peace. On the west is the Orient with its multitude of millions. Between Asia and ourselves is, again, an ocean. And again this ocean is an invitation to effort and a condition of safety. The republic is thus enthroned between the two great oceans of the world. Its seat of power commands both Europe and Cathay.

"Consider, too, the sweep of the ocean's currents in relation to this country. Observe the direction and effect of the Gulf Stream and of the great current of the Pacific seas upon our coasts. Trace on your map the direction of our

### KEY TO THE GROUP OF GOVERNORS

#### FIRST ROW SEATED, LEFT TO RIGHT

Governor Harris of Ohio  
Governor Hughes of New York  
Governor Davidson of Wisconsin  
Andrew Carnegie  
William Jennings Bryan  
James J. Hill  
John Mitchell  
President Roosevelt  
Vice-President Fairbanks  
Mr. Justice Harlan  
Mr. Justice Brewer  
Mr. Justice White  
Mr. Justice McKenna  
Mr. Justice Holmes  
Mr. Justice Day  
Mr. Justice Moody  
Secretary Cortelyou  
Secretary Bonaparte

#### SECOND ROW STANDING, LEFT TO RIGHT

Governor Post of Porto Rico  
Governor Proctor of Vermont  
Governor Fort of New Jersey  
Governor Blanchard of Louisiana  
Governor Burke of North Dakota  
Governor Folk of Missouri  
Governor Norris of Montana  
Governor Hoch of Kansas  
Governor Woodruff of Connecticut  
Governor Higgins of Rhode Island  
Governor Glenn of North Carolina  
Governor Denneen of Illinois  
Governor Warner of Michigan  
Governor Hanly of Indiana  
Governor Comer of Indiana  
Governor Brooks of Wyoming  
Governor Buchtel of Colorado  
Governor Gooding of Idaho  
Governor Noel of Mississippi  
Governor Hoggatt of Alaska

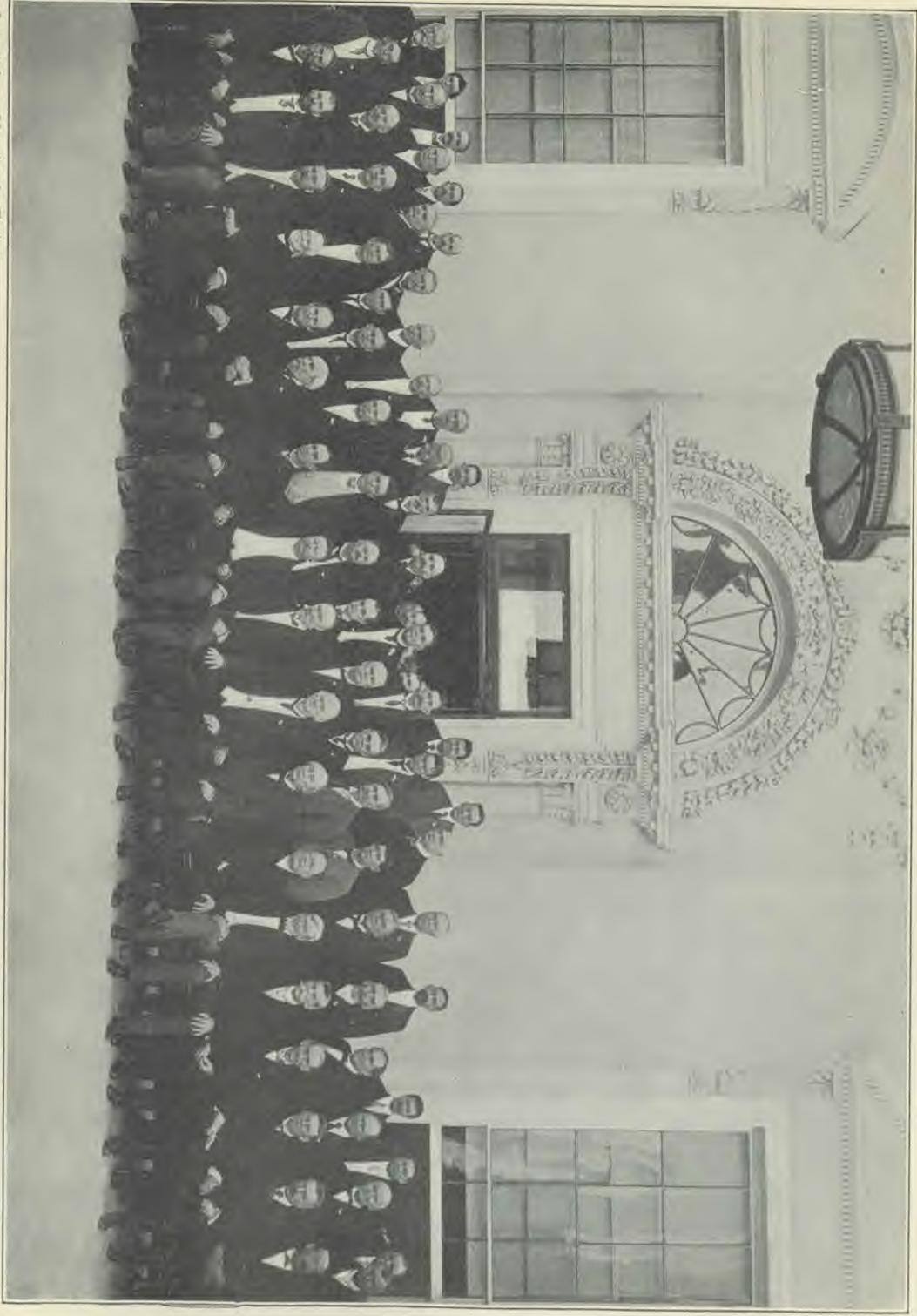
#### THIRD ROW STANDING, LEFT TO RIGHT

General Mackenzia, Chief of Engineers  
Congressman Burton of Ohio  
Senator Bankhead  
Dr. Magee, Department of Agriculture  
Governor Kibbey of Arizona  
Governor Ansel of South Carolina  
Governor Cutler of Utah  
Governor Lea of Delaware  
Governor Dawson of West Virginia  
Governor Floyd of New Hampshire  
Governor Willson of Kentucky  
Governor Swanson of Virginia  
Governor Crawford of South Dakota  
Governor Stewart of Pennsylvania  
Ex-Governor Hill of Maine  
Governor Frear of Hawaii

#### FOURTH ROW STANDING, LEFT TO RIGHT

Mr. Shipp, Secretary of the Conference  
Gifford Pinchot, Chief of Bureau of Forestry  
Herbert Knox Smith  
F. H. Newell, Chief of U. S. Reclamation Service  
Henry T. Clarke  
Thomas Pence  
Governor Currey of New Mexico  
Governor Johnson of Minnesota

Committee on Finance



rivers, and see how nicely nature has designed the tracery of the republic's waterways. In short, ponder over the incomparable position of this America of yours—this home and country of yours—on the surface of the globe. When you think of it, not only will your mind be uplifted in pride, but you will sink to your knees in prayerful gratitude that the Father has given you such a land with such opportunities for your earthly habitation."

As to extent of territory and subjects, we might contrast the Roman empire with the United States. It is said that all the square miles of Roman territory could be set down in the middle of the United States, and then a day's journey on either hand would be necessary to reach the boundaries. It now appears that there are more inhabitants in this country than were to be found in all the world in the palmiest days of Rome. The *New York World* says: "According to Mulhall, the total population of the earth in the days of Augustus Cæsar did not exceed fifty-four million;" so that in this country there are twenty-five million more people than the Roman empire contained when the empire of the Cæsars was at its greatest.

Time would fail us to tell of this nation's unparalleled development in all the arts and sciences of these modern times, which have had their influence upon the nations. These are seen in their adopting improved methods in agricultural pursuits, in increased educational facilities; in the improved methods of rapid locomotion from place to place, in the transmission of intelligence from point to point, etc.

This nation has used her good offices in averting threatened conflicts in and between other nations. One of the bloodiest wars of modern times was brought to an end through the efforts of Theodore Roosevelt, the president of the United States, who served as peace arbitrator between Russia and Japan. Similar acts have given this nation a great influence with all other nations.

The principle, however, that lies at the foundation of this nation's prosperity and greatness is that of religious liberty. It was this element in the national existence that appealed to the oppressed of other nations, and as the result, they fled to these shores in pursuit of freedom, with all of its attendant blessings.

These heaven-born principles are voiced in the first amendment to the United States Constitution, which says: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;" also in the following from the Declaration of Independence: "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." This nation is the only one that was ever founded upon the principles enunciated by Jesus Christ, in the immortal declaration, "Render to Cæsar the things that are Cæsar's, and to God the things that are God's."

The practical application of these principles during this nation's history has stood forth in bold relief as an object-lesson to all other nations. The influence which these principles have produced has been seen in acts of toleration by other nations, and, in some instances, in granting religious liberty to the subjects. Russia is one of the most recent examples of this fact.

It will appear evident to the reader that the more far-reaching for good the influence that a nation exerts, the greater the influence would be for evil, should that nation disregard or repudiate the principles of right for which it previously stood. It is a lamentable fact that during recent years this nation has exerted an influence upon other nations the very reverse of that which it formerly exerted. This has been seen chiefly in its attitude on the question of Sunday legislation. In an address by the Bishop of London, reported in the *London Express* of June 12, statements were made

which indicate the kind of influence now spreading to the nations as the result of the course being pursued in the United States. It will be sufficient to quote three paragraphs:—

“He always felt that the disunion of Christendom was one of the greatest obstacles to the progress of Christianity. . . . Since I have been over to the other side of the Atlantic [U. S.], and seen how very much more all the churches are united in Christian progress there, I have determined to try and unite them on all the points we can in this country.

“In regard to Sunday, we have one of the greatest points on which Christians can be united. I look on the observance of Sunday as one of the finest pieces of Christian evidence, which can not be refuted.

“Secondly, we have in Sunday what I will call the worker’s charter, and as a clever man observed to me in our conversation the other day, ‘Sunday is God’s eight hours’ bill.’”

It will be noted that it was on this side of the Atlantic he found that Christian unity could be secured by a universal observance of Sunday. It should

be remembered that on this side of the Atlantic the churches of all denominations are uniting on the question of Sunday legislation to secure the so-called Christian unity.

From the *Sunday Circle*, of February 1, we quote the following from a sermon by the Venerable Basil Wilberforce, D. D., Archdeacon of Westminster:—

“‘There is one body and one spirit.’ Eph. 6:3. All right-minded persons, all who keenly sympathize with those who live by labor, all who love and pity the burden-bearing animals other than man, will rejoice at the influential movement in progress in connection with due observance of Sunday.

“It is a fact positively calculated to cause joy among the angels of God that the representatives of the various conflicting sects of Christendom should at last have discovered a cause noble, inspiring, utilitarian, which can unite them cordially upon the same platform.”

These utterances by leaders in Christian thought in the United Kingdom, show that the spirit of modern church federation is already producing fruit across the water.



THE TALLEST SKY-SCRAPER

This picture is made from the architects’ plans for the building to be erected for the Equitable Life Assurance Society of New York City. The height will be 909 feet above the curb, exclusive of 150 feet of flag-staff, divided into sixty-two stories. The tallest building at present in New York is the Metropolitan building, 657 feet high.

# Temperance

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## The Saloon a Public Menace

THE ban upon the saloon is founded upon its inherent dangers. In *George vs. Aiken*, 26 L. R. A. 345, the supreme court of South Carolina makes this distinction in the following language: "We can not for a moment believe that the court would have declared an act constitutional that prohibited entirely the sale of corn, cotton, or other ordinary commodities. It is fallacious to argue, in the light of this distinction, so thoroughly sustained by the authorities, that, if the government can take the exclusive control of the liquor traffic, it can do so as to any of the other avocations in life."

In *Crowley vs. Christenson*, 137 U. S. 86, the Supreme Court of the United States, speaking of the saloon, said: "As it is a business attended with danger to the community, it may, as already said, be entirely prohibited."

The element of danger to the public is the ground of distinction between the saloon and the usual and harmless avocations of life. The saloon may be wholly prohibited because it is inherently dangerous to the public; but the dry-goods business, the grocery business, and the hardware business can not be wholly prohibited, for the reason that the element of inherent danger to the public is totally wanting.

Government is a protective institution, and the self-preservation of society is its paramount purpose. This principle of self-preservation necessarily makes a distinction between that which is inherently dangerous and that which is not, and this discrimination can be enforced only by placing that which is thus dangerous upon a different legal plane from that which is innocent.

When the courts assert that the saloon may be entirely prohibited (and this assertion has been made judicially so often that it would be useless to appropriate the required space to cite the cases), they

thereby declare that the saloon comes within the limits of the principle of law that must be invoked in order to justify the complete and absolute prohibition of any pursuit.

In a general way, we have already indicated that the element of danger to the public lies at the very source of the rule of law that will justify the total prohibition of any occupation, but in this connection we wish to call attention to some of the judicial and other announcements of the rule. In *State vs. Scougal*, 51 N. W. 858, the supreme court of South Dakota says: "Under the police power vested in the state, the legislature may regulate, but it can not prohibit or destroy, a business, calling, or occupation, not necessarily offensive to the senses, injurious to the health, or otherwise detrimental to the public interest; it is only trades, occupations, and pursuits that are, at all times and under all circumstances, necessarily offensive to the community, or injurious to society, that can be absolutely prohibited by legislative action."

The court of appeals of New York says: "In order that a trade may be prohibited entirely, the evil must inhere in the trade, so that the trade, whenever, wherever, however, and by whomever conducted, will necessarily inflict injury upon the public."

"Cooley's Constitutional Limitations" says: "Under the police power it is not competent for the state to prohibit the citizen from carrying on any trade, occupation, or business that is not offensive to the community, or injurious to society."

Tiedeman, in his "Limitations of the Police Power," says: "In order to prohibit the prosecution of the trade altogether, the *injury* to the public which alone furnishes the justification for such a law must proceed from the inherent character of the business."

So that, when the courts say that the saloon may be entirely prohibited, they thereby affirm that, by reason of its inherent character, the saloon always and everywhere is dangerous and injurious to the public—that, under all conditions, it is a public menace, a public wrong.

Then, the inquiring mind naturally is inclined to ask, can that which is universally conceded to be,

and generally judicially declared to be, a *public wrong* legally be a *private right*? Is such a thing lawful? If so, there is such a thing as a lawful public wrong and injury. Certainly such a conclusion is not a logical deduction. If it is not lawful, then the next question is. Can the legislature, by an enactment, make a public wrong a private right? Can a citizen lawfully establish a private trade in a public injury?—Certainly not. Can a state legislature authorize

the establishment of a trade in a public menace or danger?—No, because to do so, would authorize an invasion of both the private and public rights of citizens.

No court has ever, in so many words, said that this may be legally done; they have always asserted the contrary in direct statements; but, when they place an estimate upon the saloon that makes of it a public menace inherently, and then say that it is a lawful business, they, by indirection, reverse the direct statement. Courts have upheld and sustained the validity of prohibitory, local option, and remonstrance statutes, and always on the ground that the saloon is inherently dangerous to public morals and public order,

and, in doing so, they affirm that they judicially know such to be the inherent character of the saloon; they do not require the fact to be charged and proved.

Dealing with the right to arbitrarily exclude a saloon from a township in Indiana, and affirming the right to so do upon the ground that the business is attended with danger to the community, the supreme court of Indiana, quoting

from *Sherlock vs. Stuart*, 96 Mich. 193, and *Crowley vs. Christenson*, 137 U. S. 86, says: "No one possesses an inalienable or constitutional right to keep a saloon for the sale of intoxicating liquor; to keep a saloon for the sale of intoxicating liquor is not a natural right to pursue an ordinary calling; there is no inherent right in a citizen to thus sell intoxicating liquor by retail; it is not a privilege of a citizen of the state or of the United States." This statement, analyzed and

segregated, declares that to keep a saloon for the sale of intoxicating liquor is not:—

1. A constitutional right.
2. An inalienable right.
3. An inherent right.
4. A natural right to pursue an ordinary calling.
5. A privilege of a citizen of the state.
6. A privilege of a citizen of the United States.

If it be a right at all, it is certainly of some other kind, and springs from some other source. This proposition is surely axiomatic; it proves itself. When the courts deny to the saloon these rights, and affirm that it may be wholly prohib-



THE REAL BLACK HAND.

ited, they, in legal effect, declare it to be a public menace, and from this two other propositions are inevitable:—

1. The saloon, being a public menace, is inherently unlawful.

2. Being inherently a public menace, the saloon can not be made a private right by a legislative act.

A wrong is not a lawful right, and it can not be made such by legislative action.

By the use of judicial terms, the courts have declared the saloon an outlaw. If it were not so regarded judicially, it could not be unconditionally suppressed.

On Sept. 5, 1907, before the Northwestern Methodist Episcopal Conference, at Greencastle, Ind., Governor Hanly said of the saloon: "It is an enemy well worth while. It has great wealth. It is adroit and cunning. It is resourceful. It touches the financial interests of many men. It is desperate. It observes no law, human or divine. It violates legislative enactments and tramples upon the most solemn constitutional inhibitions. The rules of civilized warfare are to it a meaningless jingle of idle words. It is a black flag. It is an outlaw. Its god is Mammon. It has no religion but the greed of gain. No love that the lust of gold does not corrupt. No pity that avarice does not strangle."

On the next day, the *Indianapolis News* editorially indorsed the statements of the governor, said it was a "true keynote," and added: "In a word, we are

dealing with men who are rebels against both the moral and the statute law, men who seek to rule through alliances with corrupt and cowardly politicians. Opposing prohibition and favoring regulation, they yet refuse to be regulated, and violate—with the consent and connivance of men in office—every law to regulate and control the traffic. This is why the people are so thoroughly aroused. It seems to them to be a question whether they or the liquor dealers

shall rule. No one can study the problem of municipal government in this country without realizing that one of the most corrupting influences in local government is this same liquor traffic."

These statements are merely elaborations of the estimate placed upon the saloon by the courts, when they affirm that it may be prevented altogether.

On June 25, 1907, the Indiana Supreme Court, while acknowledg-

ing that danger and evil to the peace and good order of society attend and inhere in the saloon, held that it was right and legitimate at common law, and incidentally suggested that to think otherwise is to entertain strange and singular views.

On June 26, the *Indianapolis News* indorsed the opinion of the supreme court, and said that its statements were as clear as the axioms of geometry. By indorsing the language of the court and the governor both, the *News* put itself in the attitude of affirming that the saloon is a lawful outlaw.

The various statements of the courts,



T. D. CROTHERS, M. D., A WELL-KNOWN  
ADVOCATE OF TEMPERANCE

when put together on the basis of reason, mean the same thing.—From *"The Legalized Outlaw,"* by Samuel R. Artman, pages 68-74.

## Sunday Laws and Prohibition

A. G. DANIELLS

WHY oppose Sunday laws, and approve of legislation prohibiting the liquor traffic? To some good people this course appears inconsistent. They seem to think that these two questions are so nearly alike in character that they should be either approved or condemned together.

But they are not alike. They occupy altogether different ground. One is a religious question, while the other is a civil matter. Religion has to do with man's personal relation to God. Civility has to do with man's relation to man. Religion is a matter of choice and free will. It can not be applied or regulated by force. It is, therefore, beyond the sphere of civil government. Not so with civility, or man's relation to his fellow men. This relation may be measured, defined, and enforced by civil government.

The manufacture for sale, and the selling, of intoxicating liquors is a matter of commerce, not of religion. It must be classed with such enterprises as the manufacture for sale and the selling of drugs, foods, and explosives. These all affect the welfare of the people, and come within the purview of civil government. They may be permitted, regulated, or prohibited by law.

Alcohol, the vital, active principle in intoxicating liquors, is a deadly poison. It destroys the living tissues of the human body. It unbalances the mental faculties to the point of derangement. Its free use leads to disease, imbecility, pauperism, and crime. All this and much more, is involved in the liquor traffic. It imperils both the state and the race. Surely a question of this character pertains to civil government, and may be prohibited by law.

But Sunday legislation is altogether dif-

ferent in character. Sunday, as an institution, is religious. Legislation in behalf of the observance of Sunday as a day of rest is religious legislation. Religious legislation by civil government is subversive of the highest interests of both the church and the state. For that reason, all lovers of Christianity and the American idea of civil government should stand opposed to such legislation.

Law means force, and force can not, of right, be used in matters of religion. The religion of Jesus Christ deals with the conscience—the most sacred gift of God to man. It is a matter between a man's soul and his God. For this reason, the divine Author of Christianity says: "Hast thou faith? have it to thyself before God." Rom. 14:22. Even Christ when among men did not use coercion. He said: "If any man hear my words, and believe not, I judge him not." John 12:47. In harmony with all this, we are instructed that "Every one of us shall give account of himself to God." Rom. 14:12.

Sunday as an institution, is of the church; it is religious, and all the laws enacted in behalf of its observance are religious laws. Law means force, fines, and penalties to those who can not in conscience submit to religious laws. To use force, to inflict fines and penalties, to compel the conscience, is persecution.

The true basis upon which the question of Sunday observance rests, is that of man's personal conscience—his choice and his convictions. Let every man exercise the freedom in the observance of this religious institution that he does regarding attendance at church, baptism, and other religious affairs. Then there will be no wrong inflicted upon any one, and both the state and the church will fare better.

These are some of the reasons why it is consistent to oppose legislation in behalf of Sunday rest, and approve of legislation prohibiting the manufacture for sale, and the selling, of intoxicating liquors.

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Mountain View California

# LIBERTY

*The Official Organ of the Religious  
Liberty Bureau*

Department of the General Conference of  
Seventh-day Adventists

WASHINGTON, D. C., THIRD QUARTER, 1908

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Entered as second-class matter, May 1, 1906, at  
the post-office at Washington, D. C., under the act  
of Congress of March 3, 1879.

THE last number of LIBERTY attained a circulation of fifty thousand copies. Every person into whose hands a copy of this number may come is earnestly invited to become a regular reader of this magazine.

IN this issue of LIBERTY special attention is called to a present peril. The time has now come when it is necessary to speak with clearness concerning this matter, and we ask for a candid consideration of what is presented.

THE two leading articles in this number, "Church and State in the Days of Rome," and "Church and State in the United States," supplement each other, and they should be read as two chapters on the same subject. Although the articles are rather long, the great importance of the topic under consideration should be a sufficient incentive for a thoughtful reading of them both. In the article next following, "Steps Toward a Union of Church and State in the United States," there is presented in the briefest possible form the record of the various efforts to commit the United States government to a union of

religion and the state. It is a fitting conclusion to the two previous articles.

ALL persons of all shades of political opinion and of no political opinion, will be interested in the combination pictures of Hon. W. H. Taft, and Hon. W. J. Bryan, found on the twenty-fourth and twenty-fifth pages. One of these two men will in all probability be the next president of the United States, and every citizen of this country will enjoy a study of the faces of the two leading candidates for this high office.

## Land and Liberty

SOME early missionaries to New Zealand secured large tracts of land from the Maoris for such a ridiculously inadequate consideration as a piece of bright-colored calico or some little trinket which pleased the native eye. In due time it came about that the legal possession of the country passed into the hands of the newcomers. Referring to this experience, the Maoris say that while the missionaries directed their eyes toward heaven, they took away their land under their feet.

At the present time there is in this country much talk about "civic righteousness," and the attention of the people is being drawn toward bettering the conditions of life in the large cities. In the meantime, while the people are being interested in attaining these desirable results, their liberties are being taken away by the enactment of such legislation as involves the repudiation of the vital principle of the separation of church and state. It is time for the people to look well to what is actually being done, lest, with some variations, the experience of the Maoris may be repeated, and something more valuable than land be taken away.

# A Prophecy and a Promise

Remarkable Tribute to America by the Poet Shelley, Written Ninety  
Years Ago

Dr. I. W. Heysinger, of Philadelphia, writes the following stirring communication:—

"I would like to have you quote the burning panegyric on this country at the close of the eleventh canto of Shelley's wonderful 'Revolt of Islam,' written in the summer of 1817, shortly after the close of our second war with Great Britain. It was written in Great Britain, and has never, so far as I know, before been printed in a newspaper:—

There is a people mighty in its youth,  
A land beyond the oceans of the West,  
Where, though with rudest rites, Freedom and Truth  
Are worshipped; from a glorious mother's breast,  
Who, since high Athens fell, among the rest  
Sate like the Queen of Nations, but in woe,  
By inbred monsters outraged and oppressed,  
Turns to her chainless child for succor now,  
It draws the milk of power in wisdom's fullest flow.

That land is like an eagle, whose young gaze  
Feeds on the noontide beam, whose golden plume  
Floats moveless on the storm, and in the blaze  
Of sunrise gleams when earth is wrapped in gloom.  
An epitaph of glory for the tomb  
Of murdered Europe may thy fame be made.  
Great people! as the sands shalt thou become;  
Thy growth is swift as morn, when night must fade;  
The multitudinous earth shall sleep beneath thy shade.

Yes, in the desert there is built a home  
For Freedom. Genius is made strong to rear  
The monuments of man beneath the dome  
Of a new heaven; myriads assemble there,  
Whom the proud lords of man, in rage or fear,  
Drive from their wasted homes: the boon I pray.

Nay, start not at the name—America!

"It would be well, indeed, for all our people to keep this child chainless. Have we done so? Or to make it chainless? Will we do so? The verses embody a prophecy and a promise."—The Washington Herald, July 4, 1908.

TO THE MEMORY OF  
COLONEL RICHARD M. JOHNSON.

A FAITHFUL PUBLIC SERVANT  
FOR NEARLY HALF A CENTURY, AS A MEMBER  
OF THE KENTUCKY LEGISLATURE AND  
REPRESENTATIVE AND SENATOR IN CONGRESS;  
AUTHOR OF THE SUNDAY MAIL REPORT  
AND OF THE LAWS ABOLISHING IMPRISONMENT  
FOR DEBT IN KENTUCKY  
AND IN THE UNITED STATES;  
DISTINGUISHED BY HIS VALOUR  
AS COLONEL OF A KENTUCKY REGIMENT  
IN THE BATTLE OF THE THAMES;  
FOR FOUR YEARS VICE PRESIDENT  
OF THE UNITED STATES.

KENTUCKY HIS NATIVE STATE,  
TO MARK THE SENSE OF HIS EMINENT SERVICES  
IN THE CABINET AND IN THE FIELD  
HAS ERECTED THIS MONUMENT  
IN THE RESTING PLACE OF  
HER ILLUSTRIOUS DEAD.

Richard Mentor Johnson (born 1781, died 1850), was a Representative in Congress (1807-1819), a member of the United States Senate (1819-1829), a member of the House of Representatives (1829-1837), vice-president of the United States (1837-1841). His preparation of the report to the United States Senate (1829), and to the House of Representatives (1830), on the question of Sunday legislation was regarded as a public service worthy of mention on the monument to his memory. These reports ought to be studied by men in public life to-day.