

# LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM



"FIRST IN WAR, FIRST IN PEACE,  
FIRST IN THE HEARTS OF HIS COUNTRYMEN"

"ARE CHURCH SCHOOLS A DETRIMENT?" Page 6

TWENTY CENTS A COPY

WASHINGTON, D. C.

# Religious Liberty Association

## DECLARATION OF PRINCIPLES

1. We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ.
2. We believe that the ten commandments are the law of God, and that they comprehend man's whole duty to God and man.
3. We believe that the religion of Jesus Christ is founded in the law of love of God, and needs no human power to support or enforce it. Love cannot be forced.
4. We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights and to rule in civil things, and that in this realm it is entitled to the respectful obedience of all.
5. We believe it is the right, and should be the privilege, of every individual to worship or not to worship, according to the dictates of his own conscience, provided that in the exercise of this right he respects the equal rights of others.
6. We believe that all religious legislation tends to unite church and state, is subversive of human rights, persecuting in character, and opposed to the best interests of both church and state.
7. We believe, therefore, that it is not within the province of civil government to legislate on religious questions.
8. We believe it to be our duty to use every lawful and honorable means to prevent religious legislation, and oppose all movements tending to unite church and state, that all may enjoy the inestimable blessings of civil and religious liberty.
9. We believe in the inalienable and constitutional right of free speech, free press, peaceable assembly, and petition.
10. We also believe in temperance, and regard the liquor traffic as a curse to society.

For further information regarding the principles of this association, address the Religious Liberty Association, Takoma Park, Washington, D. C. (secretary, C. S. Longacre), or any of the affiliated organizations given below:

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**Atlantic Religious Liberty Association** (affiliated organizations in Maine, Vermont, Massachusetts, New Hampshire, New York, Connecticut, and Rhode Island): Office, South Lancaster, Mass.; secretary, E. K. Slade.

**Eastern Canadian Religious Liberty Association** (affiliated organizations in New Brunswick, Nova Scotia, Quebec, Ontario, and Newfoundland): Office, Oshawa, Ontario; secretary, F. W. Stray.

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**Southeastern Religious Liberty Association** (affiliated organizations in Florida, Georgia, North Carolina, and South Carolina): Office, 224-228 First National Bank Bldg., Chattanooga, Tenn.; secretary, W. H. Heckman.

**Southern Religious Liberty Association** (affiliated organizations in Alabama, Kentucky, Tennessee, Louisiana, and Mississippi): Office, 2006 24th Ave. N., Nashville, Tenn.; secretary, G. W. Wells.

**Southwestern Religious Liberty Association** (affiliated organizations in Arkansas, Oklahoma, Texas, and New Mexico): Office, 518-519 Terminal Bldg., Oklahoma City, Okla.; secretary, Morris Lukens.

**Western Canadian Religious Liberty Association** (affiliated organizations in Alberta, British Columbia, Manitoba, and Saskatchewan): Office, 201 I. O. F. Building, Calgary, Alberta; secretary, A. C. Gilbert.

# LIBERTY

"Proclaim liberty throughout all the land unto all the inhabitants thereof." Leviticus 25:10.

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FIRST QUARTER, 1924

NO. 1

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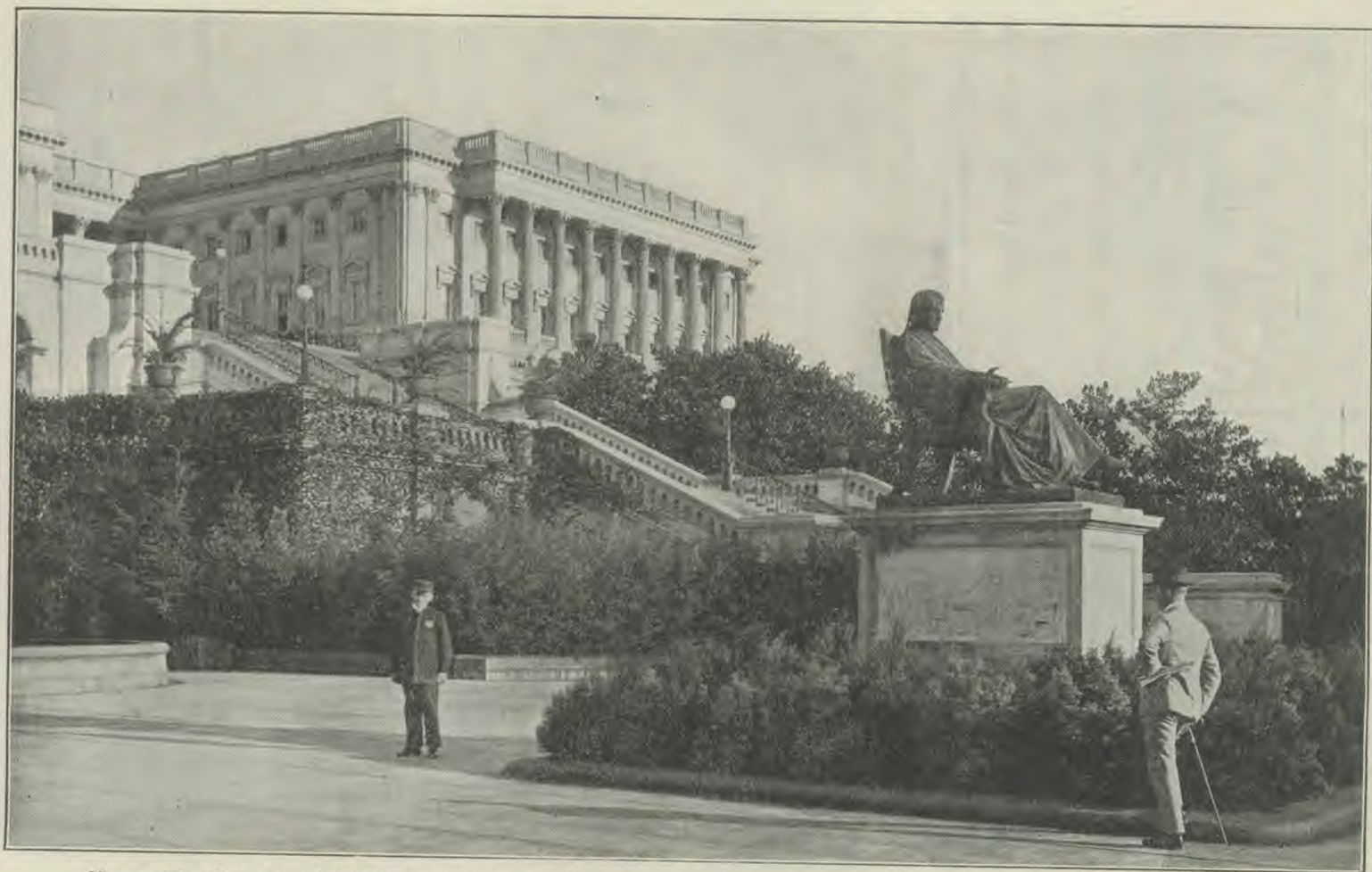
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*View on West Side of the United States Capitol, Showing the Statue of John Marshall, Chief Justice of the Supreme Court from 1801 to 1835*

# LIBERTY

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VOL. XIX

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NO. 1

## Shall Congress Supersede

the

## Supreme Court

of the

## United States?

**O**UR readers will be deeply interested in some judicial correspondence on the much agitated question whether Congress shall be empowered to set aside a decision of the Supreme Court of the United States.

The editor of *LIBERTY* received the following criticism from Hon. N. C. Miller, judge of Mesa County, Grand Junction, Colo., on an article which appeared in this magazine for the third quarter of 1923, written by Judge Cyrus Simmons, of Knoxville, Tenn., in which a tribute was paid to Justice Sanford, of the Supreme Court of the United States, for his loyalty to the Constitution:

"Mr. Charles S. Longacre,  
Washington, D. C.

"DEAR SIR:

"I am in receipt of *LIBERTY*, a very readable and instructive magazine, and I read an article on Justice Sanford which has a 'ring' in it I do not like. My judgment is, courts are not above criticism. I do not believe in a bare majority declaring a law unconstitu-



U. S. Capitol

The editor of *LIBERTY* replied to this criticism as follows:

"Hon. N. C. Miller,  
Grand Junction, Colo.

"DEAR SIR:

"Your very kind letter of July 6, relative to the article eulogizing Justice Sanford, has been received. I think, Judge, that you have the wrong impression as to the intent of the writer of that article. I do not think that the writer of it intended to convey the idea that the decisions of the courts, or even of the Supreme

tional. It is too easy to conceive of a five-to-four decision being the other way. Congress and the President are not above criticism. It is no more possible for a judge to be always right than it is for any other officer to be always right.

"Many an able lawyer who argues a case before the court is just as conscientious as is the judge who decides against him. Law is not an exact science; but after a decision is once made, we fall in line with it. Previous thereto, in many important cases, there is speculation as to what the decision will be. I am opposed to a bare majority setting aside an act of Congress. It would be very easy to conceive of the Court being so made up as to render a decision the opposite.

"Respectfully,  
(Signed) "N. C. MILLER."

Court of the United States, have been above criticism.

"What the writer was aiming to point out, was that when a decision is once made by the Supreme Court of the United States, it ought to be final, and that no other branch of the Government should have the power to nullify it; that is, Congress, the legislative body, should not, by special act, set aside a decision of the Supreme Court of the United States.

"I do not think that the writer would be willing to state that a court could not err on the principles of justice. It may be that in handing down a decision, five to four is too small a majority. Perhaps a six-to-three or a seven-to-two majority would be safer. However, when that majority once settles a question, the decision ought to prevail.

"Neither Congress nor the President of the United States is above criticism, nor is the Supreme Court; but for Congress to set aside a Supreme Court decision is another thing. It may be very helpful for a court, or for Congress and the President, to have the benefit of criticism, but the criticism should never go so far as to overthrow the Court.

"We agree with you that law is not an exact but a progressive science. Laws may be in violation of essential justice. Justice is greater than law. A court decision may be in direct conflict with the supreme law of God, and invade a man's conscience in questions of religion. Whenever a court violates a principle of justice and invades man's conscience, the individual may refuse to obey or to abide by the decision of the court, taking the consequences in order to maintain liberty of conscience. We honor the man who has the courage of his convictions, and who stands for what he believes to be truth and right.

"I will send a copy of your letter to Judge Simmons, who wrote this article. Perhaps he will explain himself more fully to you as to what he meant. I believe that you agree on this subject.

"Very sincerely yours,

"C. S. LONGACRE."

Judge Cyrus Simmons, of Knoxville, Tenn., wrote a letter to Hon. Ira J. Williams, a prominent attorney in Philadelphia, requesting him to answer Judge Miller's criticism. Judge Simmons' letter is as follows:



John Jay

First Chief Justice of the Supreme Court

"Hon. Ira J. Williams,  
Philadelphia, Pa.

"DEAR MR. WILLIAMS:

"I have read with a great deal of interest and instruction your articles on the Constitutional question involving the rights of the Court and of the Legislature.

"Hon. Henry Hudson, my friend and an attorney of this city, made it possible for me to have access to your articles, who also handed me your letter of July 28, in which you express a willingness to exchange articles with me on this subject.

"Our discussion of this question arose from the adverse criticism of Judge N. C. Miller, Grand Junction,

Colo., of a tribute I paid to Justice Edward Terry Sanford, which appeared in the LIBERTY magazine. I will send you a copy of the Judge's letter, and of my article. You will observe in the introduction to the article I advocate the preservation of the Constitutional integrity of the co-ordinate branches of our Government.

"Your judgment is so matured on this subject that I should be glad if you would answer the Judge's letter, with permission for me to send it to the editor of the LIBERTY magazine.

"I believe the Bar should organize a national campaign of education on this phase of the Constitution, to counteract the misleading assault that Senator La Follette and his followers are making. When we stand for the rights of the courts under the Constitution, we do not mean that the judiciary is infallible. We do mean, however, that the courts should enjoy their full Constitutional rights, unmolested and unabridged by the Legislature. If we permit the Legislature to nullify or qualify a decision of the Court, we thereby encourage one branch of our Government to devour the other. Not only a disrespect for the courts will follow, but

a disintegration of our charter of rights will be the result.

"If the Legislature can make a law by a bare majority, is it not right for the courts to construe that law or any other law by a bare majority? The veto of the Executive, and the right of courts to construe laws, are checks on the Legislature for the protection of the rights of the people. The veto is not a judicial construction of a law, any more than a judicial construction of a law can be rightly considered a veto. They both are placed in the Constitution as safeguards, and were evidently considered by our fathers as eminently necessary.

"The Legislature is more susceptible to political bias and influence than the courts, and for this reason its action has been made by the Constitution to be subject to both a veto and a judicial construction. If the Legislature was empowered to set aside a decision of the Court, such an action would declare that the legislators, who are generally called from all walks of life, know more law and have better judicial minds than the learned judges who spend all their time studying law. A premium would thus be put on judicial ignorance, and radicalism would be exalted above reason.

"Hoping you will find time to comply with my request, and appreciating the good educational work you are doing, I beg leave to remain,

"Sincerely yours,

"CYRUS SIMMONS."

Hon. Mr. Williams replied as follows:

"Hon. Cyrus Simmons,

"Knoxville, Tenn.

"DEAR JUDGE SIMMONS:

"I have read with great pleasure and profit your tribute to Mr. Justice Sanford, reprinted in LIBERTY, and say 'Amen' to it all. I have also read the letter of July 6, 1923, of the Hon. N. C. Miller, of Grand Junction, Colo., addressed to the editor of LIBERTY. I quite agree with Judge Miller that the courts are not

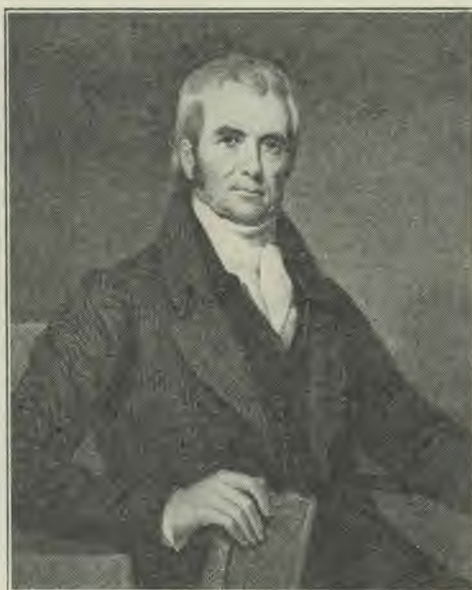
above criticism. It seems to me that he has misconceived your thesis.

"I believe, especially in Constitutional questions, that it is the duty of the profession to speak out either in approval or disapproval of the decisions of the Supreme Court. Such criticism should be moderate and respectful; and it seems to me that Mr. Gompers may be regarded as a bit extreme when he says that the State and Federal judges are 'injunction mad.' But then, Mr. Gompers, in one speech in Philadelphia, referred no less than twenty-eight times to 'our enemy, the boss'—so I am informed by one present at a labor gathering here. On the other hand, I am one of those who have ventured to question the correctness of the decisions in the landlord and tenant cases and the Adamson Act case.

"What we are entitled to have is the full benefit of the American concept of real liberty as embodied in the Constitution, as evidenced by the fruit of experience and by the deeper conscience of the people. We can have this liberty only through the sustaining of the Constitution by the Supreme Court as the rock of righteousness on which the Government is founded, the principles of freedom being imperishable, inalienable, and beyond price. Indeed, the wonderful contribution of America was this idea of making the government a government of law, but not of men, with the Constitution as the supreme law of the land, made really supreme by the power and duty of the courts to so enforce it.

"To say that the Supreme Court in such cases should act by less than a majority, or in any other way than in accordance with customary procedure, is to ignore the very nature of the Constitution and the essential elements of the unique system by which we have worked out great concepts of American liberty. The final duty of constructing the Constitution is in the courts; and to say that the views of a minority of the Supreme Court should prevail as against a majority of the Court, would palpably result in the transfer from the black-robed Justices sitting in the Supreme Court to the politicians

(Concluded on page 25)



John Marshall  
Third Chief Justice of the Supreme Court



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*Pioneer Schoolhouse*

## Are Church Schools a Detriment?

**I**T seems that we are living in an age of much uncertainty. In our day little respect is paid to established institutions. In the place of steady, well-balanced continuity, we find that fads are lauded for a time, and then cast aside for others newer and more lurid still.

There is no question but that progress is good. Without it the world would stand still. There is a wide difference, however, between progress and the running after every new thing that bobs up. Real progress does not consist in discarding that which has been tried and found good, but it is rather embraced in supplementing the old that is good, with what is new and equally good. As stated before, to follow fancies is not to progress, but to retrograde.

One of the latest fads to present itself is an agitation to close all church and private schools which teach children who are under the age of sixteen and who have not finished the first eight grades.

*By*

**W. F. Martin**

One can but wonder if the promoters of this scheme realize what this would mean to our educational work in the land, and what it would mean to thousands of parents and teachers and children. There are legions of such schools, and great numbers of children attending them.

Such schools are conducted and maintained by both Protestants and Catholics. The public treasury is not drawn upon to erect buildings, nor to pay the wages of the teachers. There may be some exceptions to this, but they are few. A goodly number of the pupils are from homes where either the father or the mother or both are not living. Where the mother has died, the father must take steps to care for the children. He must hire some one to come into his home, or put his children out, or place them in a boarding school. The latter appeals to him, as thus they are under the care of those of experience and tried ability, who will look after both physical and



mental needs, and, in the case of the church schools, the spiritual education of the child will not be neglected. The closing of these schools would greatly embarrass many parents.

The public schools are good. All our people should support them cheerfully with their taxes. The very essence of our democracy, however, forbids religious instruction in the State schools. Such a thing would be impossible without in effect setting up a State religion. Such a situation would preclude all but professors of religion from teaching in the State schools.

There are thousands of parents who desire that their children shall be taught religion at the same time and along with the common branches. It is tyranny to deny them this right. When such parents have paid their taxes for the support of public schools, they have an absolute right to maintain, at their own expense, schools wherein their children can be taught the faith so dear to themselves. Our forefathers came to America that they might be free to practise their religion and to teach it to their children. Their descendants should not be denied this right. It is an inalienable right, and should not be interfered with.

American democracy is built upon four corner-stones — freedom of speech, freedom of the press, freedom of religion, and freedom of education. To maintain our democracy, these corner-stones must not be removed. Former Vice-President Marshall well expressed the truth when he said:

“Unless I develop into such a brute as to be unfit to take care of my child and thus warrant society in removing him permanently from my custody, I should be let alone to look after his health, care for his wants, guide his education, and instill into his mind such religious views as I think will enable him to stand against the temptations of a tempestuous world.”

One of the great values of private schools lies in the very fact of their non-conformity. The State institutions must of necessity all be of a common pattern. There is a constant pressure to make all things uniform. All thinking minds are aware that for us to maintain our present standing, and above all, for us to develop, we must have among us both individuals and institutions that have the courage of their convictions and who dare to be different. How true this has been as regards private schools! From these schools has come nearly every leader in educational reform in our land. Not only is this true, but many of our best statesmen have been the product of private and church schools. So, instead of a detriment, these institutions have been and are a great blessing to our land.

No better language to close this article can be used than the words of Hon. P. P. Claxton, former United States Commissioner of Education:

“I believe in the public school system. It is the salvation of our democracy; but the private schools and colleges have been the salvation of the public schools. These private institutions have their place in our educational system. They prevent it from becoming autocratic and arbitrary, and encourage its growth along new lines.”



© H. & E.

Former U. S. Commissioner of Education,  
Hon. P. P. Claxton

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# "Religion, Schools, and Government"

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THE National Reform Association advocates the teaching of the fundamentals of the Christian religion by "the state through its public schools, colleges, and universities." The *Christian Statesman* of November, 1923, asks these

questions: "Should it [the State] not teach the essential facts about God and the future life?" "Should it not teach the decalogue to its youthful citizens?" "Should it not teach the common facts of Christianity?"

We are pleased to submit excerpts from an editorial which appeared in the *Star of Lincoln, Nebr.*, Oct. 3, 1923, which sets forth valid reasons why the National Reform Association program should not be made effective in America. The editorial is right to the point under the above caption:

"Do the American people want dogmatic religion taught in the public schools and universities? . . . Do they think it would be a good thing to establish chairs of theology in State universities, which are supposed to be purely secular institutions?"

"That is the system which prevailed in Germany before the World War. The kaiser's government had a close alliance with the church, and the idea of 'Me und Gott' was exemplified in state support for the church schools. Even in England at the present time, the government church is largely maintained and its ministers' salaries are paid out of public revenues. Spain, Italy, Greece, Jugo-Slavia, and even Bolshevik Russia have their state churches.

"The proposal that public institutions of learning in this country maintained by taxation, should mix religious instruc-

tion with their other courses, looks like a step backward. Certainly no intelligent American would want to put education in the United States on the European basis. . . .

"It is eminently fitting and proper that theology be

taught in denominational schools. The main purpose of their existence is to train men for the ministry. Each denomination very naturally teaches what its creed covers. But an attempt to introduce so-called 'religious instruction' into public universities would without doubt lead to jangling over what should and what should not be taught. The various sects would never be able to agree with each other. Moreover, there are many people in the world who subscribe to no creed whatever. They pay taxes the same as others, and they would object to having their sons and daughters taught doctrines in which they do not believe.

"The United States Government is founded upon the principle of separation of church and state. The experience of centuries of ecclesiastical control of governments in Europe warned against any such partnership on the free soil of America. Under this policy, the United States has grown and prospered and become the leading nation of the world. Even here, some unfortunate tendencies are observed to promote discord and strife among the people over religious differences, but so far, thank God, the public schools and universities have not been affected by them.

"It is exceedingly doubtful whether a majority of the people in the churches agree with revered members of the clergy who are clamoring to have religion



After painting by Sorbi

*Cornelia and Her Jewels — Her Two Sons*

*Left a widow and bereft of her nine older sons, this noble woman refused marriage with the king of Egypt, that she might devote herself to the training of these, her remaining sons, for the highest service of the Roman state. There are just as devoted mothers today who ask no greater boon from civil government than freedom to train their own children in their own way for the service of God and of their fellow men.*

taught in the nondenominational schools. The church members are, in many things, more abreast of the times than are some of their leaders. . . .

“One of the speakers at a denominational conference in this city is quoted as saying that there is ‘danger in turning loose educated men without religion or morals.’ Does he mean by this that men who do not concur in established dogmatic beliefs are immoral men? If so, he would have to condemn Thomas Jefferson, author of the Declaration of Independence, who was a religious non-conformist, as ‘immoral.’ He would have to denounce Ralph Waldo Emerson in the same category.

“Robert G. Ingersoll’s name is anathema to many men of the pulpit. But as great a divine as Henry Ward Beecher paid public tribute to Ingersoll’s char-

acter, and gave him credit for sincerity and a desire to help his fellow men. Ingersoll always said that his purpose was to stamp out of men’s minds the fear of hell and everlasting torture in fire and brimstone. Do his critics insist that human beings must believe this in order to be ‘moral’? And is it one of the things they desire to have taught in the public schools and universities?

“Galileo was forced by the church of his day to recant his theory that the earth was round and revolved about the sun. It was considered rank heresy, and no doubt the fundamentalists believed they were doing God a service when they tried to destroy it. But the heresy grew and spread, until now nobody disputes it except Wilbur Glenn Voliva, the autocrat of Zion City.

*(Concluded on page 32)*



## JERUBBAAL

Judges 6:25-32

JERUBBAAL!  
Let Baal plead.

One summer morn,  
The men of ancient village rose  
To find their loved god, Baal,  
Lying prostrate,  
Torn from his pedestal,  
His altar ravaged,  
And the wood of his sacred grove  
Smoking in Jehovah's sacrifice.

Black browed and angry,  
Then they sought the culprit,  
Crying,  
"Bring him forth, that he may die."  
Straightway came answer:  
"Will ye plead for Baal?  
*If he be a god,  
Let Baal plead."*

Thus not by violence,  
But by reason,  
And demonstrated impotence of their  
god,  
Were these stiff-necked idolaters  
Brought to know  
That not in Baal,  
But in Jehovah  
Lay their strength;  
And to humbly serve  
The everlasting God.

Slow are mankind  
To learn the lessons taught  
In this, the Book,  
Claimed by themselves  
As their sole guide and counsel;  
But in strange delusion seek to *enforce*  
The precepts of the Omnipotent.

Insult not thy Creator  
With thy puny strength  
To enforce His laws;  
Nor supplement them  
With thine own.  
What needs He of thy small violence  
To work His will?  
Canst thou portray the Omnipotent One  
Lying prostrate at thy feet,  
Whilst thou enforce His law,  
And plead for Him?

'Tis thine to lead the way;  
To call, to urge,  
To go forth to the haunts of sin  
And rescue them that perish:  
But to compel,  
To persecute,  
To drive thy brother  
Into thy poor way of serving God,  
Is not committed to thy hand.

Jerubbaal!  
Let Baal plead.

— H. G. Leffingwell.





# National Reformism Self-Convicted



By

C. P. Bollman

WE learn from its issue for November, 1923, that the *Christian Statesman* is greatly disturbed over the political and business activities of the Mormon Church in Utah.

The *Statesman* has, on more than one occasion in the past, charged that the domination of Utah by the Mormon hierarchy amounted to a practical union of church and state, in violation, if not of the letter, at least of the spirit of both the constitution of that State and the fundamental law of the United States. For example, such a charge was made and strongly supported by Mr. James Martin in the *Christian Statesman*, in January, 1916, Mr. Martin being at that time managing editor of that periodical.

We hold no brief for the Latter-day Saints, nor do we express an opinion as to the facts concerning their political domination of Utah. But this we do know, and wish to emphasize, namely, that in making such a charge against the Mormon hierarchy the *Christian Statesman* condemns its own persistent, threescore-years-long effort so to amend our national Constitution as to enable organized Christianity to dominate the Government of the United States as completely as the Mormons ever dominated or ever can dominate Utah.

This danger was seen and warned against many years ago by committees of the Congress of the United States. In its report on certain petitions for the abolition of Sunday mail service, the Senate Committee on Post Offices and Post Roads, Jan. 19, 1829, gave warning in these words:

"Extensive religious combinations to effect a political object are, in the opinion of the committee, always dangerous. . . . If [the principle be] admitted, it may be justly apprehended that the future measures of the Government will be strongly marked, if not eventually controlled, by the same influence."

A few months later, on the legislative day March 4 and 5, a similar report was communicated to the national House of Representatives, containing this striking passage:

"If the measure recommended should be adopted, it would be difficult for human sagacity to foresee how rapid would be the succession or how numerous the train of measures which [would] follow, involving the dearest rights of all—the rights of conscience."



Mormon Temple, Salt Lake City

Our forefathers saw the danger then, and many see the danger today; but many others seem to be blind to the principle involved, and are bending all their energies to secure a reversal of the time-honored policy of our Government, and to make the civil power the arbiter of religious as well as of civil questions.

"The nation," say they, "is a moral person, and must have a religion, and it must be the religion of our Lord Jesus Christ." This would be well were Christ here to rule in person, but in His absence it would mean giving fallible men authority to interpret the divine will, to declare the divine law, and to punish for all transgressions of their renditions of that law. This is in its last analysis the wicked thing that is seriously proposed, and that will surely come to pass unless the American people shall see now the danger as our forefathers saw it and

protested against it nearly a century ago; and as the framers of the Constitution saw and thought to provide against it when they wrote into that instrument the words:

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

God grant that the legislators of our day shall have equally clear vision with those of ninety years ago, and be as richly endowed with the courage of their convictions as were the men of that earlier day.

## Destroying Individual Rights Altogether

**I**F a legislative body has the right to dictate the amount of work an individual may perform during one seventh of his time, it has, by the same logic, the right to dictate how much he shall do during two sevenths of his time, or three sevenths, or seven sevenths.

Appreciating this truth, the common council of the town of Somerton, Ariz., has passed a Sunday-closing ordinance which goes a step beyond the accustomed limits of Sunday legislation, and prescribes when business may and may not be done on any day of the week. It shall be unlawful, says this ordinance, for persons or corporations operating any store or place of business within the town of Somerton, Ariz., "to open, keep open, or allow to remain or permit to be sold or offered for sale any such goods, wares, or merchandise, on any Sunday, or open, keep open, or allow to remain or be kept open any such store or place of business, or to sell or offer for sale or to permit to be sold or offered for sale any such goods, wares, or merchandise on any day

By

L. A. Smith

between the hours of 6:30 o'clock P. M. and 6 o'clock A. M. of the following day; provided, that any such store or place of business may remain and be kept open for transaction of business on the day preceding a legal holiday and on Saturday, when the same is not a legal holiday, until 9:30 o'clock P. M." So states the Somerton *Star* of June 22 last. Exceptions to the law are made in favor of drug and tobacco stores and ice cream parlors. Fish, fruit, and vegetables may be sold, too, on Sundays prior to 10 A. M.

Following legislation prescribing how much business a person may be permitted to do on any day of the week, we may naturally expect enactments prescribing how an individual must dress, and what he shall eat, and when. Sunday laws are a denial of the doctrine of individual rights, and once the justice of such legislation is admitted, there is no logical stopping-point for enactments restrictive of individual liberty within the whole domain of those rights which republican government is designed to preserve.



Dome of St. Peter's, Rome, Italy

## Sunday Observance of Catholic Origin, Without Scriptural Authority

**R**ECENTLY the Rev. J. Marion Smith, pastor of Emmanuel Baptist Church, Toronto, Canada, preached a sermon on the Sabbath question in the Talbot Street Baptist Church, London, Ontario. The sermon aroused considerable criticism on the part of the ministers of the city. This attack by the Protestant ministers upon another Protestant minister relative to his position on the Sabbath question and proper Sabbath observance, drew forth a Catholic editorial criticism of the whole Protestant position on the Sabbath question, which was printed in the *Catholic Record* of London, Ontario, Sept. 1, 1923.

This Catholic editorial is one of the clearest and most trenchant statements



set forth by the Catholic press which we have yet seen, and we gladly print the same for the benefit of those who would like to know the origin and history of Sunday observance. The editorial entitled, "Sabbath Observance," is as follows:

"A short time ago this staid city of London experienced a tempest in a teapot over Sabbath observance. It was proposed to allow the children to use the municipal swimming pool during the sweltering weather we were then having. Immediately there was a ministerial chorus of protest. One Reverend Boanerges valiantly declared that they would not rest until they had routed 'the hosts of hell.' Presumably he saw in apocalyptic vision the infernal armies lined up behind His Worship the Mayor and others in their impious assault on the sanctity of 'the Sabbath.'

"Imagine the consternation in the ministerial

association and the jubilation among the hosts of hell when they read in the London *Free Press* of this dastardly flank attack on their citadel of sabbatarianism:

"That Sabbath observance in the strict sense of the law of Israel, whether on the traditional or any seventh day, is no concern of the Christian, was the assertion of Rev. J. Marion Smith, of Emmanuel Baptist Church, Toronto, in his evening sermon yesterday at the Talbot Baptist Church."

"The ministers of London who criticized Mr. Smith's sermon left the real crux of the question untouched. And that is not surprising, for on Protestant principles there is no possible explanation of the substitution of the Christian Sunday for the Jewish Sabbath; for this plain abrogation of the express commandment of God as recorded in the Bible.

"Protestants reject divine tradition, the unwritten word, which Catholics accept as of equal authority with the written word, the Bible. The divine authority given by Christ to the church to teach in His name, to bind and to loose, Protestants deny. For them—and it is their boast—the Bible and the Bible alone has divine authority.

"Now in the matter of Sabbath observance the Protestant rule of faith is utterly unable to explain the substitution of the Christian Sunday for the Jewish Saturday. It has been changed. The Bible still teaches that the Sabbath, or Saturday, should be kept holy. There is no authority in the New Testament for the substitution of Sunday for Saturday. Surely it is an important matter. It stands there in

the Bible as one of the ten commandments of God. There is no authority in the Bible for abrogating this commandment, or for transferring its observance to another day of the week.

"For Catholics there is not the slightest difficulty. 'All power is given Me in heaven and on earth; as the Father sent Me so I also send you,' said our divine Lord, in giving His tremendous commission to His apostles. 'He that heareth you heareth Me.' We have in the authoritative voice of the church the voice of Christ Himself. The church is above the Bible; and this transference of Sabbath observance from Saturday to Sunday is proof positive of that fact. Deny the authority of the church, and you have no adequate or reasonable explanation or justification for the substitution of Sunday for Saturday in the third—Protestant fourth—commandment of God.

"As the Rev. Mr. Smith rightly points out: 'The Jewish Sabbath is not Sunday, the Lord's day. Christians are all wrong in speaking of the Sabbath as Sunday.' The Christians who so speak are 'Bible Christians,' those who make the Bible the sole rule of faith; and the Bible is silent on Sunday observance, it speaks only of Sabbath observance. The Lord's day—*Dies Dominica*—is the term used always in the Missal and the Breviary. It occurs in the Bible once (Apoc. 1: 10); in Acts 20: 7 and 1 Corinthians 16: 2 there is a reference to 'the first day of the week;' but in none of these is there the remotest intimation that henceforth the first day is to take the place of the seventh. That is the crux of the whole question, What authority



Council of Nicaea



does the Bible give for the change? And that difficulty Mr. Smith and his critics, though pious and effusive and vaguely eloquent about many things, have each and all sedulously evaded.

"It affects very materially and very intimately the question of the proper observance of the Lord's day.

"In the first centuries the obligation of rest from work remained somewhat indefinite. The Council of Laodicea, held at the end of the fourth century, was content to prescribe that on the Lord's day the faithful were to abstain from work as far as possible. At the beginning of the sixth century St. Cesarius and others showed an inclination — very familiar to us — to apply the law of the Jewish Sabbath to the Christian Sunday. But the Council of Orleans in 538 reprobated this tendency, as Jewish and non-Christian.

"Thus by that same divine authority, in virtue of which she did away with the Jewish Sabbath and substituted therefor the Christian Sunday, the Catholic Church legislated as to how the Lord's day should be observed.

"Due to the exaggerated importance given the Bible after the Reformation and to the influence of Puritanism, the Lord's day in England, and still more in Scotland, began to take on all the rigorism of the Jewish Sabbath. That heritage, though somewhat softened, we still have with us. A game of ball where participants and spectators enjoy health-giving rest and recreation in the open air, is 'desecration of the Sabbath.' The swimming-pool controversy is another good example.

"We would not be misunderstood. With much of the activity of the Sabbatarians we are in sympathy. Their insistence on a day of rest being given all workers, is admirable. But their muddle-headed confusion of the Lord's day with the Jewish Sabbath, against which the Rev. Mr. Smith so vigorously protests, finds no sympathy among Catholics who receive the Lord's day itself as well as its mode of observance from the church, and not from the Bible."

We wish to add to the above observation that the expression "the Lord's day" was never applied to the first day of the week by any of the Christians of the first two centuries after Christ. The term, "the Lord's day," was always applied to the seventh day of the week as the holy day which belonged to the Lord. None of the genuine works of the early church Fathers ever called the first day of the week "the Lord's day." However, the spurious epistles, written in the fourth and fifth centuries after Christ, and attributed to the church Fathers of the first and second centuries, do call the

first day of the week "the Lord's day," but Protestant ministers should be the last people in the world to accept these human traditions and forgeries.

The first church council that ever alluded to Sunday observance was the Council of Nicæa, held in 325 A. D. Sunday observance was at first voluntary on the part of its advocates, in honor of the resurrection of Christ, and for many years Sunday observers kept two days, both Saturday and Sunday. The Council of Laodicea, held toward the end of the fourth century, was the first church council which advocated the exclusive observance of Sunday. It was not until 538 A. D. that the church Council of Orleans decreed that punitive measures be adopted by the civil authorities to bring into line those who still observed the seventh day of the week, and they were anathematized and stigmatized as Judaizers and heretics. The idea of using legal force to compel Sunday observance was the outgrowth of the union which was formed at the time between the Roman state and the church. If our modern Boanergeses of the Protestant faith, who are standing for a legal religion, would remember not only the source of Sunday observance, but the circumstances under which Sunday laws originated, they would not be so ready to endorse and follow this medieval program.

The Protestant rule of faith is the Bible and the Bible only, instead of tradition; and the Protestant method of promulgating religion and its customs, is by means of the power of Christian love instead of the power of civil law. For a Protestant to depart from this platform is to forsake the old Protestant position, that "the Bible is above the church," and means that he goes over to the Catholic position, that the "church is above the Bible," and that "tradition" is "of equal authority with the written word, the Bible." We stand on the Bible as to our religious faith, and we stand on the Constitution as to our political faith.

# "Political Zionism Is Dead"

By

C. S. Longacre

**I**SRAEL ZANGWILL, in speaking to the American Jewish Congress assembled in Carnegie Hall, New York City, Oct. 15, 1923, said:

"Political Zionism is dead. The proudest will must sometimes acknowledge honorable defeat. When King David's child was sick, he fasted and lay upon the ground; but when the child died, he arose and washed and anointed himself. I see no saner policy for political Zionism, now finally bereaved of its hope."

It was never God's plan that Israel should set up a political kingdom on the earth just like the nations of the world. When Israel rejected the counsel of Samuel the prophet, and called for a king just like the nations about them, God told them that they were rejecting Him. He further told them of the woes and miseries which would befall them because of their political aspirations.

One calamity after another overtook Israel as a nation, just as God had said. When Israel was conquered and led into Babylonian captivity, the prophet Jeremiah delivered the following message to them:

"Thus saith the Lord, Go and get a potter's earthen bottle, . . . and say, Hear ye the word of the Lord, O kings of Judah, and inhabitants of Jerusalem: . . . Behold, I will bring evil upon this place, the which whosoever heareth, his ears shall tingle. Because they have forsaken Me." "Then shalt thou break the bottle in the sight of the men that go with thee, and shalt say unto them, Thus saith the Lord of hosts: Even so will I break this people and this

city, as one breaketh a potter's vessel, that cannot be made whole again." Jer. 19: 1-4, 10, 11.

The kingdom of Judah was to be broken like "a potter's vessel, that cannot be made whole again." They tried repeatedly to cement the pieces together, but of these attempts the Lord spoke through the prophet Ezekiel, saying:

"So will I break down the wall that ye have daubed with untempered mortar: . . . and ye shall know that I am the Lord. Thus will I accomplish My wrath upon the wall, and upon them that have daubed it with untempered mortar, and will say unto you, The wall [of nationalism] is no more, neither they that

daubed it; to wit, the prophets of Israel which prophesy concerning Jerusalem, and which see visions of peace for her, and there is no peace, saith the Lord God." Eze. 13: 14-16.

Many attempts have been made by the Jews and their political friends to restore the independence of the Jewish state in Palestine, and to rebuild the temple destroyed in A. D. 70. But God said it should not be, and it will not be done. The kingdom of Israel, according to the divine prediction, "shall be no more, until He come whose right it is; and I will give it Him," said the God of heaven. Eze. 21: 27. No doubt the angel Gabriel had reference to the fulfillment of this prophecy when he said to Mary:

"Thou shalt . . . bring forth a Son, and shalt call His name Jesus. He shall be great, and shall be called the Son of the Highest: and



International Newsreel

Israel Zangwill

the Lord God shall give unto Him the throne of His father David; and He shall reign over the house of Jacob forever; and of His kingdom there shall be no end." Luke 1: 31-33.

Thank God, Israel is not without hope. The kingdom shall be restored to the true Israelites through the promise which God made to Abraham and the promised Seed, namely, the divine Son of God. But that kingdom is not a political kingdom, which fights its battles with carnal weapons and administers its laws through the police power of the state. Any church organization which adopts such a program and entertains such ideals of political aggrandizement, is destined to meet disappointment and failure. God's plan for His church is

not a legal or a political program. The true church and people of God are to be neutral to all nations, and are not to mix politics and religion.

It is a good thing for the Jews as a people that "political Zionism is dead;" and it would be a good thing for Catholicism and for Protestantism if political aggressiveness among them were dead. It is human to want to use the civil cudgel of force to propagate our peculiar religious ideas and compel others to conform to our religious faith. Would to God that every plan to establish a "legal religion" might perish in its very inception. Let us keep the church and state forever separate and God's kingdom spiritual.

# Our Pagan Heritage

## Shall We Discard It?

**I**N ancient times, nations were ruled by despotic autocrats, who were high priests of paganism as well as kings. To appease the wrath of the gods and insure individual and national prosperity, certain rites of sun worship were required of the people.

Later, Christian(?) princes adopted the idea, claiming to rule by divine right, as the vicegerents of God on earth. The conscience of the individual was subject to every whim and caprice of weak minds, distorted by ignorance and superstition.

Our fathers, perceiving the evils wrought by this pernicious system, succeeded in establishing this nation upon the Christian principle of civil government, leaving every man the equal of his fellow in his right to choose and live his own religion.

This was not done without a struggle. Men counted among the ablest religious leaders of that time, led the

fight against religious liberty, and sought to

*By*

**Joel M. Coward**

set up a religious despotism patterned after the witch-hanging theocracy of Massachusetts.

Their activities did not cease with their defeat, nor has their hatred for equal rights abated. In spite of the express guaranty of religious liberty in our Constitution, they have secured Sunday laws in every State except two, and have repeatedly flooded Congress with Sunday bills which would commit the United States to a policy of religious intolerance, as much at variance with the principles of Christianity itself as with the provisions of our Constitution.

Two of these bills died in committee when Congress adjourned, March 4, 1923. It is reliably reported that the committee was threatened by these "Christian lobbyists" with political beheadal at the polls, for their failure to do their bidding.

In order to dodge the Constitution



*Temple of the Sun in Ancient Rome*

and sugar-coat their church-and-state theories, some of them claim that it is only a "civil Sunday" they are after. It would be as honest and sensible to insist on a civil baptism administered by sheriffs and constables. Sunday as a religious institution was taken into the church three hundred years after Christ. Every reason advanced for it has been a religious reason. Men have died as heretics for its nonobservance. It is undeniably the pet institution of the church. The following statement by the Rev. S. V. Leech, in an address at Denver, Colo., 1892, sets at rest their "civil Sunday" twaddle. He said:

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

Disguise it as they may, it springs from the same unholy desire for dominion over the consciences of their fellow men, that has stained every page of history, and filled great Babylon with "the blood of prophets, and of saints, and of all that were slain upon the earth." Rev. 18: 24.

Unfortunately, conformity has been looked upon, from the time of Cain to the present, as a "splendid result" that could be brought about by physical force, though bloodshed and violence have been its only results. The history of the French Revolution, with its Reign of Terror, as well as that of Bolshevik Russia, are but the gruesome details of the inevitable atheistic reaction against this "splendid result" carried to its logical conclusion. The brutal witchcraft executions of Salem were the unavoidable fruitage of trying to bring about this "splendid result."

A repetition of these shocking exhibitions of savagery is sure to be enacted in America if these political preachers succeed. Do not be deceived. Such laws always find honest men of strong convictions of their duty to God, who refuse to be bound by them. Their fidelity to principle is always taken for obstinacy by the "reformers," and to meet this and break the spirit of opposition, the penalty is increased in severity, and so on, till the limit of inhumanity is reached.

One does not have to go very far back in the past to prove this.

*(Concluded on page 24)*

# Inalienable Rights Are Not Humanly Granted

ALEXANDER R. BELL

**A** FEW days ago Ford Van Hosen, deputy grand master, Masonic Grand Lodge of Iowa, at the annual meeting of the lodge in Sioux City, speaking on "The Right of the State," declared that "Masonry *grants* to all men the right of religious liberty."

How strange it is that so many men fail to grasp the fundamental truth in this matter of rights! Notwithstanding the education of nearly a century and a half, they think that rights are matters of granting. And then again, in almost every such case, rights are always a matter of granting for the other fellow. We have and hold our own rights, but the other fellow's we grant, like the Puritans, who left their homeland rather than yield to the dictum of others concerning their rights, and who, as soon as they had found safety and liberty in the enjoyment of their rights such as they had never known before, began to prescribe for the other fellow the particular chalk line he must toe in this same matter of rights (that is, their idea of the other fellow's rights).

So most of us today are very particular about our own rights and privileges and the safeguarding of them, but we want every other man and woman to fit into, and to measure up to, our rights and privileges instead of their own. In other words, we are willing that all men and women should be safeguarded in the enjoyment of their rights and privileges so long as their rights and privileges harmonize with our ideas of what their rights and privileges ought to be. And so many of us talk and harangue about our rights and privileges, and in the same breath talk about granting rights and privileges to the other fellow.

In this matter of rights our Declaration of Independence asserts as a "self-

evident" truth "that all men are created equal." There is a law maxim which reads, "An equal has no power over an equal." Rights are not matters of grant. Rights are God-given, and by creation are inherent. In the inception of our government, when the foundation stones of this Republic were being laid so that the nation might build wiser than any that had gone before, it was recognized by the fathers, and flung out to an astonished world as their manifesto, "that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

We have believed all this. We have insisted that government is ordained to secure rights, and not to grant them; and we have been proud of the founders of our nation for passing down to us the very best in government the world has ever known. And yet every once in a while we hear men talk of granting rights. How can an equal who has no power over an equal grant rights to an equal?

Granting rights is not the sphere of government, nor of one man to another, nor of any organization to men. The rights of men are matters of endowment by their Creator, and in these things all men stand on the same level—equal. When men get away from this vital and fundamental truth, that is when trouble begins.

When men talk of granting to all men the right of religious liberty, it would seem that religious liberty was nothing more than a matter of concession. And when men talk that way, they imply, un-

consciously perhaps to them, but nevertheless surely, that they are surrendering their own liberties. For as surely as men come to believe that rights are matters of concession and grant, they are in the very nature of the case subjecting themselves to the same rule, and therefore are losing sight of their God-given inherent rights and liberties, themselves being deluded, and their eyes holden from recognizing the truth that the acknowledgment of the right to grant carries with it the right to deny.

It was Edmund Burke who said, "The people never give up their liberties but under some delusion." When men shall relinquish their inalienable rights and shall submit their liberties to grants and decrees and legislative enactment, surely

they will do it under some delusion. And delusions are in the air these days. There is a veritable "mania for regulating all human conduct by statute." Liberty is the right of the citizen to live and to act as he thinks best, so long as his conduct does not invade a like right on the part of others. The right of religious liberty, the dictates of the conscience, never have belonged, and never can belong, to the realm of grants. Let us recognize this blessed, sacred right as it is indeed the gift of our divine Lord, and enjoy its blessings, thanking God that we live under a government that does not assume to grant natural rights, but that recognizes and honors and guarantees them as among Heaven's best gifts to man.

## Not Catholicism, but Political Protestantism to Rule America

I. A. CRANE

**O**UR greatest danger in America today is not Catholic supremacy, as many well-meaning people seem to believe. Our danger today lies in the present tendency of Protestantism to forget her holy calling, and to become a dogmatic, domineering power in politics. There is grave danger that the present widespread anti-Catholic movement may serve to sweep into power those politico-church organizations which have for years besought Congress for recognition.

In a recent speech, Judge Felix D. Robinson, of Dallas, Texas, strongly urged the use of the Bible in the public schools as a cure for Catholicism. He urgently invited the ministry to join the move, and decried the thought that ministers should keep out of politics.

In view of what past history reveals of the effects of mingling politics with religion, and in view of what Holy Writ

has revealed of what is soon to come, the writer feels called upon to take decided issue with those who would urge ministers into the political arena. The Bible admits of no new-fangled way for preachers to work. That word continues to say, though to many it is still foolish, "It pleased God by the foolishness of preaching to save them that believe." Party lines were closely drawn between pagan and Christian leaders in the closing days of pagan Rome; yet when paganism finally gave way to Christianity, we find that Christianity had, during the struggle, become more pagan than Christian, and those so-called Christian rulers of medieval times manifested the same dragon spirit as had been shown by the heathen. What the church gained by political power she lost in inward piety. Christ Himself had been offered the same power at the same price. "If Thou therefore wilt worship me, all shall

be Thine," said the artful tempter.

It was thus that the medieval church became a dominant power in the affairs of the world. And what was the result? *Medieval Christian Rome accepted, and soon enforced by law, the same old heathen customs which early Christians had refused to accept under pain of martyrdom.* Rome, in the name of Christianity, carried on the same relentless warfare against the humble followers of Christ as she did under heathen rulers. It matters not to the adversary who does his work, whether pagan, Catholic, or Protestant.

#### Will Protestants Yield to the Temptation?

Protestantism stands within reach of political supremacy in America. She can obtain it at the old price. Will she pay it? Many things indicate that she stands ready to do so. Were it not that people have to a great extent forgotten what it once meant to be a Protestant, had they not lost sight of the great boon of soul liberty so long enjoyed as a result of true American and Protestant principles of liberty, there would be much more alarm over the constantly increasing demand on the part of church lobbyists in legislative assemblies. There is nothing to indicate that Catholicism will dominate America, but there is evidence that there will come a time, and the Scripture foretells it, when there will be formed an image to the church-and-state régime of Rome. (See Rev. 13:11-18.) When this image is formed, it will not enforce Catholicism, but it will enforce the same religious institutions and customs taken over from paganism by the medieval church, and will wage the old-time relentless persecution against those who "keep the commandments of God and the faith of Jesus."

When will people learn that men cannot be legislated into the kingdom? The gates of the Holy City will open only to those who of their own volition heed the call, "Whosoever will, let him come."

#### A Judge's Opinion of Sunday Laws

THE editor of the LIBERTY magazine has received several interesting letters from a judge in one of our Western States, and he has given us the liberty to use excerpts from these letters, relative to his position on the "fool Sunday laws," as he calls them. We are sure our readers will enjoy hearing the judge's views on this much-agitated question. We will let His Honor speak for himself:

##### A Reader of "Liberty"

"I have read with much interest your magazine, LIBERTY, and I merely wish to commend you for your safe and sane views. I have subscribed to no creed, nor do I acknowledge any articles of faith. I do not belong to a church, nor has my name ever been on any church book as a member; but I have a reverence for any faith, no matter what that faith may be, if that faith makes for the good of the one who does accept it. It is as much his as the ownership of a property that he has built up through frugality, thrift, and hard toil; and the man who would assail him for his belief and condemn him to imprisonment because of it, is far worse than the man who would confiscate from him the fruits of years of toil.

##### Many Years in the West

"I have lived in the West almost all my life, and I have grown old in what was once the Old West, but what is now known as the Middle West. I have lived long and observed much. I lived in California for some years when that State had no Sunday law—I do not know if it has one now or not; but I will say this, that the morals of that State stood the test and rang truer than those in many States in which I have lived, in which a violation of the Sunday law meant imprisonment or a fine.

"In Colorado we had a Sunday law, but the people who made up the citizenry in my day there, were an independent, free-thinking people who were

very jealous of their personal liberty, and the breach of that law was more prevalent than the observance. Those men were nonconformists, something like I was. We would have condemned any interference with any man in the worship of God in his own way. I never lived with a better class of men.

#### Surprising a Popular Pastor

"Those men of the days of '79 were quick to respond to the call of help from one in distress, and in the smaller camps where women were few, a good, true woman was almost worshiped by my blue-shirted comrades. You seldom heard any man question religion. We considered a man's religious belief a personal matter between himself and his God. It was none of our affair. If we attended church,—which we did occasionally,—we surprised the parson by throwing dollars into the contribution box, and we listened to him reverently, sometimes we shocked him if he happened to be Puritanical. We liked him if he threw off his mantle of dignity, and came down to our level and became one of us.

"I remember one parson who said something that pleased us, and we applauded 'right out in meeting.' It surprised him very much. He was not accustomed to applause in church. I met him many years after in Denver. We talked a long time of the old days, and he said he had never had more loyal or truer friends than he had in that little mining camp in the hills of Colorado. The reason therefor was, that he was *not* a bigot. He realized that others had opinions of long standing which were sacred to them. He was intensely human. He loved his fellows, and their sorrows were his sorrows. He rejoiced with those who rejoiced and wept with those who wept. He preached to us, not at us. He never chided us for not keeping the Sunday law. But he could talk plain, and he was absolutely fearless.

"In those days almost every miner drank. It is years since I have drunk

liquor to excess, but I was no different from my fellows in those days. One day he met me after a 'protracted effort.' He didn't come at me with 'Poor man, what a pity a genius like you *can't* quit!' Others had talked that way to me. He said, 'There are two kinds of men in this world. One kind go on all fours like an ape. The other kind walk erect in the image of their God. Which kind are you?' I said, 'Parson, I feel like I had been living in the trees.' He laughed in his hearty way at the answer, but I took to heart his comparison, and came down to earth and lived like humans after that. I wish there were more like him today. He died some years ago, and never before in the history of Denver was there such a cosmopolitan aggregation at any man's funeral. The well-groomed people of Capitol Hill mingled with the men in overalls. The silken-clad women touched elbows with their fallen sisters, and caste was forgotten as we stood around the grave of a real man, whose life had been dedicated to his fellows.

#### A Great Menace

"The great menace in any country under the heavens is the passage of laws to fit some preconceived idea of some would-be reformer,—some fanatic, who seems to think that God called him up onto Mt. Sinai, not only to receive the law, but to place his own interpretation on it. There are some men who in season and out of season go before our legislatures with some bill restricting the right of men to worship in any other way than in the prescribed form of their particular church. They are cocksure of themselves. They start their arguments in favor of sumptuary legislation with a 'Thus saith the Lord,' and they make the half-wits believe that they are the elected chosen of Almighty God. All things considered, if they are right, God must have selected some mighty poor ambassadors to represent Him in this vale of tears.

"But a prophet is not without honor save in his own country. It was Balaam, wasn't it, whose ass rebuked him? I



wish sometimes that Balaam's ass was yet alive. The people would do well to elect him to the legislature. There are times when he would do a lot of good rebuking some of those fellows.

#### **Believes in Law Enforcement**

"I believe in law and law enforcement, but I do not believe in any law that fixes the metes and bounds of a man's religious belief. I would fine a man \$100 if he created a disturbance in any religious assemblage. If some man came before me who had disturbed no one, but had gone his way of a Sunday, plying his peaceful vocation as a good citizen, and some long-faced bigot swore out a complaint against him for breaking a Sunday law, I should fine that man \$5 simply because the law says I must, but I should remit both fine and costs, and tell the victim of a fool's prejudice to go his way and sin some more, if it were in the interests of his family to do so. I would also ask the complainant when and where the Creator made him the guardian of that man's morals.

"There has been much crime committed in the name of the law. The law gave the Puritans the right to hang witches in Salem in the years gone by. The law gave men the right to put Quakers in the pillory, and some of them were whipped through the streets of Boston at the cart's tail. The law banished Roger Williams from Massachusetts colony in those good(?) old days. The law at one time gave the master the right to take a black babe from its mother's breast, and sell the child as a chattel. And all of it was done by the false prophets of eminent respectability, under sanction of a supposed 'Thus saith the Lord.'

#### **A Wide Experience**

"You are at liberty to print anything that I write under the pen name of 'An old mountaineer,' for I have passed the most of my life in the 'hills' from Mexico to British Columbia. I am old now, and I have followed many vocations in my time. I have been a ranch hand, miner, prospector, lawyer, and judge.

I have learned to know my fellow man, and to judge him for what he really is, rather than what he may seem to be. I have seen the patched garment of a man cover a heart of pure gold, when the same was weighed in the balance of real worth. I have seen a man who inherited vast wealth stoop to things that would brand him as a common thief among my associates. I have sat at banquets among many of the notables of the land, where the centerpiece of the table was a bank of roses and the napery was of the finest of linen, and toasts went round and wine and mirth.

"I believe I wouldn't carry so many scars today if father had been more like the Man of Nazareth, who said, 'Be ye wise as serpents, and harmless as doves,'—meaning, 'be ye wise to the evils of the world, but innocent in the performance of evil.' We weren't wise to the evil, and so we were stung by the serpent, the very serpent our fathers taught us to avoid. We were so hedged in by 'don'ts' that we didn't know the serpent when we met him. I think that the greatest word-picture I have ever read was that one having to do with the wild man of Judea,—the man who ran amuck and took to the hills, and 'cut and bruised himself on the stones.'

#### **The Nazarene Did Not Use a Club**

"I have never believed that the Nazarene went up into the mountains to reform the wild man with a club. Some of the lawmakers of today treat men as some horse breakers break a bad horse. They take it for granted that the best way to reform men is to beat them half to death, and that no man is reformed until he has been knocked down and beaten into subjection. The consequences are that the brute of a horse breaker leaves a trail of bad horses behind him, and the lawmaker fills the world with bad men,—I mean good men gone wrong,—and then he wonders at the increase in crime!

"Men as a rule are law observers, provided the laws are just and reason-

able, and made for their protection from the rapacity of the real bad men; but when any lawmakers take it upon themselves to become the custodians of any man's morals, in so far as law controls that man's religious belief, the lawmaker has sowed the seeds of discord and discontent in that man's mind. The lawmaker has made an Ishmaelite out of his fellow man when he says, 'Be it enacted, That every man shall worship God according to the dictates'—not of his own conscience, but according to the dictates 'of *my* conscience;' and the Ishmaelites go forth into the world with the idea that the hands of the lawmaking bodies are against them, and so their hands are against the hands of the lawmakers who have robbed them of their Constitutional rights. 'What right,' says the man, 'has any lawmaking body to tell me how and when and where I shall keep Sunday as the Sabbath? I have never sought to interfere with others in their observance of the Sabbath. There is no part of the Constitution of the United States that draws even an inference that any day shall be fixed for the worship of God. Why should I be singled out as a bad example to my fellows if I should choose another day to worship God, rather than the first day of the week? Whose business is it if I choose no day to hold public worship? "I am the captain of my soul," and I alone am responsible for the safety of my ship on the sea of life; and I do not, nor will I willingly, put any man in command of my destinies.'

#### Not an Observer of the Seventh Day

"So, Mr. Editor, I have always been a nonconformist to the spirit of any laws which seek to dictate to me what I shall believe, how I shall believe, or when I shall believe. Some people who may read this article may get an idea that I am advocating the creed or articles of faith of some church whose people believe in the keeping of the seventh day as the Sabbath. So that those people may know that no religious prejudice moved me to write this article, I will say that I belong to no church, nor have I

ever subscribed to any articles of faith. I do believe in the Fatherhood of God and the brotherhood of man, and I have always stood for a square deal for my fellows. That is all, Mr. Editor, that you are asking for in your LIBERTY."

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### Our Pagan Heritage: Shall We Discard It?

(Concluded from page 18)

A Virginia boy, in 1920, was shot down in front of his father's house for refusing to attend church on Sunday. A local law practically required this attendance, and the village marshal happened to be a zealous church officer as well.

This shows what bigots would do today, if clothed with a semblance of legal authority. It betrays the animus of this whole Sunday-law movement, the same bloodthirsty intolerance that characterized the Inquisition.

James Russell Lowell has truly said, "Toward no crime have men shown themselves so cold-bloodedly cruel as in punishing differences of belief."

That we are drifting rapidly back toward this Pharisaical state of affairs is undeniable, and the irony of it is, the movement is led by Protestant churches, so called because they are supposed to protest against church-and-state union and all violence in religion.

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### "Christian Sunday

"DR. BURRIS A. JENKINS, of Kansas City, Mo., has some very decided views concerning ministers' interfering with Sunday recreation. He recently said:

"The Christian's Sunday, or Lord's day, should be observed as a day of rest and recreation. Whatever relaxes a person's nerves on the first day of the week, and puts him in a brighter, happier, more wholesome condition of mind and spirit, is good.

"In short, everything not morally wrong which re-creates him, is entirely in harmony with the Christian's Lord's day. It is in harmony with Jesus' notion concerning it.—*Thomson's Homiletic Review*, December, 1923, p. 514."

Where is the text that tells us what "notion" Jesus had concerning Sunday observance?



Wide World Photo

*Lloyd George at Gelltsburg*

*"It is for us to . . . highly resolve . . . that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people, shall not perish from the earth."*  
—Abraham Lincoln.

## Shall Congress Supersede the Supreme Court of the United States?

*(Concluded from page 5)*

in Congress of a portion of the judicial power of the United States.

"Anything which weakens the Constitution or interferes with the power of the Court to enforce it in all its beneficent provisions, would be a national calamity of the first magnitude. All the pending proposals to limit the power of the Supreme Court are wholly uncalled for and unwise. America should hold fast to its unique system, which protects the individual against attempted injustice, even by government, or by majorities.

"There are certain God-given rights which our forefathers believed to be, and which in a free state will always remain, inviolate and beyond impairment, even by government itself. Our fathers did not mean to exchange the tyranny of the king and parliament for the tyranny of Congress or Legislature. Why argue to transfer judicial power to politicians? Why argue for political judges in court or in Congress? I wholly disagree with Judge Miller's proposals to sink the Constitution below the level of an Act of Congress, or to limit in any way the present power of the Supreme Court.

"Yours very truly,

(Signed) "IRA JEWELL WILLIAMS."

These letters contain cogent and irrefutable arguments showing that the

stability of our Government and the integrity of our Constitution, with its guaranties of human rights, can be preserved only for the benefit of the minority whose inalienable rights the Constitution aims to protect and preserve, against the encroachments of a tyrannical majority, when the Supreme Court is made the final interpreter and arbitrator of law and justice instead of the political factions in Congress. The Supreme Court of the United States has always stood as the unsullied friend and defender of the Constitution and its guaranties of human rights, whereas both Congress and our State legislatures have repeatedly, under factional and political pressure, enacted legislation which was hostile to the guaranties of civil and religious liberty and the Constitutional guaranties of human rights. We who have thus far enjoyed the protection of our Constitutional safeguards of life, liberty, and the pursuit of happiness, prefer to trust the Supreme Court as the final interpreter of the Constitution rather than the factional decision of politicians who are liable to be tempted to favor policy and patronage rather than to adhere strictly to the fundamental law.

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# The Churches Mixing in Politics

WHEN the churches leave their own domain, and forsake their divinely appointed mission in the world to enter the arena of politics to help settle political questions, they must expect that they will be assailed and treated exactly as any other political opponents. This is just what is happening to the Federal Council of Churches for mixing in politics, and we are glad, for the sake of pure and undefiled religion, that such influential newspapers as the *Chicago Daily Tribune* have the courage of their convictions to point out the dangers along the new route, or rather the old route, of church and state union, upon which the Protestant American churches are now traveling. We earnestly hope that these churches will take heed to the warning given, and will retreat from the field of politics, so far as political issues are concerned, before they lose their influence and prestige as an impartial and spiritual factor in the world.

The following editorial, which appeared in the *Chicago Daily Tribune* under date of Nov. 9, 1923, expresses our views very fully:

"A prominent layman of a Detroit church has resigned his membership because he is tired of 'politics in the pulpit.' He says he

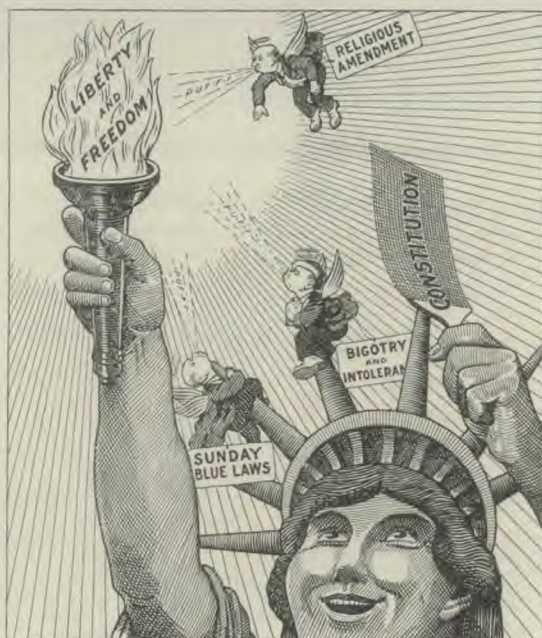
has not given up his place as a Christian, but he feels that what he has been getting is not Christianity as he views it. 'When I go to church,' he explains, 'I want to hear the gospel.'

"We are confident this protest expresses the feeling of millions of laymen in many of the churches, and of many more who have left off

churchgoing. They, like the Detroit man, want spiritual comfort and guidance, the teaching of religious truths, from the churches, and they resent the tendency of clergymen and church organizations to engage in politics and government. Americans who are imbued with American principles cannot but be opposed to any activity, however well intentioned, which tends to confuse the functions of church and state, and there is nothing more fallacious and mischievous than attempts in the name of public morals or good government to make use of church influence.

"The Detroit citizen puts his finger on a real evil when he asserts that 'we have two governments in this country: one we all recognize, the other set up by churches.' . . . 'There was a day,' he says, 'when . . . preachers confined themselves to the Christian religion as set forth in the Gospels; today the preachers compete for space on the front pages and talk about everything under the sun except religion.'

"This may be too sweeping an accusation. A great mass of our clergy of all denominations are stalwart representatives of the ancient ideals of the pastorate, and are too much devoted to fulfilling all their responsibilities as teachers of religious truths, as comforters and guides in the religious life, to undertake projects of legislation, administration, and public policy. But the activities of church organiza-



Adapted from cartoon by Murphy

## Religio-political Pests

tions in the latter field have spread of recent years and are spreading, and we have reason to consider well what this development portends. . . .

"A leading organization of churches has entered the field of foreign policy, and is using all its influence in favor of our entrance into the League of Nations and its judicial agency, the so called International Court.

"If that is not an invasion by the church of the sphere of politics and government, there is no such thing. A clearer case of the confusion of church and state could not be asked.

"Of course, we know the theory on which these political activities are defended. It is assumed that . . . because international relations have moral aspects and implications, the churches are justified in working as organized agencies to compel political action in accordance with their conceptions or judgments of right. If this is sound doctrine, then the American principle of separation of church and state is unsound. There are few questions of legislation, administration, or political policy which have not a moral phase. All human conduct has a moral phase. Therefore, if it is legitimate for church organizations to bring organized influence upon our political agencies to adopt laws and to enter upon political engagements with foreign nations, there is virtually no political question with which they are not justified in dealing.

"The pages of history are dark with the tragic consequences of this theory, for it leads straight into religious intolerance, oppression, and conflict. The sanguinary lessons of experience ought to teach us, as they had taught the founders of American Constitutional liberty, the costly fallacy of this theory. But our reason also ought to save us from it, for it is sophistry. There is but one proper way for the clergy and the churches to make reason and the will of God prevail in the political course of a nation, and that is by their influence upon the conscience of the individual. Through the preaching of religious truth, conduct is guided and inspired. It is the function of the churches to stimulate the will to righteousness. It is not their function to pass laws to compel what they conceive to be right. The organization of churches to influence political action is politics and nothing else, and its effects are and are bound to be mischievous, both to politics and to the churches. We want applied morals and applied Christianity, but we want it applied by a righteous citizenship acting freely in the light of a conscience, religious and moral truths direct. We do not want it imposed by laws or policies forced upon government by organization of religious bodies for political action."

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TRUE love of liberty is unselfish.

## The Flag Was Still There

BY SANFORD B. HORTON

THE first stanza of our national anthem reads:

"Oh, say, can you see, by the dawn's early light,  
What so proudly we hailed at the twilight's  
last gleaming,  
Whose broad stripes and bright stars, through  
the perilous fight,  
O'er the ramparts we watched, were so gal-  
lantly streaming?  
And the rockets' red glare, the bombs bursting  
in air,  
Gave proof through the night that our flag  
was still there."

Very much has been written in prose, verse, and song on the American flag, Old Glory, because of the country and the country's institutions for which the flag stands. Speakers and leaders extol prowess and success as appearing in the history of the flag, proclaiming among other sentiments, "Neither on land nor on sea has that flag met defeat.

The history of the flag is quite interesting. The first flag was made in 1774 by Betsy Ross, of Philadelphia, at the instigation of a committee headed by General Washington. June 14 is celebrated as Flag Day in the nation to an extent. It were well if more attention were paid to the flag and the things it symbolizes.

As is well known, "The Star-Spangled Banner" was written by Francis Scott Key at the dawn of Sept. 14, 1814, while aboard a British vessel in Chesapeake Bay, interceding for the release of a prisoner, Dr. Deans, of Upper Marlborough. A British fleet had anchored opposite Ft. McHenry, intending to destroy the fort. Key failed to secure his friend's release, and had to remain aboard during the night of September 13, when shot and shell stormed the fort, but through it all the flag could be seen, and at dawn the "flag was still there."

We are emphasizing this incident in order to parallel a situation confronting "Old Glory" today. It is an American axiom that the Constitution follows the flag. Our country in the War of 1812 was attacked. Its Constitution and insti-

tutions, so newly launched, were put to the supreme test of war, with the results so well known. Since then, the nation, represented by the flag, has been in the fiery crucible, with history recording the continuing fact that "our flag was still there."

But that flag, our Constitution, and our institutions of freedom are being attacked again, but now from within the confines of the nation, and yet, let us assume, unwittingly.

In his foreword of "American State Papers," Thomas M. Cooley, the noted jurist, says:

"This is a country of religious liberty, not of religious toleration merely. Every person is entitled to worship God according to the dictates of his own conscience, under the obligations which rest upon all alike, that public order shall be respected, and the requirements of morality and decency observed. Whenever the law, either in terms or by the method employed in its enforcement, goes beyond this, and undertakes to compel observances that are only required by particular creeds, no matter how numerous may be those who consider them of divine obligation, it becomes tyrannical and destructive of a fundamental principle of American liberty. It is also tyrannical when it punishes as a public offense the management of a citizen's private affairs in such a manner as his own conscience approves, taking care in doing so neither to wrong nor to disturb those of his fellow citizens who differ with him in their views. If in their opinion the course he pursues must be displeasing to the Ruler of the world, the question involved belongs not to human tribunals, and it is the purpose of our Constitutional system that human laws administered by imperfect human instruments shall not assume to deal with it. This is a commonplace in the United States of America, but it cannot be too often repeated or too distinctly borne in mind."

This deduction proceeds from the correct concept of the Declaration of Independence and the Constitution, notably, the First Amendment, which declares: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." And as the Constitution and the laws enacted by Congress thereunder shall be "the supreme law of the land" (Article VI), the various States are required to govern themselves accordingly, in the language

of Article VI: "The judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding." It is further provided in the Fourteenth Amendment: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State in which they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States." All of which is well epitomized in this statement:

"The fundamental principle of American jurisprudence is that stated in the Declaration of Independence, that government is instituted to secure the rights of man. These rights are simply artificial divisions of the law of nature. Now that which is to be secured — man's rights — precedes that which secures them — civil government. It has been truly said, 'Before man made us citizens, Great Nature made us men.'"

It is a well-known fact that religious combines are being organized in this country, having for their object the enactment of legislation by Congress and legislatures, which will assist the church in its work as such. That this is not a vagary nor the outcome of hasty and unadvised thought, note what former Vice-President Marshall has to say on this subject of the church as such in politics. As a part of several very pertinent paragraphs from Mr. Marshall, printed in *LIBERTY* for the second quarter of 1922, were these sentences:

"I do believe, however, that I have a right to protest against my church interfering in any way with the civil government of America. If the individual members feel that they should memorialize Congress upon any given subject, let them do so as American citizens, and not as a church organization."

The outstanding and all-important demand of the church-and-state party is for a better Sabbath (Sunday) observance through compulsory civil laws where there are none, as in the District of Columbia, California, and Oregon, and law enforcement where laws are now extant. One of the latest burlesques on Sunday law enforcement emanates from

Dunbar, W. Va., where the mayor announced: "Notice is hereby given that the playing of dominos in any public place in Dunbar on Sunday will not be permitted after this date." Certainly, a marine hue of blue lawism.

The fathers of the Republic were averse to religious legislation of any and every character, pointing out with special emphasis that Sunday laws involved the principles of true Americanism as outlined in the Declaration and Constitution, the two laws upon which all law and legislative activities hang. Said a Congressional report of 1828:

"It should be kept in mind that the proper object of government is to protect all persons in the enjoyment of their religious as well as civil rights, and not to determine for any whether they shall esteem one day above another, or esteem all days alike holy. . . .

The petitioners . . . assume a position better suited to an ecclesiastical than to a civil institution. . . . 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."—*Senate Report on Sunday Mails,* in "*American State Papers,*" Class VII, p. 225.

QUERY NO. 1.—Can it be said, in view of these things, that the "flag is still there" when the American citizenry permit the "shot" and "shell" of Sunday law proponents to pierce it full of holes?

QUERY NO. 2.—Will not Sunday observance regulations, which properly belong to the church, if enacted and enforced by the State, lower Old Glory, and repudiate the American fundamentals as declared in the Declaration and guaranteed in the Constitution?

## News and Comment

### Churches and Theaters Competing

ACCORDING to the Associated Press report, theaters were closed in Memphis, Tenn., on Sunday, Sept. 30, 1923, for the first time in five years. Twenty-five thousand men, women, and children, who attended the theaters every Sunday, refused to believe it possible, and jammed the down-town streets at the usual theater opening hour in the afternoon, milled around for a while, berating the political preachers and reformers, and finally faded away. Where these people whiled away the rest of the day is left to conjecture.

About five years ago the theaters were closed on Sunday, but the matter was finally ironed out, and they were soon running full blast again. Nearly thirteen years ago an effort was made to close Sunday amusements, and the lid was clamped down tight for a single Sunday, and then opened wider than before. Thus the battle of competition between the churches and the theaters rages back and forth, and victory alter-

nates as each side captures the political offices. Would not the churches gain more in the long run if they stayed out of politics, and preached the gospel with spiritual instead of police power?

The Newspaper Men's Club of Memphis, Tenn., has passed a resolution that it will employ "every honorable means" at the 1925 legislative session to strike the so-called "Sunday blue laws" from the statute books.

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### Sunday Law Favors Rich

THE city administration of Birmingham, Ala., clamped the city blue law lid down tight on Oct. 7, 1923, and private golf, tennis, and other games were prohibited on Sunday. A storm of protest was voiced by many of the prominent citizens of Birmingham, and the city commission houghed the Sunday blue law by shifting one little word in the city ordinance, so as to exempt private games. Shifting the word "public" was all that was necessary, the commission decided. The law now reads:

"Any person who engages in any public sport, game, exercise, or exhibition on Sunday, must, upon conviction, be punished."

The word "public" in the original ordinance preceded the word "exercise."

The commission ought to make one more exemption, and that is, to exempt the "public," and then the Sunday law will be just to all parties, instead of discriminatory, as it now is. The only Sunday law that is just is the one that exempts all parties, the same as the Saturday Sabbath law of the State did. Why should not all men stand on an equality before the law?

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#### Condemned for Carrying Wood

HENRY BARR, of Baltimore, Md., was arrested on Sunday, Oct. 7, 1923, for moving a few pieces of lumber from his yard to his cellar. The charge preferred against him was, "Working on Sunday." The conscience of a Sunday blue law advocate was sorely wounded by the ungodly spectacle, and sicked him on to the apprehension of this agent of the evil one. "The Sunday Blue laws," says the *Baltimore Sun*, "still rule us from their tombs," and keep "alive and true the old saying that it takes all kinds of people to make a world."

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#### Eight Men Fined for Selling Necessities

EIGHT Lincoln (Nebr.) merchants were fined on the charge of selling groceries on Sunday, Oct. 14, 1923. Most of those fined were fruit dealers who also sell a few groceries. They were not arrested for selling fruit, but for selling "cans of pork and beans and packages of crackers." It is lawful on Sunday to sell pork and beans and crackers when served in dishes, but not in cans and packages. It certainly takes some expert theological hairsplitting to draw these fine Pharisaical distinctions. If Christ were on earth today, would He not rebuke these modern Pharisees and legal religionists by saying, "The Sabbath was made for man, and not man

for the Sabbath"? The present compulsory Sunday observance program is not of divine origin.

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#### 1794 Sunday Blue Laws Strictly Enforced

ADVOCATES of the Sunday blue law enacted in Pennsylvania in 1794, say "they will see to it the 1794 blue law is strictly enforced as regards golf, motors, trolleys, gasoline filling stations, and other worldly pursuits," so the people "will have to go to Sunday school," in Upper Darby, Pa.

The cryptic utterances of the township's police chief, Louis C. Bonsall, struck terror to the resident section and automobile tourists when he said, "Thirty-four thousand motor cars pass through Upper Darby on every Sunday," and, "I am here to serve the commissioners, and if they say enforce the blue laws, enforced they will be." As long as such laws and such fanaticism prevail, there is need for the LIBERTY magazine.

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#### Missionary Society Loses Its Way

THE Committee of Federated Missionary Societies of Chattanooga, Tenn., at a Sunday morning service in the Union Congregational church, passed a resolution not long since condemning the operators of gasoline filling stations for selling gasoline on Sundays, and authorized the arrest of R. H. Hart for selling rubber tires to stranded tourists on that day. The committee said: "If we do send a few tourists to Georgia, it will advertise the fact that we are 100-percent Americans, who think more of God's Sabbath than of the opinion of a few wandering tourists."

This missionary committee reverses the Saviour's statement and makes it read thus: The man was made for the Sabbath, and not the Sabbath for the man. This missionary society has also lost sight of its true mission to win souls by the power of the cross of Calvary, and has in place substituted the policeman's club.



### Blue Law Defeated

A PROPOSED Sunday blue law which aimed to close meat and grocery stores on Sundays, was defeated recently by the town council of Gadsden, Ala.

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### Patronage Promised

THE committee on Sabbath Day Observance and the president of the Federated Missionary Societies of Chattanooga, pledge that its members will only buy from and sell to those who observe Sunday. This comes very near to fulfilling Revelation 13:17.

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### Church Discipline the Right Method

THE Floyd County Baptist Association of Georgia recommends that all members of that denomination who are guilty of violations of the Sabbath in any way, be disciplined by their respective churches. This is a plan that we most heartily approve. The question of Sabbath violation is a matter for church discipline, and not for State punishment. Most church officers have shifted this undesirable task to the police force of the State. Every church has a right to discipline its own members, but it has no right to discipline the members of another faith, or of no faith, for nonconformity to a church ritual, much less has it a right to invoke the police power of the State for that purpose.

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### Lord's Day Alliance Lost Out

THE Lord's Day Alliance of Canada carried the case of prohibiting the running of Sunday excursion trains to the Winnipeg beaches, up to the Manitoba Court of Appeals, and lost their case. Rev. W. M. Rochester, the head of the Lord's Day Alliance of Canada, is now carrying the case up to the Privy Council of England. The *Winnipeg Tribune* of Sept. 8, 1923, in an editorial, says: "The people of Manitoba are overwhelmingly in favor of the Sunday trains to the beaches, and the action of the Alliance has the appearance at least

of being instituted to prevent the operation of these trains. . . . The Alliance can gain strength and authority only as it gains the support of the people at large." But the Lord's Day Alliance cares nothing for the wishes of the people. It fights every proposition to place the Sunday law question before the people on the referendum. The Alliance is autoeratic, not democratic.

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### Puritanism Revived

MAYOR DAY, of Bangor, Maine, issued an edict that the Sunday blue law of Bangor should be enforced. November 4, 1923, was set to gather evidence against all those who sold Sunday newspapers, gasoline, or any other articles. The Puritan spirit of the olden days seems to be regnant again in Bangor. However, there is much opposition on the part of the public to this Puritan law of the old church-and-state régime.

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### Sunday Law Tabooed

ACCORDING to the *Indianapolis Star* of November 20, the twenty-two Frankfort, Ind., business men, including proprietors of garages, drug stores, theaters, restaurants, soft drink stands, and shoe shining parlors, who were arrested by the police for operating their places of business on Sunday, were acquitted by the jury, not because they had not violated the Sunday law of Indiana, but because the jury considered the law obsolete and inoperative.

The attorney for the defense in his argument to the jury, said that the people of Frankfort had had enough of "this little boy stuff," and that the city was being held up as a laughingstock to the entire State.

It is about time that these antiquated relics of medieval times be erased from the statute books, as they are both un-American and anti-Christian in spirit, and do not belong on the statute books of a country where church and state are entirely separated.

### A Crime to Shave

MICHAEL C. LEARY, of Buffalo, was arrested and fined on the charge of barbering on Sunday, Nov. 4, 1923. The police of Buffalo say that he was arrested and fined \$5 on the same charge, Sunday, October 7. Isn't it strange that a civil law(?) should make shaving a crime?

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### Origin of "Blue Laws"

THE following article on the origin of blue laws is taken from the *Washington Herald* of Sept. 9, 1923:

"According to Webster, 'blue' has as one of its meanings 'severe or overstrict in morals;' and the same authority says that the blue laws were 'certain laws of extreme rigor alleged by the Rev. Samuel A. Peters, in his "General History of Connecticut," to have been enacted in the early days of the New Haven colony; hence, any Puritanical laws. Formerly these laws were supposed to have been mostly maliciously invented by Peters, but nearly all of them have now been found in the New Haven statutes or in the works of one Neal, an earlier writer than Peters."

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### A Vain Hope

THE *Reno (Nevada) Journal* says that "the blue-law people are killing their own cause, and will ultimately bring an end to their obnoxious measures, because they feature compulsion instead of persuasion;" and that "the American people may be educated to bear suitable respect for the Sabbath and for other people's beliefs, but they will not be legislated into it." We wish we could agree with our contemporary journal, but current history shows that the American people are growing more and more indifferent to the safeguarding of their liberties, and more and more intent on restrictive legislation. Blue laws, like the influenza, persist in periodic recurrences, in spite of the general sentiment against them.

### "Religion, Schools, and Government"

(Concluded from page 9)

"Columbus met bitter opposition from the church in his efforts to finance the voyage of discovery to the New World. He also was a heretic, according to the orthodox thought of that time. Yet he holds an exalted place in history, while his critics are forgotten.

"The churches in this country are better off as free and independent organizations than they ever will be if the Government should go into partnership with them. Religious thought will have a greater influence upon the people exerted in that way than by attempting to make the public institutions of learning vehicles for propagating theological dogmas."

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### My Country

BY W. F. MARTIN

My country, thou home of the free and the brave;

I love thee, my own native land;

Thine ocean-washed shores, where the cool waters lave,

And break on the rocks and the sand.

I love thy high hills, and thy widespreading plains,

Thine azure skies, bending o'er me,

Thy valleys and mountains, thy sunshine and rains,

Oh, I love thee, dear land of the free.

Thou land of sweet liberty, home of the blest,

Thou callest for those who would see

All the fetters of bondage, upon the oppressed,  
Broken off and the captives set free.

Thou day-star of hope, thou harbor of peace,

Blessed refuge for captive and slave,

May thy spirit of freedom forever increase,

And thy "star-spangled banner" long wave!

O God of our fathers, protect our fair land,

Set watchers o'er valleys and plains;

Let not the oppressor, with hard, cruel hand,

Bind our children with shackles and chains.

May old Liberty Bell still continue to ring,

Till it echoes from sea unto sea,

And our sons and our daughters continue to sing

Only songs of the brave and the free!

## Memorial to President Coolidge

*To His Excellency President Coolidge:*

Your memorialists, representatives of the Seventh-day Adventist denomination in America, through its delegates assembled in Annual Council in Milwaukee, Wis., October 10-17, 1923, desire to convey to you our felicitations and best wishes, pledging our hearty support to the end that yours may be an eminently just and successful administration.

Believing in the fundamental principles and guaranties of civil and religious liberty as conceived by the founding fathers of the American Republic, we are staunch supporters of our National Constitution. We hold that the church should never ask the state for legal support. Nor should the state ever lend itself to the enforcement of the dogmas and religious customs of the church. With the late President Harding we agree that "inherent rights are of God, and the tragedies of the world originate in their attempted denial." We are also in hearty accord with your declaration of American principles, expressed as follows in one of your published speeches:

"We here in America need a deeper understanding of Americanism and a firm practice of it. . . . It is the Americanism of the American Constitution, the belief that our Government should fulfil the guaranties of our Declaration of Independence, that life, liberty, and the pursuit of happiness should be as much in the mind of modern statesmen as they were in the minds of the pioneers of American liberty. There is but one rock upon which our national faith may rest secure. It is our Constitution."

True it is that one of man's greatest inherent rights is freedom in religious belief and practice, without civil molestation or interference, so long as this freedom, guaranteed by the American Constitution, is not exercised in a manner which invades the equal rights of others.

As observers of the seventh day of the week (Saturday) which was divinely ordained at creation and reaffirmed at Sinai as the Sabbath, or Lord's Day, naturally we believe that all others ought also to observe that day. But we are firmly of the conviction that it was far from the divine plan that the observance of this or any other religious institution should ever be enforced by the civil magistrate. Therefore we view with grave concern certain religious movements whose purpose is to secure legislation enforcing the observance of Sunday, and punishing dissenters.

The Author of Christianity made the conscience free, and never intended that any man or set of men should enslave it. History demonstrates that the church has had first to corrupt or compromise itself before forming an alliance with secular powers and demanding civil aid to further its ends. We are exceedingly thankful that our National Government has thus far kept itself free from any such alliance.

Entertaining high hopes in your patriotic American ideals, in your sense of justice, and in your devotion and loyalty to the Constitution, we believe that you will preserve its integrity, and protect the rights of all men, irrespective of their faith, under the guaranties of civil and religious freedom as Constitutionally ordained.

To this end we pray that the all-wise and gracious Ruler of the universe may guide you and your associates in wisdom and sanctified judgment, and bless you with the choicest blessings of health, strength, and fortitude, that our grand and glorious Republic may continue, under God, as the most favored nation, and that all its people may enjoy the benign blessings of Heaven, and dwell in peace and happiness to the glory of God and the satisfaction of its honored and esteemed Chief Executive — Your Excellency.

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