

The Sentinel

OF CHRISTIAN LIBERTY

VOL. XVIII

NEW YORK, SEPTEMBER 3, 1903

NO. 36



A majority has no more right to do injustice than has a minority.

"No one ever thinks the majority should rule in religion when the majority are not in harmony with his way of religious thinking."

Obedience to the "powers that be" is not the highest duty of a Christian man or any other man. The highest duty of any man is to do right.

"The right to coerce any against their conscience to keep a religious holy day is not possessed by man, nor can it be righteously exercised by any human power."

Most men see a principle most clearly when it is being violated by others to their injury; few indeed can see a principle when they themselves are violating it to the injury of others.

If God has not appointed a definite and particular day as the Sabbath, then men assume a little too much responsibility when they select a definite and particular day and say that that is the day God requires to be observed as the Sabbath.

Instead of possessing the prerogative to invade the rights of some, it is the duty and function of the majority to protect the rights of all—to see that the rights of none are invaded. Its business is to protect, not to oppress; to insure justice, not to commit injustice.

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The Sentinel

OF CHRISTIAN LIBERTY

Set for the defense of human rights, especially the rights of conscience. The only periodical in the United States especially devoted to the maintenance of the Christian and American principle of complete separation of church and state. The Sentinel is not a periodical of abstractions and speculation; it discusses live issues that deeply concern every individual.

JOHN D. BRADLEY, Editor.

Editorial Contributors:

A. T. JONES, A. G. DANIELLS, M. C. WILCOX,
L. A. SMITH, C. P. BOLLMAN.

We believe in the religion taught and lived by Jesus Christ.

We believe in temperance, and regard the liquor traffic as a curse to society.

We believe in supporting civil government and submitting to its authority.

We believe that human rights are sacred, and that they indissolubly inhere in the moral nature of the individual.

We deny the right of any human authority to invade and violate these inalienable rights in any individual.

Therefore we deny the right of any civil government to legislate on matters of religion and conscience.

We believe it is the right, and should be the privilege, of every individual to worship God according to the dictates of his own conscience, free from all dictation, interference, or control on the part of civil government or any other external authority; or not to worship at all if he so chooses.

We also believe it to be our duty, and no less the duty of all others, to oppose religious legislation and all movements tending toward the same, to the end that all the people may freely enjoy the inestimable blessing of liberty, which is theirs by virtue of the unbounded wisdom and beneficence of the Author of their being.

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SUNDAY IN HISTORY

By C. H. EDWARDS

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NEW YORK, THURSDAY, SEPTEMBER 3, 1903

No. 36

Not a Question of Majorities

By W. A. Colcord

They are slaves who fear to speak
For the fallen and the weak;
They are slaves who will not choose
Hatred, scoffing, and abuse,
Rather than in silence shrink
From the truth they needs must think;
They are slaves who dare not be
In the right with two or three.

—James Russell Lowell.

IT is a commonly heard expression that "the majority must rule." This, however, is not a principle for universal and unlimited application, else there can be no such thing as individual rights. There must be a limit to the right of the majority to rule. Majorities may have unlimited power, but they do not possess unlimited rights. The right to absolute, arbitrary power over the lives, liberty, and conduct of men exists nowhere in civil society, not even in the largest majority.

The majority have a right to rule in those things concerning which they have a right to legislate, but not otherwise. The true principle of civil government recognizes in the majority no authority over the minority except in civil things—in matters relating to the conduct of men toward their fellowmen. The state, being a civil and not a religious institution, has no right to legislate in religious things, and therefore has no right to rule in religious affairs. Religion is not within its purview. It should recognize in every individual the right to chose his own re-

ligion, and to enjoy it freely without molestation. The proper object of government is to protect all persons in the enjoyment of their rights, both civil and religious, and not to determine for any what their religious faith and practise shall be.

If the principle be admitted that the majority have a right to rule by civil power in religious things, then Shadrach, Meshach and Abednego ought to have bowed down to Nebuchadnezzar's golden image, and Daniel to have ceased to pray to the God of heaven, for these were the decisions of the majority in these matters; the apostles likewise ought to have ceased to preach and teach in the name of Jesus, for the majority were opposed to it; and the Christians who go to heathen lands to-day should conform to the religious customs and practises of those lands.

But the principle is false. In matters of conscience the majority can of right have no power. Religious right is not a question of majorities against minorities, for if the conscience of the majority is to

be the standard, then there can be no such thing as the rights of conscience. The conscience of a single individual is as sacred as the conscience of a whole community, and it is the duty of the state to protect a single individual in the exercise of his rights, even though it has to exert its whole power to do it.

Majority rule in religious things is the cry of the bigot and the persecutor. No one ever asks that the majority shall rule in religion when he thinks the majority are not in harmony with his way of religious thinking. It is only when he stands with the masses, or with those in power, that he talks thus. But strip him of his power, place him with the few, prescribe a faith to him which his conscience rejects, threaten him in turn with fine and imprisonment if he does not comply, and see how quickly he will repudiate the principle and demand the right of the freedom to worship according to the dictates of his own conscience.

This is well illustrated in the controversy between Mr. Gladstone and Cardinal Manning over the Vatican decrees of 1870. When Mr. Gladstone stated that what was required of Roman Catholic subjects in Great Britain was a "solid and undivided allegiance" to the British government, Cardinal Manning replied:

I must confess to some surprise at this demand. The allegiance of every moral being is "divided," that is, two-fold; not, indeed, in the same matter nor on the same plane, but in two spheres, and on a higher and a lower level, so that no collision is possible, except by some deviation or excess. Every moral being is under two authorities—human and divine. The child is under the authority of parents and the authority of God; the subject is under the authority of the state and natural and revealed religion. Unless we claim infallibility for the state, its acts must be liable to revision, and the resistance by natural conscience. An unlimited obedience to parents or to states would generate a race of unlimited monsters. Surely these are truisms. Our Lord Himself taught this division when He said: "Render therefore to Cæsar the things that are Cæsar's,

and to God the things that are God's." But this all men admit when they think.¹

Yes, all men when they think straight admit this. All, even the most bigoted and intolerant, when they stand with the minority, and are asked to submit their religious views and practises to the dictation of a state not in sympathy with them, admit that a man does not owe allegiance to civil government in religious things; that there are two separate and distinct spheres, religion and the state, and that Christ has forever separated the two. But who ever heard of a man holding to the theory of church-and-state union making such an argument as the foregoing in a country where his religion was the established religion, or in defense of the rights of the minority in such a country? It is a sad fact that men generally do not recognize this truth except when they are in the minority and their religious rights are being infringed.

The *Catholic Press*, of Sydney, Australia, for May 4, 1901, said:

A man's religion is his first consideration; he honors his God before his king.

This likewise recognizes the two realms, and also the fact that a man owes his first allegiance to God. The majority, therefore, have no right to demand by law that he shall follow them, rather than God, in religious matters.

The same journal for June 22, 1901, said again:

What we want is a government to deal with all classes alike, for we are all citizens with equal rights.

But a government which assumes to dictate to men in religious matters, and to enforce upon all the religious views of the majority, cannot deal with all alike. It must necessarily trample upon the equal rights of the minority. For civil government to deal with all classes alike, and to recognize the equal rights of all, has never been a cardinal doctrine nor a gen-

¹"The Vatican Decrees," p. 33.

eral practise of religious systems holding to the theory of the rightfulness of religious legislation in countries where they have had control of the civil power. But it is put forth as sound doctrine even by

these in countries where they are not as yet in the ascendancy. They, thereby, when in the minority, recognize and plead for a principle which, when in the majority, they ignore and deny.

An Indictment of New York's Sunday Law¹

III

IF it is intended to avoid the certain and fatal consequences of disregarding the *particular day* appointed as holy time by the authority in virtue of which only to keep *any sabbath* is held to be a moral obligation, it must be admitted that the *seventh day* of the week, and *not the first*, is the *Sabbath day instituted by divine appointment*, and therefore to keep the *first* is *not a moral obligation*, nor is work or play performed thereon an act of *immorality*. The law on which we are treating therefore, if sustained at all, must obtain other support than that intended to be derived from the alleged command of God. That evidence *proves too much* to show that the *first day* of the week is a sabbath instituted by divine authority. It rather proves that the *first day* of the week is *not* the day appointed

by God's command to be kept as holy time. As strange as it may seem, and doubtless is, the law of which we are treating *exact*s implicit belief in the divine appointment of a sabbath day, and at the same time by recognizing, nay by coercing, the observance of *another* than the *seventh day* of the week as holy time, impeaches the testimony of the *only witness* relied upon for proof of the divine institution of *any sabbath day*. It insists on his being credited in the latter instance, though the law itself and its advocates renounce his testimony as to the *day* he alleged God directed to be remembered and kept holy as a sabbath! Such is the inconsistency of the law itself with the testimony adduced to support it.

I am aware that it has been and may again be said "that *the day is not essen-*

¹ Seventy-seven years ago there was published in New York a pamphlet, a transcript of the title page of which is as follows: "The People's Rights Reclaimed; being An Exposition of the Unconstitutionality of the Law of the State of New York Compelling the Observance of a Religious Sabbath Day, and Erroneously Entitled 'An Act for Suppressing Immorality,' Passed March 13th, 1813. Addressed to the People of the State of New York. New York, 1826. A. Spooner, Printer, Brooklyn." Its publication was called forth by the revision of the State laws then taking place and certain attempts that had been made "to affect an extension of the erroneous principles and provisions of the Sunday laws." Although the *excuse* for New York's Sunday legislation has been somewhat changed since then, it being now professedly for the prevention of "crimes against religious liberty and

conscience" (although still coming under the general heading of "crimes against public decency and *good morals*"), whereas then it was "for suppressing immorality," it remains the same in principle, object, and effect, and the masterly and unanswerable indictment of the law as it then was made by the unknown author of the above pamphlet is still a masterly and unanswerable indictment of the law as it now is, and incidentally of all other Sunday legislation. The widespread disposition now manifested to uphold and "to affect an extension of the erroneous principles and provisions of the Sunday laws" makes the matter in this pamphlet very pertinent to-day, and hence we are publishing it in full in THE SENTINEL. The somewhat peculiar style of the author in italicizing words will be followed, so unless otherwise indicated words in italics are as they appear in the pamphlet.—EDITOR.

tial, provided *one day in seven* or a *seventh part of time* be kept holy." This allegation has already been refuted by the testimony of the witness called to prove that *any sabbath day* has been appointed by divine authority. But, let me ask, who says the particular day is not essential? The alleged command says no such thing. Has God said so? When did infinite wisdom find it necessary to *change* the Sabbath day? Where is the *new* command to be found by which God substituted the *first* for the *seventh* day of the week to be kept holy as a sabbath day? To whom did He communicate it? On whose authority but that of man and *statute law* are we directed to keep Sunday as a religious sabbath day?

Leaving these questions for the present to be answered by those who can best do it to their own satisfaction, I will proceed and *admit*, with a view to showing that such *admission* would not in one iota relieve the law in question from the character imputed to it, that "the *particular day* is not essential, provided *one day in seven* or a *seventh part of time* be kept holy as a sabbath." This is only getting over one difficulty to become involved in another. If the position now taken is insisted on, then the *other*, viz. the alleged *divine* appointment of the *first* or any *other particular day* in the week as holy time must be relinquished. In fact the ground now taken admits that God appointed *no particular day of the week* to be kept holy as a sabbath day. The inference is obvious, unavoidable and fatal that work or play on the first day are *not acts immoral in themselves* (*mala in se*), and the law under consideration interdicting them as such is therefore founded on palpable error.

Again, if God by His alleged command instituted a *sabbath*, and omitted to designate *the particular day of the week* to be observed as holy time, by whose author-

ity, permit me again to ask, is the *first* day appointed for that purpose? To whom did He give the right or delegate the power to designate any particular day as the Sabbath of the Lord? Certainly not to civil government, all will allow who are not prepared to embrace the political religious dogmas of the "Holy Alliance" of church and state. God did not command civil government to keep a *sabbath*, nor authorize our legislature to *appoint a day*. The alleged command, if given at all, was given to *man*, and not to political government; and if God, as is now alleged, *did not* name the particular day of the week to be kept holy as a sabbath, reason and common sense would say that He left that matter to the choice and convenience of those to whom His commandment is addressed, and on whom alone it could be of any moral obligation—that is, MAN. If then God gave to man the right to choose *the day*, He gave to *each man alike the equal right to choose for himself*. And *here we take our stand*, and shall maintain that *God has given to each man the equal right to judge in this matter for himself*, and to choose *any day or any time he in his conscience may think the best* to rest from labor and offer prayer, praise, and gratitude to the great first universal and invisible Cause of life, to whom, and to whom *only*, man is accountable for his opinions in matters of religion. Yes, that it is the natural right of every man to choose for himself will be maintained until by some special word of God (not of man) it shall appear that He gave to some men not only the right to choose for themselves, but also for their neighbors, and to *coerce* them to keep a sabbath chosen by another; and until it shall also be proved on what particular man or class of men He has conferred these double rights, leaving others destitute of any.

It may perhaps be said that each in-

dividual having this right to choose for himself, all have it, and therefore can delegate another to choose for him; and government can thence derive a right to choose for its constituents a day to be kept as a sabbath. Were this admitted my argument would lose nothing of its weight, because the power must *in fact* be delegated, or it could not be righteously exercised. Now if there is an article in our State constitution by which the power is delegated to choose a "sabbath day of the Lord," I will bow in submission. But that power is not, nor indeed can be given. Although each person has a right to choose and keep a sabbath day, the *particular day in his opinion not being essential* he may delegate if he will another to choose it for him. But if he conscientiously thinks the particular day *is essential*, he can have no moral right to authorize another to choose for him a sabbath day which he in his conscience deems the *wrong* day. He has no moral right himself to choose a day he conscientiously believes to be *wrong*, and he never could righteously delegate to others or to government a right to *coerce* him to keep a sabbath day *against his conscience*. The *rights or the liberty of conscience* therefore is *natural and unalienable*. The right to choose a sabbath day has not been delegated to our legislature, and the right to *coerce* any *against their conscience* to keep a religious holy day is not possessed by man, nor can it be righteously exercised by any human power.

The law in question therefore by designating or recognizing the *first day* of the week as a religious sabbath, and coercing a part of the community against their conscience and opinions to keep it as holy time is an exercise of power without any right to do being delegated to our legislature by God or man, and is hence an act of usurpation, "spiritual oppression and intolerance," and a violation of the

natural and unalienable rights of man. In truth the statute on which we are commenting not only contravenes the authority on which it assumes to be based, by acknowledging and coercing the observance of *another day* than that named in the alleged command as a *sabbath*, but, in forbidding *recreation*, it goes beyond *any injunction contained in that command*. The command alluded to enjoins us to "*do no work*," and by what authority, save that of human laws, recreation is forbidden on *any sabbath as immoral* is not easy to determine; for it is *just as certain that God did not forbid it on His Sabbath as that He appointed a sabbath day for man*. *Sabbat*, the Hebrew word for sabbath, means *rest from labor*. Recreation is *rest from labor*, and therefore not an act of *immorality* or a breach of the command which requires us only to abstain from *work*. The command does not say "thou shalt take no recreation, shall perform religious ceremonies—go to meeting, preach, pray, sing psalms, or worship God." However pious those devotions may be they are not enjoined by the command of which we have been speaking.

The incompatibility of the statute law with the alleged command of God will appear singularly striking when we undertake to read them together. Thus God commands us to keep the *seventh day* (of the week) as a sabbath; our legislature commands us to keep the *first*. God commands us *to do no work* on the *seventh day*; our legislature tells us we may do as much work as we please on that day. God commands us *to do all our work* on the other six days in the week, including the first; our legislature forbids us at our peril to do *any work on the first*. The alleged command of God allows us when we *rest from labor* to take *recreation*; our legislature forbids us even that necessary and innocent amusement. Pray now let me ask, which is the paramount authority,

the alleged command of God, or that of the legislature? If the *latter*, then the alleged command of God is set at naught. If the *former*, then the legislative command is left without even the shadow of justification. The reader can take his choice of these difficulties, or escape from

the dilemma here presented in the way he may think most likely to effect that object. It would seem, however, rather unfortunate for the character of the law in question that it should be condemned by the very authority quoted and appealed to in its justification.

An order of the adjutant-general of the Connecticut National Guard directing Troop A, cavalry, of New Haven to leave on Sunday, August 9, on its march to the annual encampment at Niantic called forth protests from religious sources. A communication was sent to the adjutant-general from the Sunday school board of the Pearl Street Methodist Church in New Haven in which it was stated that "at a special meeting called by request to consider the matter the board voted unanimously to protest against the order and request that it be rescinded," and that a similar protest was "coming from the Society of Epworth League." One paragraph in the communication read thus:

There may be some reason why it is desirable to start on the march on Sunday, but the Captain of our salvation has ordered us all to "Remember the Sabbath day to keep it holy; six days shalt thou labor and do all thy work," and we believe His order should be obeyed.

In a communication to the press Rev. W. S. McIntire made these statements:

The passage of this troop through a part of the State on the holy Sabbath is regarded by not a few of our citizens as a great moral and religious misfortune. It will be the cause of the demoralization of the members of the troop and the people living along the route. It is necessary, for the greatest efficiency of government, that the citizens have a reverence for the law. The march of the troop will involve a lowering of the regard for the law relating to the Sabbath. . . . The desecration of the holy Sabbath should not be imposed by an order from the State.

He quoted "from a letter written by Abraham Lincoln, November 15, 1862," in which "the orderly observance of the

Sabbath by the officers and men in the military and naval service" was enjoined, and quoted also the State Sunday law, which he claimed was violated by the order in question. Whether or not the order was rescinded we do not know. In commenting on the matter the *New Haven Register* made this very pertinent point:

The church societies, or at least many of them, do not hesitate to invoke the blessing of the Almighty upon their army when at war, an act of very doubtful ethical virtue and reverence, and are prepared to suspend the law of rest on Sunday if the enemy can thereby be overwhelmed. The history of the war with Spain shows that. They should not, therefore, view with horror and alarm the necessary use of Sunday for the preparation of the militia for victorious service in the field.

Church people who look upon belligerent "patriotism" as a virtue and regard war by their country as something almost holy, as most of them do it seems, cut a very sorry figure when they make such protests as the above. "The Captain of our salvation" did not say, "Remember the Sabbath day to keep it holy," but He did say, "Put up again thy sword into his place; for all they that take the sword shall perish with the sword." It is the existence of military forces and the training of men for war, and not their marching about on the "holy Sabbath," in which church people will see the great evil when they are really imbued with the spirit of Christ. In His day there were people who were so concerned about the "holy Sabbath" that they had no concern for human life.

SUNDAY ENFORCEMENT

This department is designed to record what is being done throughout the United States and elsewhere in the way of Sunday enforcement. Necessarily the items in most instances must be a bare recital of the facts. The principles involved are discussed elsewhere in the paper.

A movement by church people to close saloons on Sunday was recently begun at Pueblo, Col.



It was recently reported by the Vernon Center (Minn.) *Sun* that "the law relating to Sunday closing of business places is to be rigidly enforced."



Samuel Aliber, A. E. Leon and G. A. Abrahamson were fined at Des Moines, Iowa, on August 19 "for keeping their grocery stores open on Sunday." Their prosecution was brought about by the grocers' association.



At a meeting of the central labor organization of Toledo, Ohio, on August 6 "a committee was appointed to call upon Chief of Police Knapp and request him to enforce the law prohibiting the keeping open of stores on Sunday."



The baseball association of Saratoga, N. Y., was notified by Sheriff Franklin Carpenter during the week preceding August 9 "that there must be no games played on Sunday," and the game scheduled for that day "was declared off." The sheriff "acted on a petition signed by clergymen and others."



At Norristown, Pa., on August 7 "a number of certioraries were filed to test the legality of the old blue laws." Proprietors of Chestnut Hill Park amusement places had been arrested and fined \$4 and costs each for violating the Sunday law. They took exceptions, and "the court will be called upon to pass upon the legality of the old Sunday law."

The retail meat dealers' and retail grocers' associations of Des Moines, Iowa, have "decided to make a united effort to see that the Sunday-closing law is kept." A canvass of the city "will soon be made, and those who do not keep the law will be listed." "Prosecutions will follow if the law is not observed."



It is reported from South Dakota that "there is a movement among the different labor organizations in the Black Hills to stop work on the Sabbath." "The first union to take official action" is that of the carpenters at Lead, S. Dak., which "has passed an order forbidding work on Sunday excepting in necessary cases where laborers are not sufficient for the demand."



"A rather sweeping ordinance on Sunday observance" passed the city council of Bristol, Tenn., on August 14 by a majority of only one vote. "According to this ordinance all work, except what is absolutely necessary, must cease, and all stores and places of business must be closed," but "of course it exempts the hotels, restaurants, livery stables and the street-car line."



A Sunday-closing ordinance came up for its last reading in the city council of Conneaut, Ohio, on August 10, and after some discussion was defeated by a vote of four to three. One councilman "understood that the ordinance had been framed to catch certain harbor people," and he "thought it too far-reaching in effect." Another said he "never kept his store open on Sunday for profit, but that

there are those who are compelled to do so, and that it does not seem right to force the soda-fountain places and cigar stores to close."



Labor Commissioner O'Donnell of Minnesota recently made "a two weeks' trip through the northern part of the State endeavoring to get the merchants to agree to Sunday closing and shorter week-day hours for employees." On his return to St. Paul he reported that "the sentiment in the small towns is against Sunday closing of stores and meat markets," but nevertheless he hoped "to secure the assistance of the merchants in enforcing the Sunday-closing law."



In connection with a bill of complaint signed by Guy Maconnel of Belleville, N. J., papers were filed at Newark on July 31 asking that the managers of a bicycle racing association be enjoined from conducting races on Sunday at a track in Belleville. The complainant affirmed that "the noises made at the races create a disturbance which destroys the comfortable peace of his home on the Sabbath day." The defendants were cited to appear and answer to the bill of complaint on August 11.



It is reported from Jackson, Minn., that "the agitation over Sunday baseball has gone further, and now an effort is being made to get the stores and other places of business to close on the first day of the week." Petitions protesting against "the steady encroachment of the evil of Sabbath desecration upon all that is sacred in social, domestic and religious life," "deploring making the holy day a time of sports, games, excursions, etc.," and calling for "the closing of all places of business, save those where meals are furnished to regular patrons, on the Sabbath day," have been circulated among the business men and citizens.

On August 7 Mayor Stoy of Atlantic City, N. J., "announced that he would take strict measures to enforce the Sunday-closing law as applied to amusements." At that time it was thought "the amusement men were taking a philosophical view of the situation, and had about decided to observe Sunday in the good old American way," but the visit of "the representative of a leading lawyer" to the city clerk's office on August 11 "to secure a copy of the city ordinance relative to the sale of liquor and the general transaction of business on Sunday, and twenty blank warrants of arrest," led to the belief that "a sensational program of retaliation" had been begun by the amusement proprietors.



It was recently reported from Athens, Pa., that "a reform movement is being waged by the Panther Creek Valley Ministerial Association, which embraces nearly all the clergymen from Tamaqua to Mauch Chunk." The "reform" consisted in compelling "ice-cream and cigar stores to remain closed on the Sabbath" and preventing druggists from keeping open longer than the two hours allowed them, and from doing anything but filling prescriptions while open. At Athens on August 9 "all business places except three were closed, and Chief Burgess Bales was notified to secure evidence for the prosecution of those who sold." The "reform movement" was also under way at Lansford, and it was "the intention of the ministerial association to conduct a similar crusade at Coaldale, Summit Hill and Nesquehoning."



There were 112 arrests for selling liquor on Sunday in Greater New York on August 23, and 130 the previous Sunday.—"For keeping his saloon open on Sunday" John O'Connell was fined \$50 and costs in the police court at New London, Conn., on August 10.—At Warren,

Minn., on August 13, Ole Thorson was fined "for keeping his saloon open on the preceding day."—At Alma Center, Wis., on August 12, two saloonmen were arrested "for violating the village ordinance regarding the Sunday closing of saloons." One of them "paid his fine," but the other "refused to do so, and was sentenced to fifteen days in the county jail, and was taken there by the marshal."—Over the mayor's veto the city council of Wylam, Ala., has passed an ordinance which "provides that it shall be unlawful for any person, whether owner, proprietor, clerk or other person employed in any saloon or other place where spirituous, vinous or malt liquors are kept for sale, to allow between the hours of 12 o'clock midnight of Saturday and 12 o'clock midnight of Sunday any person or persons to enter such saloon or place."

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It was reported in St. Paul, Minn., papers on August 18 that "the latest move of the retail clerks' association to insure Sunday closing has been the arrest of W. M. Wagner and the re-arrest of P. J. Hoffman for keeping open their grocery stores on Sunday." They were arraigned in the police court on the preceding day, but the hearing of both cases was postponed until August 25. The complaining witness in both cases was a representative of the clerks' association. Hoffman was already "under suspended sentence for keeping his store open one Sunday in July." On the same day it was reported that on complaint of one Geo. C. Ronous, presumably a representative of the clerks' union, O. La Fortune, grocer, had been arrested on the charge of violating the Sunday-closing law, and would have a hearing in the police court on the 25th also. It seems that while grocery men are being prosecuted and fined for Sunday opening saloonmen are unmolested. One groceryman very truly says that "the saloons

are a source of much more disturbance than the grocery stores," and another that "we have as much right to keep our places of business open on Sunday as have the saloons, and if we are to be arrested for keeping open Sundays we intend to see by what right the saloons are permitted to keep open." So it is expected that "the small grocers, upon whom the Sunday law works a hardship as their places of business are largely in the outlying districts where they are obliged to carry large stocks of fruit and other perishable goods for which there is always a large Sunday demand," will "test the force of the law by closing up all saloons and other places at which business is done on Sundays."

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The crusade begun early in July by the church people of Wilkesburg, Pa., to prevent the sale of soda water, ice cream, etc., by druggists on Sunday caused rather lively times for several weeks. On July 15 three druggists were arraigned before Burgess Keys on complaint of members of the "committee of twelve" acting for the churches, and a week later four others were arraigned. In the latter cases "each of the defendants was ordered to pay a forfeit of \$25 and costs of prosecution." In the meantime the druggists had begun a counter crusade through a "committee of five" appointed by them "to gather evidence against all who in any way violate the law." Complaints "charging violation of the Sunday law" were at once filed at the instance of this committee against officials and employees of the Pennsylvania Ice Company, the Crown Plaster Company, the Enterprise Brick & Stone Company, two milk companies, and members of the paid choir of the First Presbyterian Church, the church most active in the crusade. There were complaints against fifty-one persons in all. Among these persons were "a number of prom-

inent citizens, some of the committee of twelve, including its chairman, and others foremost in the crusade against the druggists." This move caused "the excitement over the Sunday-closing question to rise to fever heat," and it "became practically the sole topic of discussion in Wilkinsburg." "While a majority of the residents seemed to favor the attitude of the druggists in determining to keep their fountains in operation on Sunday, many supported the position of the committee of twelve acting for the churches." On July 26 and August 2 both committees "were busy securing evidence," detectives being employed to aid in the work. A somewhat peculiar feature of the fight was "the race between the two committees to get informations filed first" against druggists and their clerks, which would take place immediately upon the stroke of twelve Sunday night. The druggists' committee would go to Justice Walker and the church committee to Burgess Keys. Wherever the informations were first filed the trials would take place. The justice had shown a readiness to remit the fines imposed upon the druggists arraigned before him, while the burgess had shown an equal readiness to make them pay the fines and costs. So by having complaints entered before the justice against the druggists and their clerks before complaints against them could be entered by the church committee before the burgess, the druggists' committee was enabled to score quite a substantial victory. It is said that within six seconds after the stroke of midnight on August 2 a representative of the druggists' committee had filed complaints before the justice against four druggists and seven clerks. The druggists were sentenced to pay a fine of \$25 and costs a few days later, which the justice promptly remitted. On August 4 a constable served warrants on officials and employees of the Pennsylvania Ice Company, eleven

persons in all. Rev. C. W. Smith, editor of the *Pittsburg Christian Advocate*, a director of the company, had left for Canada on a vacation the previous day, and thus escaped the service of a warrant which had been issued for his arrest. The hearing in the cases of the eleven persons connected with the ice company took place before Justice Walker on August 7. It was contended by their attorney that "if the ice plant were compelled to shut down on Sunday it would not be able to turn out any ice on Monday and the company would suffer great financial loss." The attorney for the druggists argued "that financial loss was not a sufficient excuse for working on Sunday." The justice reserved his decision. On August 1 "ten writs of certiorari against Burgess Keys of Wilkinsburg were filed in the Court of Common Pleas in Pittsburg on behalf of druggists who had been fined by him for Sunday selling." The cases were to come up this month, and were to "be argued on the technical points, and not on their merits." On August 11 "a lull in Wilkinsburg's blue-law controversy" was reported, but it was expected that a large number of informations would be made against street-car men, icemen and others as soon as the detectives employed by the committee of five had obtained the necessary evidence. On August 17 two more informations were filed against druggists by the committee of twelve, the charge being "keeping their soda fountains open on Sunday." The adjacent place of Braddock also became involved in the "blue-law controversy." On July 29 a constable from the office of Alderman Anderson in Pittsburg served warrants charging violation of the Sunday law upon thirteen Braddock druggists. On August 7 another constable from the same office appeared and served warrants on "some of the most prominent citizens of the town for doing worldly labor on Sunday." There were twenty-

six warrants altogether, and among those arrested were the general superintendent and several heads of departments of the Edgar Thompson Steel Works, the ticket agent of the Pennsylvania Railroad, the agent of the Adams Express Company, and a livery stable proprietor. The thirteen druggists, who were charged with selling tobacco and cigars, were discharged, the complainant failing to appear at the hearing. On August 6 "the Homestead-Braddock Ministerial Association swore out warrants against six employees of the Steeple-Chase Amusement Company at Kennywood Park." While the agitation at these places was at its height "the Lutheran ministers of Pittsburg and Allegheny placed themselves on record as being strongly opposed to the sale of soda water on Sunday." "Rev. J. B. Markward of Wilkinsburg declared it to be a shame and a disgrace." In commenting on the agitation the *Chicago Chronicle* had this to say of the place where it began and raged most fiercely:

There is no cause so bad but what its friends can adduce some makeshift of an argument in its behalf. And the more indefensible the cause the more abundant are the specious and sophistical arguments urged in its support. The forces in this country which aim at ends which violate the principle of separation of church and state are especially fruitful in this sort of argumentation, although it would seem that they have been surpassed in the last few years by the champions of imperialism. A specimen of this sort of argumentation is this from the *Boston Pilot* (Roman Catholic):

"Why should not Catholics have some of the taxes they pay to educate their children? The fathers of our republic gained the freedom of the land by fighting for the principle of no taxation without representation." This is the forcible way the case is put by the Hon.

Wilkinsburg is to Pittsburg in a modified way what Evanston is to Chicago. It is intensely aristocratic, extremely rich, and devoutly pious—largely in the United Presbyterian line.

The latest item of news that we have from Wilkinsburg relating to the agitation is a newspaper article headed, "Blue Law Talk Under Big Tent," in which we are told that Evangelist C. S. Longacre, Seventh-day Adventist, was speaking to large audiences in a tent on such topics as, "Do the Sunday Blue Laws Have a Scriptural Basis?" "The Origin and History of the Sunday Laws," "What Are the Limits of Civil Authority and the Rights of Conscience?" "Shall the Church Employ the Law to Enforce Religion in this Country?" etc., etc. Such talks as these are just what are needed in Wilkinsburg now. The newspaper says "representatives of the church committee of twelve and the druggists' committee of five were on hand to hear the evangelist's sermon" on the first topic.

James Smith, Jr., United States Senator from New Jersey, at the recent celebration of the silver jubilee of the Rt. Rev. John J. O'Connor, D.D., bishop of Newark, N. J.

This brought from the *Springfield Republican* the following very sensible comment:

The Roman Catholics do have their share of the taxes for education. The state assumes the duty of teaching its children, and the advantages of the public schools are open to all of every faith. The Church demands that it shall have a proportion of the school taxes to carry on religious teaching also. This cannot be allowed, simply because it applies the public money to the advantage of a special religious cult. The orator and the editor know this, and all the reasons for it. Any set of people, of any religion or no religion, have an equal right to maintain their own schools, if the public schools do not suit them, but to demand from the state the payment of teachers of any religion or no religion is altogether foreign to the idea of the republic.

The following resolution was adopted by the New York and New England Ministerial Conference of the Evangelical Lutheran Synod of Missouri, Ohio and other States at Utica, N. Y., on August 27:

Resolved, That we, satisfied that in this we are voicing the sentiment of all loyal Americans, do most earnestly and emphatically protest against any action taken by the President and other public officials with reference to the demise of the late Pope whereby they accorded official recognition to the Papacy; and, furthermore, we do protest against any act or move on the part of Government officials, high or low, irrespective of party affiliations, whereby the traditional lines separating church and state might be obliterated and the very pillars on which rest the glorious liberties of this country be shaken.

The point is well taken. There was action taken by the President and other public officials with reference to the demise of the late Pope whereby official recognition was accorded to the Papacy, and the action was most certainly a move on the part of Government officials tending toward (and this is a mild way of putting it) obliteration of the traditional lines separating church and state. It was a disregard of a fundamental principle of the nation, a principle which is truly one of the pillars upon which the liberties of the country rest.



In a prayer which *The Outlook* presented as appropriate for "the Nation" on "Thanksgiving Day of 1902," occurred these words: "Almighty God . . . endue with the spirit of wisdom those whom we intrust in *Thy name* with the authority of governance." In a high sense it is true that a believer in God as the ultimate source of order and justice intrusts political power in His name when he delegates authority to govern. But it is a very easy thing for this idea in the minds

of some people to degenerate into something that is no better than the doctrine of the divine right of kings. We believe on the whole that it is better in a democracy not to say that the people delegate authority to govern in the name of God. Let it be said that they delegate it in the name of right and justice. This will not be offensive to the atheist, and it will be satisfactory to all genuine believers in God, for they know that right and justice are of God. In a democracy "the authority of governance" comes from the people; if it comes from God through the people, very well; that does not make it necessary to go back of the people for the authority.



David Hochberg and Stephen Concess, from the Jewish district on the East Side, were fined \$5 each for Sunday selling in the Essex Market Police Court in New York on August 10. One of them was found "selling peanuts in the Bowery," and the other had "opened his hardware store and sold a lock to a customer." As he imposed the fines the magistrate remarked that "the Sunday law is absolutely a dead letter on the East Side," and that "there is no more reason why Hebrews should sell locks on Sunday than that Catholics should sell liquor in the middle of the night." There is no more reason why Hebrews should be compelled to refrain from business on the Catholic Sunday than there is that Catholics should be compelled to refrain from business on the day observed by the Jews. The Sunday law should be a dead letter everywhere, but most certainly on the East Side where the people observe another day of the week.



To the injury, it is said, of adjacent property a piece of track was laid by the Chicago, Milwaukee & St. Paul Railway Company in Madison, Wis., on July 26.

The work extended from 8:30 a.m. to 6 p.m. "It being Sunday no injunction could be served" in the interest of the aggrieved property owners, who were indignant over the matter. This railroad company is one that has lately received the plaudits of the friends of Sunday observance in that part of the country for its "regard for the day of rest." This instance shows one of the evils of the legal Sunday. In a measure it causes the suspension of the protection which the law should afford at all times in equal measure. Persons whose property is being damaged cannot have the aggressor stopped, because, forsooth, it is Sunday! In "protecting" the day, which it has no business whatever to do, the law must neglect the protection of the rights which it is its business to guard.



Although there has been much talk of and perhaps some creed revision by the Presbyterians, there has been no suggestion of change with regard to the dogma of Sunday sacredness, which, while it may not be embodied in the confession of faith, is one of the leading doctrines of the creed of that body. And yet there is no doctrine and has been none in the Presbyterian creed that has less foundation in truth than this doctrine of Sunday sacredness.

History is repeating itself in England. The first taxes which include assessments under the new education act have been levied, and stout hearts among the Nonconformists are refusing to pay them, on the ground that the proceeds are to be used to teach the doctrines of the Established Church. It is the case of ship money over again. Hampden withheld his 20s. from King Charles on precisely the same grounds upon which one Lawson, an upholsterer and furnisher of Tonbridge, refuses 27s.

No organization that is working for social betterment, either industrially or otherwise, can afford to trample upon the rights of any. Social betterment cannot be wrought by doing injury to a portion of society, even if it be only one individual. Regard for justice and individual rights is one of the most important social rules. They who trample upon this rule are not the friends but the enemies of society.



The Sunday sabbath, in so far as it claims divine sanction, rests upon the two irreconcilable propositions that God did not command the observance of any particular day of the week and that He does require the observance of the first day of the week.



There is something more important even than the maintenance of a day of rest, and that is the maintenance of justice and the liberty of the individual, and these latter cannot be maintained if there is to be "enforcement of a day of rest."



It was necessary to omit the "Editorial Note and Comment" department this week and to use some "left-over" matter. We shall try to make up for the delinquency in the next and succeeding issues.

for education. "I think," said the magistrate, "that the highest duty any Christian man can have is to obey the powers that be." "But if conscience," objected Lawson, "had not been somewhat stronger than the law, I don't know where the powers that be would have extended to!" This is true village Hampden talk, and it is much easier for Mr. Lawson to talk it than for the magistrate to guess the answer.—*New York Times*.

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