

# LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM

DEVOTED TO THE AMERICAN  
EXEMPLIFIED IN THE  
✠ OF CHURCH

IDEA OF RELIGIOUS LIBERTY  
COMPLETE SEPARATION  
AND STATE

Garrison's Plea for  
Religious Liberty

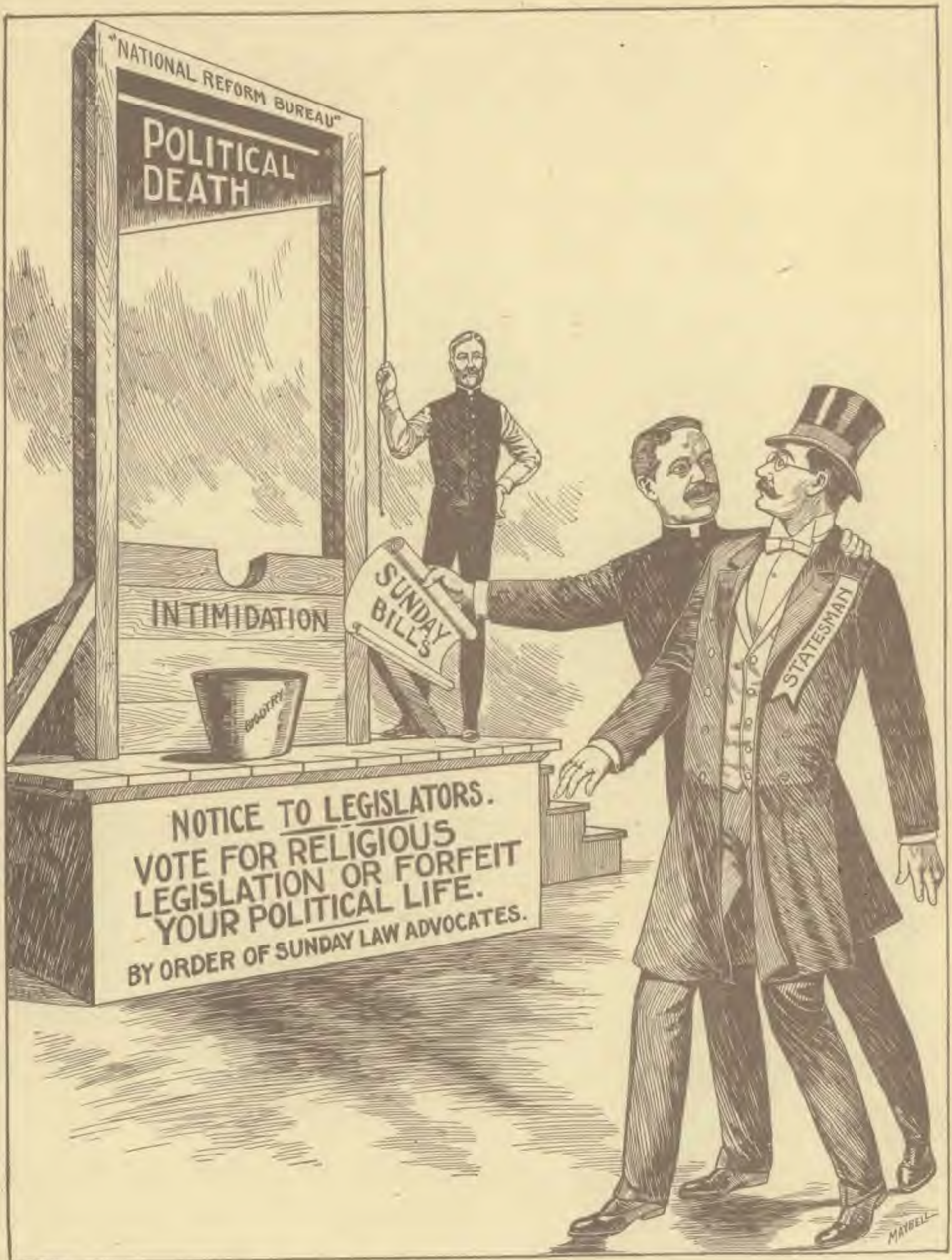
—  
A Memorial to Congress

—  
A Protest Against  
Religious Legislation

—  
An Address on Prohibition

Published Quarterly

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### A REIGN OF TERROR

"We purpose to organize a Sunday Rest League and to erect a guillotine in the United States, in view of which every politician will recognize the fact that he is destined to political beheading if he does not give us the legislation we demand."—Rev. W. F. Ireland, of Los Angeles, Cal., reported in the Signs of the Times, Nov. 27, 1907.

# LIBERTY

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

VOL. III

SECOND QUARTER, 1908

No. 2

## Editorial

### Our Position Reaffirmed

WE desire that our position in the matter of religion and the state should be clearly understood. We stand in a class by ourselves. As to the state: we are neither anarchists nor socialists, but supporters of civil government as divinely ordained. As to religion: we are neither atheists, infidels, nor secularists, but firm believers in the religion of Christ as taught in the Holy Scriptures. As to theology: we are not supporters of the "New Theology" nor of the "Old Theology," as these terms are generally understood, but of the plain teaching of the Scriptures irrespective of creed or tradition. We claim to occupy the original Protestant ground, as set forth in the celebrated Protest of Spires, adopted April 15, 1529. "Now," says D'Aubigné, the historian of the Reformation, "this protest opposes two abuses of man in matters of faith: the first is the intrusion of the civil magistrate, and the second the arbitrary authority of the church. Instead of these abuses, Protestantism sets the power of conscience above the magistrate; and the authority of the Word of God above the visible church."

We are uncompromisingly opposed to the first step in the direction of a union of church and state, or of religion and the government, because civil government was established to have authority in the realm of civil affairs, in those things which concern men as citizens of this world, and

can never rightfully take cognizance of men as citizens of the heavenly kingdom, or of their duties and relations to God. So long as men conduct themselves as good citizens, and do not interfere with the civil rights of others, the state has no right to interfere with their religious beliefs or practises. "To pretend to a dominion over the conscience is to usurp the prerogative of God." The civil magistrate has no power in matters of faith.

We regard the present demand for religious legislation by the representatives of the professed church of Christ as a departure from the teachings of Christ and a denial of the fundamental principle of Protestantism, and we therefore oppose this demand in the only legitimate way — by presenting the right principles everywhere, as opportunity offers. We are endeavoring to conduct a campaign of education in behalf of religious liberty for every man, whether he agrees with us or not.

We hold to the Christian idea of government, based upon the principle enunciated by the divine Author of our religion: "Render to Cæsar the things that are Cæsar's, and to God the things that are God's." We ask for no legislation in behalf of any tenet to which we subscribe; we concede to every man the right to believe, or not to believe, to worship or not to worship, without any interference on the part of the civil magistrate, although we shall seek to persuade as many as pos-

sible to believe; and we protest against any effort on the part of any man or organization of men to enforce their beliefs upon others. However desirable it may seem to some who profess the Christian faith to secure at least an outward appearance of conformity to religious observances, we are confident that all such efforts result only in inflicting injury upon the cause of religion.

We discern an impending danger to free institutions in the persistent efforts to commit our national government to some act of legislation which will decide a religious controversy, and we invite the co-operation of all lovers of religious liberty and the rights of conscience in a constant protest against any such step. It was never more true than now that "Eternal vigilance is the price of liberty." Let every reader of this magazine make his influence felt on the right side.

### Too Much Legislation

ON a recent public occasion Justice Brewer, of the United States Supreme Court, expressed himself thus:—

There is too much legislation. I don't believe in legislation as a panacea for all evils. You can't legislate a man into heaven.

An application of this sound principle might profitably be made in dealing with the demand for Sunday laws.

### Drink and Crime

IN a recent Congressional hearing upon the question of prohibition for the District of Columbia, Warden Harris, of the District jail, said:—

It is my judgment, based upon ten years' experience, that nine tenths of all crime committed for which persons are incarcerated in the jail is directly or indirectly because of the use of strong drink. My report shows at times more than five hundred prisoners in the jail, which has cells for only three hundred. More than two hundred of these cells contain two prisoners. The cells are exceedingly small, and were never intended to have more than one prisoner in each. If it were impossible for this class of prisoners to obtain strong drink, the present size of the jail would be

sufficient, and save the cost of the new jail which Congress is being urged to build as soon as possible.

This testimony is not exceptional, but could be duplicated in almost every State in the country. Why should the business of producing criminals be protected by law?

### Sin and Crime

IN the study of the many questions which pertain to the proper relation of church and state, it is essential that we have in mind a clear distinction between sin and crime.

Sin and crime are quite distinct. Sin is the transgression of the law of God. Crime is the transgression of the law of man. A sin may or may not be a crime. A man may be an exceedingly vile sinner, and yet not be a criminal. In his heart he may covet money, but he does not allow his covetousness to lead him to steal, and for the offense be convicted as a criminal. He may have a corrupt, licentious heart, and though a great sinner, not be known as a criminal. Should he, however, allow his impure desires to lead him to commit some act of violence for which the law could seize him, he would thus become a criminal.

A person may be made a criminal for some act which is not a sin. The Hebrews in the fiery furnace were criminals in the eyes of the law, but not sinners in the eyes of the Lord. Daniel in the lions' den was a criminal, but not a sinner. Paul and Silas in the Philippian jail, with their feet in the stocks, were criminals, but not sinners. Peter, in the dungeon, was a criminal, but God's servant, delivered by an angel. Herod, making an oration from his throne, was called a god. Though not a criminal, he was at heart a monster of iniquity.

The state can never rightfully punish sin. First, because to punish it the secrets of the heart must be known, and to secure these the Inquisition must be set up to secure by torture, that which the victim does not choose to reveal. And, second, the state can never determine the exact punishment which should be meted out for sin. Sabbath-breaking, for instance, is sin. But

how heavy a fine should a man pay, or how long should he languish in a jail, to atone for this sin? No judge or jury on this earth can ever know. It can only be determined at the tribunal of the universal Judge. For these reasons, if there were no other, the state can not legislate upon religious questions, and administer penalty for sin, for this is impossible.

On the other hand, the state can properly punish incivility, or matters between man and man. If one injures his neighbor, the state is able to weigh the injury and impose a just penalty. The state, however, can not take cognizance of the motives of the heart which prompted the deed. These must be reviewed at the bar of God, and just punishment administered by that supreme tribunal.

The effort to punish sin has caused all the persecution of the centuries, destroying millions of God's people from the earth. To avert a like catastrophe in this country is why we protest against any intrusion by the civil magistrate in religious questions.

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### Religion and Liberty

THOSE who have studied the history of the subject readily recognize the difference between the American theory of church and state and that which has been followed in nearly all the other countries of the world. Principles have been adopted in this country which have been rejected in other countries, and an example has been set here which has exerted a world-wide influence in favor of liberty. Fundamental to this true idea of liberty is the right conception as to the nature of religion. This has been well stated by Dr. Philip Schaff, as follows:—

Religion and liberty are inseparable. Religion is voluntary, and can not, and ought not to be, forced. . . . Such liberty is impossible on the basis of a union of church and state, where the one of necessity restricts or controls the other. It requires a friendly separation, where each power is entirely independent in its own sphere. The church, as such, has nothing to do with the state except to obey its laws and to strengthen its moral foundations; the state has nothing to do with the church

except to protect her in her property and liberty; and the state must be equally just to all forms of belief and unbelief which do not endanger the public safety.—“*Church and State*,” pages 9, 10.

This is sound doctrine, and ought to commend itself to every unprejudiced thinker. A civil law requiring a man to profess, or to conform to, even that religion which he actually does profess, deprives him of that liberty of choice and that free-will service which is the glory and the crown of Christianity. The Lord of heaven and earth grants to every man the liberty to change his mind and to refuse to serve him, and with this liberty no civil government has the right to interfere.

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### Passing Strange

It is passing strange that intelligent men do not all see that Sunday laws mean a union of church and state.

It is passing strange that all legislators do not see that any attempt to distinguish legally between Sunday and the other days of the week must arise from religious considerations, and that all such legislation must be religious legislation.

It is passing strange that men can soberly affirm their belief in the separation of church and state, and yet demand a union between religion and government.

It is passing strange that writers and speakers will cite the theocracy of Israel as a model in government which ought to be imitated in the republic of the United States.

It is passing strange that the lessons of history are not sufficient to deter those who desire the prosperity of this country from urging the government to interfere in matters of conscience.

It is passing strange that men who profess to believe in the golden rule will yet favor laws which compel the minority to conform to the religious ideas of the majority.

It is passing strange that any Christian should attempt to make Christ king of this world in face of the fact that he would not permit his disciples or the people to do the

same thing when he was here upon the earth.

It is passing strange that any one should think that it is a benefit to the cause of religion to require an unwilling conformity to the outward appearance of religion from those who refuse to yield the obedience of the heart.

It is passing strange that all will not recognize the plain teaching of the Scriptures that civil government was not ordained to deal with the duties of men toward God.

It is passing strange that a false zeal for religion should lead any to deny to others the very thing which they demand for themselves—freedom to worship God according to the dictates of their own consciences.

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### The American Sabbath

THE well-known writer, Margaret E. Sangster, has an article in the *Christian Herald* of February 26, on the preservation of the American sabbath. The advice she gives on how to conduct one's self on the day she believes to be the Sabbath is good, as is also the expression which we quote:—

In order to preserve the American sabbath we do not need legislation; we require atmosphere and influence.

The sabbath that depends upon human legislation for a force impelling men toward its preservation is leaning on a broken reed that will pierce the hand of the one who leans upon it.

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### The Evil Results of Religious Legislation

IN opposing religious legislation we are not dealing merely with a local issue, or with a question that is new. We believe there is something at stake. We are arrayed against an evil principle which has been a desolating scourge through past ages, and has left the crimson trail of persecution in its wake, causing the history of centuries to be written in blood.

The union of church and state is a bane-

ful thing. It has yielded a fearful harvest in the Old World, and doubtless it will yield the same, once it is planted in the New World. Warned by the lesson of the past, and wishing to avert the awful consequences which inevitably follow this illicit union, we are impelled to do all in our power to hinder the seeds of oppression from taking root in our midst.

There are some things in history we should never forget. Their memory may be painful, and their recital may shock us, but they contain a lesson for us at this time. Although the Inquisition is not now, as it once was, a terrible reality, yet the blackened ruins of its inquisitorial fires remain as grim reminders of its infamous work.

The Inquisition is but the logical outgrowth of a union of church and state. Sin exists only in the human heart. For the state to punish sin, it must know what is in the heart. That which the victim refuses to reveal, must be wrung from him by torture; hence the rack, the thumbscrews, the fagot, and every instrument of cruelty which the evil heart of man can invent. The first step taken to legislate upon a religious question is a step in the direction of a union of the church and the state, and "distant as it may be from the Inquisition, it differs from it only in degree. The one is the first step, the other is the last in the career of intolerance."

The founders of this nation, notably Madison and Jefferson, had a clear view of the right principles of civil government, and they sought to prevent a repetition in the New World of the persecution for conscience' sake which had been the curse of the Old World.

If we wish to know something of the results of a union of the church and the state, we have only to read the history of the introduction of the Spanish Inquisition into the Netherlands in the attempt by Spain in the sixteenth century to force another religion upon the people. Motley informs us that it "converted all these gay cities into shambles, and changed the glittering processions of their Land-jewels into fettered marches to the scaffold."

Edicts and the Inquisition were the gift of Charles to the Netherlands, in return for their wasted treasure and their constant obedience. For this his name deserves to be handed down to eternal infamy, not only throughout the Netherlands, but in every land where a single heart beats for political or religious freedom. To eradicate these institutions after they had been watered and watched by the care of his successor, was the work of an eighty years' war, in the course of which millions of lives were sacrificed.—*“Rise of the Dutch Republic,”* page 60.

In a single paragraph Motley pictures the awful work of the Inquisition in this fair land under the Duke of Alva:—

Thus the whole country became a charnel-house; the death-bell tolled hourly in every village; not a family but was called to mourn for its dearest relatives, while the survivors stalked listlessly about, the ghosts of their former selves, among the wrecks of their former homes. The spirit of the nation, within a few months after the arrival of Alva, seemed hopelessly broken. The blood of its best and bravest had already stained the scaffold; the men to whom it had been accustomed to look for guidance and protection, were dead, in prison, or in exile. Submission had ceased to be of any avail, flight was impossible, and the spirit of vengeance had alighted at every fireside. The mourners went daily about the streets, for there was hardly a house that had not been made desolate. The scaffolds, the gallows, the funeral piles, which had been sufficient in ordinary times, furnished now an entirely inadequate machinery for the incessant executions. Columns and stakes in every street, the doorposts of private houses, the fences in the fields, were laden with human carcasses, strangled, burned, beheaded. The orchards in the country bore on many a tree the hideous fruit of human bodies.—*“Rise of the Dutch Republic,”* page 358.

The evil principle of a union of church and state is responsible for the establishment and work of the Inquisition in the past. We desire to avert the consequences, and therefore deny the principle. For this reason we protest against our government's taking the first step in the matter of religious legislation, well knowing that the last step is in the first. Let our national legislature once perform an act which will decide a religious controversy, and the precedent will be established which, if followed,

will lead to the scenes of the Inquisition. Congress can not pass a Sunday law, no matter how harmless it may be in appearance, without deciding a religious controversy, and opening the way for persecution for conscience' sake. The awful lessons of history setting forth the result of legislating upon religious questions, ought to stand as an effectual barrier against such work.

But legislation has never yet controlled the action of human thought. All experience shows that every age, and every Western nation, produces men whose nature it is to follow the guidance of their reason in the face of every danger. To exterminate these is the task of religious persecution, for they can be silenced only by death.—*“Emancipation of Massachusetts,”* page 31.

### The Real Object

THAT Sunday laws are not “mere matters of police regulation” frequently crops out in spite of the protestations of the advocates of such laws that that is all they are. The commissioners of the District of Columbia have been stirred up to regulate more strictly the playhouses of Washington which keep open on that day. At the present time the only regulation governing the character of Sunday theatricals is that they must be decent. The corporation counsel was asked for an opinion as to whether the commissioners had authority to adopt regulations governing the character of Sunday concerts. The counsel, Mr. Thomas, in his opinion, said:—

An infraction of public decency is the same, whether the occurrence happens on a secular day or Sunday, and if the object be the protection of Sunday alone, in my opinion the joint resolution which gives the commissioners power to regulate public decency is not broad enough to afford a full remedy.

But it is not the matter of the “decency” of the shows that is under consideration; for they have the power to regulate that matter already. No arrests are made upon that charge, and no complaints are made that “public decency” is being violated. The object is “the protection of Sunday alone,” as the corporation counsel intimates

in the above quotation. He further states that in his opinion the commissioners have power to pass a regulation along the line indicated, whose violation would mean the revoking of the license of the playhouse in which the violation occurred. The purpose of these regulations—as of all Sunday laws—will be to protect and enforce a religious institution rather than to protect the public from indecent shows.

### William Lloyd Garrison's Protest

IN 1848 a call was issued by William Lloyd Garrison and a number of his associates "To the Friends of Civil and Religious Liberty" for a convention to be held in Boston, Mass. The probable cause of this movement was the activity of an organization known as the "American and Foreign Sabbath Union," which had been urging enforcement of Sunday observance.

Some truths which ought to be self-evident to all were stated in the call for this convention, and they are well worth reading now in view of the present tendency toward religious legislation in the form of Sunday laws. We quote two paragraphs:—

The right of every man to worship God according to the dictates of his own conscience is inherent, unalienable, self-evident. Yet it is notorious that in all the States, except Louisiana, there are laws enforcing the religious observance of the first day of the week as the Sabbath, and punishing as criminals such as attempt to pursue their usual avocations on that day. . . . There is, therefore, no liberty of conscience allowed the people of this country, under the laws thereof, in regard to the observance of a Sabbath day.

We claim for ourselves and for all mankind the right to worship God according to the dictates of our own consciences. This right, inherent and unalienable, is cloven down in the United States, and we call upon all who desire to preserve civil and religious liberty to rally for its rescue.

In the convention, Garrison introduced a series of resolutions and made a notable speech in their support. The resolutions and a portion of the speech follow:—

#### *The Resolutions*

1. *Resolved*, That they who are for subjecting to fine or imprisonment such as

do not receive their interpretation of the Scriptures in regard to the observance of the first day of the week as the Sabbath, are actuated by a mistaken or malevolent spirit, which is utterly at variance with the spirit of Christ,—which in various ages has resorted to the dungeon, the rack, the gallows, and the stake, for the accomplishment of its purpose,—and which ought to be boldly confronted and rebuked.

2. *Resolved*, That the penal enactments of the State legislature compelling the observance of the first day of the week as the Sabbath are despotic, unconstitutional, and ought to be immediately abrogated; and that the interference of the State, in matters of religious faith and ceremonies, is a usurpation which can not be justified.

3. *Resolved*, That as conflicting views prevail in the community, which are cherished with equal sincerity, respecting the holiness of days, and as it is the right of every class of citizens to be protected in the enjoyment of their religious sentiments on this and every other subject pertaining to the worship of God; all classes should be united in demanding a repeal of the enactments alluded to, on the ground of impartial justice and Christian charity.

4. *Resolved*, That this convention recommends to all the friends of religious liberty throughout the country the presentation of petitions to the next legislature, in every State in which such laws exist, and protesting against their enactment as an unhalloved union of church and state.

5. *Resolved*, That if the legislature may rightfully determine the *day* on which people shall abstain from labor for religious purposes, it may also determine the *place* in which they shall assemble, the *rites* and *ordinances* which they shall observe, the *doctrines* whom they shall hear, the *teachers* which they shall have over them, and the peculiar *faith* which they shall embrace; and thus entirely subvert civil and religious freedom, and enable bigotry and superstition, as of old, to—

"Go to their bloody rites again,—bring back

The hall of horrors and the assessor's pen,—

Recording answers shrieked upon the rack,—

Smile o'er the gaspings of spine-broken men,

And perpetrate damnation in their den!"

6. *Resolved*, That as it has been found safe, politic, and beneficial to allow people to decide for themselves in all other religious observances, there is no reason to doubt that the same good results would attend



their liberation from the bondage of a Sabbatical law; for "where the Spirit of the Lord is, there is liberty."

*Garrison's Speech upon the Resolutions*

Of all the assumptions on the part of legislative bodies, that of interfering between a man's conscience and his God is the most unsupportable and the most inexcusable.

For what purpose do we elect men to go to the General Court? Is it to be our law-givers on religious matters? . . . This passing a law forbidding me or you to do on a particular day what is in itself right, on the ground that that day, in the judgment of those who make the enactment, is more holy than another, — this exercise of power, I affirm, is nothing better than usurpation. It is the spirit which in all ages has persecuted those who have been loyal to God and their consciences.

It is a war upon conscience, and no religious conclave or political assembly ever yet carried on that war successfully to the end. You can not by enactment bind the consciences of men, nor force men into obedience to what God requires.

Who wants to be persecuted on account of his own conscientious views? I will ask

the first-day Sabbatarian: Do you claim a right to entertain your views, without molestation, in regard to the holiness of time? — Most assuredly. How do you make it out that the first day of the week is the Sabbath?—"I believe it to be so; if it is not, to my own Master I stand or fall. Under a government which avowedly tolerates all beliefs, I claim the right, as a first-day Sabbatarian, to keep that day as the Sabbath." Well, I do not assail that right. I claim the right also to have my own views of the day; the right to sanctify the first, second, or third, or all days, as I think proper. Now I turn to that first-day Sabbatarian, and ask him how he dares to dictate to me to keep the day which he regards as holy, and to say, "If you do not obey me, I will put my hands into your pocket, and take out as much as I please in the shape of a fine; or if I find nothing there, I will put you in prison; or if you resist enough to require it, I will shoot you dead." How dare he do this? If he is not a ruffian, is he a Christian? Talk of the spirit of justice animating the bosom of the man who comes like a highwayman with, "Do or die!" Who made him a ruler over other men's consciences? In a gov-



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ernment which is based on equality, we must have equal rights. No men, however sincere, are to wield forceful authority over others who dissent from them, in regard to faith and observance. The case is so plain that it does not need an argument; and I am confident that, in the course of a few years, there will not be a Sabbatical enactment left unrepealed in the United States, if in any part of Christendom. It belongs to the tyrannical legislation which formerly sent men to the stake, in the name of God and for his glory, because they did not agree in the theological views of those who burned them.

In this country one pharisaical restriction after another, imposed by legislation, has been erased from the statute-book, in the progress of religious freedom. We now come to this Sabbatical observance as the last, perhaps,—a powerful one at any rate. If the Sabbath day be of God, it does not need legislation to uphold it. There is no power which can prevail against it. . . .

Why should we attempt to legislate upon a question of this kind? Observe how many differences of opinion prevail, honestly and sincerely, in the world, respecting it. Does any one doubt that the Seventh-day Baptists are sincere? Are they not honest, courageous, self-sacrificing men, those who stand out against law and public sentiment, for conscience' sake? The men, even though they err, who are true to their consciences, cost what it may, are, after all, those who are ever nearest to the kingdom of God. They desire only to know what is right, and they have the spirit in them to do what is right. The great mass of the first-day Sabatarians—do they not claim to be conscientious and sincere? And the Quakers, who regard no day as in itself, or by divine appointment, more holy than another,—who will question their honesty or sincerity in this matter?

Here, then, are widely conflicting sentiments; but which of these parties shall resort to the arm of violence to enforce uniformity of opinion? The case is easily settled by making it our own, my friends. It is, as truly stated in the call [for the convention], based upon the declaration of Jesus, "Whatsoever ye would that men should do to you, do ye even so to them." Now there is no Seventh-day Baptist who would wish to be proscribed for his views, of course. There is no first-day Sabatarian who wishes a majority to get into the legislature to pass laws against the observance of the first day of the week as the Sabbath, or who would not vehemently protest against it. "Whatsoever ye would that men should do to you, do ye even so to

them," and the religionist who is not prepared for this, is to be associated with the scribes and Pharisees of a persecuting age. He is one who joins in the crucifixion of Jesus as a blasphemer. . . .

We tolerate everything, except the opinions of men with regard to the first day of the week! Having very successfully gone thus far, I think we may take the next step, and finish the whole category of religious edicts enforced by penal law. Some of you doubtless remember what a hue and cry was raised by the religious press and the clergy, at the proposition to amend that portion of the constitution of Massachusetts, which required persons to be taxed for the support of public worship somewhere. But the spirit of religious liberty came up, and said, "That is tyranny, and the law ought to be,—ay, must be—repealed." What was the response of the evangelical press?—"This is an infidel movement! This is an attempt to overthrow Christianity!" And it prophesied that just as surely as the proposed amendment should be adopted, public worship would be sadly neglected. Well, the constitution was altered, in this respect, notwithstanding this selfish outcry. Is there less of public worship than formerly? The clergy have never been so well sustained as they now are, and no one laments the change.

Now, the outcry raised against the repeal of all Sabbatical laws, as an infidel movement, is as absurd, as preposterous, as libelous, as the other, and will be found so when those laws cease to be in force. . . .

What a tremendous outcry was raised in England when Daniel O'Connell, in behalf of Ireland, demanded the passage of the Catholic Emancipation act by the British Parliament! The Protestant clergy and the Protestant press cried out against it. It will never do, they said; the cause of religion will suffer. Where now is the Catholic test?—Gone; its ashes are not to be found; but has any injury followed from its repeal? So with regard to the unrighteous restrictions imposed upon the Jews; they were justified on the ground of Christian vigilance and security. But, during the present Parliament, the Jew in England can now take his position anywhere in the government, as well as the Christian. Does any one suppose Christianity will suffer by this?

Christianity, as taught by its Founder, does not need any governmental safeguards; its reliance for safety and prosperity is not on the rack or the stake, the dungeon or the gibbet, unjust proscription or brutal supremacy. No—it is the only thing under heaven that is not afraid; it is the only

thing that repudiates all such instruments as unholy and sinful. . . .

Let us be careful how we trample on human liberty or human conscience. Said the apostle, "Every one of us shall give account of himself"—not to the Legislature of Massachusetts, not to the Congress of the United States, but—"to God". . . .

It is not profane men, immoral men, who are especially interested in this movement. Far otherwise. They are glad, indeed, of any holiday on which to indulge their animal propensities; but they who go forward in a cause like this must be reformers in principle, and they will assuredly find the evil in the world not with them, but against them. They will find priestcraft on the one hand, and the rabble on the other, joining in a common persecution. Jesus was crucified, not by the chief priests and scribes and Pharisees alone, but it needed the populace to join with them; and then they could nail him to the cross, as they did, between two thieves, for this among other reasons, that he was not of God, because he did not keep the Sabbath day.

Threescore years have passed since this plea for religious liberty was uttered, but Garrison's prophecy that "in the course of a few years there will not be a Sabbathical enactment left unrepealed in the United States, if in any part of Christendom," has not been fulfilled. On the contrary there never was a time in the history of the country when there was so determined and so wide-spread an effort to abridge the rights of conscience by religious legislation as now. If the situation in 1848 warranted a convention of the friends of civil and religious liberty to protest against Sunday laws, there is twofold more reason for a rally in 1908. There is a more powerful combination urging the enforcement of Sunday observance by law, and there is great danger that legislators, under the pressure of a religio-political sentiment which is now crystallizing into a threat to set up the political guillotine, may yield to the unrighteous demand for laws which will oppress the conscience.

We hope that Garrison's plea for religious liberty may still have weight. It was of him and his championship of civil and religious liberty that John Bright, the English statesman, wrote to James Russell Lowell, "I know of no nobler man than William Lloyd Garrison."

## "Religion by Motto"

THIS is the interpretation which *The Independent* (New York) gives to the movement to restore the motto to the coins. It says:—

Almost unanimously the House of Representatives has voted that the motto, "In God We Trust," must go back on the gold coins, and the Senate can hardly fail to concur, and we do not believe the President will veto the act. So our nation will be religious again. Even those representatives who never think of God except when they swear, voted for pious gold. Those who trust in gold and not in God voted the lie on the coin.

This comment well illustrates the incongruity, not to say the absurdity, of religious legislation by irreligious men. But this action will doubtless be cited as one more conclusive proof that this is a Christian nation!

## A Legal Rest Day

ALTHOUGH there is a union of church and state in England, and an established church, yet the demand for religious liberty is making itself felt. In the recent discussion of Lord Avebury's Sunday closing bill in the House of Lords, a statement was made by Earl Beauchamp which was reported in the *Daily News* (London) as follows:—

The question was not so simple as it seemed. There were large numbers of Sabatarians [those in favor of the strict observance of Sunday] who regretted the bill on the ground that it allowed more Sunday trading than was really necessary, but he thought he must warn their lordships that there was also an increasing body of opinion, especially among trades unions, that it would be better to follow the example of France, and enact a one-day's rest in seven, without insisting that the rest day should be Sunday.

In commenting upon this matter the *Present Truth* (London) says:—

If the general well-being demands that business be dropped one day in the week, that is all that the government is entitled to demand. Where there is a difference of opinion and practise as to which day God requires man to observe for purposes of spiritual refreshment and worship, it would be contrary to religious liberty for any gov-

ernment to interfere in such a question, and enact a law that one of the rival days be observed by all, under penalty of heavy fines.

The fact that Sunday-law advocates are unwilling to adopt the example of France shows that the real purpose of the legislation demanded is not to provide a rest day for the working man but to compel regard for a religious institution. This is the vital issue in all Sunday laws.

### Judge Cooley on Religious Liberty

JUDGE THOMAS M. COOLEY, in his "Constitutional Limitations," fifth edition, 1883, in a chapter on religious liberty, says:—

There is not complete religious liberty where any one sect is favored by the state and given an advantage by law over other sects. Whatever establishes a distinction against one class or sect is, to the extent to which the distinction operates unfavorably, a persecution, and, if based on religious grounds, a religious persecution. The extent of the discrimination is not material to the principle. It is enough that it creates an inequality of right or privilege.

The foregoing statement of this eminent jurist is manifestly correct. Whenever, therefore, there is any union of the church with the state, some sect or religion is favored and given an advantage over some other sect or religion. This is one reason why we are opposed to all meddling with religious questions by the civil power. The state is ordained of God to deal with civil matters, and can never properly introduce itself into the realm of religion. Whenever any attempt is made by the state to do so, religious persecution is the inevitable result.

It is immaterial, so far as the principle is concerned, as to the special belief, sect, or religion legislated upon. The principle is violated just the same whether the state legislates upon the true faith or upon the false faith. This was recognized in a United States Senate report in 1829, which says: "It is not the legitimate province of the legislature to determine what religion is true, or what is false. . . . Let the national legislature once perform an act which involves the decision of a religious

controversy, and it will have passed its legitimate bounds." The evil lies in the state's deciding a religious controversy. This is a question which the individual conscience must settle, not Congress. It would be just as wrong for the government of the United States to enforce by civil law the Protestant religion upon her citizens as was Spain's attempt to force the Catholic religion upon the Netherlands in the sixteenth century.

In the same chapter the learned judge points out how Sunday laws are a violation of the principle of religious liberty.

The laws against the desecration of the Christian sabbath [Sunday] by labor or sports are not so readily defensible by arguments, the force of which will be felt and admitted by all. It is no hardship to any one to compel him to abstain from public blasphemy or other profanity, and none can complain that his rights of conscience are invaded by this forced respect to a prevailing religious sentiment. But the Jew who is forced to respect the first day of the week, when his conscience requires of him the observance of the seventh day, may plausibly urge that the law discriminates against his religion, and, by forcing him to keep a second sabbath each week, unjustly, though by indirection, punishes him for his belief.

The learned jurist is quite correct in stating that Sunday laws punish the observer of another day for his belief. They virtually lay upon him for religious reasons a tax of one seventh of his time. To argue the justice of any such law in a republican form of government is sheer folly. It would be just as consistent and right for the State to require the observers of the first day to rest on Saturday in deference to the religious convictions of the seventh-day observers (though no seventh-day observer has ever asked this), as to require the seventh-day observer to rest in deference to the religious convictions of the first-day observer. To argue otherwise is to put forth the claim that the convictions of the minority are less sacred than those of the majority. Majorities do not rule in religious matters, and the conscientious convictions of one person in properly constituted government will be as sacredly guarded as the convictions of the many.

## Restoring Trust in God

WHEN the bill to restore the motto, "In God We Trust," to the coins of the United States was under consideration in the House of Representatives, the Hon. Ollie M. James, of Kentucky, spoke in part as follows:—

The country is to be congratulated that our trust is again to be restored in God. The President of the United States made a great mistake, in the judgment of the Christian people of this republic, when, by order, he directed that the motto, "In God We Trust," should be removed from our coins. This country is not only a Christian nation, but we are engaged in sending to foreign countries and to distant people our missionaries to preach the religion of Jesus Christ, and we want our money so that when this gold that you say is so good goes across the ocean and is held in the hands of those who do not know of the existence of the Saviour of the world, we can say: "Here is the dollar of the greatest nation on earth, one that does not put its trust in floating navies or in marching armies, but places its trust in God." [Loud applause.]

And so the House of Representatives, with only five dissenting members, voted to restore our trust in God. Thus, if this bill becomes a law, while the people are groaning under the weight of the burden imposed in increasing the army and navy, the coins will proclaim to the untutored heathen that the trust of this great nation is reposed in God. What a farce it would all be, if it did not involve principles of such importance! But this is the inevitable hypocrisy of a national religion.

## "The Sunday Persecution"

THE above is the title of the leading editorial in the *St. Louis Post-Dispatch* of Dec. 17, 1907, which contains some plain statements of truth worthy of the consideration of those who are seeking the enforcement of a religious ordinance by civil law. The editor says, in part:—

If they [Sunday laws] were not religious laws, they would not apply to Sunday only. They are religious laws because they aim to compel the religious observance of a particular day. If they were not religious laws—if they were, in fact, such sanitary,

social, and police regulations as the courts hold them to be—they would not specify one day in the week as holy; they would prohibit seven days of work.

The high importance of a day of rest is denied by nobody. It is absolutely essential to the welfare of mankind. No one is more vitally interested in its preservation than the toiling millions. They can not afford to be deprived of it. But their profoundest concern in the matter is social and physiological, and not religious. With freedom they can order their wholesome leisure as they please. Without freedom they might as well be at work.

Since the purpose of Sunday laws when adopted was wholly religious, it is plain enough that they have failed of their object. They do not compel men to go to church. They do not even promote piety. They do more harm than good, for, so far as they are enforced, they interfere with more powerful tendencies already potential in establishing one day, any day, of rest.

This writer sees in the drastic enforcement of such laws the strong probability of "a reaction which will be mischievous," and therefore strongly advises the advocates of religious legislation to "surrender wholly the idea that the kingdom of God is to be ushered in by a be-it-enacted."

## "Is America Christian or Non-Christian?"

THIS question is asked editorially in the *Missionary Review of the World*, and is discussed at some length. The immediate cause of this inquiry is found in the alleged fact that—

there has developed on the part of Hebrews in America a concerted and organized attempt to prevent all future recognition of Christ in our Supreme and State courts, schools, and other institutions. The movement has been adroitly planned by the conference of Reform Rabbis under the plea for religious liberty and non-sectarian teaching.

In the consideration of this subject the *Review* refers approvingly to "an admirable discourse" by Dr. Charles H. Parkhurst, of New York City, who declared that—

while we cordially invite emigrants and refugees to our home, we may justly object to having our guests assume to be hosts,

and not only change the entire scheme of housekeeping, but even pitch the original parties out the back door.

After declaring that "the Jews number less than 2,000,000 as against nearly 33,000,000 Christian church-members in America," the article concludes as follows:—

If they have a right to dictate as to whom we shall recognize in our national worship, why may not the infidels, agnostics, atheists, and freethinkers unite to demand that the recognition of God be disallowed, not only on our coins, but in Thanksgiving proclamations, courts of law, and all civic and national celebrations and institutions?

Shall we not as a nation of Christians, unworthy of the title though we be, declare ourselves once for all a Christian people, founded and developed to our present prosperity by those who were followers of Christ, and looked upon him as the revelation of God to man and the one Saviour of the world?

While we welcome foreigners to our shores to enjoy the benefits of our Christian liberty and enlightenment we are not ready at their demand to change the whole character of our nationality, and make its spirit either Hebrew or heathenish.

The time has come for the people of America to speak out with a voice that shall be heard round the world, that it may be known whether or not the United States of America is to be confessedly Christian, Jewish, or infidel in its national life.

We have quoted these paragraphs because they express in a plausible way a sentiment which seems to prevail in the minds of many who really desire the prosperity of the nation and the advancement of religion, but who fail to comprehend the Christian idea of civil government. The distorted view of this principle leads to the expression of other doctrines which are contrary to the true American spirit, and to an exhortation which is misleading in its nature.

We regard it as an utter misconception of the true situation to call some American citizens "guests" and others "hosts." We hold that when a man of any nationality, whatsoever is granted the papers which constitute him a citizen of the United States, he is entitled to enjoy all the rights of any other citizen, and that he can not thereafter rightfully be regarded either as

a foreigner or as a guest. If he is not worthy to become a citizen of this country, and to receive all the benefits accruing from such a relationship, then citizenship should not be conferred; but it is acting under false pretenses to bestow upon one the name, while withholding any of the rights. In a democratic state no special privileges can be demanded or bestowed on the ground of blue blood or place of birth, and the convictions of one citizen are entitled to the same consideration as those of any other citizen. To demand this is not to pitch anybody "out the back door," but to make all comfortable under the same roof.

The closing paragraphs quoted are based upon several misapprehensions of right principles. They imply that the majority has the right to dictate in religion, although the *Review* would quite likely be unwilling to advocate this principle for heathen countries. They discourse of "our national worship," from which many good citizens are necessarily excluded because they can not pass the religious test; they mention "the benefits of our Christian liberty," which appears, however, to be the liberty to practise the religion of the majority; and they imply that this nation must of necessity be either "Christian, Jewish, or infidel," although a government can of right be neither, but should protect all citizens in the profession of any faith or of no faith, so long as they do not interfere with the equal rights of other citizens.

All these unhappy views, which are in themselves a misrepresentation of Christianity, are the logical results of that mediæval idea, which dies so hard, that religion is an affair of the government, and that the failure of the nation to profess the religion which we profess will be likely to invite the wrath of our God upon the country. When the truth is once apprehended that the same divine authority which ordained both religion and civil government ordained that their spheres should be entirely separate the one from the other, the world will be spared the melancholy spectacle of professed Christians persecuting so-called heretics in order to uphold the Christian faith.

# General Articles

## A Protest Against Religious Legislation<sup>1</sup>

Gentlemen of the Committee:—

THE representatives of two classes of organizations are seeking the enactment of a Sunday law for the District of Columbia. They are the representatives of labor organizations and the representatives of religious organizations. I do not appear

before you to oppose the proposed legislation in behalf of the first day of the week because I am not in sympathy with the desire of the laboring man for suitable periods of rest, or because I am opposed to the observance of one day in the week as a sabbath. I heartily sympathize with the desire of the laboring man for rest and recreation, and am just as heartily in favor of sabbath observance. But I am compelled to enter protest against this proposed legislation, because I do not deem it the proper way to secure the desired rest for the laboring man nor the observance of the Sabbath.

On the most strained construction of the police power, the extreme limit to which the state has any right to go in the interest of the laboring man would be to forbid employers to require the continuous performance of labor for more than a certain number of hours each day and a certain number of days without at least one intervening day for rest. To go beyond

this and to pass a *Sunday-rest* law in the attempt to lighten the burdens of the laboring man, is to introduce evils greater than the one for which a remedy is sought. Such a law as I have suggested has been in practical operation in the State of California for over fifteen years. The provisions of this California law are as follows: "Every person employed in any occupation of labor shall be entitled to one day's rest therefrom in seven, and it shall be unlawful for any employer of labor to cause his employees, or any of them, to work more than six days in seven; providing, however, that the provisions of this section shall not apply to any case of emergency."

The provisions of the recent rest-day law in France are very similar, and provide one day's rest in seven, without specifying that that day of rest must be Sunday. When Lord Avebury's Sunday-closing bill was under discussion recently in the English House of Lords, Earl Beauchamp, speaking for the Home Secretary,

said, as reported in the London *Daily News*, that he must call their lordships' attention to the fact that there was an increasing body of sentiment, especially among the trades unions, in favor of such a law as had been enacted in France, which granted to working men one rest day a week, without specifying that that day must be Sunday. That proper provision for the laboring man does not require a *Sunday* law is admitted even by those who are seeking Sunday laws; thus, Rev. E. R.



SENATOR GALLINGER OF NEW HAMPSHIRE,  
THE CHAIRMAN OF THE COMMITTEE  
ON THE DISTRICT OF COLUMBIA,

Who has received and laid before the Senate a very large number of remonstrances against the proposed Sunday legislation.

<sup>1</sup> An argument made before a United States Senate Committee, April 15, 1908, by W. W. Prescott, one of the editors of *LIBERTY*.

Craven, D. D., in the *Christian Statesman* for March, 1908, says: "It is evident, upon merely natural considerations, that man needs a rest day. The *seventh* day, as a rest day, is, to say the least, as good as any other." Enforced Sunday rest must therefore be based upon religious considerations, rather than upon natural considerations.

It is to be noted further that the representatives of the labor organizations and

bath, are seeking their end by a wrong means. The question of the proper observance of the Sabbath is a matter wholly outside the sphere of civil government, and one with which the state can of right have nothing to do further than to protect every man in the observance of any day which he may choose to observe. Such protection is already provided for in existing laws relating to the disturbance of peaceable assemblies of all kinds, and there is no need whatever of further legislation.

#### *The Real Nature of the Bill*

With this preliminary statement, let us examine the bill before us. In discussing this bill I take it for granted that we are to deal with its general purpose as expressed in the title, inasmuch as in the body of the bill the provisions are made applicable to every day in the week, and not to Sunday alone. The failure to specify a particular day of the week is doubtless an oversight on the part of the framer of the bill. The title states that this is "A Bill for the Proper Observance of Sunday as a Day of Rest in the District of Columbia," and the very phraseology of this title stamps the bill as religious. Its purpose is to secure "the proper observance of Sunday as a day of rest," and in order that the day may be properly observed, this bill proposes to make it "unlawful for any person or corporation in the District of Columbia to labor at any trade or calling, or employ or cause to be employed his apprentice or servant in any labor or business except in household work or other work of necessity or charity, and except also public service corporations in the necessary supplying of service to the people of the District," presumably on the first day of the week. That is to say, "the proper observance of Sunday as a day of rest" makes it necessary that all persons should be restrained from engaging in the ordinary pursuits which are followed freely upon the other days of the week. The fact that it is not deemed necessary to place any such restriction upon the citizens in order to secure a proper observance of such civil holidays as the fourth of July, the twenty-second of February, etc., indicates clearly that by this bill Sunday is to be distinguished from civil holidays. What is the basis upon which such a distinction rests? There can be but one answer;



SENATOR JOHNSTON OF ALABAMA, THE  
CHAIRMAN OF THE SUBCOMMITTEE  
WHICH GAVE THE HEARING,

Who introduced both Sunday bills now before the Senate, and has publicly announced that he is in favor of such legislation.

the representatives of the religious organizations do not agree in their demands concerning Sunday laws. The former do not desire to have voluntary labor or innocent sports and amusements prohibited, wishing to be left perfectly free as to the use which they shall make of their day of rest, while the representatives of the religious organizations attempt to enforce idleness and abstinence from sports and amusements upon every man.

Those whose purpose it is to secure by legislative enactment the better observance of the day which they regard as the sab-



namely, because of the supposedly religious character of the day.

It is plain, therefore, that this proposed legislation is demanded in the interest of a religious institution, and that "the proper observance of Sunday" means the observance of the day in harmony with its supposedly sacred character in contrast with the observance of the usual secular holidays purely as civil institutions.

#### *Religious in Its Character*

Again, the exception made in favor of "household work, or other work of necessity or charity," is couched in the familiar language which is used to indicate such work as may be performed upon a sacred day, and this makes it evident that the real purpose of this bill is to further the religious observance of the first day of the week. To forbid, under penalties, upon the first day of the week, acts which are right and proper in themselves, is to make a distinction between *days* rather than between *acts*, and this recognition of six days as *secular* and one day as a *sacred* day has always rested upon the institution of the Sabbath, and indicates clearly that the proposed legislation is religious in its character. In support of this contention I quote from the "Relation of Religion to Civil Government in the United States of America," by Isaac A. Cornelison, published by G. P. Putnam's Sons, 1895, page 314: "If, upon my returning from the field, after a hard day's work, weary and almost fainting, and very thirsty, I should find on my table a glass of wine and a glass of water, and should choose the wine, it would be preposterous for me to say that I was determined in my choice solely by the desire to quench my thirst, and not at all by my desire for the invigorating influence of the wine. It is no less preposterous to say, when the state chooses the Lord's day as the legal day of rest, that it was determined in its choice wholly by temporal and secular considerations, and not at all by religious considerations. It is beyond all question that part of the law appointing the weekly day of rest—that part which determines that it shall be one day in seven and not one day in six, or eight, or ten, and that part which makes the Lord's day, and not some other day, the day of rest—was determined by Christian considerations, and by these alone."

#### *An Infringement upon Religious Liberty*

That the purpose of this bill is to protect the day as a religious institution is clearly indicated in that it assumes to control the conduct of the individual, even to forbidding innocent sports and amusements. That such a prohibition is an infringement upon religious liberty is plainly stated by Tiedemann, in his work on "Limitations of the Police Power," as follows:



SENATOR GAMBLE OF SOUTH DAKOTA, A MEMBER OF THE SUBCOMMITTEE WHICH GAVE THE HEARING,

Who has declared himself as favorable to a law similar to that of California.

"The indulgence in quiet, orderly amusements, since they involve no violations of private right, can not be prohibited by law without infringing upon the religious liberty of those who are prevented, and such regulations would therefore be unconstitutional. It is barely possible, but doubtful, that a law could be sustained under the principles here advanced which required that the front doors of stores and places of amusement should be kept closed on Sunday, but not otherwise interfering with the noiseless occupations and diversions. The total prohibition of such employments and labor on Sunday, except possibly for a reason to be suggested and explained later,

could only be justified by the religious character of the day, and we have already seen that that aspect of Sunday can not be taken into account in framing the Sunday laws."

The same ground is maintained by John Stuart Mill, in his work, "On Liberty." From the chapter, "Of the Limits to the Authority of Society over the Individual," I take this clear statement of the case: "The only grounds, therefore, on which restrictions on Sunday amusement can be defended must be that they are religiously wrong; a motive of legislation which can never be too earnestly protested against. '*Deorum injuriæ Diis curæ.*' It remains to be proved that society or any of its officers holds a commission from on high to avenge any supposed offense to Omnipotence, which is not also a wrong to our fellow creatures. The notion that it is one man's duty that another should be religious was the foundation of all religious persecutions ever perpetrated, and if admitted, would fully justify them. Though the feeling which breaks out in the repeated attempts to stop railway traveling on Sunday, in the resistance to the opening of museums and the like, has not the cruelty of the old persecutors, the state of mind indicated by it is fundamentally the same. It is a determination not to tolerate others in doing what is permitted by their religion because it is not permitted by the persecutors' religion. It is a belief that God not only abominates the act of the disbeliever, but will not hold us guiltless if we leave him unmolested."

As further testimony on this point I quote again from Mr. Cornelison's "Religion and Civil Government," page 315: "Surely fishing would be no offense if the law had been intended to be only a civil regulation to preserve the peace and good order of society. Mr. W. M. Ramsay, the counsel for the plaintiff in *Miner, et al., v. the Board of Education of Cincinnati*, in alluding to this point in the decision, very aptly said, 'A quiet seat by the bank of a pleasant stream with a fishing-rod would be an admirable disposition of one's self for a day of rest and reinvigoration after six days' toil.' These considerations are surely sufficient to establish the fact that in prohibiting innocent amusements on Sunday, this bill is religious in its character.

### Peaceable Assemblies Already Protected by Law

In permitting the performance of works of necessity on the first day of the week, this bill expressly states that such works must be "so performed as not to interfere with the repose and religious liberty of the community." But how could honest toil interfere with "the repose and religious liberty of the community," on the first day of the week more than on other days when religious services are held, unless it be on the ground that there is a divine law which constitutes one day as a sacred day, and that, therefore, even works of necessity must be performed so as to avoid, if possible, even the appearance of desecrating the day? The Methodist Episcopal Conference has recently held its sessions in this city. The religious services were conducted on every day of the week, but there

### INDEX TO GROUP OF SENATORS

- Alabama—1. J. F. Johnston; 2. J. H. Bankhead.  
Arkansas—3. Jeff Davis; 4. J. P. Clarke.  
California—5. Frank P. Flint; 6. Geo. C. Perkins.  
Colorado—7. S. Guggenheim; 8. H. M. Teller.  
Connecticut—9. P. B. Brandegee; 10. M. G. Bulkeley.  
Delaware—11. H. A. Dupont; 12. H. A. Richardson.  
Florida—13. W. J. Bryan; 14. J. P. Taliaferro.  
Georgia—15. A. O. Bacon; 16. A. S. Clay.  
Idaho—17. W. E. Heyburn; 18. W. E. Borah.  
Illinois—19. A. J. Hopkins; 20. S. M. Cullom.  
Indiana—21. A. J. Beveridge; 22. J. A. Hemenway.  
Iowa—23. W. B. Allison; 24. J. P. Dolliver.  
Kansas—25. C. I. Long; 26. Charles Curtis.  
Kentucky—27. T. H. Paynter; 28. J. B. McCreary.  
Louisiana—29. S. D. McEmery; 30. M. J. Foster.  
Maine—31. W. P. Frye; 32. Eugene Hale.  
Maryland—33. W. P. Whyte; 34. Isidor Rayner.  
Massachusetts—35. H. C. Lodge; 36. W. M. Crane.  
Michigan—37. W. A. Smith; 38. J. C. Burrows.  
Minnesota—39. Knute Nelson; 40. M. E. Clapp.  
Mississippi—41. H. D. Money; 42. A. J. McLaurin.  
Missouri—43. William Warner; 44. W. J. Stone.  
Montana—45. J. M. Dixon; 46. T. H. Carter.  
Nebraska—47. E. J. Burkett; 48. Norris Brown.  
Nevada—49. F. G. Newlands; 50. G. S. Nixon.  
New Hampshire—51. J. H. Gallinger; 52. H. E. Burnham.  
New Jersey—53. John Keau; 54. F. O. Briggs.  
New York—55. C. M. Depew; 56. T. C. Platt.  
North Carolina—57. L. S. Overman; 58. F. McL. Simmons.  
North Dakota—59. P. J. McCumber; 60. H. C. Hansbrough.  
Ohio—61. Charles Dick; 62. J. B. Foraker.  
Oklahoma—63. R. T. Owen; 64. T. P. Gore.  
Oregon—65. J. Bourne; 66. C. W. Fulton.  
Pennsylvania—67. P. C. Knox; 68. B. Penrose.  
Rhode Island—69. N. W. Aldrich; 70. G. P. Wetmore.  
South Carolina—71. B. R. Tillman; 72. F. B. Gary.  
South Dakota—73. A. B. Kittredge; 74. R. J. Gamble.  
Tennessee—75. R. L. Taylor; 76. J. B. Frazier.  
Texas—77. C. A. Culberson; 78. J. W. Bailey.  
Utah—79. R. Smoot; 80. G. Southerland.  
Vermont—81. W. P. Dillingham.  
Virginia—83. J. W. Daniel; 84. T. S. Martin.  
Washington—85. L. Ankeny; 86. S. M. Piles.  
West Virginia—87. N. B. Scott; 88. S. B. Elkins.  
Wisconsin—89. I. Stephenson; 90. R. M. LaFollette.  
Wyoming—91. C. D. Clarke; 92. F. E. Warner.  
93. The Vice-President, C. W. Fairbanks.



was no demand that the ordinary business of the city should be suspended so as not to interfere with the religious liberty of those attending the conference. It is customary for every religious denomination to hold religious services on different days of the week, but it is not deemed necessary to compel others to remain idle in order that their devotions may be acceptably conducted. There are already upon the statute-books laws which protect any peaceable assembly of people, whether for religious or other purposes, on any day of the week, and the demand for any additional regulations in behalf of the assemblies on the first day of the week is a demand for the exaltation of the day rather than for any further needed protection of the assembly.

To show that these assertions are not the mere declarations of an academic discussion, I call attention to the fact that there are in the United States more than two million citizens who observe the seventh day of the week as the Sabbath, and hold their regular weekly assemblies on that day; but these people have never asked for any further protection than that which is afforded to any peaceable assembly on any day of the week. They do not deem it necessary to compel others to refrain from labor in order that they may have religious liberty in the observance of the day which they regard as the Sabbath.

#### *Early Sunday Laws*

It is further to be noted that the very purpose to secure "the proper observance of Sunday as a day of rest," necessarily involves religious considerations. This is clearly stated by Rev. Joseph Cook, in the "Boston Monday Lectures," 1887, when in lecturing on the subject of Sunday laws he said: "The experience of centuries shows, however, that you will in vain endeavor to preserve Sunday as a day of rest, unless you preserve it as a day of worship. Unless sabbath observance be founded upon religious reasons, you will not long maintain it at a high standard on the basis of economic and physiological and political considerations only." Some of this experience was in the fourth and fifth centuries. In the early part of his reign, the emperor Constantine, as recorded by the historian Sozomen, "enjoined the observance of the day called the Lord's

day, which the Jews called the first day of the week, and which the Greeks dedicated to the sun, as likewise the day before the seventh, and commanded that no judicial or other business should be transacted on those days, but that God should be served with prayers and supplications." In the year 321, Constantine enacted his celebrated law in behalf of "the venerable day of the sun." The further course of events in relation to this legislation is thus described by Neander: "By a law of the year 386, those older changes effected by the emperor Constantine, were more rigorously enforced, and, in general, civil transactions of every kind on Sunday were strictly forbidden. Whoever transgressed, was to be considered, in fact, as guilty of sacrilege [as a sacrilegus]. Owing to the prevailing passion at that time, especially in the large cities, to run after the various public shows, it so happened that when these spectacles fell on the same days which had been consecrated by the church to some religious festival, they proved a great hindrance to the devotion of Christians, though chiefly, it must be allowed, to those whose Christianity was the least an affair of the life and of the heart. Church teachers . . . were, in truth, often forced to complain that in such competitions the theater was vastly more frequented than the church, and among those who gave up the church for the theater, many might be found not wholly unsusceptible of right feelings, who, if they had not been hurried along by the prevailing corruption, would have employed Sunday in a way more serious and more helpful for their inner life. Moreover, by the civil relations of those times, many were compelled, on account of their particular place among the citizens, to take part in the arrangements necessary for the support of the public shows, and so to be interrupted in their devotions even against their will. Hence, the North African Church resolved at an ecclesiastical convention held at Carthage in 401, to petition the emperor that the public shows might be transferred from the Christian Sunday and from feast days to some other days of the week. [The reason given by the petitioners, as stated by Neander in a footnote, is '*populi ad circum magis quam ad ecclesiam conveniunt*,' that is, 'the people attend at the circus rather than at

the church.'] Owing to the prevailing passion for the shows, this petition could not be granted, perhaps, without considerable difficulty. First, in the year 425, the exhibition of spectacles on Sunday and on the principal feast days of the Christians was forbidden in order that the devotions of the faithful might be free from all disturbance. In this way the church received help from the state for the furtherance of her ends which could not be obtained in the preceding period."

From this quotation it appears that the purpose of these early Sunday laws was to secure the attendance of the people at public worship, and that it was the desire of the religious teachers of that day that everything that would interfere with such public worship should be prohibited. When civil transactions were prohibited, the people spent their time in amusements and sports; and as the real purpose of the earlier laws was thus frustrated, the next step was to prohibit sports and amusements on Sunday. The bill before us, in order to secure "the proper observance of Sunday as a day of rest," in one act forbids both labor and sports and amusements. The only basis for such legislation, now as in the early centuries, is found in religious considerations.

This analysis of the proposed legislation is certainly sufficient to prove beyond successful contradiction that this bill "for the proper observance of Sunday" in the District of Columbia is religious in its character, and that it is designed to maintain the supposedly sacred character of a day, and to compel at least the outward observance of a religious institution.

#### *The Constitution Forbids Such a Law*

Inasmuch as this bill is plainly religious in its character, and is a long step toward the establishment of religion, I regard it as contrary to the express prohibition upon Congress set forth in the amendment to the Constitution which declares that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." That this amendment is regarded by the advocates of Sunday legislation as forbidding any laws which shall give preference even to the Christian religion, is shown by a statement made by Rev. J. M. Foster, one of the leading lecturers of the National Reform Association, in

an article in the *Christian Statesman* for April, 1908. In speaking of this amendment, Mr. Foster said, "We would amend the amendment so as to read, 'That no law shall be passed respecting the establishment of any church or prohibiting the free exercise of the true religion.'" Those who regard religious liberty as being the liberty to profess and practise *their* religion might take such a view as this, but this was not what was intended by the framers of the amendment nor by the people who adopted it. After an experience of the union of church and state in the colonies, a new order of things was established by the Constitution, and in the words of Bancroft, the historian of the Constitution, "The new nation dared to set the example of accepting in its relations to God the principle as divinely ordained of God in Judea. It left the management of temporal things to the temporal power; but the American Constitution, in harmony with the people of the several States, withheld from the federal government the power to invade the home of reason, the citadel of conscience, the sanctuary of the soul; and not from indifference, but that the spirit of eternal truth might move in its freedom and purity and power." This divinely ordained principle was expressed in these words: "Render to Cæsar the things that are Cæsar's, and to God the things that are God's." According to this principle, civil government has jurisdiction over men only as citizens of this world, and in their relation to each other, and can of right exercise no jurisdiction over them as citizens of the heavenly kingdom nor in their relation to God. The obligation to make a distinction between days, and to set apart a particular day of the week for rest and worship, is wholly a question between man and his Maker, and is beyond the sphere of civil government.

#### *What Is Involved*

What is involved in any action of the government which establishes by law the sacred character of any day is clearly and forcibly expressed by the Hon. Richard M. Johnson, in his well-known Sunday mail report communicated to the House of Representatives, March 4 and 5, 1830, and adopted by that body. I quote in part as follows: "The memorialists regard the first day of the week as a day set apart by the Creator for religious exercises, and con-

sider the transportation of the mail and the opening of the post-offices on that day a violation of a religious duty, and call for a suppression of the practise. Others, by counter-memorials, are known to entertain a different sentiment, believing that no one day of the week is holier than another. Others, holding the universality and immutability of the Jewish decalogue, believe in the sanctity of the seventh day of the week as a day of religious devotion, and by their memorials now before the committee, they also request that it may be set apart for religious purposes.<sup>2</sup> Each has hitherto been left to the exercise of his own opinion, and it has been regarded as the proper business of government to protect all and determine for none. But the attempt is now made to bring about a greater uniformity, at least in practise; and, as argument has failed, the government has been called upon to interpose its authority to settle the controversy. Congress acts under a constitution of delegated and limited powers. The committee look in vain to that instrument for a delegation of power authorizing this body to inquire and determine what part of time, or whether any, has been set apart by the Almighty for religious exercises. On the contrary, among the few prohibitions which it contains is one that prohibits a religious test, and another which declares that Congress shall pass no law respecting the establishment of religion, or prohibiting the free exercise thereof. The committee might here rest the argument upon the ground that the question referred to them does not come within the cognizance of Congress."

The report further says: "If Congress shall, by the authority of the law, sanction the measure recommended, it would constitute a legislative decision of a religious controversy, in which even Christians themselves are at issue. However suited such a decision may be to an ecclesiastical council, it is incompatible with a republican

legislature which is purely for political and not for religious purposes."

And again: "The framers of the Constitution recognized the eternal principle

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- 70 — Mrs. Chow, wife of chargé, China.
- 71 — Chargé d'Affaires of China, Mr. Chow Tszchi.
- 73 — Miss Bourke, niece of Mme. Leger, wife of minister, Haiti.
- 74 — Minister from Chile, Senor Cruz.
- 75 — Minister from Salvador, Senor Mejia.
- 76 — Mr. William Seeds, former secretary, British Embassy.
- 77 — Mme. Pomponio Guzman, wife of first secretary Colombian Legation.

<sup>2</sup> From another statement in this report it seems doubtful whether any of the counter-memorials actually asked for the setting apart of any other day than Sunday for religious purposes, as the closing words of the last paragraph of the report read thus: "It is also a fact that the counter-memorials, equally respectable, oppose the interference of Congress, upon the ground that it would be legislating upon a religious subject, and therefore unconstitutional."

- 78 — Senor Landa, former secretary, Mexico.  
 79 — Mlle. des Portes de la Fosse.  
 82 — Senor Pomponia Guzman, first secretary of the Colombian Legation.  
 83 — Frau Korner, wife of former military attaché of the German Embassy.

- 89 — Miss Bourke, niece of Mme. Legor, wife of the Minister from Haiti.  
 90 — Mr. des Portes de la Fosse, counselor of the French Embassy.  
 91 — Miss Marie Calvo.  
 94 — Mme. Hauge, wife of late Norwegian Minister.



- 84 — Senor Don Alberto Yoacham, first secretary of the Chilean Legation.  
 85 — Minister from Switzerland, Dr. Vogel.  
 86 — Mr. Carbo, son of the Minister from Ecuador.  
 87 — Capt. von Livonius, military attaché, Germany.  
 88 — Viscountess de Martel.

- 95 — Mme. de Blanpre, wife of French naval attaché.  
 96 — Minister from Turkey, Mahmed Ali Bey.  
 97 — Senor don Manuel Selinas, second secretary of the Chilean Legation.  
 98 — Senor Alberto Costa, first secretary of the Argentine Legation.  
 99 — Ishan Bey, third secretary, Turkish Legation.

that man's relation with his God is above human legislation, and his rights of conscience inalienable."

In a closing paragraph; "If the Almighty has set apart the first day of the week as a time which man is bound to keep holy and devote exclusively to his worship, would it not be more congenial to the precepts of Christians to appeal exclusively to the great Lawgiver of the universe to aid them in making men better—in correcting their practises, by purifying their hearts? Government will protect them in their efforts. When they shall have so instructed the public mind and awakened the conscience of individuals as to make them believe that it is a violation of God's law to carry the mail, open post-offices, or receive letters on Sunday, the evil of which they complain will cease of itself, without any exertion of the strong arm of civil power."

Although the provisions of this bill are not identical with the demands of the petitioners in 1830, yet the principles involved are precisely the same, and if Congress should pass this bill, it would by such an act, so far as it is concerned, decide two questions now in controversy among Christian people. First, Which day of the week is to be treated as a sacred day? and second, Does the proper observance of a sacred day demand the total cessation of both labor and amusement? I can not more fittingly describe the logical result of such a step as the passing of this bill than to quote from the words of the report adopted by the United States Senate on Jan. 19, 1829: "If the principle is once established that religion, or religious observance, shall be interwoven with our legislative acts, we must pursue it to its ultimatum. We shall, if consistent, provide for the erection of edifices for worship of the Creator, and for the support of Christian ministers, if we believe such measures will promote the interests of Christianity." We desire to avoid any such consequences by denying the principle altogether.

#### *The True Principle Violated*

This bill violates the true principle of religious liberty as well in the case of those who voluntarily observe the first day of the week as the sabbath, as in the case of those who observe another day or those who do not wish to observe any day. The principle is the same, whether one is com-

elled to do what he wishes to do or what he wishes not to do. This is well stated by Mr. Justice Burnett, of the Supreme Court of California, in his opinion rendered in *ex-Parte Newman*, 9 California 513-14: "The fact that the Christian *voluntarily* keeps holy the first day of the week, does not authorize the legislature to make that observance *compulsory*. The legislature can not compel the citizen to do that which the Constitution leaves him free to do or omit, at his election. The act violates as much the religious freedom of the Christian as of the Jew. Because the conscientious views of the Christian compel him to keep Sunday as the sabbath, he has the right to object when the legislature invades his freedom of religious worship, and assumes the power to compel him to do that which he has the right to omit if he pleases. The principle is the same whether the act of the legislature compels us to do that which we wish to do or not to do."

#### *An Inconsistent Argument*

It is claimed that Sunday laws are merely civil regulations. And a prominent Sunday-law advocate claims that "Sabbath laws are consistent with liberty in their lower phases, in the same way as other laws for the prevention of cruelty to animals." The inconsistency of this argument in its practical application is plainly shown in the arrest and imprisonment for the violation of Sunday laws of those who have already rested one full day in the week. Very pertinent in this connection is the opinion of Mr. Justice Cooley, in his "Constitutional Limitations," page 477: "It appears to us that, if the benefit of the individual is alone to be considered, the argument against the law [forbidding labor and sports on the first day of the week] which he may make who has already observed the seventh day of the week, is unanswerable." The infringement upon religious liberty consists not in providing that a person may rest if he so desires, but in compelling him to rest on a certain day of the week, and that really for religious considerations, because, as was affirmed by Chief Justice Terry, of California: "The truth is, however much it may be disguised, that this one day of rest is purely a religious idea. Derived from the Sabbatical institutions of the ancient Hebrews, it has been adopted into the creeds of the suc-



ceeding religious sects, and whether it be the Friday of the Mohometan, the Saturday of the Israelite, or the Sunday of the Christian, it is alike fixed in the affections of its followers beyond the power of eradication, and in most of the States of our confederacy the aid of the law to enforce its observance has been given under the pretense of a civil, municipal, or police regulation."

In the same connection, Mr. Chief Justice Terry also said: "It is contended that a civil rule requiring the devotion of one seventh of the time to repose is an absolute necessity, and the want of it has been dilated upon as a great evil to society, but have the legislatures so considered it? Such

an assumption is not warranted

by anything contained in the Sunday law. On the contrary, the intention which pervades the whole act is to enforce as a religious institution the observance of a day held sacred by the followers of one faith and entirely disregarded by all other denominations within the State. The whole scope of the act is expressive of an intention on the part of the legislature to require a periodical cessation from ordinary pursuits, not as a civil duty necessary for the repression of any existing evil, but in fur-

therance of the interests, and in aid of the devotion, of those who profess the Christian religion." The principles laid down by Mr. Chief Justice Terry apply as well in the District of Columbia as in the State of California.

The real position of those who demand Sunday laws has been clearly stated by one

of their own number in these words: "More than three fourths of the population of the United States are members or adherents of Christian churches, and so accustomed to set apart the first day of each week for rest and religion. . . . It is the conviction of this majority that the nation can not be preserved without religion, nor religion without the sabbath, nor the sabbath without



JUSTICE JOHN M. HARLAN, OF THE SUPREME COURT OF THE UNITED STATES,

Who presided at a recent mass-meeting which favored Sunday laws, and was the chairman of a deputation appointed to wait on President Roosevelt in the interest of the better observance of Sunday.

laws." The real purpose, then, of all such laws is religious and in the interests of the religion of the majority. Such laws, therefore, are an infringement upon religious liberty, and contrary to the letter and spirit of the Constitution.

#### *The True Principles*

It is no sufficient reply to this argument to say that the observer of another day is not compelled to work on the day which he regards as holy time, and is not compelled to attend religious worship on the

first day of the week. The true principle is laid down by Mr. Chief Justice Terry in his opinion rendered in "ex-Parte Newman," the case already referred to: "In a community composed of persons of various religious denominations, having different days of worship, each considering his own as sacred from secular employment, all being equally considered and protected under the Constitution, a law is passed which in effect recognizes the sacred character of one of these days by compelling all others to abstain from secular employment, which is precisely one of the modes in which its observance is manifested and required by the creed of that sect to which it belongs as the sabbath. Is not this a distinction in favor of the one? Does it require more than an appeal to one's common sense to decide that this is a preference, and when the Jew or seventh-day Christian complains of this, is it any answer to say, 'Your conscience is not constrained; you are not compelled to worship or perform religious rites on that day, nor forbidden to keep holy the day which you esteem as the Sabbath?' We think not, however high the authority which decides otherwise. When our liberties were acquired, our republican form of government adopted, and our Constitution framed, we deemed that we had attained not only toleration, but religious liberty in its largest sense,—a complete separation between church and state, and a perfect equality without distinction between all religious sects."

Neither would such legislation be justified even if an exemption clause should be inserted in favor of those who observe another day. The right to enact a law with an exemption clause involves the right to enact a law without an exemption clause. We deny the right to make such a law, either with or without an exemption clause, as being contrary to the principle of religious liberty and to the spirit and letter of the Constitution.

#### Conclusions

From the considerations which we have presented, and the authorities which have been cited, the following conclusions may be properly drawn:—

1. All legislation requiring cessation of labor or amusements, or both, on the first day of the week, is religious legislation.

2. All such legislation being religious legislation, is contrary both in spirit and in letter to the first amendment to the Constitution.

3. All such legislation infringes upon the religious liberty of all classes of men, not only of those who observe another day and those who observe no day whatever, but as well of those whose present religious sentiments lead them to the voluntary observance of the first day of the week as a day of rest and worship.

4. All such legislation is outside the proper sphere of civil government, whose duty it is to protect all its citizens in the exercise of their religious belief, so long as in so doing they do not interfere with the equal rights of others, or in their refusal to exercise a religious belief, and not to favor any religion or any sect of any religion.

5. All such legislation constitutes a decision of a religious controversy, and if enforced, leads to religious persecution.

6. All such legislation is based upon religious consideration, and can not be justified upon civil grounds.

7. All such legislation is in effect a union of church and state, and is therefore both un-American and unchristian.

For these reasons, we are opposed to the bill now before us or to any other bill designed to require the observance of any religious institution whatsoever, and this opposition we make, not as anarchists, atheists, infidels, or secularists, but as Christian citizens, who stand upon the original Protestant ground that there should be no intrusion of the civil magistrate in matters of faith, and who believe that the interests of both church and state, or of religion and government, will be best preserved by their complete separation.

### Religious Liberty in Newfoundland

[A correspondent of *The Evening Telegram* (St. John's, Newfoundland), who signs himself "Fair Play," writes a letter dated March 30, 1908, treating of the work of the Lord's Day Alliance of Canada. From this letter the following extracts are taken.—Ed.]

"WHAT the people of Newfoundland want to know is, What are the aims and objects of the Lord's Day Alliance? Is it for the betterment of the country and the people

generally? Has it benefited the people in other countries where it has been introduced? These are a few of the questions which the champions of the Lord's Day Alliance are called upon to answer. If they can be proved in the affirmative, then I say, as a liberty-loving British subject and a Newfoundlander, and, above all, one who loves justice, by all means let the good work go on, and bid it Godspeed. But if, after a fair, candid, and unbiased discussion, the reverse should be proved true, what then? Right here, Mr. Editor, permit me to drop a thought with reference to the matter, as I understand it. The Lord's Day Alliance aims to secure for all people a day of rest, which is, indeed, a most laudable object, and one in which I think Christians of all denominations can unite; but the difference between the advocates of the Lord's Day Alliance on the one hand, and Mr. Keslake on the other, is not so much the 'securing' of a day of rest, as the 'means' by which it is to be secured. Let us suppose, for instance, that the Lord's Day Alliance in Newfoundland will pursue the same course as the parent organization in Canada in order to secure the day of rest, namely, by civil enactment, and thereby release from toil those who are laboring seven days a week, giving them one day off in seven in which to rest. Will this be a full solution of the problem? Is there not another side to the question? If I understand rightly, such enactment will be valueless unless there is provided a clause by which it can be enforced, either by fine, forfeiture, or imprisonment, or both. That being so, the same act which purports to give liberty to one citizen, deprives another of that same precious heritage, whose only fault is that he exercises his God-given right to labor. That, Mr. Editor, is something which I do not understand, and upon which I would like Mr. Darby to throw some light.

"Again, Mr. Editor, past history, both sacred and profane, furnishes abundant testimony that the names of great and learned men, though they may stand high in the esteem of their countrymen, and in the majority, can not always be taken as a guarantee that the movement they support is a righteous one; if that were so, then you could justify all the persecutions of the past, even to the crucifixion of the Lord of life and glory.

"In conclusion, I would suggest to the leaders of our various denominations not to be hasty in taking a step that would in any way compel the consciences of men, but to unite their voices in proclaiming the glad tidings of a risen Christ, presenting his claims to the sinner, and then as his ambassadors, and in his name, pleading with them to be reconciled to God."

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### Christ's Example

BEWARE the politician who seeks to steal the livery of heaven in which to serve his partizan ends. Christ himself was concededly the first Christian minister and preacher, and as such he was the example to all who would carry his message of love and life to the world, even as he was the highest example of the art of noble living to all men. He never interfered with the administration of the civil law, and when tempted by his opponents to express an opinion on the subject, he returned that immortal answer, "Render unto Cæsar the things that are Cæsar's, and unto God the things that are God's."—*Mayor James C. Haynes, of Minneapolis, Minn.*

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### "In God We Trust"

CONGRESS seems determined to restore "In God We Trust" to our coins. The House has passed a bill to that effect by an overwhelming majority, and the Senate will undoubtedly do likewise. There was a good deal of the maudlin indulged in by some of the members favoring the bill, and some whose excessively religious tendencies had never been noted before, shone conspicuously in speeches which were designed to read well among the old folks back home. Mr. Gordon, of Tennessee, rather harshly criticized the performance as "a piece of farcical hypocrisy."

President Roosevelt was right when, in removing the motto, he declared its existence upon the coins had no religious significance. If we are to inscribe the words, "In God We Trust," upon our coins, why may we not with equal propriety stamp them on our bullets? Why not cut them on the blades of our bayonets? Each does a service for the American government, and the work of war has, in its essence, just as much connection with God and his divine

character as commerce. If we are not engaged in unrighteous war, our bullets may be labeled with the declaration of our trust with precisely as much and as logical reason as our coins, since each is but a servant of legitimate governmental functions.

The fact is that as individuals the people of the United States do trust in God. As a government they don't do anything of the sort. They trust in their might, in their men, in their ships and guns and money. Our whole policy as a nation has proved this. It is a mockery to put upon the symbols of governmental functions a



THE WHITE HOUSE, WASHINGTON, D. C.

The east front of the home of the Chief Executive of the nation. The well-known "East Room" is the room on the first floor on the right-hand side of the picture.

piece of sentimentality which our whole national conduct proves a bit of pretense and in reality denies. If, as a nation, we actually did put our trust in the Supreme Being, we would abandon our ships of war, we would destroy our bullet molds, we would turn our "swords into plowshares," and our "spears into pruning-hooks." And our money would not need to be labeled with the verbal assurance of our piety. Unless those words, "In God we trust," constitute a meaningless phrase, we are guilty of a sacrilege in stamping them on the servant of mammon. If the phrase is meaningless, its usage is superfluous. There are, no doubt, a great many people in the country who devoutly own their trust in God who will regret the restoration of the motto to our coins. They believe that it is not religious truth, but religious sentimentality, which will put it back.—*The Washington Post, March 18, 1908.*

## Memorial Against Sunday Legislation

[On Tuesday, March 3, there was presented in the Senate by Senator Kean, of New Jersey, the following memorial which was printed in the *Congressional Record* of the same date.—ED.]

To the Honorable Senate and House of Representatives in Congress Assembled:

THE Seventh-day Baptists of the United States, for and in behalf of whom this memorial is laid before you, beg leave to call attention to their record as advocates

and defenders of constitutional, civil, and religious liberty ever since their organization in Newport, R. I., in 1671 A. D. That record includes colonial governments, the Continental Congress, where they were represented by Hon. Samuel Ward, services of German Seventh-day Baptists of Ephrata, Pa., and other points of

interest. Having such a history and inheritance, we respectfully and confidently ask and petition that you will not enact any of the following bills, now before Congress, namely:—

"S. 1519. A bill to prevent Sunday banking in post-offices in the handling of money-orders and registered letters.

"H. R. 4897. A bill to further protect the first day of the week as a day of rest in the District of Columbia.

"H. R. 4929. A bill prohibiting labor on buildings, etc., in the District of Columbia on the Sabbath day.

"H. R. 13471. A bill prohibiting work in the District of Columbia on the first day of the week, commonly called 'Sunday.'

"S. 3940. A bill requiring certain places of business in the District of Columbia to be closed on Sunday."

We base this memorial on the following grounds:—

First. The Constitution of the United States declares that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." That Sunday legislation is forbidden under this act is shown by the records of Congress from 1808 to 1830. The question came to the front under an act of April 30, 1810, establishing the Postal Department and requiring the opening of post-offices and the transmission of mail on every day in the week. Remonstrances and petitions followed the enactment of this law. Postmaster-General Gideon Granger, Jan. 30, 1811, reported that he had sent the following instructions to postmasters:—

"At post-offices where the mail arrives on Sunday, the office is to be kept open for the delivery of letters, etc., for one hour after arrival and sorting of the mail; but in case that would interfere with the hours of public worship, then the office is to be kept open for one hour after the usual time of dissolving the meetings, for that purpose."

He also reported that an officer had been prosecuted in Pennsylvania for refusing to deliver a letter on Sunday not called for within the time prescribed, and said he doubted whether mail could be legally refused to any citizen at any reasonable hour on any day of the week. ("American State papers," Vol. XV, page 45.)

Reports, discussions, and petitions concerning Sunday mails crowd the annals of Congress from 1811 to 1830. Mr. Rhea, chairman of the committee on post-offices, reported adversely concerning efforts to secure a change in the law requiring Sunday opening on Jan. 3, 1812; June 15, 1812, and Jan. 20, 1815. Postmaster-General Granger made adverse report Jan. 16, 1815, saying:—

"The usage of transporting the mails on the Sabbath is coeval with the Constitution of the United States."

Jan. 27, 1815, Mr. Daggett made an adverse report, that was considered by the House in committee of the whole Feb. 10, 1815, and after various efforts at amendment was passed, as follows:—

"Resolved, That at this time it is inexpedient to interfere and pass any laws on the subject-matter of the several petitions praying the prohibition of the transporta-

tion and opening of the mail on the Sabbath."

March 3, 1825, an act was passed "To reduce into one the several acts establishing the Post-office Department," Section 11 of which reads as follows:—

"And be it further enacted, That every postmaster shall keep an office in which one or more persons shall attend on every day in which a mail shall arrive, by land or water, as well as on other days, at such hours as the Postmaster-General shall direct, for the purpose of performing the



STEPHEN BABCOCK, PLAINFIELD, N. J.

The president of the American Sabbath Tract Society, who signs this memorial against Sunday legislation.

duties thereof; and it shall be the duty of the postmaster, at all reasonable hours, on every day of the week, to deliver, on demand, any letter, paper, or packet, to the person entitled to, or authorized to receive, the same."

This renewed the discussion throughout the country, and Congress was flooded with petitions and counter petitions, which were referred to the committee on post-offices and post-roads, of which Richard M. Johnson was chairman. He made an elaborate report to the Senate, Jan. 19, 1829, and to the House, March 4 and 5, 1830. These reports were exhaustive and able documents. They centered around the question of congressional legislation on religious subjects, all phases of which were considered with marked ability and candor.

When he presented the report before the Senate, Mr. Johnson said:—

"Now, some denominations considered one day the most sacred and some looked to another, and these petitions for the repeal of the law of 1825 did, in fact, call upon Congress to settle what was the law of God. The committee had framed their report upon principles of policy and expediency. It was but the first step taken, that they were to legislate upon religious grounds, and it made no sort of difference which was the day asked to be set apart, which day was to be considered sacred, whether it was the first or the seventh, the principle was wrong. It was upon this ground that the committee went in making their report." ("Register of Debates in Congress," Volume V, pages 42, 43.)

Representative passages from Senator Johnson's report are as follows:—

"Extensive religious combinations, to effect a political object, are, in the opinion of the committee, always dangerous. This first effort of the kind calls for the establishment of a principle which, in the opinion of the committee, would lay the foundation for dangerous innovations upon the spirit of the Constitution and upon the religious rights of the citizens.

"Congress has never legislated upon the subject. It rests, as it ever has done, in the legal discretion of the Postmaster-General, under the repeated refusals of

Congress to discontinue the Sabbath mails.

"While the mail is transported on Saturday, the Jew and the Sabbatarian may abstain from any agency in carrying it from conscientious scruples. While it is

transported on the first day of the week, any other class may abstain from the same religious scruples. The obligation of the government is the same to both these classes; and the committee can discern no principle on which the claims of one should be respected more than those of the other, unless it should be admitted that the consciences of the minority are less sacred than those of the majority." (S. Docs. 2d ses., 20th Cong., Doc. 46; also "Register of Debates," Vol. V. Appen., p. 24.)



A. H. LEWIS, PLAINFIELD, N. J.

Who is the corresponding secretary of the American Sabbath Tract Society, and an earnest champion of religious liberty.

The adoption of Mr. Johnson's report settled the question of Sunday legislation by Congress for many years. Its revival calls forth this memorial asking that Congress will not reverse its decision made in 1830.

Second. In addition to the fact that after a discussion lasting twenty years, Congress determined to abide by its constitutional restrictions touching Sunday laws, we offer another objection to the bills now before it. Leaving out the historic fact that Sunday laws have always been avowedly religious, we call attention to the religious elements and principles contained in the bills now before you. They create crime by assuming that secular la-

bor and ordinary worldly affairs become criminal at twelve o'clock on Saturday night, and cease to be criminal twenty-four hours later; they assume that the specific twenty-four hours known as the "first day" of the week may not be devoted to ordinary affairs, because of the sinfulness and immorality resulting from such use of those specific hours. The fact that religious leaders are the main promoters of Sunday legislation shows that religious convictions are at the basis of Sunday laws and that religious ends are sought through their enforcement. The terms used, although somewhat modified in modern times, denote that the proposed laws spring from religious conceptions. There can be no distinction between "secular" and "sacred," "worldly" and "unworldly," except on religious grounds. There is no reason, either in logic or in the nature of our civil institutions, why the first day of the week should be legislated into a day of idleness any more than the fourth day. Through all history cessation from "worldly pursuits" on either the seventh or the first day of the week has been considered a form of religious duty.

Actions and transactions intrinsically right which promote prosperity, good order, and righteousness, can not be changed into crimes at a given moment,—by the clock,—and purged from criminality "by act of Parliament" twenty-four hours later.

If there be need of protecting employed persons from abuse or overwork, that need will be met in full by some law like the following:—

*"Be it enacted,* That every employed person shall be entitled to one day of rest each week. The claiming of this right shall not prejudice, injure, nor interfere with any engagement, position, employment, or remuneration as between employed persons and those by whom they are employed."

In view of the foregoing, and of many similar reasons, your memorialists respectfully urge Congress not to enact any of the Sunday-law bills now before your honorable body.

In behalf of the Seventh-day Baptists of the United States, by the American Sabbath Tract Society, Plainfield, N. J.:

STEPHEN BABCOCK, *President;*

ABRAM HERBERT LEWIS,

*Corresponding Secretary.*

## The Other Man's Conscience

CONSCIENCE, if your Honors please, is a tender thing, and tenderly to be regarded; and in the same proportion in which a man treasures his own integrity, sets up the light of conscience within him as the glory of God shining in him to discover to him the truth, so ought he to regard the conscience of every other man, and apply the cardinal maxim of Christian life and practise, "Whatsoever ye would that men should do unto you, do ye even so to them."—*Hon. Stanley Matthews, in an argument before the Superior Court of Cincinnati, General Term, 1869.*

## State-Paid Religious Teachers

C. M. SNOW

THERE was the best of reason for believing that the element in this country which is desirous of enforcing religious observances upon the people would take advantage of the Supreme Court's dictum that this is a Christian nation, and endeavor through the influence of that decision to unite religion and the state in America.

In the minds of that class the state exists to serve the interests of the church; and reasoning from that basis, they consider it legitimate to enforce religious observances by law and secure the teaching of religion by the paid servants of the state. A great outcry was recently made in New York when it was proposed to eliminate distinctively Christian songs from the public schools. At a Methodist conference held in New York City, April 6, much time was devoted to a discussion of this matter, and the following resolution was passed:—

"Although the highest courts in the land, both State and National, have declared the United States to be a Christian country, there seems to be a wide-spread attempt to nullify such declarations, and in the city of New York the board of education has both directly and indirectly, in deference to the demands made by certain citizens, put its veto on any reference to the name of our divine Lord and Master.

"Its song-book, introduced last fall, contains hymns in which the name of Jesus Christ and any reference to him have been expunged, and the sense intended by the authors has been violated. Therefore,—

"*Resolved*, That we, the members of the New York Conference of the Methodist Church, in annual session in New York assembled, most earnestly protest against the dishonor put on the name of our Lord Jesus Christ, and call upon the board of education of New York City to reverse its policy in this matter."

The assertion that it is a dishonor to our Lord Jesus Christ to discontinue religious exercises in the public schools is not well founded. Nowhere in the sacred Word is it even intimated that unbelievers are, or ever will be, commissioned to teach the gospel of Jesus Christ. To set unconverted school-teachers at work teaching the gospel, is as much out of harmony with the plan of redemption as Nadab and Abihu's offering of strange fire in the sanctuary was out of harmony with God's plans for the temple service. It is an unthinkable proposition to him who realizes the sacredness of the gospel work. When God commissioned men to go out and teach the good news of salvation, he commissioned only those who had professed faith in him. He further declared, "Lo, I am with you always, even to the end of the world." Without the fulfilment of that promise, the gospel of the kingdom never would have made a way for itself in this world. It would have been overwhelmed in the darkness of heathenism, and the world would have been heathen to-day.

But now, after nineteen hundred years of the shining of gospel light, it is proposed to teach religion through the instrumentality of the state; it is proposed that a public school-teachers' certificate shall be the endowment that prepares for the teaching of divine truth and the winning of souls; that the conversion of the heart to Christ shall not be a prerequisite for labor in the interests of his kingdom. It is, perhaps, hardly necessary to say such a régime can only foster heartless dogma and hypocritical conduct.

And in addition to the inconsistency and incongruity of such a course, we must consider the question the right of the government to force upon unwilling parents the religious instruction of their children. Religious instruction forced upon children, against the will of the parents, and at the hands of unconsecrated teachers will never win hearts to Christ, and the government

that permits it is overriding the rights of both parents and children, while it makes mockery of religion and hypocrites of the people.

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### Majorities, Custom, Sincerity

THE man who seeks the truth by the tests of sincerity, majority, and antiquity, will never find it on earth. This is amply true of the present and all past ages. There are sincere Turks, Jews, pagans, infidels. There are very ancient errors, heresies, and sects. And as for majorities, from Enoch till now, they have generally, if not always, been wrong in religion. Where was the majority when Noah was building the ark? when Abraham forsook Ur of the Chaldees? when Lot abandoned Sodom? when Moses forsook Egypt? when Elijah witnessed against Ahab? when Daniel and his companions were captives in Babylon? when Malachi wrote? when the Baptist preached? when Christ was crucified? when the apostles and many of the first Christians were persecuted?—*Alexander Campbell*.

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### Scenes in Old Boston

(From Longfellow's "New England Tragedies.")

FROM THE PROLOGUE, RECALLING FORMER SCENES

RISE, too, ye shapes and shadows of the Past,

Rise from your long-forgotten graves at last;

Let us behold your faces, let us hear  
The words ye uttered in those days of fear!

Revisit your familiar haunts again,—  
The scenes of triumph, and the scenes of pain,

And leave the footprints of your bleeding feet

Once more upon the pavement of the street!

### A STREET ON SUNDAY

WALTER MERRY (*entering and looking round him.*)

All silent as a graveyard! No one stirring;  
No footfall in the street, no sound of voices!

By righteous punishment and perseverance,  
And perseverance in that punishment,

At last I have brought this contumacious town

To strict observance of the sabbath day.



Those wanton gospelers, the pigeons  
yonder,  
Are now the only sabbath-breakers left.  
I can not put them down. As if to taunt  
me,  
They gather every sabbath afternoon  
In noisy congregation on my roof,  
Billing and cooing. Whir! take that, ye  
Quakers!

(*Throws a stone at the pigeons. Sees  
Nicholas Upsall.*)

Ah! Master Nicholas!

UPSALL

Good afternoon,

Dear neighbor Walter.

MERRY

Master Nicholas,

You have to-day withdrawn yourself from  
meeting.

UPSALL

Yea, I have chosen rather to worship God  
Sitting in silence here at my own door.

MERRY

Worship the devil! You this day have  
broken

Three of our strictest laws. First by ab-  
staining

From public worship. Secondly by walk-  
ing

Profanely on the sabbath.

UPSALL

Not one step.

I have been sitting still here, seeing the  
pigeons

Feed in the street and fly about the roofs.

MERRY

You have been in the street with other in-  
tent

Than going to and from the meeting-house.  
And thirdly, you are harboring Quakers  
here.

I am amazed!

UPSALL

Men sometimes, it is said,

Entertain angels unawares.

MERRY

Nice angels!

Angels in broad-brimmed hats and russet  
cloaks,

The color of the devil's nutting-bag! They  
came

Into the meeting-house this afternoon

More in the shape of devils than of angels.

The women screamed and fainted, and the  
boys

Made such an uproar in the gallery  
I could not keep them quiet.

UPSALL

Neighbor Walter,

Your persecution is of no avail.

MERRY

'Tis prosecution, as the Governor says,  
Not persecution.

UPSALL

Well, your prosecution;

Your hangings do no good.

MERRY

The reason is,

We do not hang enough. But, mark my  
words,

We'll scour them; yea, I warrant ye, we'll  
scour them!

And now go in and entertain your angels,  
And don't be seen here in the street again  
Till after sundown!—There they are  
again!

(*Throws another stone at the pigeons.*)

#### STREET IN FRONT OF PRISON

JOHN ENDICOTT (son of Governor).

O, shame! shame! shame!

MERRY

Yes, it would be a shame

But for the damnable sin of heresy!

JOHN ENDICOTT

A woman scourged and dragged about our  
streets!

MERRY

Well, Roxbury and Dorchester must take  
Their share of shame. She will be whipped  
in each!

Three towns, and forty stripes save one;  
that makes

Thirteen in each.

JOHN ENDICOTT

See where she comes, amid a gaping crowd!  
And she a child. O, pitiful! pitiful!

There's blood upon her clothes, her hands,  
her feet!

#### DAYBREAK IN THE STREET

(*Upsall has just told young John Endi-  
cott, fugitive from his father's wrath, that  
the king's mandamus has come forbidding  
the persecution of the Quakers.*)

JOHN ENDICOTT

Thank God! This is a victory for truth!  
Our thoughts are free. They can not be  
shut up

In prison walls, nor put to death on scaf-  
folds!

UPSALL

Come in; the morning air blows sharp and cold

Through the damp streets.

JOHN ENDICOTT

It is the dawn of day

That chases the old darkness from our sky,  
And fills the land with liberty and light.

THE LESSON

"Why touch upon such themes?" perhaps  
some friend

May ask, incredulous; "and to what good  
end?"

Why drag again into the light of day  
The errors of an age long passed away?"

I answer: "For the lesson that they teach:  
The tolerance of opinion and of speech.

Hope, Faith, and Charity remain,—these  
three:

And greatest of them all is Charity."

### Some Notable Waymarks in Parliamentary History

W. A. SPICER

ONE of the treasures of the British Museum is the ancient copy of the Magna Charta, a parchment brown and shriveled and dim, but with King John's royal seal still clinging to it. The historian Green says of it:—

"It is impossible to gaze without reverence on the earliest monument of English freedom which we can see with our own eyes and touch with our own hands, the Great Charter to which from age to age men have looked back as the groundwork of English liberty."

It was June 15, 1215, that King John met his barons by the river Thames, not far below Windsor Castle. The army of the barons was encamped on Runnymede meadows, and the King's scant following

on the opposite bank. The principals met on a little island in the river, where the famous document, with its sixty-three clauses, was signed and sealed.

When King John returned to Windsor he threw himself on the floor and gnashed his teeth in rage to think that the barons had forced him to sign a recognition of the fact that there were rights of which men could not justly be deprived at the will of a king or his counselors.

"In itself," says Green's history, "the Charter was no novelty, nor did it claim to establish any new constitutional principles. . . . The Great Charter marks the transition from the age of traditional rights, preserved in the nation's memory and officially declared by the Primate [the head of the church], to the age of written legislation, of Parliaments and statutes, which was to come."

Foremost in complicating the controversies of the time was this old question of the relation of church and state; and the whole history—from the records of the first national councils to the reports of the present Parliament sitting in Westminster—bears witness to the great evils of confusing the distinct realms of the civil and the religious.



MAGNA CHARTA ISLAND

The first statute secured in the British Parliament against heresy, was, characteristically enough, pushed through by a legislative trick. James Paton gives the facts regarding this act in his "British History and Papal Claims:"—

"The Commons affirmed that it had been

'surreptitiously introduced' by the Clergy in the last session of the preceding Parliament, and had had 'the formality of an enrolment' without their knowledge. They therefore petitioned the King, A. D. 1382, that, 'forasmuch as the statute entitled, "An Act to commission Sheriffs to apprehend Preachers of Heresy and their Abettors," was made

without their consent and never authorized by them, and as it never was their meaning to bind themselves, or their successors, to the Prelates no more than their ancestors had done before them, they prayed that the aforesaid statute might be repealed.' It was accordingly repealed; but 'by

the artifice of the Bishops,' this Act of Repeal was suppressed, and prosecutions for heresy went on more briskly than ever.

"John Wycliffe had just been condemned at Blackfriars. He and his 'Poor Preachers' had been flooding the land with the new light of the forgotten Evangel of Jesus. And here we see the unsheathing of the sword of persecution against the Lollards; and, quite characteristically, it is done under pretense of law, yet in absolute defiance of the actual laws of the land."

Not many years after fraudulently getting this act making heresy a civil crime registered on the statute-books, the clergy prepared to press Parliament on to the next step. Paton, who makes his quotations from Hansard's Parliamentary History, again gives the disgraceful record in few words:—

"Henry of Lancaster, having secured the renunciation and disposition of poor Richard II, grasped the reins of power as Henry IV in 1399; and Fox declares that he has the bad distinction of being 'the first of all English Kings that began the burning of Christ's saints.'

"This refers to a twofold deed of persecution connected with his Parliament of

1401; first, there is a writ in the records issued to the Sheriffs of London, 'for the burning of William Sawtre, a Clerk, convicted by the Clergy of heresy, and by them adjudged to be burnt;' and, secondly, there was a statute passed, 'touching the imprisoning or punishing with death such as held erroneous opinions in religion.'



HOUSE OF COMMONS, BRITISH PARLIAMENT

"But Sir Robert Cotton declares, regarding this Act *De Comburendo Heretico*, That 'the printed copy differs vastly from the records not only in form but in matter, and that in order to maintain the ecclesiastical tyranny.' The claim to 'apprehend and punish heretics,' in the repealed statute of 1382, had now deepened and blackened into the claim 'to burn heretics to death' in the actual statute of 1401. And Henry IV of England, and Thomas Arundel of Canterbury, did between them, though with almost antagonistic aims in view, manage to constrain the Parliament to place that dreadful and shameful enactment among our public laws. Enough for us to say at present, in the words of Master Prynne the publisher: 'This was the first statute and butcherly knife that the impeaching Prelates procured or had against the "Poor Preachers" of Christ's gospel.' They were now armed to carry on their work of murder by process of law!"

What a sad history was begun in those first steps by which the clergy committed Parliament fully to the course of making religion and religious observances a matter of civil legislation.

It was with the lesson of this history

before them that the founders of the new American government sought by constitutional provision to keep this country from committing itself to the first step along the path of religious legislation. Strange it is that to-day, in spite of constitutional provision, in spite of the warning voice of history, and the clear teaching of the Word of God, religious leaders are pressing our legislators into that dangerous and forbidden path.

### Of National Significance

WHETHER Congress passes a District Sunday law or not is of interest to more, and concerns more, than the people of the District of Columbia. It is of national, and, we may even say, of world-wide significance, involving, as it does, a fundamental principle of legislation, and the establishment of a precedent in legislation on the part of this, the foremost of nations.

That I speak advisedly in saying this, I need but cite the fact that at the annual meeting of the Executive of the Federation of Sunday Rest Associations of America, including Canada, held in Philadelphia last May, action was taken recommending the various societies embraced in this Federation to secure and send in petitions to Congress urging the passage of laws that shall,—

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

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

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

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

"The District of Columbia has no Sunday law. We should secure the passage of one by an act of Congress as soon as possible."

We repeat, therefore, that the enactment of such a law as is called for by the District Sunday-law bills now pending, is of national and international significance, in-

volving a question of constitutional and inalienable rights. It can not, therefore, be treated as a matter of little concern. Momentous consequences hang upon this issue.

The question is not merely whether a few hundred or a few thousand laborers and employees in Washington shall have the privilege of resting one day in seven without fear of being discharged by their employers; but, Shall Congress enter upon a course of legislation which, for over a century, it has steadily refused to do? shall it disregard and violate the Constitution? shall it enact a religious law?

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

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

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

Plainly, national legislation upon this subject is desired as a precedent, and to give national sanction to the State Sunday laws and their enforcement. It is desired to establish Sunday as the Sabbath of the nation.—*Extract from the argument of W. A. Colcord, Secretary of the Religious Liberty Bureau, before the District Commissioners, March 13, 1908.*

### Macaulay on the Puritan Parliament

WHEN a government, not content with requiring decency, requires sanctity, it oversteps the bounds which mark its proper functions. And it may be laid down as a universal rule that a government which attempts more than it ought will perform less. A lawgiver who, in order to protect distressed borrowers, limits the rate of interest, either makes it impossible for the objects of his care to borrow at all, or places them at the mercy of the worst class of usurers. A lawgiver who, from tenderness for laboring men, fixes the hours of their work and the amount of their wages is certain to make them far more wretched than he found them. And so a government which, not content with re-

pressing scandalous excesses, demands from its subjects fervent and austere piety, will soon discover that, while attempting to render an impossible service to the cause of virtue, it has in truth only promoted vice.

For what are the means by which a government can effect its ends? Two only, reward and punishment; powerful means, indeed, for influencing the exterior act, but altogether impotent for the purpose of touching the heart.

A public functionary who is told that he will be promoted if he is a devout Catholic, and turned out of his place if he is not, will probably go to mass every morning, exclude meat from his table on Fridays, shrive himself regularly, and perhaps let his superiors know that he wears a hair shirt next to his skin. Under a Puritan government, a person who is apprised that piety is essential to thriving in the world will be strict in the observance of the Sunday, or, as he will call it, Sabbath, and will avoid a theater as if it were plague stricken.

Such a show of religion as this, the hope of gain and the fear of loss will produce, at a week's notice, in any abundance which a government may require. But under this show, sensuality, ambition, avarice, and hatred retain unimpaired power, and the seeming convert has only added to the vices of a man of the world all the still darker vices which are engendered by the constant practise of dissimulation. The truth can not be long concealed. The public discovers that the grave persons who are proposed to it as patterns are more utterly destitute of moral principle and of moral sensibility than avowed libertines. It seems that these Pharisees are farther removed from real goodness than publicans and harlots. And, as usual, it rushes to the extreme position to that which it quits. It considers a high religious profession as a sure mark of meanness and depravity. On the very first day on which the restraint of fear is taken away, and on which men can venture to say what they think, a frightful peal of blasphemy and ribaldry proclaims that the short-sighted policy which aimed at making a nation of saints has made a nation of scoffers.

It was thus in France about the beginning of the eighteenth century. Louis the

Fourteenth in his old age became religious: he determined that his subjects should be religious too: he shrugged his shoulders and knitted his brows if he observed at his levee or near his dinner table any gentleman who neglected the duties enjoined by the church, and rewarded piety with blue ribands, invitations to Marli, governments, pensions, and regiments. Forthwith Versailles became, in everything but dress, a convent. The pulpits and confessionals were surrounded by swords and embroidery. The marshals of France were much in prayer; and there was hardly one among the dukes and peers who did not carry good little books in his pocket, fast during Lent, and communicate at Easter. Madame de Maintenon, who had a great share in the blessed work, boasted that devotion had become quite the fashion. A fashion indeed it was; and like a fashion it passed away. No sooner had the old king been carried to St. Denis than the whole court unmasked. Every man hastened to indemnify himself, by the excess of licentiousness and impudence, for years of mortification. The same persons who, a few months before, with meek voices and demure looks, had consulted divines about the state of their souls, now surrounded the midnight table where, amidst the bounding of champagne corks, a drunken prince, enthroned between Dubois and Madame de Parabère, hiccupped out atheistical arguments and obscene jests. The early part of the reign of Louis the Fourteenth had been a time of license; but the most dissolute men of that generation would have blushed at the orgies of the regency.

It was the same with our fathers in the time of the great Civil War. We are by no means unmindful of the great debt which mankind owes to the Puritans of that time, the deliverers of England, the founders of the American Commonwealths. But in the day of their power, those men committed one great fault, which left deep and lasting traces in the national character and manners. They mistook the end, and overrated the force, of government. They determined not merely to protect religion and public morals from insult, an object for which the civil sword, in discreet hands, may be beneficially employed, but to make the people committed to their rule truly devout. Yet, if they had only reflected on

events which they had themselves witnessed, and in which they had themselves borne a great part, they would have seen what was likely to be the result of their enterprise. They had lived under a government which, during a long course of years, did all that could be done, by lavish bounty and by rigorous punishment, to enforce conformity to the doctrine and discipline of the Church of England. No person suspected of hostility to that church had the smallest chance of obtaining favor at the court of Charles. Avowed dissent was punished by imprisonment, by ignominious exposure, by cruel mutilations, and by ruinous fines. And the event had been that the church had fallen, and had, in its fall, dragged down with it a monarchy which had stood six hundred years. The Puritan might have learned, if from nothing else, yet, from his own recent victory, that governments which attempt things beyond their reach are likely not merely to fail, but to produce an effect directly the opposite of that which they contemplate as desirable.

All this was overlooked. The saints were to inherit the earth. The theaters were closed. The fine arts were placed under absurd restraints. Vices which had never before been even misdemeanors were made capital felonies. It was solemnly resolved by Parliament "that no person shall be employed but such as the House shall be satisfied of his real godliness." The pious assembly had a Bible lying on the table for reference. If they had consulted it, they might have learned that the wheat and the tares grow together inseparably, and must either be spared together or rooted up together. To know whether a man was really godly was impossible. But it was easy to know whether he had a plain dress, lank hair, no starch in his linen, no gay furniture in his house; whether he talked through his nose, and showed the whites of his eyes; whether he named his children Assurance, Tribulation, and Maher-shalal-hash-baz; whether he avoided Spring Garden when in town, and abstained from hunting and hawking when in the country; whether he expounded hard scriptures to his troops of dragoons, and talked in a committee of ways and means about seeking the Lord. These were tests which could easily be

applied. The misfortune was that they were tests which proved nothing. Such as they were, they were employed by the dominant party. And the consequence was that a crowd of imposters, in every walk of life, began to mimic and to caricature what were then regarded as the outward signs of sanctity.—*From the article on "Leigh Hunt," in the Edinburgh Review, January, 1841.*

### A Vigorous Protest

[The Sunday bills for the District of Columbia introduced into Congress and referred to the District Commissioners for their consideration, have attracted general attention, and have called forth letters and protests from various parts of the country. Among those who have addressed the Commissioners is Hon. Charles C. Holbrook, now in his seventeenth year on the Nisi Prius Bench of Colorado, whose argument is a strong plea in behalf of the rights of conscience. We present herewith a large portion of Judge Holbrook's able paper.—ED.]

THREE bills pending before the House of Representatives are "A Bill prohibiting labor on buildings, and so forth, in the District of Columbia on the Sabbath day."

"A Bill to further protect the first day of the week as a day of rest in the District of Columbia," and,—

"A Bill prohibiting work in the District of Columbia on the first day of the week, commonly called Sunday;" and pending in the Senate are,—

"A Bill to prevent Sunday banking in post-offices in the handling of money-orders and registered letters," and,—

"A Bill requiring certain places of business in the District of Columbia to be closed on Sunday."

The enactment of such un-American, unchristian, tyrannical religious laws as are proposed by these bills would flagrantly violate the Constitution, and trample in the dust the Declaration of Independence.

In the latter it is declared "that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness;" which *does not* mean liberty of a man to worship God according to the dictates of his neighbor's

conscience, but, liberty to worship God according to the dictates of *his own* conscience.

The Constitution provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;" and again, that,—

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

One of these bills is to prohibit certain classes of labor on "the Sabbath day," without defining the Sabbath intended, or stating whether the Sabbath of the Bible, the pagan day, as "Christened with the name of sun-god," or the Mohammedan day is meant; thus leaving it to the courts to decide which Sabbath is intended, and whether the Sabbath of the fourth commandment has been, like Christ himself, crucified between two thieves, and even its sacredness transferred to one of the thieves.

House Bill No. 4897 attempts to avoid or dodge the Constitutional inhibition by the following provision, to wit: "That it shall be a sufficient defense to a prosecution for labor on the first day of the week, that the defendant uniformly keeps another day of the week as a day of rest, and that the labor complained of was done in such a manner as not to interrupt or disturb other persons in observing the first day of the week as a day of rest."

While a law which compels people to keep any Sabbath or to do any religious act whatever, against their convictions, is a violation of the constitutional guaranties, this bill would not be especially obnoxious to people who voluntarily keep some Sabbath, were it not for the clause, "And that the labor complained of was done in such a manner as not to interrupt or *disturb* other persons in observing the first day of the week as a day of rest."

There are a few meddling, trouble-making Sunday-keepers in every community, who are so bent on making themselves conscience for other people, that they always succeed (and frequently by great exertion), in getting themselves *disturbed* by people who do *any* work on Sundays.

They have been known to leave their sons playing at base-ball to spy out a seventh-day observer working on Sunday.

Instead of going to worship themselves, on Sunday, they have been known to walk around a tight-board fence, enclosing a gar-

den, until they could find a crack large enough to look through, and thus get themselves *disturbed* by a seventh-day keeper hoeing his garden on Sunday.

House Bill No. 13471 prohibits any work except that of charity or necessity, and the keeping open of any shop, store, tent, or booth where goods, wares, or merchandise are exposed for sale, on the first day of the



HON. H. B. MACFARLAND, CHAIRMAN OF THE DISTRICT COMMISSIONERS,

Who presided at a hearing, given by the Commissioners, on the Sunday bills now before the House of Representatives, and who has favorably recommended one of these bills.

week commonly called Sunday, without any exemption clause for those who keep another day.

Senate Bill No. 1519 is intended to take from the post-office department the discretion of determining when a congested condition of post-office business demands Sunday work, and, Senate Bill No. 3940 fixes a severe penalty for the keeping open, for sale or delivery, of any groceries, meats, vegetables, or other provisions, any place of business on Sunday, with certain exceptions which conflict with provisions of some of the other bills.

God's eternal plan of salvation rests upon a gracious invitation to sinners to accept the redemption purchased by the atoning blood of Christ Jesus, who "stood as a

lamb slain from the foundation of the world," and individual, full, complete, and perfect free-will acceptance of that invitation.

No carnal weapons, no man-made laws, and no compelling force in human hands find any place whatever in God's scheme of redemption.

The right of every person, who has arrived at the age of accountability, to worship God according to the dictates of his own conscience, regardless of the religious views of others, and the privilege of every such individual to refuse to worship God at all, so long as he permits the evil tendencies within to forbid the entrance of the Holy Spirit, are God-given rights, which physical force will thwart only when directed by satanic influences.

The colonists who settled along the Atlantic seaboard in North America, were mostly refugees who had fled from religious persecutions in the mother countries; but *they* soon manifested the same spirit of oppression, and exerted like unchristian force as that which had driven *them* into the wilderness, and made for the colonies laws to fetter conscience and control religious action.

As the Episcopal church in Virginia was joined (married as it were), to the local government for the annoyance and oppression of Bptists, Presbyterians, Quakers, Lutherans, and others, so, in like manner, the Puritans, in New England, deserted Christ, the true bridegroom, for an adulterous marriage with government, to the end that those of different conscientious views on matters religious, might be made to feel the sting of the law for their honest convictions, as they, themselves, had felt a like sting beyond the waters: But, Roger Williams (doubtless called of God for the purpose), and his Baptist following, sowed the seeds of religious liberty, which they gathered from the everlasting gospel, the fruits of which were manifest in later years, and especially in the stand for liberty of conscience taken by George Washington, Thomas Jefferson, James Madison, and other great statesmen and patriots, and which culminated in guaranties of religious liberty in the Constitution of the United States and in the constitutions of all the States of the union, and thus the United States became an asylum for the conscience-fettered of all nations, and the

boasted land of freedom in matters religious, with a prohibition, of no uncertain sound, in the fundamental law of the nation and that of every State in the nation, against the union of church and state in any of its hideous forms.

Notwithstanding these constitutional guaranties, which every official is sworn to support, and which every loyal citizen is in duty bound to support, within the present generation, an evil thought, formed in iniquity, and hypocritically wearing the garb of religion, has grown into a mighty, moving force, in favor of overstepping, disregarding, and despising constitutional limitations, and trampling under foot the rights of conscience and the liberty of the individual in the matter of Sabbath-keeping, by demanding the making and enforcement of laws and ordinances compelling the sanctification, or alleged sanctification, of the first day of the week as a substitute for the Bible Sabbath; and, when confronted with the objection that such religious laws and partial union of church and state would violate the guaranties of religious liberty of the fundamental law of the land, the advocates of such tyranny and oppression seek to conceal the religious purpose of such laws, and then set up the pretense of "police regulation," by which is meant the right of the government to promote "health and cleanliness," and to "preserve and promote the public welfare, even at the expense of private rights."

But, if the cloak of "police power," hypocritically used, may be stretched and extended to so cover and conceal the true purpose of a religious law, as to admit of a Sabbath or rest-day statute, at all, it can not be contended for a moment, that refraining from labor on any certain day of the week is more conducive to the health of saint and sinner than would be a like rest on any other day. When the citizen is compelled by statute or ordinance, to withdraw from his daily vocation, and to rest one day within such number of days as the lawmaking body may designate, for the preservation of his health, all has been done that the most strained construction of "police power" authority can possibly enjoin.

When the State goes beyond that, and fixes a *certain day* on which its citizens are required and compelled, under penalty, to rest from their labors, regardless of their



religious convictions, and makes a law so narrow as to encourage shriveled-souled bigots in feeling themselves *disturbed* at the sight of a neighbor working in his field on any certain day of the week, it goes far beyond the remotest bounds of "police power," and flagrantly violates the constitutional guaranty of religious liberty.

Any law that punishes a human being, who rests on any certain day of the week, because he does not rest on any certain other day, or which encourages a narrow-minded bigot in feeling himself *disturbed* by the sight of another following his usual vocation on any certain day of the week, is a religious law in every sense and purpose, and is clearly and unquestionably within the Constitutional inhibition; and, I believe, that no court, with this phase of the question presented, has ever upheld such a law.

If health and the promotion of the public welfare, may be held to authorize interference with personal liberty, to the extent of requiring a citizen to rest one day in seven, at this point it must be met by the Constitutional guaranty of religious liberty which will prevent Congress from trampling upon conscience and religious convictions by fixing a certain day for that rest.

If it is simply a question of the individual's health, the Bible Sabbath, or "the venerable day of the sun" as adopted from paganism, or the Mohammedan day, or any other day that the individual chooses to adopt, will fully answer the requirement; and, if it is a question of religion by force, the Constitution forbids it.

### A Sermon to Preachers

*More Gospel and Less Reform Needed, Says a Judge of Kansas City*

THE first opportunity that Judge John F. Philips has to tell the preachers they preach too much about politics, Sunday closing, and affairs that concern the civil administration of the State and nation, he is going to do it.

Judge Philips is a Presbyterian, and so is Judge Wallace; but they do not hold the same ideas about Sunday closing.

"This thing of trying to force men to observe Sunday, instead of preaching to them the religion of the Lord Jesus Christ that will make them good, is radically wrong," Judge Philips said.

"The complaint is that too few people attend church. No wonder! People go to church to hear of the beauties of the religion of the Lord Jesus Christ and to worship God, not to hear the preachers talk about what they see in the papers, about the things that are at fault in the business world, about politics, and about various other things that a man struggles and wrestles with all during the week, and longs to get away from on Sunday.

"The preacher is not expected to take up every reform issue that comes along in the administration of civil affairs. We have too many reformers these days anyway, who are struggling to advance themselves rather than the interest of the people. We have too many people trying to make the success in the reform business that Joseph W. Folk and some others made.

"The very minute preachers begin dabbling in politics and the administration of civil affairs, and passing resolutions about things separate and distinct from the affairs of the church, they forsake their calling as preachers of the religion of the Lord Jesus Christ, and arouse prejudice and hatred in the hearts of men over questions which should be kept separate from the church."  
—*Kansas City Star*.

### Notes on the Decalogue

THE fundamental idea of the decalogue is the decision in human history of the truth that God is the only deliverer of man. The decalogue is essentially Messianic. Its actual and only possible fulfilment is in Christ. . . . The decalogue was designed to be an independent and complete spiritual code, the basis of all the legislation of the new commonwealth. . . .

Consider now that the first five commandments express God's relations with man, emphasizing man's duties toward God.

The first commandment declares the reality of God's being, and man's obligation to recognize him as the only true God. It is the divine protest against the very existence of all false gods.

The second commandment relates to the worship of the true God by forbidding polytheism—sensual worship of any kind. And the reason annexed sets forth the personal nearness, the holiness and the love of God, in contrast between his just punishment of sin and his mercy and love.

Note "upon the third and upon the fourth generation of them that hate me," and "loving-kindness unto a thousand generations of them that love me and keep my commandments."

This is one of the most wonderful expressions of the love of God to be found in the entire Bible. Compare Ex. 34:7; Num. 14:18, and the words of Jesus, John 14:21.

Thus the first two commandments not only set aside all corruptions of idolatry, but show that all forms of idolatry spring from the alienation of the heart from the true God, and that God who reveals himself as the deliverer of man can be truly worshiped only by the heart of man—his love in response to the love of God.

The third and fourth commandments correspond respectively to the first and second. For as the first sets aside all idols, the third requires that God alone is to be worshiped by the holy and reverent use of his name—of anything whereby God maketh himself known; and as the second forbids all idolatrous worship, the fourth requires the keeping of the Sabbath (the definite time of rest from all worldly occupations) in order to commune with God in public and private worship and in obedience to his commands. The fourth commandment is grounded upon God's example in creation, from which he rested to enter into communion with man, that man might enter into communion with him. . . .

The fifth commandment enjoins honor to parents—filial duties. The ground of the obligation is that parents are God's earthly representatives. No form of law can supersede the control in all respects which parents in the nature of the case must exercise over their children. All the wants and even the lives of children depend upon their parents. In every form of government and society the parents stand toward their children in God's stead. It is a natural and moral union beyond the control or reach of any human power that may seek to violate it. As God ordains the union, he will thus be honored in his representatives, and filial duty is made the natural basis of piety. . . .

Note that the first commandment of the second table (the sixth) is, Thou shalt not kill. This law protects human life, and has forbidding reference to all acts that even injure a fellow man's life.

Notice next the logical sequence of the second commandment of this table (the seventh), which forbids adultery. This law protects the institution of marriage, and forbids all acts which injure the partner of one's life.

Note the logical sequence of the third commandment of this table (the eighth), which forbids stealing. This law protects property, and forbids all acts which injure or take away the means of sustaining and cultivating one's life.

These three commands cover all outward deeds of such a description that the hand may be regarded as their symbol. They forbid criminality in act.

In sequence the next commandment (the ninth) forbids false witness—all injury to the good name or to the rights of one's fellow man. It condemns criminality in word, the misuse of the tongue among men.

The last commandment of this table (the fifth), which is also the last of the decalogue, forbids covetousness, specifying with emphasis the objects of covetousness from the greatest (house, or wife, Deut. 5:21—generic) to the least (anything). It condemns wrong-doing even in desires of thoughts. For covetousness is a state of the heart—a condition of thought. . . .

Finally, note the clear and broad distinction between the decalogue as a spiritual code of the universal and permanent principles of religion and morality, and the local and temporary legislation of Judaism associated with this code. Does it not betray sheer superficiality, if nothing worse, to say that the decalogue is not binding upon all men? For these commands are moral principles of universal and permanent validity. Not one of them is ceremonial in any respect whatever. They were not made true nor even discovered by Mosaic legislation; nor can any legislation or civil legislation whatsoever change their nature one jot or tittle.

Who will be so foolish as to say that Christianity abolished the prohibition of murder, of adultery, of theft, of falsehood, of covetousness; or abolished the reality of God's being, the love of the heart in his worship, the reverence due to his name, the devotion of time to communion with God, and filial duty to parents? Who can deny that Christ and his apostles continually quoted these commands and repeated their injunctions? Who does not know

that Moses himself summed up the two tables of the law in the twofold obligation of love to God and love to man (Deut 6: 4, 5; 10: 12, 18, 19; Lev. 19: 17, 18), and that Christ quoted this summary of Moses as the perfect law of his own kingdom? Matt. 22: 37-40.

By what warrant, then, either of authority or of logic, can any one say that even if nine of the commandments are moral principles, and therefore permanently and universally valid, one of them (the fourth) is not a moral law? that it is only ceremonial, only Jewish, only local and temporary? For the fourth commandment does not contain one word concerning any ceremony, and is so closely joined with all the rest that no man can logically take it out and say that the moral code is complete. For it is grounded directly upon the relations between God the Creator and man his creature, with whom God enters into communion; and it makes its great appeal to the laws which God has ordained in creation, including the nature of man himself.—*Walter Quincy Scott, D. D., in The Bible Record for February, 1908.*

## Religious Toleration and Rights

C. S. LONGACRE

"WHAT other nations call religious toleration we call religious rights."—*Senate Committee on Sunday Mail Report.*

The lawmaking power has no delegated authority to "deprive any portion of its citizens however small," of the free enjoyment of their natural rights in the domain of religion. The government has no right to attach a penalty to the free exercise of the religious tenets of the minority by virtue of governmental indulgence and the sufferance of the majority. John Stuart Mill, in his essay on "Liberty," truly said: "If all mankind minus one were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person than he, if he had the power, would be justified in silencing mankind."

All sects should stand on the same ground before the law, and it is a gross perversion of governmental authority to lend aid to the tenets of the majority, and coerce the minority into submission by legal enactments. "Essential freedom is the right to differ, and that right must be sacredly re-

spected," said our noted American historian, John Clark Ridpath.

A little reflection on the part of Sunday-law agitators should reveal to them the injustice of their course. What is the motive back of a Sunday-law agitator? Forced obedience by unwilling subjects in religious matters, can be the only answer. But this is antievangelical, unconstitutional, and contrary to the golden rule enunciated by Christ. It is the spirit of religious intolerance and despotism that will not accede to another who differs in religious practise, the enjoyment of the same rights that he himself enjoys under the protection of law. What first-day observer would like to be forced by law through political intrigue to keep the seventh day? A man must be doubly blind if he can not see the injustice of compelling a seventh-day observer to keep Sunday by law, but sees the injustice of reversing the order of things on him.

"Therefore all things whatsoever ye would that men should do to you, do ye even so to them, for this is the law and the prophets." Matt. 7: 12.

## Injustice and Tyranny

It is with our judgments as our watches—none go just alike, yet each believes his own.—*Pope.*

## How Mr. Moody Viewed It

I LOOK on this world as a wrecked vessel. God has given me a life-boat, and said to me, "Moody, save all you can." God will come in judgment to this world, but the children of God don't belong to this world; they are in it, but not of it, like a ship in the water; and their greatest danger is not the opposition of the world, but their own conformity to the world. The world is getting darker and darker; its ruin is coming nearer and nearer; if you have any friends on this wreck unsaved, you would better lose no time in getting them off.—*D. L. Moody.*

"It is hard for us to learn that the same right to hold and express honest convictions of truth which we so fondly claim for ourselves, we are in duty bound to extend to others who may differ from us however widely."

# Temperance

## Why We Believe in Prohibition<sup>1</sup>

WHY prohibit the liquor traffic? or, why do we favor prohibition?—Because the saloon as it exists in this country is totally un-American. Intoxicating liquor was unknown to the aborigines. Columbus did not find it here when he landed; the "Mayflower" did not "sight" it. No, it was not



MISS MARGARET J. BILZ, NATIONAL LECTURER OF THE MEDICAL DEPARTMENT OF THE WOMAN'S CHRISTIAN TEMPERANCE UNION

even growing, as the tobacco; and the Indians to-day stand aghast at us, and say, "No Indian so debases himself as to be a saloon-keeper."

The saloon, as we have it to-day, is a part of our institutions, legalized and made just as lawful as our church, or our schoolhouse, or our homes. It is an immense organized system, manipulated by the brewers' association and the whisky trust. It has its conventions, its officers, its rules, its regulations; it is without doubt the most important factor in American politics.

The saloon is the avenue by which this immense organization reaches the people. Its equipment is all with the idea of ensnaring the individual to get his money,—giving in return not even one harmless commodity. It robs humanity of its birth-right, arouses the sensual passions, even destroys the soul, and it gives not one compensating good for this long catalogue of evil.

So well known are these evil results that churches, schoolhouses, and well-to-do residences are carefully guarded from a near proximity to a saloon. Even cemeteries are not desirable near a saloon, and in Michigan we have a law something like this, that they are not permitted within eighty rods. When, in Kalamazoo, Mich., one was placed within that number of rods, they went to the law about it, and the dead men won. The fraternal societies do not care for the drinking man. Sixty-nine of them to-day bar the saloon-keeper.

By what method does the saloon carry on its business? If it is Lansburgh's or the Boston Store, they will send perhaps to some far-distant city or country to secure a man—as I knew of one recently doing—to drape their goods in their windows, to display them better to the passer-by. But if it is the liquor traffic, which we legalize and license, it has screens and curtains and blinds and high-board fences, to hide all that goes on within. Then the saloon-keeper discovered the fact, long before scientists proclaimed it to the world, that a few well-spent coppers in the way of alluring enticements would bring large returns in the business; and so they have everything to please the eye and the ear.

The saloon-keeper knows that all he has to do is to teach the boy or girl to drink, to drink to excess, and the problem is solved. So this boy or girl soon becomes one of his best-paying and supporting customers; and therefore the music, the flowers, and the free lunches are to entice them in.

For what end does the saloon exist?—It exists for money. I have asked saloon-keepers, and they have always replied so. One said, "Why, Miss Bilz, it is the easiest way I know of making money; every-

<sup>1</sup> Abstract of remarks of Miss Margaret J. Bilz, at a mass-meeting held in Washington, D. C., March 11, 1908.

body helps me." As I see the women going in and purchasing coca-cola, and chocolate drops with the liquor inside, and various other things, then I begin to think that the saloon-keeper was about right when he said that everybody helped him. It exists for revenue. It is a copartnership to ruin humanity for money.

When we license the saloon, whether in the District of Columbia, or Michigan, we make it just as lawful, just as legal, as our homes.

I speak of it being for revenue. In the District of Columbia this last year the saloon-keepers paid you in revenue a half million dollars; and on the institutions in this District, that look after the saloon's finished articles, you expended a little over five million dollars. So you see how it helps you in revenue to support these two hundred saloons.

Shall we prohibit such an institution that we have rapidly scanned? If we had a nest of rattlesnakes in our yard, that, perchance, were going to destroy the little boy that toddled out from the home, would we hesitate whether we prohibit it or license it? or take off one rattle, or license one snake? So if there is one saloon, it seems to me that the one thought should be for the least of the little ones here on earth; and nothing short of prohibition ought to satisfy us.

Is it possible to prohibit? It seems to be an easy matter with some of the States of the South. Is it effectual?—Yes; we have no law in this country that prohibits as well as the liquor law prohibits the liquor traffic. In this country we have laws against theft; but I have been warned since coming to Washington to look out for my money. So evidently the law does not altogether prohibit crime.

Does the liquor law in Maine, Kansas, California, Mississippi, Alabama, and Georgia, act effectually? Let me give you some facts. I was in Portland, Maine, for a two weeks' visit; I rode its streets, I walked its avenues. I was up at five in the morning, and to bed at eleven at night. I found no evidence of the use of liquor in the early morning hours; and because I heard from certain men who have never visited Portland that it might be used in the night, I tried the eleven o'clock hour for one week, steady. I never once detected a man or a woman who had the odor

of liquor about them; but I well recall to-day moving my seat in the street-car away from a man who had the odor of liquor so strong that I did not care to sit next to him.

In 1885 Maine was known as the poorest and most broken State in this country. Now in Maine, with a population of only 694,000, they have over \$84,349,000 in the savings-banks. Compare that with Illinois, which has nearly seven times the population, and whose deposits are \$194,668,858. They have in Maine thirty million dollars more in their savings-banks (and more savings-banks as well), than has the rich, manufacturing State of Ohio,—that State which has six times as many people.

In Maine there are more newspapers taken in proportion to the population than any other State in the country; and more school-teachers (in spite of the fact that they have no revenue from the liquor traffic), in proportion to the school population, and more in proportion to every thousand of the population, than any other State in this country.

Over in Kansas recently, well do I remember how I sped through that State, in which the governor said that two hundred thousand boys have grown up since he had first known of them, and they have never seen a single saloon or witnessed an intoxicated person. Would to God that that could be said of Washington! Would to our Heavenly Father that in Michigan the boys about me could say, "I have never seen a saloon."

Kansas has one hundred and five counties, and out of those only twenty-one have such a thing as a pauper, and only twenty-five have such a thing as a poor farm. I am told that ninety per cent of your paupers are made so because of the legalized liquor traffic. Thirty-seven counties have no such thing as a criminal docket. I know of certain men in that State who some years ago discussed the august problem of how they could enlarge their jail; since then they met and discussed what they can do with their jail, for the doors swing back and forth on rusty hinges ever since.

Last year I spent in southern California, visiting such cities as Redlands, Pasadena, Long Beach, and the principal seaside cities, and in all of them the saloon is outlawed for five years. The saloon has

been outlawed in Pasadena. I spent six months upon its streets, walked its beautiful parks, never once to see or hear of intoxication or notice the odor about any one, or see liquor delivered in any home.

Then as quickly as the Santa Fé Limited could carry me, I came back East, and I took the street-car in Detroit, and before I reached my first destination, five men in that car were so drunk that they had to be told to leave the car. Then I came down to Washington, and I have boarded its street-cars, and there has hardly been a visit made to a street-car that I have not seen some one under the influence of liquor.

Does prohibition prohibit?—Yes, thank the Father, it does. Yes, it saves the youth. Why do we favor it?—Not alone because we are citizens of this glorious city that George Washington founded, and who stood for honesty and uprightness and thoughtfulness and unselfishness toward others, not alone because we are men and women,—and that ought to be enough,—but it is worth our effort.

Because there are over a million boys and girls in this land to-night going down to hell, we believe in living the life that will save them, because when He comes again he will ask us, face to face, What have you done for the boys and girls?

Shall we prohibit this liquor traffic only on one day of the week? Shall we prohibit it on Sunday?—Yes, we favor that. And prohibit it on Saturday?—Yes, we favor it for Saturday, too. And then prohibit it on Monday, and Friday, and Wednesday, and Thursday as well. Prohibit it all the week, for our Heavenly Father wants us to do so.

### Prohibition Does "Something"

PROHIBITION may not prohibit. Some people say it does; some say it does not. But that it does something is a moral certainty. The traveler through Missouri looks out of the car window at the saloons along the track, and notices the usual lot of bar-room soaks sitting on beer kegs in front of a one-story shack, their bloated faces and swollen red noses proclaiming that "booz-erino" still boozes in Missouri. Crossing the line into Kansas, there are no such evidences of blasted lives and depleted pocket-books. There are no beer-keg touts. The

men who are "onto" the ropes can get whisky in Kansas, but the school-children have no way of acquiring an appetite for beer and wine, for they are beyond their reach; and Kansas, as well as other prohibition States, is growing a generation of boys and girls who will go week in and week out without so much as thinking of booze. Prohibition may not prohibit in Kansas, but it is gradually eliminating, through posterity, the desire for liquor.—*Drover's Telegram.*

### Drink Results in France

Two years ago the Académie de Médecin, in order to find out the part played by alcoholism in the general mortality in hospital practise, invited the members of medical societies to collect statistics of all deaths in their wards. M. Fernet recently communicated the summary of these statistics, showing that during the preceding ten to fifteen months, among a total of over fifteen hundred deaths occurring in eleven different hospital services, alcohol played a part as cause of death in one third of the cases (33.81 per cent); it was the principal cause in one tenth of the deaths (10.20 per cent); it was the accessory cause in more than two tenths of the deaths (23.61 per cent). Among the principal fatal manifestations of alcohol, M. Fernet includes such affections as delirium tremens and hemorrhagia, and such chronic affections as cirrhosis of the liver and cardio-vascular diseases, which bring about apoplexy, softening of the brain, and some forms of kidney disease. In the second class in which alcohol played an accessory part, M. Fernet places all cases of disease which develop or are fatal because the patient is an alcoholic—for example many cases of pneumonia, erysipelas, and other acute infectious diseases.

The influence of alcohol on mortality was still greater in the lunatic asylums than in general hospitals. There alcohol was the cause of disease and death in nearly half the male cases, and in one sixth of the female cases. In official statistics, numbers of alcoholic deaths are classed under different organic diseases of which alcohol is the cause, otherwise it would occupy a place with tuberculosis among the chief causes of death.—*Paris Correspondent in British Medical Journal.*

## News and Notes

SEVERAL Sunday bills have been before the New York legislature, but they have all been permitted to slumber in committee.

The Sunday bill introduced into the Oklahoma legislature, mentioned in the last issue of LIBERTY, has not been brought forward for action. The many protests against it seem to have had a salutary effect.

Judge Pike, of Nevada, has directed that "it is offensive to all well-established ideas of civil and religious liberty" to require open-air services to be held within a limited area in a city, and he reversed the decision of a lower court upon this matter.

A vigorous campaign, led by Dr. G. L. Tufts, a representative of the International Reform Bureau, is now being conducted in California, in order to secure a Sunday law for that State. California enjoys the distinction of being the only State in the Union which does not have a Sunday law, and lovers of liberty are making an earnest effort to prevent the enactment of such religious legislation.

A provision was inserted in the Lord's Day Act of Canada leaving the enforcement of the act entirely in the hands of the Attorney-General of each province. The sentiment of the provincial government of British Columbia is so much opposed to this act that it has not been enforced in that province by the Attorney-General.

A report from Los Angeles, Cal., dated April 17, states that the Church Federation of that city requested that Admiral Evans's battle-ship fleet should, on its arrival at San Pedro, break up into four divisions, to be distributed at different points. This plan would have cut out the illumination of the fleet at night, and the sea parade on Sunday morning. It is stated that the reason back of this move on the part of the Church Federation was the fear that the attraction of the fleet would keep many persons from church on Easter day—the reason given in the early centuries for Sunday laws.

Legislation recommended by the Commissioners of the District of Columbia concerning the manufacture and sale of liquors in the District, which, if enacted, will eliminate more than 200 of the 522 saloons in Washington, has been submitted to the Senate, with request for enactment. The report was made by the Commissioners after the several bills now before Congress calling for prohibition in various forms in the District had been discussed at public hearings. Absolute prohibition is not favored by the Commissioners at this time.

During the recent session of the Virginia Legislative Assembly five Sunday bills were proposed, four of which were killed or died a natural death. Several hearings on these bills were held before the House and Senate Committees on General Laws. The bill which was finally passed amended an existing law, increasing the fine from two to five dollars for each offense.

Governor Joseph B. Folk, of Missouri, who has been active in the enforcement of the State Sunday law, and Judge W. H. Wallace, of Kansas City, who has secured thousands of indictments for violations of the Sunday law, are both candidates for higher positions in official life. It is said that Governor Folk desires to become United States Senator, and Judge Wallace has announced his candidacy for the governorship of Missouri.

Hereafter carriers on "star routes"—any route, other than railroad, steamboat, and mail-messenger routes, over which mail is carried under contract—will not be permitted to distribute liquor from point to point along their routes. The postmaster-general has issued the prohibition. To start with, it will apply to contracts for such service in North and South Carolina, Florida, Georgia, Alabama, Mississippi, Tennessee, and Kentucky. Later it will be extended through the whole country. The new contracts will "expressly provide" that the carriers shall *not* transport liquor while performing their duties."

I hold that the freedom of the individual is limited only by the like freedom of other individuals, and is sacred; and that the legislature can not equitably put further restrictions upon it, either by forbidding any action which the law of equal freedom permits, or by taking away any property save that required to pay the cost of enforcing the law itself. . . . If a law should be passed preventing people from enjoying themselves at innocent amusements on Sundays, so long as they do not interfere with the rights of others, we would not only be violating the Declaration of Independence and the constitution of the State of Missouri, but that of the United States as well. The framers of these instruments, the greatest human documents ever written, guaranteed to the people the greatest liberty consistent with public order, and it was their intention that all our people should have a greater portion of liberty and freedom in the United States than anywhere else on the face of the earth. — *From a letter by Mr. H. F. Staple, editor and publisher of the Atchison County (Kan.) Mail.*

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# LIBERTY

*The Official Organ of the Religious  
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Seventh-day Adventists

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the post-office at Washington, D. C., under the act  
of Congress of March 3, 1879.

By a mistake for which the editors of LIBERTY are not responsible, the article on "Religious Liberty" in the issue of this magazine for the second quarter of 1907 was credited to Mrs. E. G. White. We have since learned that the article was not written by her, although it was so credited in one of our exchanges.

SEVENTY thousand copies of the last issue of LIBERTY were printed and circulated. A powerful influence is thus being exerted in behalf of true principles, but we hope to see the circulation of this magazine steadily increase each quarter. We invite the co-operation of those who appreciate the importance of its mission.

So far as we know, LIBERTY is the only publication in the United States devoted to the advocacy of the Christian and American idea of civil government—the separation of church and state, or of religion and government. Those who aid in giving this magazine a wide circulation become partners with us in a good cause. Liberal terms are offered to those who wish to give their time to this work.

## Not on That Side

In a brief address delivered at a hearing on the Sunday bills now before the House of Representatives, Rabbi Stern, of the

Washington Hebrew congregation, made this statement:—

I would like to say that if the gentle teacher of Nazareth appeared with us this morning,—he observed the seventh day, and not the first day, and said, "Do unto others as ye would that others should do unto you," and therefore was not a believer in the principle that majorities should rule,—he would possibly not be on the side of those favoring the proposed legislation.

What a rebuke to the professed followers of the Nazarene!

## To Our Readers

THIS issue of LIBERTY contains matter which is worthy of serious consideration. The two arguments against religious legislation and the memorial to Congress are rather long, but they deal with principles of the highest importance to both the individual and the nation,—principles which seem to be lightly regarded by some men of influence, and all the people ought to be intelligent concerning them. Those who prize their liberties need to be aroused to the danger which threatens them, and to be awakened to a sense of duty to preserve the priceless legacy which has been transmitted to them. A strong public sentiment needs to be created, which will serve as a barrier against the encroachments of bigotry and religious despotism upon the inalienable rights of the people.

If the principles advocated in LIBERTY should prevail, the most perfect freedom consistent with the rights of all would be accorded to every citizen, irrespective of his religious belief, and his right to disbelieve would be respected. Is not this fair and right? Can good citizens ask for more, and can a just government grant less? But the history of government is the history of encroachment upon individual freedom, and the history of this government may prove to be no exception. At all events it is wise to watch for the first experiment on our liberties. We desire to make as many people as possible as intelligent as possible concerning the present situation and the outlook.

## The Individual Conscience



THE majority must rule! Shall the majority rule in matters of conscience? Can you count consciences? Can you count moral principles? Can you count the impulses of the heart, the faculties of the soul, the multitudinous cords that bind the individual to the universal heart? If you can, you may count majorities in cases of conscience. . . . Can you speak of ballots and ballot-boxes, of the ayes and noes of the legislative hall, against this right of individual conscience? It stands too high for legislative power to reach up to it.—*Extract from the speech of C. C. Burleigh, Esq., of Philadelphia, in the Religious Liberty Convention in Boston, March 23, 24, 1848.*



A REPRESENTATIVE OF LAW AND LIBERTY  
(Michael Angelo's Statue of Moses)