

EXTRA --- More Sunday Blue Law Bills Before Congress

LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM

DEVOTED TO THE AMERICAN
EXEMPLIFIED IN THE
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IDEA OF RELIGIOUS LIBERTY
COMPLETE SEPARATION
AND STATE

YOUR CONSTITUTIONAL LIBERTIES THREATENED

AWAKE, Americans! Guard your sacred liberties, vouchsafed to you under the Constitution! The miners and sappers of a legal religion are at work undermining the foundation pillars of the Constitutional guaranties of civil and religious liberty. A Blue Sunday measure of the most drastic character has been introduced into Congress at the instance of the professional Sunday-law advocates, which, if enacted into law, will shackle the conscience and strangle the rights of man. A "religious lobby" at Washington is making an attempt to unite church and state in America, and it is high time to administer a rebuke and to check the forces which are trying to overthrow our Constitutional immunities and liberties.

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EXPLANATORY NOTE

THIS LIBERTY EXTRA deals with three compulsory Sunday observance bills introduced into the Sixty-seventh Congress during the first and second sessions. These bills are now pending; viz., S. 1948, H. R. 4388, and H. R. 9753. All these measures are ostensibly for the District of Columbia, but the ultimate design is to extend such laws to the whole nation, under the guise of regulating interstate commerce.

Senator Myers of Montana introduced the first of these Sunday bills at the instigation of the International Reform Bureau; Representative Zihlman of Maryland introduced the second because urged to do so by the labor federation; and Representative Fitzgerald of Ohio introduced the last and most drastic bill at the request of the religious "reformers" of America.

The last-mentioned bill is the most caustic and puritanic Sunday bill that has been introduced into Congress in recent years. The committee which framed it in its entirety and secured its introduction, was composed of leading representatives of the Pastors' Federation of the District of Columbia; Rev. Harry L. Bowlby, secretary of the Lord's Day Alliance of America; Miss Church, lobbyist for the National Reform Association; and Deets Pickett, representing the Methodist Board of Temperance, Prohibition, and Public Morals.

Hearings are soon to be held before Congressional committees on these bills, and as the liberties of the American people are in danger, prompt action is needed to defeat this mischievous legislation; and since the regular issue of the LIBERTY magazine for the second quarter of 1922 does not come from the press till the middle of March, we are issuing this EXTRA, hoping that it will be given a nation-wide circulation.

If any one of these pending Sunday bills should be enacted into law for the District of Columbia, it would establish a dangerous precedent, and a flood of still more drastic legislation of a similar character would follow quickly.

The Sunday observance measure H. R. 9753, introduced by Representative Fitzgerald, of Ohio, on Jan. 5, 1922, if enacted into law, would utterly destroy every vestige of religious liberty and freedom of conscience in the District of Columbia.

This EXTRA is filled with valuable information, and shows how certain church organizations are sending ecclesiastical diplomats to "Cæsar's seat," who are creating "zones of influence and political power at Washington and the State capitals," and are bringing pressure to bear upon our legislators to enact religious laws that will enforce Christian obligations and customs by means of the policeman's baton, and as one of the reformers puts it, the "bench warrants of the bloodless courts."

Just now, while this is a live issue, you are urged to secure all the signatures possible to the petition on page 45 of this EXTRA, and forward the same to your Senators and Representatives in Congress. Let every lover of our Constitutional and God-given liberties wake up and get busy.

The price of this EXTRA is 5 cents a single copy, \$2 per hundred, or \$16 per thousand. A million copies should be circulated during the present campaign. Address all orders to LIBERTY MAGAZINE, Takoma Park, Washington, D. C.

C. S. L.

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A Religious Lobby Seeking to Control Congress

A Drastic Sunday Bill Introduced for the District of Columbia

By the Editor

THUS far, Congress has refused on Constitutional grounds to obey the behests of religious organizations to enact religious laws. Will the Sixty-seventh Congress be true and loyal to the American ideals and principles of civil government, and continue to refuse, as its predecessors have done, to enact compulsory Sunday legislation? Just now a strong religious lobby is making an onslaught upon Congress, and is endeavoring to induce that body to violate the safe and wise precedents of the past, in the enactment of moral and religious laws which will restrict the free exercise of conscience, and turn back the wheels of true progress and civilization toward the Dark Ages.

There is not today a Sunday law on the Federal statute books for the territory over which the national government holds jurisdiction, and this is a great aggravation to the "religious and professional reformers" at Washington. This situation must be changed, they say, and accordingly they have, during the last thirty-five years, caused to be introduced into Congress more than one hundred fifty compulsory Sunday-observance measures for the District of Columbia; but Congress has persistently refused to enact laws for the enforcement of Christian customs and observances, on the ground that they are religious and sectarian in character, and that consequently an act enforcing these,

HOW TO DISCREDIT THE EIGHTEENTH AMENDMENT

The reformers who are agitating for a revival of Sunday laws should have the hearty support of those who oppose the Eighteenth Amendment, for we know of no better way to make the Eighteenth Amendment ridiculous than to extend national prohibition to matters with which the national Government cannot rightfully concern itself. If the reformers desire to arouse a sentiment which will result in the repeal of the Eighteenth Amendment, let them apply the principle of that Amendment to the observance of Sunday.—*The Outlook (New York), Dec. 8, 1920.*

or any one of them, would be unconstitutional.

It is true that Congress passed laws that various national fairs and exhibitions, held in different States, should be closed on Sunday. This was done to be in harmony with the local laws, and in recognition of the prerogatives of State sovereignty, and not because the Federal Government had a legal right to enforce Sunday observance. When the exposition was held in San Francisco, Calif., a few years ago, no such Sunday-closing provision was attached, because California had no Sunday law. Sunday is excepted as a legislative day, but Congress did not intend by this to make Sunday observance mandatory under penalty. There is a vast difference between claiming a privilege to yourself or conceding it to another and issuing a command to others with penalties attached for disobedience.

There is no law preventing our legislatures and courts from being in session on Sunday, and sometimes they are, but no one is penalized for it. It is simply a voluntary custom to regard Sunday as an unofficial day or a day known in law as *dies non* — no day at all. But this is far from what the professional Sunday-law advocates are seeking to impose upon the people of the United States. They want to compel everybody to observe Sunday after the manner of the strictest sect of the Pharisees, by force of civil law, and attach the most drastic penalties for its non-observance. Sunday observance is a religious act, and consequently should be a voluntary service, entirely free from civil exactions.

The last Sunday bill introduced is the long-looked-for church measure which the Lord's Day Alliance and the Na-

tional Reform Association are promoting, and in their campaign they have incidentally allied themselves with the Methodist Board of Temperance, Prohibition, and Public Morals and with the Pastors' Federation of Washington. The bill is known as H. R. 9753, the text of which is as follows:

"A BILL

"To secure Sunday as a day of rest in the District of Columbia

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passage of this Act it shall be unlawful in the District of Columbia for any person to labor or to employ any person to labor or to pursue any trade or secular business on the Lord's Day, commonly called Sunday, works of necessity and charity always excepted.

"Sec. 2. That from and after the passage of this Act it shall be unlawful in the District of Columbia to keep open or use for secular purposes any dancing saloon, theater, bowling alley, place of public assembly or amusement for secular purposes, or to engage in unlawful sports on the Lord's Day, commonly called Sunday.

"Sec. 3. That from and after the passage of this Act it shall be unlawful in the District of Columbia for any person, firm, corporation, or any of their agents, directors, or officers to require or permit any employees engaged in work of necessity or charity, excepting in household service, to work on the Lord's Day, commonly called Sunday, unless within the next succeeding days during a period of twenty-four consecutive hours he or it shall neither require nor permit such employees to work in his or its employ.

"Sec. 4. That any person who shall violate any of the provisions of this Act, shall, on conviction thereof, be punished by a fine of not less than \$5 nor more than \$50 for the first offense and for each subsequent offense by a fine of not less than \$25 nor more than \$500, or by both fine and imprisonment in the jail of the District of Columbia for a period of not less than one month nor more than six months, in the discretion of the court.

"Sec. 5. That all prosecutions for the violation of this Act shall be in the Police Court of the District of Columbia."

FORCE A CONFESSION OF FAILURE

To us it seems that the attempt to drive people to church, either directly or by closing to them other ways of worshipping God on Sunday, is not only contrary to the teaching of the Saviour of men, but is a confession that the type of Christianity which makes the attempt is a failure.—*The Fredonia (N. Y.) Censor*, Feb. 23, 1921.

Purely Religious Measure

It is very apparent that this bill is a strictly religious measure, and harks back to Puritan days. Evidently Rev. Harry L. Bowlby, the secretary of the Lord's Day Alliance, who signed his name to the petition praying for the introduction of this bill, is trying to make good his boast that he would "by legislation, make it easier for people to go to church." He is quoted as saying, "If we take away a man's motor car, his golf sticks, his Sunday newspaper, his horses, his pleasure steamships, amusement houses and parks, and prohibit him from playing outdoor games or witnessing field sports, he naturally will drift back to church."

Likewise, Mr. Bowlby, in framing this drastic bill, is trying to make good a recent threat of persecution of those who observe another day than Sunday as the Sabbath. "To be perfectly frank," said Mr. Bowlby to the *Public Ledger* (Philadelphia) concerning an inquiry as to how those would fare who observe another day than Sunday as the Sabbath, "they will have to conform to the laws if we succeed. The Jew will have to observe our Sabbath. . . . It will work no hardship for him to attend his synagogue on the same day we attend our churches." The Seventh-day Adventists and the Seventh-day Baptists would likewise be compelled to observe Sunday and give up their day of worship, or else suffer persecution for conscience' sake, if the Lord's Day Alliance succeeded in putting this obnoxious Sunday bill upon the Federal statute books. This bill makes no allowance or exemption for those who observe another day than Sunday. It is quite evident that one intent of this religious measure is to

force the conscience, the faith, and to change the practice of the seventh-day Sabbatarian. Mr. Bowlby says that there are "seventeen denominations" that "indorse this movement" to enforce religious observance by civil law; and that "only the Roman Catholics, the Unitarians, the Seventh-day Adventists, and the Jews are outside this movement."

If the Lord's Day Alliance and these other allied religious societies could have their way before Congress, it would not be long before the cruel hand of persecution would be lifted to smite down the dissenter and nonconformist, resulting in the streams of America being made red with the blood of martyrs as were the streams of Europe under the régime of church-controlled governments.

Such rules and regulations as have been proposed in this church measure of religious observance by the Lord's Day Alliance, the National Reform Association, and by the Methodists, might be very fitting if they emanated from a church council and were applicable only to the members of the Methodist Church and of the sixteen other denominations backing up the Lord's Day Alliance and the National Reform Association, as rules of church discipline or as by-laws of these religious organizations. But when these zealous religionists formulate their religious beliefs and creeds into a legislative bill, proposing to govern the conduct and duties of all Christians on Sunday, and demand that Congress shall enact legislation enforcing church discipline upon all the people of the United States, it is very apparent that they have made a demand that is not only hostile to the Constitutional guaranties of civil and religious liberty in the free exercise of the conscience rel-

SUNDAY LAWS IMPRACTICAL, WRONG, NARROW

This proposed campaign for stricter Sunday laws is one of those well-meant but misguided efforts which do harm instead of good to the cause they are intended to serve. It is impracticable, wrong in principle, and based on a narrow and imperfect conception of the Christian religion. It would do far more to drive religion out of the hearts of the people than to draw them toward it. We have no right to try to compel religious observance of Sunday by law.—*Dr. William T. Manning, quoted in the Outlook, Dec. 8, 1920.*

ative to religious concerns, but altogether unwarranted under American ideals and principles of civil government.

Ignore Line of Separation

The difficulty with these "professional reformers" and "Christian lobbyists," is that they fail to recognize the separating line which Christ drew between the civil government and the church or religion, when in rebuking the rulers of His day for mixing politics and religion, He said: "Render therefore unto Cæsar the things which are Cæsar's; and unto God the things that are God's."

The Lord never intended that the duties and obligations which we owe to God should be enforced by Cæsar, or the civil authority. That men and governments might the more readily discover and discern the proper duties we owe to God exclusively, and not confound them with the obligations we owe to our fellow men in our relations with each other, Jehovah wrote the ten commandments upon two separate and distinct tables of stone. God was not limited in His selection, and could have written the eternal ten upon one table as easily as upon two tables. God did not confuse or write the ten commandments promiscuously, but He wrote those commandments which define man's true and proper relationship with God upon the first table, and likewise He wrote those which define man's proper and equitable relationship with his fellow men upon the second table. Consequently, the first four commandments of the decalogue, written upon the first table, dealing exclusively with man's proper duties and relations toward God,

do not come within the province of the civil government to enforce. They are purely matters of faith and conscience, for which we are responsible to God alone.

Failure to make a clear distinction between divine and human government or between divine and human relations and obligations in the administration of affairs in the separate functions of the church and of the state, has been the cause of all the religious persecution of the past. Political religion has always been a failure, and ever will be, because it is based on a wrong premise and a false conception of Christianity. The religion of Jesus Christ has to be first corrupted before it will even contemplate a union with the civil power, or seek to advance its cause by the means of carnal weapons. Neither Christ nor His apostles ever made any overtures to Cæsar for aid. Christ founded His institutions upon the solid rock of spiritual truth, against which the gates of hell can never prevail. He needs no support from Cæsar; in fact, His truth and cause would triumph even if Cæsar and all his forces were arrayed against Him and His truth.

Analysis of Present Bill

This new compulsory Sunday observance bill forbids all kinds of work on Sunday except works of "necessity and charity," in the first section, and in the third section, it limits even works of "necessity and charity" to six days of the week, allowing only unlimited household service on Sunday. Neither an individual nor a corporation can carry on or perform works of "necessity and charity" on Sunday, unless "he or it"

NO SALVATION BY MORAL BOOTSTRAPS

It is an idiosyncrasy of us Americans to believe that we can make ourselves good by making it a crime to be bad. It is our common delusion to suppose that if anything goes wrong, all we have to do is to pass a law about it. Unfortunately, it makes no difference how many or what sort of laws we put on the statute books—we remain exactly what we were before. The milk in the bottle is no purer because the milkman changes the label and marks it "Certified." The leopard cannot change his spots by calling himself a lamb. No self-serving declaration of righteousness can change us by a single jot or tittle. We cannot lift ourselves as a nation by our own moral bootstraps.—*Arthur Train, in Pictorial Review, January, 1922, p. 23.*

shall forbid his or its employees' doing such work on a succeeding day.

It seems strange that a person should be fined \$500 and imprisoned six months on the side, for ministering to the sick, the needy, and the poor, because he does this necessary and charitable work seven days a week, and persists in doing it. This is the penalty they provide for the person who insists on doing this noble work continuously, or who asks, or even permits, any one else to do works of righteousness seven days in the week, and especially on Sunday. What is this but exalting the day above God and the needs of suffering humanity, as the priests did in the time of Christ? It is ancient Pharisaism clothed in modern garb. It is Puritanism revived. It is sacerdotalism gone to seed.

Honorable Acts Made Criminal

This bill makes honorable work and legitimate business criminal on one day of the week, simply because it is done on Sunday. Under such a law as now framed by our "professional reformers" God would have been arrested, fined, and imprisoned for working on the first day of creation week, and there would have been meted out the same punishment to Christ for working at the carpenter's bench in Nazareth on Sunday as was His custom during His earthly pilgrimage. Our modern reformers, had they lived then, would have joined the persecutors of Jesus who sought His life for doing works of "necessity and charity" on the Sabbath.

We believe that everybody ought to observe the Sabbath day of divine appointment as set forth in the bosom of God's law, instead of the day set apart by the church councils more than three

centuries after Christ. But it makes no difference whether it is the seventh day or the first day of the week which people observe, both are religious institutions, one set apart by God, and the other by the church, and neither ought to be enforced by civil law. Religious obligation rests entirely upon the sovereignty of God, and is a matter of faith, piety, and soul conviction, and should never be made compulsory by civil law and secular authority.

Although this bill forbids "secular business" on Sunday, it still insists that the "secular" powers shall do business by employing policemen to do sleuth work in detecting and arresting all persons who do not observe Sunday in harmony with the Puritanical notions of certain so-called reformers.

The bill specifically closes on Sunday all places of "public assembly or amusement for secular purposes," and also prohibits "unlawful sports," but fails to tell what sports are lawful or to state who is to define such sports. Naturally and logically "unlawful sports" are sports already prohibited by law. They would not be unlawful unless some law made them so, and it seems perfectly superfluous to enact another law to prohibit on Sunday sports already forbidden by statute. If one law is ineffective another would only make things still more confusing.

"Unlawful sports" ought to be prohibited, not only on Sunday, but on every day of the week. If a thing is criminal on one day, it is on every day of the week. There are some things which from the standpoint of religion are regarded as sinful on the Sabbath day, which would not be sinful on

MUST NOT INTERFERE WITH NEIGHBOR'S RELIGION

A man may believe in a certain manner of observing Sunday if he be a Christian, or of Saturday if he be a Jew, or of Friday if he be a Mohammedan. It is his interest and right to be protected from interference with his observance, which involves the corollary that it is his duty to abstain from interference with the observance of others. If we are to adopt the system of a theocratic state, the validity of an enforced religion must be recognized during its continuance; but, abandoning the principle of religious liberty, a theocratic state may be transformed into an atheistic one with the passing of political power.—*St. Louis Post Dispatch, Dec. 13, 1920.*

a secular day, but religious acts and obligations are not within the province of the civil government to regulate. God never ordained the civil government to prescribe a man's religious obligations and to enforce them upon him.

This bill compels the orthodox Hebrews, the Seventh-day Adventists, and the Seventh Day Baptists to observe two days each week, or suffer fines and imprisonment as provided in the fifth section. The conscience of the seventh-day observer does not allow him to work on the day sanctified by the fourth commandment of the decalogue, and the proposed Sunday law would prohibit him from doing any kind of work on Sunday. This would be an unjust discrimination against his faith and practice, and would deprive him of his Constitutional right to freedom of conscience, and to stand with all other men on an equality before the law. It would also operate against the conscience of the man who makes no profession of any religion. The nonreligionist may not believe in the observance of any day. All days are alike to him, and yet this bill imposes a heavy penalty upon him if he fails to conform outwardly to the forms of religion in which he does not believe, by observing Sunday.

Heavy Exactions Required

If this bill should become a law in the District of Columbia, all unnecessary labor would have to stop on Sunday, and extra help would have to be provided for necessary and charitable work on Sunday. This would mean in many

cases a new set of people, and in other cases additional help would have to be provided to release the employees of the fire department, the water department, the ice plant, the police department, the editors and employees of the newspapers, the newsboys and venders, the clerks in the ticket office of railway stations, the conductors and brakemen, the engineers and firemen on the railroads, those in the factories, government offices, and apartment houses and private dwellings, the night watchman, the telegraph operators, the bakers, the restaurant employees, the surgeons, physicians, and nurses, the druggists and pharmacists, the electricians and wiremen, the dairy employees, the janitors in public and private dwellings, the barbers and bootblacks, the hotel employees, the automobile chauffeurs, the garage men and gasoline salesmen, in fact, the congregation that had only one pastor whose duties kept him occupied seven days each week, would be obliged to hire a second pastor to relieve him on Sundays. If this bill becomes a law, it will transport us back to Puritan times, when, as it is sometimes put to show the absurdity of it all, the cat was imprisoned for catching mice on Sunday, and cider barrels were rolled out of the cellar, lest they should be found working on Sunday within the Puritan gates.

Paul says: "Hast thou faith? have it to thyself before God." No man has the divine right to make his conscience the criterion for another man. Only the

(Concluded on page 44)

LET THEM RETURN TO THEIR LEGITIMATE WORK

When a minister of the gospel enters the arena of politics and arrogates to himself the powers and privileges of a boss, he must expect to be the target for attack.

There are many highly paid professional reformers in Washington and in other cities of the country who have been tempted from their legitimate fields of labor by the lush grass of specialized activities. They have deserted the drudgeries of parish work, with its penury, its sick calls, its funerals, etc., to become censors of public conduct. They toil not, neither do they spin, but they hold conventions, collect funds, issue impressive manifestoes, and browbeat Congress. Yet they demand for themselves the same public respect that is willingly and spontaneously vouchsafed to the humble priest of religion who trudges in the path of the lowly Nazarene.

It is they, not the clergy, who are made the butt of jokes and the target of the artist's humor. They should not complain, for the remedy is in their hands. Let them return to the duties for which they were ordained.—*Washington Post, Jan 6, 1921.*

Sunday Law Inconsistencies

By the Managing Editor

MANY and varied are the inconsistencies of Sunday legislation. Some of these have been pointed out by the editor in his analysis of the Fitzgerald bill, H. R. 9753. But as Mr. Longacre has little more than mentioned the Zihlman bill (H. R. 4388), and the Myers bill (S. 1948), both pending in Congress, both alive and capable of much mischief, they must receive some attention here. H. R. 4388 reads as follows:

"A BILL

"To promote the public health by providing for one day of rest in seven for employees in certain employments

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every employer of labor, whether a person, partnership, or corporation, engaged in carrying on any factory or mercantile establishment in the District of Columbia, shall allow every person, except those specified in section 2, employed in such factory or mercantile establishment, at least twenty-four consecutive hours of rest in every seven consecutive days. No employer shall operate any such factory or mercantile establishment on Sunday, unless he shall have complied with section 3: *Provided, however,* That this Act shall not authorize any work on Sunday not now authorized by law.

"Sec. 2. That this Act shall not apply to—

- (1) Janitors.
- (2) Watchmen.
- (3) Employees whose duties include not more than three hours' work on Sunday in (a) setting sponges in bakeries; (b) caring for live animals; (c) maintaining fires; (d) necessary repairs to boilers or machinery.
- (4) Superintendents or foremen in charge.
- (5) Employees in dairies, creameries, milk condensaries, milk powder factories, milk sugar factories, milk shipping stations, butter and cheese factories, ice cream manufacturing

plants, and milk bottling plants, where not more than seven persons are employed.

"Sec. 3. That before operating on Sunday, every employer shall post in a conspicuous place on the premises a schedule containing a list of his employees who are required or allowed to work on Sunday and designating the day of rest for each, and shall file a copy of such schedule with the Commissioners of the District of Columbia. The employer shall promptly file with the said commissioners a copy of every change in such schedule. No employee shall be required or allowed to work on the day of rest so designated for him.

"Sec. 4. That every employer shall keep a time book showing the names and addresses of all employees and the hours worked by each of them in each day, and such time book shall be open to inspection by the Commissioners of the District of Columbia.

"Sec. 5. That every employer who violates the provisions of this Act, or any of them, shall be liable for a penalty of not more than \$50 for each offense, recoverable by civil action by the Commissioners of the District of Columbia.

"Sec. 6. That this Act shall take effect on the first day of January, 1922."

This bill is evidently designed to be purely secular, and cannot be objected to as a conscious attempt to secure religious legislation. It is, however, far from being unobjectionable. The bill is utterly mischievous in that it ignores entirely the rights of those minority religionists who uniformly rest on the seventh day of the week and work on Sunday.

There is in the District of Columbia a large number of Seventh-day Adventists, one hundred fifty or two hundred of them being employed in a large denominational publishing house located in Takoma Park, D. C. These people never operate their plant upon the seventh day.

BLUE LAWS A FAILURE

It is not the lack of blue laws that makes empty churches. It is the lack of a vital appeal in the church itself. Some denominations that never concern themselves with politics or blue or other sumptuary laws never complain of lack of attendance. Those churches which observe Saturday as the Sabbath, in spite of all the inconvenience incurred thereby, have uniformly large congregations. Blue laws will not increase church attendance. The remedy for empty pews lies within the church and not without, and is a matter for the church to rectify and not the state.—*Capital Journal, Salem, Oreg., Nov. 30, 1920.*

all the employees of which have that entire day off fifty-two weeks in the year.

But Mr. Zihlman's bill ignores this fact, and is so framed as to put all these people, and especially the managers of that denominational publishing house, to great inconvenience, and to probable financial loss, in the interests of universal Sunday rest as nearly as possible. This plant does no commercial printing and does not compete with other houses.

It has yet to be shown that a regular twenty-four-hour period of physical rest is essential to health, or that, other things being equal, it is even helpful. China and Japan do not show it, but rather the contrary. Up until considerably less than two thousand years ago, a weekly rest day, such as is now insisted upon, was unknown, except to the Jews. Even since the era of Constantine and his Sunday law, a large majority of the world's people have been without a weekly rest day; neither can it be shown that with proper relaxation at other times, such rest is a physical necessity.

This is not saying that the Sabbath, properly kept, is not a great blessing even physically. It certainly is, but so is "pure religion and undefiled." "Godliness with contentment is great gain," says Paul, and it is. But godliness with contentment is something that cannot be legislated into people, it must be sought. In like manner Sabbath benefits can be obtained only by having the Sabbath spirit, something that cannot be imparted by the fear of fines and imprisonment.

While on its face H. R. 4388 is purely secular, and not consciously designed to enforce the observance of a religious institution, its effect would be, whether or not so intended, to make it easy for such Sunday keepers as were unwilling to undergo any sacrifice for the sake of

their religion, and to make it correspondingly hard for seventh-day observers, many of whom are already sacrificing every week for the sake of what they believe to be their duty to God.

Therefore, while upon its face this bill does not appear to be an attempt to settle a religious question, it would nevertheless, if enacted into law, array the government upon the side of Sunday, and against the ancient Sabbath, an attitude which no government can have any moral right to assume, and to which the American Government certainly has no legal or Constitutional right.

The bill introduced by Mr. Myers, S. 1948, while designed to appear as most liberal, is scarcely less objectionable than is the Zihlman bill. Here it is:

"A BILL

"To regulate the conducting of business in the District of Columbia on Sunday

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, in the District of Columbia, on the first day of the week, commonly called Sunday, or between the hour of midnight of each Saturday night and the hour of midnight of the following succeeding night, it shall be unlawful for any person for hire to do or perform any work or labor, except household work or other work of necessity or work connected with some of the exceptions to the operation of this Act, hereinafter mentioned; and it shall likewise be unlawful to sell or offer for sale any merchandise or to keep open or conduct any store, shop, factory, or other place of business; and it shall likewise be unlawful to keep open any theater, opera house, playhouse, moving-picture show house, or concert hall, or to give or render any theatrical performance, opera, moving-picture show or play, for which an admission fee is charged, but sacred concerts for which an admission fee is charged are not prohibited; and it shall likewise be unlawful to give, conduct, or play any match or contest game of baseball, football, golf, lawn tennis, polo, or other athletic game for which an admission fee for spectators is charged, but nothing herein is intended to prohibit or shall prohibit any person or persons

MUST WIN, NOT DRIVE

If we are at the point where the admission has to be made that religion as organized is incapable of going on building up character in the souls of men without the help of the state expressed in prohibitory terms, then, indeed, religion is in a perilous state. . . .

If the church cannot draw men of their own free will, it will but drive them farther away by seeking to use the law.—*Newark (N. J.) Evening News, Nov. 30, 1920.*

from playing at or engaging in any such game or any other athletic game, in contest or competition with others or individually or alone or with others, if an admission fee for spectators be not charged.

"Sec. 2. That this Act shall not apply to hotels, restaurants, cafés, cafeterias, lunch-rooms, lunch counters, boarding houses, clubs, drug stores, cigar stores, news stands, shoe-shine stands, bootblacks, furnacemen, news-boys, elevator operators, janitors, livery stables, garages, taxicab companies or operators, automobile companies or operators, gasoline supply stands, or tanks or stations, electric-light plants, waterworks plants, gas-light plants, steam-heating plants, telegraph companies, telephone companies, express companies, street railways, trolley lines, steam railroads, hackmen, cabmen, baggagemen, railroad ticket agents, porters, omnibuses or 'bus lines, sight-seeing cars, transportation companies or operators, newspaper correspondents, physicians, nurses, hospitals, peace officers, fire companies or other municipal functions, steamboats or ships or other vessels; nor to the publication or sale of daily newspapers or the sale of other publications, nor to delivery of milk, cream, ice cream, or ice. It shall not prohibit dentists from doing emergency work to relieve suffering and it shall not prohibit any other emergency act of necessity to prevent or relieve suffering and it shall not apply to any act of actual necessity.

"Sec. 3. That the word 'person' in this Act shall include persons, corporations, firms, companies, and associations.

"Sec. 4. That any person violating any of the provisions of this Act shall be guilty of a misdemeanor and for each offense shall be fined not less than \$10 nor more than \$500.

"Sec. 5. That this Act shall not apply to any person who belongs to or affiliates with any religious denomination or sect that observes or advocates observing some other day of the week than Sunday as a day of rest and abstention from secular avocations, if such person does, in fact, so observe regularly some other day of the week than Sunday."

When it is known that this bill was introduced at the instigation of the International Reform Bureau, presided over by Dr. W. F. Crafts, it will be at once evident that it is not at all what Mr. Crafts would like, but what he hopes to be able to get merely as an entering wedge.

The view that has thus far prevailed in Congress is that compulsory Sunday legislation is forbidden by the Constitution. If, then, Congress could be prevailed upon to enact even so mild a

measure as S. 1948, the precedent of legislating upon the subject would be established, and other and more stringent measures would soon follow.

Section 5 is an unintentional acknowledgment of the religious character of the whole bill. This section shows that the thing aimed at is to secure as nearly as possible the religious observance of one day in seven, preferably Sunday; but if not Sunday, then some other day.

This bill is evidently aimed especially at what is called "the commercialization of the Sabbath." This term means that so far as entertainments for pay are concerned, the churches shall have a monopoly of Sunday.

Now the writer believes as strongly as does anybody, that people should attend church; he does not believe, however, in laws so framed as indirectly to compel church attendance by closing everything else on Sunday. Quite aside from the question of the true day of the Sabbath, whether the first day of the week or the seventh day, why should civil government prohibit on Sunday, or upon any other day, anything that is proper in and of itself? There is and can be no reason, aside from the religious character of the day.

The fact is that thousands of people who are regularly employed on other days of the week are really free to attend shows only on Sunday. Why, aside from the religious phase of the question, have they not just as good a right to spend Sunday or a part of it in that manner as their neighbors have to spend that day or a part of it in attending church? There is absolutely no reason except the religious one.

But it may be urged that the commercialization of Sunday means the employment of some for the entertainment of others. So does the maintenance of church services. Including the pastor, the church choir, the Sunday school officers, teachers, etc., the services of a good many persons are required to provide instruction and entertainment for every Sunday congregation. Not all of these are paid, but the pastor always is or

ought to be, and so are frequently the organist and the choir, also the janitor.

Now the question is, what right has the government to take one day of the week and give a monopoly of that day to any one or to a few interests? This bill contains a long list of exceptions and exemptions. Look at them. Why should one secular employment be prohibited more than another? It would be hard to give any reason except that the playhouses come more directly and effectively into competition with the churches than do any of the permitted interests, and it is desired to give the churches a monopoly of the day.

It may even be urged that the churches are a benefit to the state, and should therefore be encouraged. The first part of this proposition is true—churches are a benefit to the community; it does not follow, however, that they should be fostered by the state by indirectly compelling people to attend them. Some of the best of the Roman emperors were the worst persecutors of the Christians because they honestly thought that the maintenance of paganism was essential to the stability of the empire. But did that justify pagan persecution? Certainly not, nor can a similar plea today justify civil laws for the support of Christianity in the supposed interests of the government.

The only way, however, to avoid that sort of thing is not to take the first step. Freedom of religion in this country has not weakened, but has greatly strengthened the government. But now as never before it is insisted that the preservation of Sunday as a religious institution is essential to political stability. It is impossible, say the advocates of Sunday legislation, to preserve the government without religion, or religion without the Sabbath, or the Sabbath without laws for its observance.

But the claim is false; it is no more true than was the similar claim that Rome could not be preserved without paganism, or paganism without laws prohibiting Christianity. Rome fell, but it did not fall until it was in the full pos-

session of legally established so-called Christianity.

The trend of the world today is toward wider religious liberty, except in the United States, where mighty forces are at work trying by hook or crook to undo the grand work of the fathers of the Republic, and to deliver us, bound hand and foot, to the tender mercies of a religious hierarchy, whose mission it is to enforce upon all men their ideas of Christianity and of Christian signs, usages, and customs.

A Religious Lobby

(Concluded from page 40)

power of God's love should dominate the heart and life of an individual in religious matters. When religious obligations and observances become a matter of compulsion, the conscience of every man is shackled, and the profession of religion too often becomes a cloak of formality and hypocrisy. A legal religion has all the possibilities of an inferno couched in its very incipency.

Every lover of religious liberty and of the constitutional and divine right to worship or not to worship God in harmony with the dictates of his own conscience, should take alarm at these encroachments upon his conscience, and should end a vigorous protest to his Representative in Congress, to use his influence to defeat this obnoxious Sunday bill, entitled H. R. 9753. (See instructions on page 2.)

The forces behind this Sunday bill are planning to flood Congress with petitions favoring its passage. But a vigorous opposition movement is developing, and the campaign promises to be a lively one on both sides. Legislation of this character should suffer an overwhelming defeat, as similar measures have done in California, Oregon, and other States recently. Human rights and religious liberty are in danger of being destroyed by governmental paternalism. It is high time to wake up and realize now as never before that "eternal vigilance is the price of liberty."

IN THE HOUSE OF REPRESENTATIVES.

JANUARY 5, 1922.

Mr. FITZGERALD introduced the following bill; which was referred to the Committee on the District of Columbia and ordered to be printed.

A BILL

To secure Sunday as a day of rest in the District of Columbia.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That from and after the passage of this Act it shall be un-
4 lawful in the District of Columbia for any person to labor
5 or to employ any person to labor or to pursue any trade or
6 secular business on the Lord's Day, commonly called Sun-
7 day, works of necessity and charity always excepted.

8 SEC. 2. That from and after the passage of this Act it
9 shall be unlawful in the District of Columbia to keep open
10 or use for secular purposes any dancing saloon, theater,
11 bowling alley, place of public assembly or amusement for
12 secular purposes, or to engage in unlawful sports on the
13 Lord's Day, commonly called Sunday.

14 SEC. 3. That from and after the passage of this Act
15 it shall be unlawful in the District of Columbia for any per-

2

1 son, firm, corporation, or any of their agents, directors, or
2 officers to require or permit any employees engaged in
3 works of necessity or charity, excepting in household serv-
4 ice, to work on the Lord's Day, commonly called Sunday,
5 unless within the next succeeding days during a period of
6 twenty-four consecutive hours he or it shall neither require
7 nor permit such employees to work in his or its employ.

8 SEC. 4. That any person who shall violate any of the pro-
9 visions of this Act, shall, on conviction thereof, be punished
10 by a fine of not less than \$5 nor more than \$50 for the first
11 offense and for each subsequent offense by a fine of not less
12 than \$25 nor more than \$500, or by both fine and impris-
13 onment in the jail of the District of Columbia for a period
14 of not less than one month nor more than six months, in
15 the discretion of the court.

16 SEC. 5. That all prosecutions for the violation of this
17 Act shall be in the Police Court of the District of Columbia.

The Purpose of the "Reformers"

THE ultimate purpose of the Sunday-law advocates is nation-wide Sunday observance under Federal and State laws.

Congress cannot legislate for the several States, but in the way of regulating interstate commerce the national lawmakers could do much more than many realize. Congress could stop all interstate trains. That body could forbid Sunday labor to all persons employed in interstate commerce. Articles manufactured in whole or in part upon Sunday could be barred from interstate commerce; this might extend even to farm products produced in whole or in part by Sunday labor. The sale of gasoline might be controlled in the same way, as an article of interstate commerce.

In 1920 the Philadelphia *Public Ledger's* New York correspondent reported an interview with Rev. Harry L. Bowlby, national secretary of the Lord's Day Alliance, which was published by that paper on November 28 of that year. In that interview Dr. Bowlby was reported as saying, among other things:

"We are well financed. Our lobby at Washington will be an effective and experienced one. We shall work in every Congressional district in every State. We shall agitate and spread propaganda, and cause voters to write unceasingly to their representatives in Congress until no Congressman who cares to stay in Congress will dare refuse to vote for our measures. These were the methods used by the Anti-Saloon League, and they were effective.

"We propose to pass no blue laws. There are no such things as blue laws—never were. And we don't propose to legislate people into church. We propose, by legislation, to make it easier for people to go to church. In other words, we shall try to close the baseball parks, the golf links, the motion-picture and other theaters, the concert halls, the amusement parks, the bathing beaches, and so on. We shall fight all amusements where an admission fee is charged. We shall oppose golf, tennis, baseball, football, and other sports, even if purely

amateur and void of financial cost to those watching or taking part, because they set bad examples for children who otherwise might be content to go to Sunday school.

"We shall seek to restrict the sale of gasoline for pleasure automobiles, and urge other measures that will stop Sunday automobiling and joy riding. This will not bring the old-fashioned horse and buggy back, because we believe that the Lord's day should be a day of rest for man and beast. Excursion steamer rides on Sunday will be opposed by us on the ground that they are unnecessary to the moral welfare of Christian America."

It is only fair to Dr. Bowlby to say that he subsequently repudiated the interview, but his denial was not taken seriously by any one except by the doctor himself. Everybody understands the sense in which interviews are denied. Probably the *Ledger's* New York correspondent reported in his own words what he understood the doctor to say, and very likely reported substantially, if not exactly word for word, what that gentleman did say. So far as we are informed, the *Ledger* never published a retraction of the interview, something Dr. Bowlby would very likely have required had the interview been faked.

And so we are warranted in believing that in the main this interview outlines with tolerable accuracy the plans and purposes of those who are now back of H. R. 9753. It is known that Dr. Bowlby was one of several persons who requested the introduction of the bill, and there is good reason for believing that he had a hand in framing the bill itself.

It is very evident that Dr. Bowlby and those who are associated with him are driving right along in the direction indicated in the repudiated interview printed nearly fifteen months ago by the *Public Ledger*. Let no one deceive himself with the thought that there is no danger; there is danger, and it is high time to become seriously alarmed for our threatened liberties.

C. P. B.



A LEGAL RELIGION UN-AMERICAN AND ANTI-CHRISTIAN

We hold it for a fundamental and undeniable truth, "That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence." The religion, then, of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right. It is unalienable, because the opinions of men, depending only on the evidence contemplated in their own minds, cannot follow the dictates of other men. It is unalienable, also, because what is here a right toward men is a duty toward the Creator. It is the duty of every man to render to the Creator such homage, and such only, as he believes to be acceptable to Him. This duty is precedent, both in order of time and in degree of obligation, to the claims of civil society. . . . We maintain, therefore, that in matters of religion no man's right is abridged by the institution of civil society, and that religion is wholly exempt from its cognizance.—*James Madison's Memorial, to the Honorable, the General Assembly of the Commonwealth of Virginia, 1785.*