

# LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM



RICHARD JOHNSON

IF CONGRESS SHALL DECLARE THE FIRST DAY OF THE WEEK HOLY, IT WILL NOT CONVINCE THE JEW NOR THE SABBATARIAN. IT WILL DISSATISFY BOTH, AND, CONSEQUENTLY, CONVERT NEITHER. HUMAN POWER MAY EXTORT VAIN SACRIFICES, BUT THE DEITY ALONE CAN COMMAND THE AFFECTIONS OF THE HEART.

— Report of House Committee on Post Offices and Post Roads,  
by the Chairman, Richard M. Johnson, March 4, 1830.



# 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:

## AFFILIATED ORGANIZATIONS

**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.

**Central States Religious Liberty Association** (affiliated organizations in Kansas, Nebraska, Missouri, Colorado, and Wyoming): Office, College View, Nebr.; secretary, S. E. Wight.

**Columbia Religious Liberty Association** (affiliated organizations in Pennsylvania, Ohio, New Jersey, Virginia, West Virginia, Delaware, and Maryland): Office, 3621 Rutherford St., Harrisburg, Pa.; secretary, F. H. Robbins.

**Lake Religious Liberty Association** (affiliated organizations in Michigan, Indiana, Illinois, and Wisconsin): Office, Berrien Springs, Mich.; secretary, S. B. Horton, 812 Steger Bldg., Chicago, Ill.

**Northern Religious Liberty Association** (affiliated organizations in Minnesota, Iowa, North Dakota, and South Dakota): Office 2718 Third Ave., South, Minneapolis, Minn.; secretary, E. T. Russell.

**North Pacific Religious Liberty Association** (affiliated organizations in Oregon, Washington, Idaho, Montana, and Alaska): Office, College Place, Wash.; secretary, H. G. Thurston.

**Pacific Religious Liberty Association** (affiliated organizations in California, Nevada, Utah, and Arizona): Secretary, W. F. Martin, 421 North Label St., Glendale, Calif.

**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. 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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*In the death of Woodrow Wilson, February 3, the United States not only lost one of its most eminent citizens, but the world one of its greatest statesmen. Whatever may be the prevailing opinion of the League of Nations and the treaty of Versailles, few will question Mr. Wilson's motives in sponsoring those measures. High idealism may not be practical in a world largely controlled by selfishness, but it is none the less creditable to the idealist, and Mr. Wilson's place in history is assured. That he had no faults and made no mistakes, none will claim; that he sought the highest good, not only of his own country, but of the world, few will deny. To honor the memory of Woodrow Wilson is to honor one of the best instincts of mankind and the country for which he sacrificed his life as truly as did the brave soldiers whose bodies perished on the field of battle, but whose deeds and memories live in the hearts of their countrymen.*



# LIBERTY

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

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SECOND QUARTER, 1924

No. 2

## President Coolidge

on the

### Limitations of Law\*

THE growing multiplicity of laws has often been observed. The national and State legislatures pass acts, and the courts deliver opinions, which each year run into scores of thousands. A part of this is due to the increasing complexity of an advancing civilization.

But there is another part of the great accumulating body of our laws, that has been rapidly increasing of late, which is the result of other motives. Broadly speaking, it is the attempt to raise the moral standard of society by legislation.

There is danger of disappointment and disaster unless there be a wider comprehension of the limitations of the law.

The attempt to regulate, control, and prescribe all manner of conduct and social relations is very old. It was always the practice of primitive peoples. Such governments assumed jurisdiction over

the action, property, life, and even religious convictions of their citizens down to the minutest detail. A large part of the history of free institutions is the history of the people struggling to emancipate themselves from all of this bondage.

I do not mean by this that there has been, or can be, any progress in an attempt of the people to exist without a strong and vigorous government. That is the only foundation and the only support of all civilization. But progress has been made by the people relieving themselves of the unwarranted and unnecessary impositions of govern-

ment. There exists, and must always exist, the righteous authority of the state. That is the sole source of the liberty of the individual, but it does not mean an inquisitive and officious intermeddling by attempted government action in all the affairs of the people. There is no justification for public interference with purely private concerns.

Those who founded and established the American government had a very



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Calvin Coolidge

\* This article is printed by the permission of President Coolidge, and contains excerpts from a speech delivered by him, while Vice-President, before the American Bar Association in San Francisco, Calif., Aug. 10, 1922.



clear understanding of this principle. They had suffered many painful experiences from too much public supervision of their private affairs. The people of that period were very jealous of all authority. It was only the statesmanship and resourcefulness of Hamilton, aided by the great influence of the wisdom and character of Washington, and the sound reasoning of the very limited circle of their associates, that succeeded in proposing and adopting the American Constitution. It established a vital government of broad powers, but within distinct and prescribed limitations.

So intent were the founding fathers on establishing a constitution which was confined to the fundamental principles of government, that they did not turn aside even to deal with the great moral question of slavery. That they comprehended it and regarded it as an evil was clearly demonstrated by Lincoln in his Cooper Union speech, when he showed that substantially all of them had at some time, by public action, made clear their opposition to the continuation of this great wrong. The early amendments were all in diminution of the power of the government and declaratory of an enlarged sovereignty of the people.

It was thus that our institutions stood for the better part of a century. There were the centralizing tendencies and the amendments arising out of the War of '61. But while they increased to some degree the power of the national government, they were in chief great charters of liberty, confirming rights already enjoyed by the majority, and undertaking

to extend and guarantee like rights to those formerly deprived of equal protection of the laws.

During the past thirty years the trend has been in the opposite direction.

Urged on by the force of public opinion, national legislation has been very broadly extended for the purpose of promoting the general welfare.

The national government has extended the scope of its legislation to include many kinds of regulation, the determination of traffic rates, hours of labor, wages, sumptuary laws, and into the domain of oversight of the public morals.

This has not been accomplished without what is virtually a change in the form, and actually a change in the process, of our government. The power of legislation has been to a large extent recast, for the old order looked on these increased activities with much concern. This is not the government which was put into form by Washington and Hamilton and popularized by Jefferson. Some of the stabilizing safeguards which they provided have been weakened.

Advancing along this same line of centralization, of more and more legislation, of more and more power on the part of the national government, there have been proposals from time to time which would make this field almost unlimited. The authority to make laws is conferred by the very first article and section of the Constitution, but it is not general, it is limited. It is not, "all legislative powers," but it is, "all legislative powers *herein granted* shall be vested in a Congress of the United



E. J. Hall

*"All legislative powers herein granted shall be vested in a Congress of the United States."*



States." The purpose of that limitation was in part to prevent encroachment on the authority of the States, but more especially to safeguard and protect the liberties of the people. The men of that day proposed to be the custodians of their own freedom. In the tyrannical acts of the British Parliament they had seen enough of a legislative body claiming to be clothed with unlimited powers.

For the purpose of protecting the people in all their rights so dearly bought and so solemnly declared, the third article established one Supreme Court, and vested it with judicial power over all cases arising under the Constitution. It is that court which has stood as the guardian and protector of our form of government, the guaranty of the perpetuity of the Constitution, and above all the great champion of the freedom and the liberty of the people. No other known tribunal has ever been devised in which the people could put their faith and confidence, to which they could intrust their choicest treasure, with a like assurance that there it would be secure and safe. There is no power, no influence, great enough to sway its judgments. There is no petitioner humble

enough to be denied the full protection of its great authority. This court is human, and, therefore, not infallible; but in the more than one hundred and thirty years of its existence its decisions which have not withstood the questioning of criticism could almost be counted

upon one hand. In it the people have the warrant of stability, of progress, and of humanity. Wherever there is a final authority, it must be vested in mortal men. There has not been discovered a more worthy lodging place for such authority than the Supreme Court of the United States.

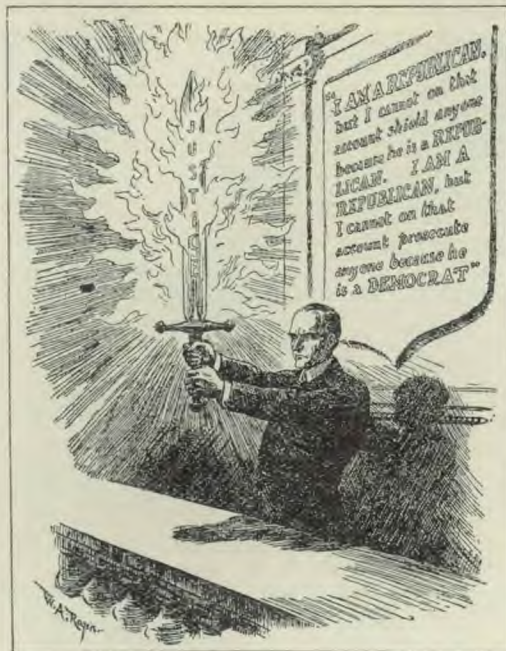
One of the proposals for enlarging the present field of legislation has been to give the Congress authority to make valid a proposed law which the Supreme Court had declared was outside the authority granted by the people, by the simple device of re-enacting it. Such a provision would make the Congress finally supreme. In the last resort its powers practically would be unlimited. This would be to do away with the great

main principle of our written Constitution, which regards the people as sovereign and the government as their agent, and would tend to make the legislative body sovereign and the people its subjects. It would, to an extent, substitute for the will of the people, definitely and permanently expressed in their written Constitution, the changing and uncertain will of the Congress. That would radically alter our form of

government, and take from it its chief guaranty of freedom.

This enlarging magnitude of legislation, these continual proposals for changes under which law might become very excessive, whether they result from

(Continued on page 54)



From the Washington "Post"

*Without Fear or Favor*



# Colonel Richard M. Johnson

**O**UR front cover page presents the portrait of Col. Richard M.

Johnson, the friend of Thomas Jefferson and James Madison, a statesman of the old school of American patriots who adhered to the Constitutional guaranties of civil and religious liberty as they were originally conceived by the founders of the American Republic.

Thomas Jefferson and James Madison kept up their efforts for nearly half a century to rid the State statute books of all religious laws, and they committed the unfinished task, when they passed off the stage of action, to their young friend and coworker, the brave and gallant Colonel Johnson, of Kentucky, who subsequently proved himself to be one of the ablest champions and defenders of the rights of man and of the Constitution, as well as one of the strongest opponents of Sunday

laws. When the reformers who were trying to free the slaves, were cast into prison for traveling and lecturing on Sunday, by means of drastic Sunday laws, Colonel Johnson was weakening the power of the Sunday laws by his own public work.

## A Noted

## American Statesman

By

C. S. Longacre

Johnson. Not only have his wise words and his splendid work had an influence on the course of legislation in American jurisprudence, but they have been adopted into the common law decisions of American courts.

Like Washington's maxim, "The government of the United States is not, in any sense, founded on the Christian religion," Johnson's declarations in reference to Sunday laws that "our Constitution recognizes no other power than that of persuasion for enforcing religious observances," "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," will stand as long as the common law itself stands.

Colonel Johnson successfully met the onslaught of the churches of America when in the early history of our country

There have been few other men who have done so much to call the attention of the pub-

lie to the real un-American character of the Sunday laws as did Representative, Senator, and Vice-President

TO THE MEMORY OF  
**COLONEL RICHARD M. JOHNSON,**  
A FAITHFUL PUBLIC SERVANT  
FOR NEARLY HALF A CENTURY, AS A MEMBER  
OF THE KENTUCKY LEGISLATURE AND  
REPRESENTATIVE AND SENATOR IN CONGRESS  
AUTHOR OF THE SUNDAY MAIL REPORT  
AND OF THE LAWS ABOLISHING IMPRISONMENT  
FOR DEBT IN KENTUCKY  
AND IN THE UNITED STATES;  
DISTINGUISHED BY HIS VALOUR  
AS COLONEL OF A KENTUCKY REGIMENT  
IN THE BATTLE OF THE THAMES  
FOR FOUR YEARS-VICE PRESIDENT  
OF THE UNITED STATES.  
KENTUCKY HIS NATIVE STATE,  
TO MARK THE SENSE OF HIS EMINENT SERVICES  
IN THE CABINET AND IN THE FIELD  
HAS ERECTED THIS MONUMENT  
IN THE RESTING PLACE OF  
HER ILLUSTRIOUS DEAD.

*Johnson Memorial Tablet*



they made their first drive in behalf of a national Sunday law. They tried to force the government to stop the United States mails on Sunday. The Synod of Presbyteries of western Pennsylvania, began their attack on the Sunday mails in 1810. They, in affiliation with other Christian denominations, kept up a constant bombardment during each session of Congress till 1830, but again and again Congress refused to run the government according to the dictates of an ecclesiastical power.

Finally, when the combination of the churches had reached such tremendous proportions and the Sunday law question became one of national interest, and the best statesmen of the time came out openly in opposition to this "reform" movement, Senator Johnson wrote his celebrated Sunday Mail Reports as chairman of the Committee on Post Offices and Post Roads, which were received with general approbation. He rebuked the churches so tactfully for meddling in politics, for seeking to intimidate Congress by combining their forces and demanding that their peculiar religious tenets and observances be enacted into civil law, and he answered them so ably and treated the subject so thoroughly, that the movement was checked for more than fifty years before another serious attempt was made along these lines.

In 1830 the churches formed such a formidable and militant organization in

opposition to the government Sunday mail service, that the leaders of these religious organizations stretched heavy chains across the streets in Philadelphia and secured them with padlocks, on Sunday, to prevent the passage of the government mail coaches between New York and Washington.

Colonel Johnson's report on this first attempt which was made by the combination of the churches to enact a Sunday law, made him so popular with the people of those early times that it resulted in his election to the Vice-Presidency of the United States. One paragraph from his

report shows the grasp he had of his subject:

"The Constitution has wisely withheld from our government the power of defining the divine law. It is a right reserved to each citizen; and while he respects the rights of others, he cannot be held amenable to any human tribunal for his conclusions. *Extensive religious combinations to effect a political object are, in the opinion of the committee, always dangerous.* This first effort of the kind calls for the establishment of a principle which, in the opinion of the committee, would lay the foundation for dangerous innovations upon the spirit of the Constitution, and upon the religious rights of the citizens. *If 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. All religious despotism commences by combination and influence; and when that influence begins to operate upon the political institutions of a country, the civil power soon bends under it; and the catastrophe*



Monument to Col. R. M. Johnson



*of other nations furnishes an awful warning of the consequence."*

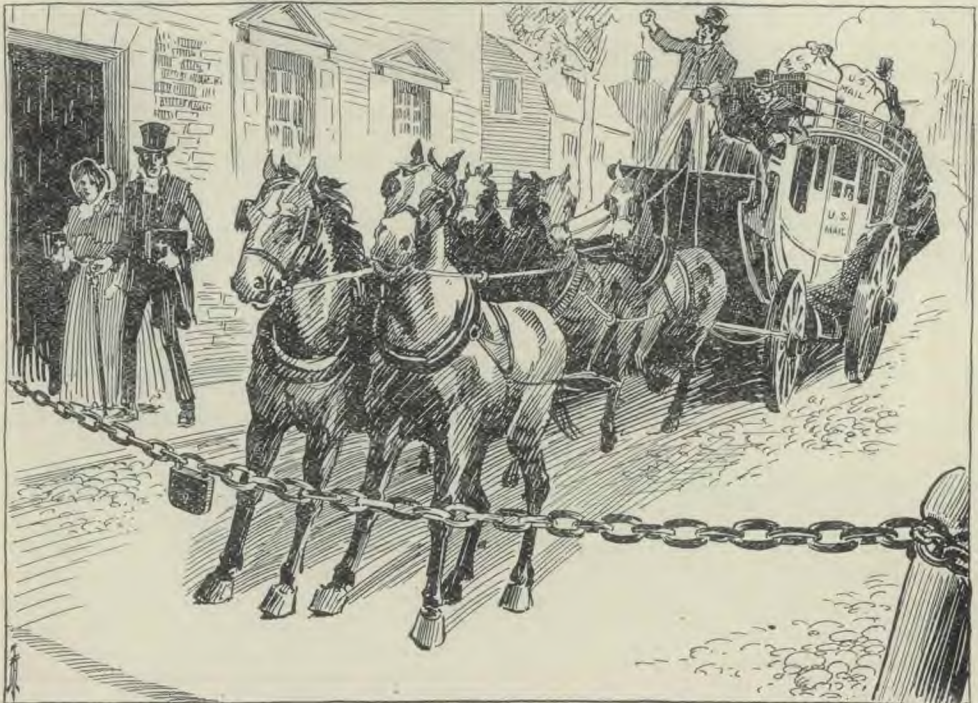
The following tribute was paid to Colonel Johnson in a speech by Hon. Ely Moore, in New York City, March 13, 1833, when he was recommended as a candidate for the Vice-Presidency :

"Colonel Johnson not only proved himself a heroic soldier, but a profound and honest statesman. He has not only won the blood-stained laurel, but the civic wreath. He not only merits our esteem and admiration for breasting the battle storm—for risking his life in the deadly breach; but also for the firm, patriotic, and undeviating course that has marked his political life; and especially is he entitled to our love and gratitude, and to the love and gratitude of all good men,—of all who love their country,—for his able, patriotic, and luminous report on the Sunday mail question. . . . I will hazard the declaration that Colonel Johnson has done more for liberal principles, for freedom of opinion, and for pure and unadulterated democracy, than any [other] man in our country. . . .

"Charge him not with hostility to the principles of religion, because he opposed the wishes and thwarted the designs of the clergy; rather say that he has proved himself the

friend of pure religion, by guarding it against a contaminating alliance with politics. His strong and discriminating mind detected and weighed the consequences that would result from such a measure. He sifted the projectors of this insidious and dangerous scheme, and resolved to meet them full in the face, and by means of reason and argument to convince the honest and silence the designing. The honest he did convince; the designing he did defeat, though, strange to tell, did not silence: their obstinacy can be equaled only by their depravity. Their perseverance, however, can accomplish nothing, so long as the people prize their liberties, and can have access to the Constitution and Johnson's Reports.

"That man who can contemplate the misery and degradation that have ever resulted to the many from a union of the ecclesiastical and secular powers, must be a stranger to every patriotic feeling, callous to every noble impulse, and dumb to all the emotions of gratitude, not to admire and revere, honor and support, the man who had the honesty and moral heroism to risk his popularity by stemming the current of public prejudice; by exciting the bigot's wrath, and provoking the vigilant and eternal hostility of a powerful sect, whose influence is felt and whose toils are spread from Maine to California, and from Oregon to the Atlantic."



*Heavy chains were stretched across the streets of Philadelphia, and secured with padlocks, to prevent the passage on Sunday of the government mail coaches between New York and Washington.*





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*The Supreme Court of the United States*

# Shall the Supreme Court Be Subordinated to Congress?

## Interesting Correspondence

### From Statesmen

### On This Theme

**S**OME of our American statesmen and members of the legal profession have complimented us highly for our position taken in the last issue of *LIBERTY* on the Constitutional question as to whether or not Congress shall supersede the Supreme Court of the United States. We take pleasure in letting the public have the benefit of a few of the many highly interesting and illuminating letters upon this important and much agitated question in Congress, where two bills submitting Constitutional amendments are pending, which

aim to subordinate the decisions of the Supreme Court of the United States be-

low the level of the acts of Congress.

The following letter was received from Senator Frank B. Willis, of Ohio, who placed President Harding in nomination in 1920:

"DEAR MR. LONGACRE:

"In reply to your letter of January 8, I have noted the article, 'Shall Congress Supersede the Supreme Court of the United States?' which appears in the *LIBERTY* magazine for the first quarter of 1924.

"It is interesting to me to note that many of the expressions in this article coincide very



closely with my own views on this subject.

"I am attaching a copy of remarks I have made on this subject a number of times in the last few months, and I think they will answer the question asked in your letter.

"Very truly yours,  
" (Signed) FRANK B. WILLIS."

The following are the "remarks" to which Senator Willis refers:

#### The Supreme Court and Congress

"I think that the one thing upon which every American citizen ought to plant his feet as on the everlasting rock, is the thing that President Harding above all things loved and revered and respected, and that is the Constitution of the United States of America.

"I speak of that because there is a movement on foot which contemplates, as I view it, indirectly the destruction of the Constitution of the United States. An amendment is pending in the Senate, and another one in the House to the same effect, that proposes that the Constitution of the United States shall be so amended as in effect to take away from the courts of the United States the power which they have heretofore exercised from the beginning of the government, of passing upon the constitutionality of laws.

"In the name of reform, in the name of the people, it is being urged upon the platform and in the public press that the Constitution should be amended so that hereafter if Congress, in a moment of political heat and excitement, shall pass some law, some bill that shall become an act, and that law is taken in due course, in a case properly made, before the Supreme Court, and the Supreme Court shall decide against the constitutionality of that law, it is provided in this amendment that it is alleged to be in the interest of the people, that all you need to do after that to get it to be Constitutional is to have Congress pass it over again by an appropriate majority, and then it is the law anyhow.

"If that shall be done, in effect, we shall have substituted for the Constitution of the United States the mere temporary, fleeting, ephemeral will of a Congress. If Congress can pass a law over the decision of the Supreme Court, that act is tantamount to an abolishment of the Constitution of the United States.

"The thing of prime importance, of paramount importance, is that we shall keep our eyes open to this situation, and shall not per-

mit this, the greatest government beneath the stars, to be wrecked by alleged reformers that care nothing for the Constitution, but would be glad to have it torn to tatters. . . .

"Some of the forms of lawlessness mantle themselves in lawful raiment, and are garbed in the shining garments of reform. Such is

the present attempt to prove the law lawless and the Constitution unconstitutional by taking from the Supreme Court of the United States the power to declare acts of Congress unconstitutional. If this spurious reform shall be adopted, there will be an end to constitutional government in this country; in the place of government

under a charter made by the people, there will be substituted the tyranny of a legislative body. In the place of deliberate judgment under the methods prescribed by the Constitution will come the fitful fancies of a temporary majority drunk with power. In the place of calm counsel and reason, hatred and vindictive class prejudice will rule.

"Such an alleged reform can be adopted as a law of the land only if the people decide to reject their experience and consult their invention—to banish reason and adopt instead the fleeting phantasmagoria of a fevered imagination. Since the days of John Jay, Edward Rutledge, and John Marshall, the Supreme Court has possessed and exercised sparingly the power to pass upon the constitutionality of Congressional acts. The proposal to take from the Court this power is so far-reaching and revolutionary that it is worth while to pause and consider the nature of this government of ours.

"Who made the Constitution? The people. Of course the people can unmake and even destroy it; but when they are aware of the facts, I do not believe they will do so. I do not complain of the method of change proposed. Congress has a right to propose amendments to the Constitution according to the method the Constitution itself provides; but what I can do honorably to prevent the adoption by Congress of any such radical amendment will be done, and if Congress should commit the unpardonable folly of adopting any such unwise amendment, I shall do what I can to prevent its ratification by the States.

"The Constitution is a charter—a bill of instructions made by the people and laid down for the guidance of those temporarily clothed with governmental authority. The Constitution itself says that the Constitution shall be

*If that shall be done [if Congress shall be given power to override a decision of the Supreme Court], in effect, we shall have substituted for the Constitution of the United States the mere temporary, fleeting, ephemeral will of a Congress. If Congress can pass a law over the decision of the Supreme Court, that act is tantamount to an abolishment of the Constitution of the United States.—Senator Willis.*



the supreme law of the land — the Constitution is above treaties and above mere statutes passed by Congress. Suppose Congress should pass a statute in conflict with the Constitution. When that act comes before the Supreme Court, the Court, which is bound to determine what the law is in the case pending before it, is called upon to decide which is to control, the people's will expressed in the Constitution or the will of Congress as expressed in the statute. In such a situation the people's will is controlling, and the Court would so declare and hold the act of Congress unconstitutional. But if Constitution tinkers shall have their way, the unconstitutional act would be referred back to Congress, and if repassed by a suitable vote, the unconstitutional act would become constitutional; in other words, the act of Congress would supersede the Constitution, the will of Congress be declared superior to the will of the people, and, in effect, our written Constitution abrogated and destroyed — the thing created would become greater than the creator. This is not reform, it is revolution in the guise of reform; it is a wolf masquerading in sheep's clothing.

"I have served in the General Assembly of Ohio, in the National House of Representatives, and in the United States Senate, and I have never yet seen a legislative body qualified to pass finally on the constitutionality of laws. If legislators possessed the ability to decide as a court of last resort such a momentous question, elections are too near and political considerations are too strong. Decisions in such matters should be made with courage and without fear of political consequence. By its very Constitution the Court is qualified to make such final decision, and the Congress by the same token disqualified.

"The Court has never abused this power; it has exercised it very sparingly. Relatively, but very few acts of Congress have been declared unconstitutional.

"It is an easy and temporarily popular thing for a demagogue to attack the courts.

"The Supreme Court was assailed because of the income tax decision. It said that the income tax law as passed was in conflict with

the Constitution as it then existed. The remedy was at hand. The Constitution was amended, a new income tax law was passed, and this was sustained by the Court. If the people want a law which the Constitution forbids, they can amend the Constitution. The demagogue knows this, but then it is so much easier for him to stir popular passion by vindictively attacking the Court.

"The Constitution was made by the people for the protection of all the people. It is the shield and the buckler for the common man against freak legislation prompted by class hatred fanned hot by unprincipled demagogues. The most sacred rights of every citizen are protected by the Constitution. It would be the height of folly to exchange this abiding guaranty of safety for the temporary, fleeting will of any legislative body.

"Gladstone said our Constitution was the greatest work ever stricken off the brain and purpose of man. Let us not exchange it for the tyranny of a Congress that might become as hateful as the tyranny of a king."

Congressman Black, of Texas, writes:

"DEAR MR. LONGACRE:

"I am just in receipt of your letter calling my attention to the article in the LIBERTY magazine of the first quarter of 1924, entitled, 'Shall Congress Supersede the Supreme Court of the United States?'

"I am glad to get this article, and have thought so well of it that I have placed it in my files for future reference.

"(Signed)

"EUGENE BLACK."

Congressman Boyce, of Delaware, writes:

"DEAR MR. LONGACRE:

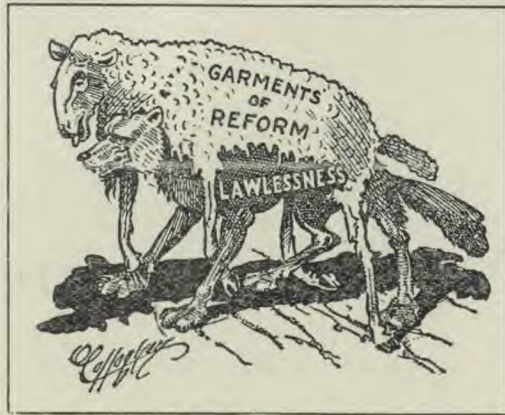
"I have yours of recent date, and also copy of LIBERTY, calling my attention

to the article entitled, 'Shall Congress Supersede the Supreme Court of the United States?'

"I fully concur with the article, in preferring 'to trust the Supreme Court as the final interpreter of the Constitution.' To do otherwise, in my judgment, would lead the nation into untried, if not dangerous, paths.

"(Signed) WM. H. BOYCE."

(Continued on page 57)



Poor Camouflage

"Some of the forms of lawlessness mantle themselves in lawful raiment, and are garbed in the shining garments of reform. Such is the present attempt to prove the law lawless and the Constitution unconstitutional by taking from the Supreme Court of the United States the power to declare acts of Congress unconstitutional."





*Followers of Christ Rebuked for Attempting to Make Him King*

## Making Christ King by Force No New Scheme

*By*

**C. S. Longacre**

**E**VERY now and then organizations arise which are determined to make Christ King of this present world, and they seek to force Him to the throne through the gateway of politics, and to establish His kingdom on earth by reform legislation and social evolution, instead of employing gospel means to bring about the result desired.

This scheme to make Christ King by force or by legal means is not a new adventure. Even while Christ was on earth, His friends gathered around Him and deliberately planned to make Him king by force, and the divine record

says that "when Jesus therefore perceived that they would come and take

Him by force, to make Him a king, He departed again into a mountain Himself alone." "My kingdom is not of this world," was Christ's reply to Pilate's question, "Art Thou the King of the Jews?"

He is to be the King "of the world to come," but "not of this world." His kingdom is to be set up "without hands," that is, without human instrumentality. (See Dan. 2:44, 45.) It will be done by the direct act of God alone.



Any effort to set up the kingdom of God by legal process, or to enthrone Christ as King in the realm of civil law, is destined to fail. It always has failed in the past, and it will never succeed, for it is utterly contrary to the plan of Christ as set forth in His teachings in the gospel.

When the church was supreme in both the spiritual and the temporal realm during medieval times, it repeatedly proclaimed Christ to be the King of this present world and in the realm of law, and in fact in every phase of human experience. Down through the centuries until today, human attempts have been made by civil law to set up Christ as the acknowledged King and Master of all men and nations in organized society. The pious Savonarola, in 1495, tried to have his beloved Florence formally vote Christ into civil sovereignty as its real King, both in spiritual and in temporal affairs. Thirty-two years later, in 1527, the city-state of Florence, by a great majority of the citizens and by actual ballot, elected Jesus Christ King. On one of the great palace doors was placed a tablet inscribed, "Jesus Christus Rex Florentinti Populis P Decreto Electus."

The Holy Roman Empire repeatedly declared in council and in the realm of law that Jesus Christ was the true King of this present world, and that the Holy Roman Empire was His kingdom on earth, and all that was needed to make His reign supreme everywhere in social service, in political reform, in civic justice, and in human welfare, was

merely to extend the borders of the Holy Roman Empire and the authority of His so-called vicegerent until they embraced the whole world. This program led to a union of church and state, with the church claiming supremacy. It led her to force her issues upon unwilling subjects at the point of the sword and the threat of the stake and flaming torch. Under the conception of this doctrine of making Christ supreme in the realm of law and by force, the church felt justified in the indulgence of the most terrible persecutions the world ever witnessed, against dissenters and nonconformists.

Do we want to repeat this bloody history of the past when the church and the state were united in unholy wedlock? We answer, No! Emphatically, No! Yet there are more than twenty religious organizations in America whose avowed object is to make a conquest of the world

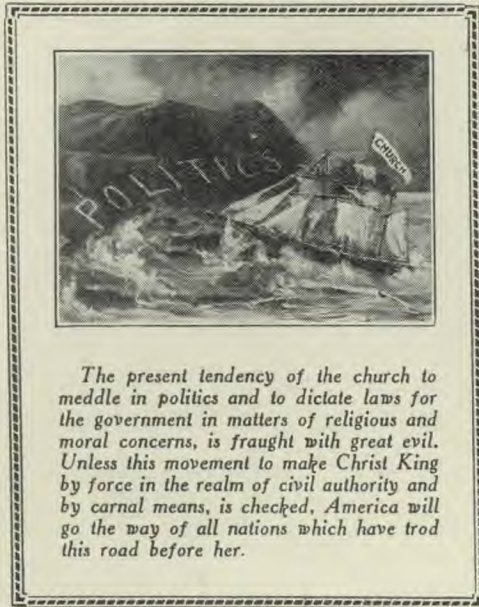
by the means of reform legislation for the universal enthronement of Jesus Christ in the realm of law as the civil Ruler of nations, and to subject to punishments, chastisements and vigorous prosecutions, all who refuse to yield to their interpretations, of the divine will and the divine law.

In other words, these reform organizations set themselves up as God's true representatives on earth,

to interpret His will and law, and also to execute His vengeance for Him, forgetting that God has said, "Vengeance is Mine; I will repay."

The present tendency of the church to meddle in politics and to dictate laws

(Concluded on page 48)



*The present tendency of the church to meddle in politics and to dictate laws for the government in matters of religious and moral concerns, is fraught with great evil. Unless this movement to make Christ King by force in the realm of civil authority and by carnal means, is checked, America will go the way of all nations which have trod this road before her.*



# Where Shall Religious Instruction Be Given?

**T**HE minds of men are to a great extent agitated over the teaching of religion or nonreligion to the youth. In the uni-

versities and centers of education, evolution is openly taught. This, of course, leaves no provision for instruction in Christianity by the teacher of biology. More than this, if the seeds of infidelity have not already been sown in the mind of the student, they are likely to be before he finishes the university.

Outside the record found in Genesis, there is no authoritative account of creation. Everything else is only conjecture. Many theories have been advocated. All along the highway of science falsely so-called can be found wrecks that one time were proudly lauded as the one great discovery of the secret of life. It seems too bad that men should be so intent on leaving God out of the creation, that they are ready to accept almost any theory looking to that end. Worldly wisdom knows not God.

What is the remedy? Surely not the teaching of a religion formulated or adopted by the state. True religion cannot be imposed upon the student. Religion is a matter of individual belief, and no individual must be denied his right to it. Every parent has a right to say what theory of religion shall be taught his children. Right here is where comes in the value of the church school and college. No young person is properly educated who

By

W. F. Martin

has neglected a study of the Bible, and to whom no religious training has been imparted. However, with the varied and widely divergent views of teachers and professors in universities and other state institutions, no consensus of religious training can be imparted. This should be recognized and accepted.

Different denominations which have arisen believe that God has given them a specific work to do, founded upon certain Scriptural admonitions. To teach these tenets along with the subjects taught in the state schools, church or parochial schools have been established and are maintained by private contributions from the adherents of these particular faiths.

Yes, religious instruction should be given to children and youth. Their plastic minds should have such teaching indelibly stamped upon them. It proves a safeguard in this world, and enhances the possibility of their sharing a place in the world to come.

To provide for this education, parents have made heavy sacrifices, in the past, and are doing so today. From schools supported by denominational funds, have come devoted men and women for gospel work at home and abroad. Christians who believe the Bible and who are alarmed over the prevalent disregard of its teachings, are endeavoring to stem the tide of evil by drilling their children at home in the things of God, and by placing them under teachers who are





believers in the Bible and teach it in accord with the ideas of the church with which these parents are affiliated.

When all is said and done, the home, the church, and the church school are the logical places for the teaching of religion. The public schools, colleges,

and universities will ever remain among the great seats of learning and education. These should be supported and encouraged by all, but those who desire education in special lines not provided for, and outside the province of the state schools, should not be denied that right.

**W**ITHOUT judging or impugning the motives of the promoters of this measure, yet believing in the adage that "an ounce of prevention is worth a pound of cure," we find there is room for opposition to it based upon a conception of the spirit of Americanism together with a survey of certain well-defined movements in our land whose tendencies are creating unrest, group antagonisms, and a spirit of intolerance.

There is as much need nowadays of making inquiry as to the uses to which legislation can be put, as there is to inquire as to the apparent good to be accomplished by such legislation. The fundamental principle of Americanism is the greatest liberty of action consistent with the equal rights of others. When proposed legislation is shown to be violative of the right to "life, liberty, and the pursuit of happiness," such legislation is un-American and should be repudiated.

There is one thing that America stands committed against, and that is monopoly. The Reed-Sterling bill encourages, to say the least, educational monopoly.

The bill sounds harmless enough, but in the estimation of the United States



## Dangers in the Reed - Sterling Educational Bill

By

S. B. Horton

Chamber of Commerce, it would enable the proposed Cabinet officer "to sway the whole course of public school education throughout the country." This conclusion is upheld by President Nicholas Murray Butler, of Columbia University, who says,

"It is now proposed to bring into uniformity the educational system of the United States, while making the most solemn assurances that nothing of the kind is intended."

In a later utterance the same educator says:

"If the bill is passed, it will effect so great a revolution in our American form of government as one day to endanger its perpetuity."

Miss Newell M. Mason, A. M., of Macon, Ga., also an experienced educator, who has given a good deal of thought to the bill, has sent us an interesting communication in regard to it, whose length prohibits its publication at this time. Miss Mason says:

"The same people who originated the Towner-Sterling bill, that is, the university professors who run the National Education Association, are active opponents of orthodox religion and its teaching, not only in public schools, but in the denominational colleges. Therefore, if a typical member of that association were chosen as Secretary of Education, he would set about controlling the religious



beliefs of the country or eliminating the orthodox church schools because they perpetuate differences in religious belief."

Miss Mason's communication concludes as follows:

"All of this being true, all lovers of liberty in church and state—liberty of conscience and action—must rouse themselves to immediate investigation and violent opposition to a bill that will in its logical working out destroy all forms of liberty, even the very government, and as Dr. Butler predicts, not only those who love our form of government and shudder at the thought that America may be following in the footsteps of Rome,—for Rome was once a republic, before her liberty was gradually encroached upon by tyrants who took advantage of her religious and patriotic lethargy,—but all that love religion and the church schools that keep it alive must rouse themselves to action, if they would not have their children enslaved like the people of Rome and modern Germany, who were the dupes of an educational bureaucracy such as the one proposed in America.

"Teachers ought to oppose this bill, if they prize their liberty in working out their own problems; mothers ought to oppose it, if they care for the individuality of their children and do not want them all turned out in the same mold; the labor unions ought to oppose it, because it is a conspiracy of an intellectual aristocracy to dominate the masses; denominational schools and churches ought to oppose it, because if it passes, it means their destruction; women's clubs ought to oppose it, because it will be used by autocratic men in education to relegate women to the position of obedient followers. All good Americans—who want to keep America American, a democratic and a Christian country—ought to oppose it, for

by it the very foundations of our government and our ideals are threatened!"

In a speech by former Senator Albert J. Beveridge in St. Louis, Mo., a lesson on the subject of lawmaking is given which I think worthy of attention:

"The country is smothered by legislation. The boundaries of law have been broken over, and statutes have invaded the province of the pulpit and the school. The church has abdicated to the state, which cannot possibly do the church's work—the Sermon on the Mount is higher than acts of Congress or legislatures."

## Making Christ King by Force No New Scheme

(Concluded from page 45)

for the government in matters of religious and moral concerns, is fraught with great evil. Unless this movement to make Christ King by force in the realm of civil authority and by carnal means, is checked, America will go the way of all nations which have trod this road before her, and her streams will likewise become crimsoned with the blood of martyrs whose love for liberty of conscience is stronger than their desire for life.

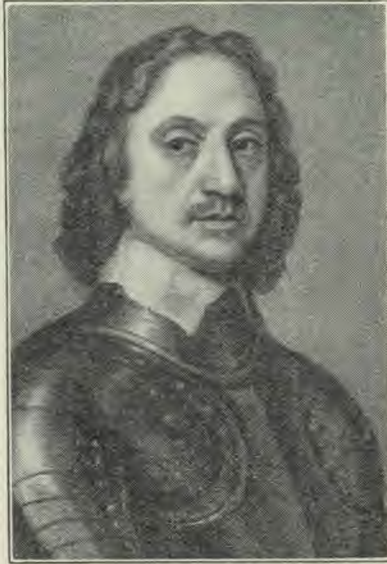
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SOME people believe that a law can reform a man, but "making" laws does not make men.

"The church that neglects its youth, destroys its own future."







*Oliver Cromwell*

## An Impressive Lesson

*By*

C. P. Bollman

**A**n impressive lesson, and one that every American citizen, and especially every legislator, should ponder well, is taught by the history of the English Commonwealth, under Cromwell, and the Restoration of the monarchy.

England was never officially so religious as under Cromwell, whose "Iron-sides" charged at Winceby "singing psalms."

Cromwell himself, when forcibly dissolving Parliament, exclaimed: "It is you that have forced me to this. I have sought the Lord night and day that He would rather slay me than put upon me the doing of this work." The members of the new Parliament summoned by the

council of state "from lists furnished by the Congregational churches," were described by Cromwell in Scripture language as "faithful, fearing God, and hating covetousness." Among them was "Praise-God Barebones."

Of the assembling of the new Parliament, Green says in his "History of the English People:"

"Cromwell himself, in the burst of rugged eloquence with which he welcomed their assembling on the fourth of July, was carried away by a strange enthusiasm. 'Convince the nation,' he said, 'that as men fearing God have fought them out of their bondage under the regal power, so men fearing God do now rule them in the fear of God. . . . Own your call, for it is of God; indeed it is marvelous, and it hath been unprojected. . . . Never was a



supreme power under such a way of owning God and being owned by Him.' A spirit yet more enthusiastic appeared in the proceedings of the convention itself."

Of the Cromwellian régime and the reaction that followed the restoration of the monarchy, Ridpath, in his "History of the World," says:

"Within two years after the Restoration a reign of profligacy was established in the court the like of which had never before been known in England. The king himself was the center, and his influence the circumference of the shocking moral depravity which pervaded first the courtly society and then the whole kingdom. For this it is just that Charles II should be held to a rigid account at the bar of history. The condition suited him precisely. But it is also true that the temper of the age was as well pleased with his moral abandonment as he was pleased with it. The true cause of the collapse of public and private virtue in the times of the Restoration is to be sought and found in the inevitable reaction which had taken place against the reign of the Roundheads. That body of religionists had, during their political supremacy, done as much as they could to destroy the happiness of the human race. They had planted themselves squarely in the way of every natural pleasure of which men are capable. To them the innocent joys of childhood, the ringing laughter of youth, the inspiring excitements and recreations of middle life, as well as the casual smiles still flitting at intervals across the wrinkled face of age, were all alike odious, hateful, damnable. They seemed to take a strange inward satisfaction in clothing the whole world in the anguish of dreariness and the dolor of despair. There never was in the history of mankind any other epoch in which the sour-visaged and Scythic giant of Bigotry so beat down with his bludgeon every budding hope, tender love, and blossoming joy of the human heart as when the lugubrious fanatics of 1650 sat on the breast of prostrate England.

"Against all this the nature of man at last revolted, and rushed to the opposite extreme. The age of indulgence followed the age of suppression, and the hilarious shouts of drunken rioters were heard instead of the artificial groans and grunts of the Puritans. The jaunty plumes and perfumed locks of the Cavaliers, in whom the last sparks of moral obligation had gone out, were the fitting counterparts of the shaven faces and carefully cultivated ugliness of the Puritans, in whom a factitious discipline had begotten death, and cant had murdered culture.

"Charles II was the fitting exemplar of his age. The reign of rigor gave place to the

reign of riot. And it were difficult to say which was the worse! Certain it is that no more scandalous court has been seen in modern Christendom than that of the Second Charles."

The lesson is not far to seek. "Pure religion and undefiled before God and the Father," is not either individual or governmental profession, but is this: "To visit the fatherless and widows in their affliction, and to keep himself unspotted from the world." It is not a creature of man, but is the fruit alone of the indwelling of the divine Spirit.

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### Prominent Authorities on Liberty

LET the mind and tongue and press be free. A forcible suppression of error is no aid to the cause of truth.—*William Lloyd Garrison.*

Roger Williams was the first man in modern Christendom to establish civil government on the doctrine of the liberty of conscience.—*George Bancroft.*

Those who deny freedom to others, deserve it not themselves, and under the rule of a just God cannot long retain it.—*Abraham Lincoln, in an address at Bloomington, Ill., May, 1856.*

Though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; the minority possess their equal rights, which equal laws must protect.—*Thomas Jefferson.*

The time is now near at hand which must probably determine whether Americans are to be freemen or slaves. The fate of unborn millions will now depend, under God, on the courage and conduct of this army.—*George Washington at Valley Forge, 1778.*

We meet on the broad pathway of good faith and good will. No advantage shall be taken by us against you or by you against us. All shall be openness and brotherly love.—*Penn's Speech to the Indians in 1682, in making "the treaty never sworn to, and never broken."*



# Too Anxious to Help God

*By the Editor*

**S**OME people seem to be obsessed with the idea that they are under obligation to help the Lord, that He is not capable of defending and preserving His own institutions. Not infrequently we hear some so-called "Christian lobbyist" or "professional reformer" declare that "Christianity will be destroyed" and "Jehovah's institutions will be obliterated" unless religion is supported by civil law and enforced

by the civil magistrate. A religion that cannot survive without the support of the civil law is not worth preserving. True religion flourishes best without the aid of the civil magistrate. God needs no help from Cæsar. The truth is its own defender.

It is dangerous doctrine to preach that you have to help the Lord answer your own prayers. If the Lord does not answer your prayer, you may rest assured that your prayer ought not to be answered.

A colored preacher said to his congregation, "Heaven helps those who help themselves. If God does not answer your prayer, help the Lord answer it."

One of his parishioners came back a few days later and said, "Parson, I proved your doctrine true. The other night I saw a lot of turkeys sitting in a



*Applying the Parson's Doctrine*

tree, and I prayed God to send me one of those turkeys during the night, but He did not answer my prayer. The next night I prayed that God would send me to help Him get one of those turkeys for me, and before sunrise next morning my prayer was answered."

The Lord does not appreciate this kind of help in the answer to our prayers, nor does He sanction the employment of the police power of the state in the propagation of the tenets of the Christian religion. These "professional reformers" and "Christian lobbyists" who drag the ark of God into the legislative hall of Cæsar, are like the Philistine lords of Ashdod who captured the ark of God and placed it in the house of Dagon, that the blessing of the Lord might come upon them. But the curse of God came upon them, and so will it come upon all who pervert the ways of God.

There is a right way and a wrong way of doing the right thing. Religion is a good thing, but it is never right to administer religion in either allopathic or homeopathic doses by legal force to any one who may be afflicted with infidelitis.

We are authorized to invite, but not to compel, men to come to Christ; in the words of Scripture: "Whosoever will, let him take the water of life freely."



## A Memorial to the Government of New Jersey

THE following interesting memorial calling for the repeal of the Sunday laws of New Jersey was forwarded, Jan. 27, 1924, to the government of New Jersey by the mayor of Asbury Park, N. J. One of the legislators of New Jersey introduced a bill to bring about the repeal of those Sunday laws referred to in this memorial:

### "A Memorial

*"To His Excellency the Governor and to the Honorable the Members of the Senate and General Assembly of New Jersey:*

"You are now engaged in the consideration of matters of policy of grave importance to the welfare of the people of the State of New Jersey.

"As you may determine these policies, so will be affected the morals and fortunes of the citizens of this great Commonwealth.

"Under our plan of government each citizen possesses the fundamental right of expression and participation in governmental affairs, either directly or through his chosen representatives.

"As a humble citizen of New Jersey I therefore address to you, the people's representatives, this memorial upon a matter of policy that I believe is of vital importance to the welfare of the State.

"Respect for law is decreasing day by day in New Jersey.

"Observance of law is rapidly becoming a matter of one's inclinations—the court of decision being one's personal desires.

"It is a dangerous trend, and is a matter not to be lightly considered and then forgotten.

"Hundreds of new laws are enacted each year containing so many inhibitions and prohibitions that people do not know what they may do and what they may not do—and so do as they please.

"Especially is this condition applicable to New Jersey where the blue laws of long ago still remain in force—violated in many respects by every one; honored and observed by no one.

"These so-called blue laws particularly are not in accord with modern thought and practice, and hence are not effective.

"In fact, law observance in New Jersey has become a travesty.

"Repeal, therefore, these foolish laws and inhibitions and adopt a policy that permits clean, innocent, and wholesome amusements and recreations every day.

"In suggesting this policy I do so fully knowing the divergent views regarding it, but

believing that it will be in accord with popular demand and opinion and will in consequence be a step forward in law observance.

"As the laws of New Jersey stand today, a person may not legally do anything for his amusement on Sunday and any pleasure one seeks is a violation of law.

"Certain communities in the State—Jersey City, Newark, Atlantic City, and others—ignore the blue laws completely. Other communities observe them in part.

*"But no community or citizen observes them entirely.*

"So observance and enforcement become farces, and respect for law is scattered to the four winds.

"Give to the people of this State, therefore, laws with which they are in accord and will observe.

"Repeal these blue laws as an act of good policy and permit clean, innocent, wholesome amusement and recreation on Sunday and every day, and you will have taken a great stride forward in good government, law observance, and law enforcement.

"C. E. F. HETRICK, Mayor,

*"Asbury Park, N. J."*

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## "New Jersey Bars Radio and Phonograph on Sunday"

THE New York *World* of February 9, under the above caption, gives the following news item:

"A New Jersey Sunday blue law which was adopted in 1798, must be enforced to the letter, Supreme Court Justice James F. Minturn told the Hudson County Grand Jury yesterday. This law makes even playing a phonograph on Sunday illegal. However, if the offender is indicted, tried, and convicted, the maximum penalty is a fine of \$1.

"This situation was created a month ago when the Jersey City motion picture theaters started operating on Sunday. In many other towns in the State the theater owners had never observed the law.

"Sunday movies have been bitterly opposed by church elements in Jersey City, particularly by the Lord's Day Alliance and the New Jersey Society for the Promotion of Morals and the Suppression of Crime. Directing their attack chiefly at the theaters, a group of churchmen called on Justice Minturn last week.

"The justice, who several years ago headed the Liberal Sunday League, referred to the theaters yesterday, but instructed the jurors to indict 'all other violators,' and told them they should be actuated, 'not by what the law should be, but by what is the law.'"



Touching the court's instructions, the Newark *Ledger* quoted this from Justice Minturn's charge to the jury:

"It is an axiom of popular government that to secure the repeal of obnoxious legislation you have but to enforce the law. If the people insist upon a change, the legislature is open to them for the purpose, and to it, and not to the courts and grand juries, appeal must be made."

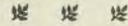
The Sunday law of 1798, provides among many other things that there shall not be carried on in the State upon Sunday "any worldly business or employment, nor any interludes, plays for gain, dancing, singing, fiddling, or other music for the sake of merriment." This ancient act puts a bar upon the use of the radio on Sunday when it is employed for mere entertainment. Likewise the phonograph is prohibited for amusement on that day.

We are wondering if the grand jury is going to indict the song birds for singing on Sunday for their entertainment, and how they are going to stop the warbling brooks in New Jersey from singing among the pebbles down the hillside.

The Puritans used to put young men into the stocks for playing musical instruments and for whistling on Sunday, and married men were both fined and put into the stocks for kissing their wives on Sunday. The records of the Boston court when the Puritans ruled with the big stick, disclose the fact that two sea captains were thus fined for kissing their wives on Sunday as they met them on a return trip from Europe. New Jersey is turning the wheels of progress backward. But this may be a good sign, as some people occasionally have to back up in order to get a start forward.

This may be the quickest way of getting the legislature to repeal an obnoxious religious law that has no rightful place in American jurisprudence. We are supposed to live in a land where the church attends to its own business and the state to its affairs. It is time for New Jersey to dispose of its ancient

relics of a dead past, when religion was administered with a vengeance by the civil magistrate.



## Bangor and Portland Sunday Law Episode

LAST October, sixty citizens of Bangor, Maine, sent a petition to the mayor for the enforcement of the Sunday laws. The mayor responded, and commenced his crusade by the arrest of the owner of a theater for displaying an electric sign of the last game of ball of the World's Series on Sunday. He was finally discharged because he gave a portion of the proceeds of the exhibition to charity.

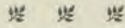
Later, two merchants were arrested and fined for selling ice cream on Sunday. Six other men were arrested and fined for selling newspapers on Sunday. Finally, a Jewish merchant who faithfully closes his shoe store from sunset Friday evening till sunset Saturday evening, was arrested because he sold a pair of shoes and a pair of rubbers to a local teamster on Saturday night after sunset, who called for them on Sunday morning, and then had the merchant arrested.

This was a clear case of religious prejudice and persecution. This dealer has stood one trial and is bound over for another. Finally a petition was signed by more than three thousand citizens of Bangor which was sent to the city government protesting against the enforcement of these antiquated religious laws of intolerance. The city administration then dropped the matter and all are now doing as they did aforesaid.

The mayor of the city of Portland, Maine, was likewise besieged by a few clergymen to close everything tight on Sunday. He started his Sunday law crusade, but such a mighty protest went up from the people of Portland, that the mayor decided it was wiser to be prudent than chivalrous, and backed down. A movement is on foot now to repeal



these drastic Sunday laws. Let the people rule. We hope they will drive the church out of politics and repeal these religious laws which have absolutely no place on the civil statute books of the fair State of Maine. Religious liberty and not religious intolerance should be the watchword of every American State.



### Religious Persecution in Swing Again

**T**WO Seventh-day Adventists, F. E. McKee and Thomas Coble, of Talawah, Miss., have been indicted by the grand jury for Sunday work. They are bound over for trial at the July court at Purvis, Miss., the county seat. These men were engaged in innocent work, disturbing no one, when religious prejudice caused their arrest. They both had observed the seventh day of the week as the Sabbath in harmony with the divine commandment, and now they are arrested, indicted, and must stand trial, because they did not rest on Sunday, the first day of the week. Is this religious liberty in America? Is this equality of all citizens before the law? Is this essential justice? If this is not religious persecution, if this is not paying a penalty for one's religious faith in America, what is it?

If a Sunday observer were arrested and fined because he did not also rest on Saturday, what would he call it? When the Jews in Jerusalem requested Governor-General Allenby to enforce a Saturday law in the city of Jerusalem upon all Sunday observers, the governor replied that such a course would be reprehensible and in violation of the high law of justice and religious equality and freedom. The Jews were wrong and Governor Allenby was absolutely right. Will American officials recognize the same principle of justice, liberty, and fair play?



THE state has no duty to enforce church discipline.

### President Coolidge on the Limitations of Law

(Continued from page 37)

the praiseworthy motive of promoting general reform or whether they reflect the raising of the general standard of human relationship, require a new attitude on the part of the people toward their government. Our country has adopted this course. The choice has been made. It could not withdraw now if it would. But it makes it necessary to guard against the dangers which arise from this new position. It makes it necessary to keep in mind the limitation of what can be accomplished by law. It makes it necessary to adopt a new vigilance. It is not sufficient to secure legislation of this nature and leave it to go alone. It cannot execute itself. Oftentimes it will not be competently administered without the assistance of vigorous support. There must not be permitted any substitution of private will for public authority. There is required a renewed and enlarged determination to secure the observance and enforcement of the law.

So long as the national government confined itself to providing those fundamentals of liberty, order, and justice for which it was primarily established, its course was reasonably clear and plain.

But this has all been changed by embarking on a policy of a general exercise of police powers, by the public control of much private enterprise and private conduct, and of furnishing a public supply for much private need. Here are these enormous obligations which the people found they themselves were imperfectly discharging. They therefore undertook to lay their burdens on the national government. Under this weight the former accuracy of administration breaks down. The government has not at its disposal a supply of ability, honesty, and character necessary for the solution of all these problems, or an executive capacity great enough for their perfect administration. Nor is it in



possession of a wisdom which enables it to take great enterprises and manage them with no ground for criticism. We cannot rid ourselves of the human element in our affairs by an act of legislation which places them under the jurisdiction of a public commission.

The same limit of the law is manifest in the exercise of the police authority. There can be no perfect control of personal conduct by national legislation. Its attempt must be accompanied with the full expectation of very many failures. The problem of preventing vice and crime, and of restraining personal and organized selfishness, is as old as human experience. We shall not find for it an immediate and complete solution in an amendment to the Federal Constitution, an act of Congress, or in the findings of a new board or commission. There is no magic in government, not possessed by the public at large, by which these things can be done. The people cannot divest themselves of their really great burdens by undertaking to provide that they shall hereafter be borne by the government.

When provision is made for far-reaching action by public authority, whether it be in the nature of an expenditure of a large sum from the treasury, or the participation in a great moral reform, it all means the imposing of large additional obligations upon the people. In the last resort it is the people who must respond. They are the military power, they are the financial power, they are the moral power, of the government. There is and can be no other. When a broad rule of action is laid down by law, it is they who must perform.

If this conclusion be sound, it becomes necessary to avoid the danger of asking of the people more than they can do. The times are not without evidence of a deep-seated discontent not confined to any one locality or walk of life, but shared generally by those who contribute by the toil of their hand and brain to the carrying on of American enterprise. This is not the muttering of agitators, it

is the conviction of the intelligence, industry, and character of the nation.

Behind very many of these enlarging activities lies the untenable theory that there is some short cut to perfection. It is conceived that there can be a horizontal elevation of the standards of the nation, immediate and perceptible, by the simple device of new laws. This has never been the case in human experience. Progress is slow, and the result of a long and arduous process of self-discipline. It is not conferred upon the people, it comes from the people. In a republic the law reflects rather than makes the standard of conduct and the state of public opinion. Real reform does not begin with a law, it ends with a law. The attempt to dragoon the body when the need is to convince the soul, will end only in revolt.

Under the attempt to perform the impossible there sets in a general disintegration. When legislation fails, those who look upon it as a sovereign remedy simply cry out for more legislation. A sound and wise statesmanship which recognizes and attempts to abide by its limitations will undoubtedly find itself displaced by that type of public official who promises much, talks much, legislates much, expends much, but accomplishes little. The deliberate, sound judgment of the country is likely to find it has been superseded by a popular whim. The independence of the legislator is broken down. The enforcement of the law becomes uncertain. The courts fail in their function of speedy and accurate justice, their judgments are questioned, and their independence is threatened. The law, changed and changeable on slight provocation, loses its sanctity and authority. A continuation of this condition opens the road to chaos.

These dangers must be recognized. These limits must be observed. Having embarked the government upon the enterprise of reform and regulation, it must be realized that unaided and alone it can accomplish very little. It is only one element, and that not the most pow-



erful, in the promotion of progress. When it goes into this broad field, it can furnish to the people only what the people furnish to it. Its measure of success is limited by the measure of their service.

The limit of what can be done by the law is soon reached, but the limit of what can be done by an aroused and vigorous citizenship has never been exhausted. In undertaking to bear these burdens and solve these problems the government needs the continuing indulgence, co-operation, and support of the people.

But our countrymen must remember that they have and can have no dependence save themselves. Our institutions are their institutions. Our government is their government. Our laws are their laws. It is for them to enforce, support, and obey. If in this they fail, there are none who can succeed. The sanctity of duly constituted tribunals must be maintained. With a citizenship which voluntarily establishes and defends these, the cause of America is secure. Without that, all else is of little avail.

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### Transferring the Sabbath to Sunday

ACCORDING to an Associated Press report, an attempt is being made by English and Russian "reformers to transfer the Sabbath to Sunday." The *Hebrew Standard*, in commenting on this futile attempt, says that it "reminds us of one of Lincoln's stories," when a committee of political preachers waited upon him and urged a civil(?) Sabbath law for the nation. Lincoln replied that they reminded him of the schoolboy who was asked by a visitor, "Suppose we call the cow's tail a leg, how many legs would the cow have?" "Five," was the boy's prompt reply. "Wrong," said the questioner. "Calling a cow's tail a leg does not make it a leg." Calling Sunday the Sabbath does not make it the Sabbath. Calling

Sunday laws "civil Sabbath laws" does not make them such, even if enacted by the civil government.

A religious institution and observance cannot be changed into a secular obligation by a civil law without forming an alliance between the church and the state. Our State legislatures can no more transfer the Sabbath to Sunday than they can transfer the glory of the sun to the moon by civil enactment, or than they can change the Fourth of July to the first of July. No one can change his own birthday. The attempt would be a lie and a fraud. That is exactly what a Sunday-Sabbath is. It has no divine sanction. The law of God says, "The seventh day is the Sabbath of the Lord thy God." Until God repeals this law, the seventh day will continue to be the Sabbath of the Lord,—"the Lord's day,"—and human laws to the contrary will make no more impression upon the law of God than pea shooters do upon the rock of Gibraltar.

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### Queen Victoria Championed Religious Liberty

QUEEN VICTORIA of England was strongly in favor of granting religious freedom to all her subjects of every faith, and opposed to compulsory Sunday observance at the hands of the civil magistrate. Her famous Proclamation issued in 1858, over her own signature, makes this attitude very evident, as follows:

"Firmly relying ourselves on the truth of Christianity, and acknowledging with gratitude the solace of religion, we disclaim alike the right and the desire to impose our convictions on any of our subjects. We declare it to be our royal will and pleasure that none be in any wise favored, none molested or disquieted, by reason of their religious faith or observance, but that all shall alike enjoy the equal and impartial protection of the law, and we do strictly charge and enjoin all those who may be in authority under us, that they abstain from all interference with the religious belief or worship of any of our subjects, on pain of our highest displeasure."



## Shall the Supreme Court Be Subordinated to Congress?

(Continued from page 43)

Congressman MacLafferty, of California, writes:

"MY DEAR SIR:

"I received your letter of Jan. 8, 1924. I think that John Marshall was one of the greatest Americans we ever produced. I look upon the Supreme Court with the same reverence as he did.

"I am not in favor of letting the legislative impose its will upon the judicial department of our government. We are evidently in accord on that subject.

"As to Sunday laws, I think I have written to some of the people who are of the same religious belief as yourself, that I do not believe it possible to legislate spirituality into the soul of a man any more than I believe it possible to legislate value into a bushel of wheat.

"Any future action where a question of the kind you mention is involved, will undoubtedly be based upon that belief.

"Very truly yours,

"(Signed) JAMES H. MACLAFFERTY."

Congressman La Guardia, of New York, who introduced a bill into the House of Representatives to limit the power of the Supreme Court, writes:

"DEAR SIR:

"I beg to acknowledge receipt of your circular letter of Jan. 8, 1924, as well as copy of LIBERTY. I read the article referred to in your letter with a great deal of interest. I was specially interested, inasmuch as I introduced a bill, H. R. 721, which would require seven members of the Court concurring before declaring an act of Congress unconstitutional and void.

"While I do not agree, of course, with the argument urged in the article against limiting or curbing the power of the Supreme Court in such instances, I want to take this opportunity to say I admire the scholarly character of your article and the kindly, gentlemanly spirit in which it is written. It is controversy intelligently, fairly, and kindly conducted, as in your article, which will get us somewhere, rather than acrimonious and bitter personal abuse which is so often indulged in these days.

"With kind personal regards, I am,

"Yours very truly,

"(Signed) F. H. LA GUARDIA."

Judge Cyrus Simmons, of Knoxville, Tenn., writes:

"DEAR MR. LONGACRE:

"I wish to thank you for the LIBERTY magazine containing your article, 'Shall Congress Supersede the Supreme Court?' You have presented this matter in a very attractive way, and I believe it will do much good. There is quite an interest aroused in the public over this question.

"I know the bench and bar in general, including the United States Supreme Court, appreciate the good work LIBERTY is doing.

"Yours very truly,

"(Signed) CYRUS SIMMONS."

Attorney Hatch, of Greeley, Colo., writes:

"DEAR MR. LONGACRE:

"Having read the several articles in LIBERTY on Congress and our Supreme Court, I beg leave to say that I believe one of the greatest pending issues of the day, which threaten the overthrow of American liberty, is the gradual tendency toward the destroying of individual rights altogether.

"This can well be shown in the attempt of the pending issue, now being agitated in the minds of our legislators, to overthrow or supersede the power, justice, and will of the Supreme Court of the United States—the highest tribunal and the safest and most sure tribunal in which the Constitutional and statutory rights of the individual are vouchsafed.

"Having read many articles pro and con on this subject of Congress superseding the Supreme Court, I cannot but attempt to express my conclusions and opinions in that regard.

"In the first place, the Supreme Court of our United States is the only safeguard surrounding the individual citizen, which is absolute and sure in the guaranty to him, and the protection of him in the enjoyment of his rights extended and guaranteed by our Constitution; while with Congress, such rights and enjoyments of the individual citizen may depend upon the peculiar will and decision of the political party by majority represented at that particular time. And such rights are—may be—subjected to the change or whim of a different political party at a time when such might become invested with such majority vote. In other words, our Supreme Court of the United States, being a nonpolitical tribunal and consisting of the ablest of jurists, without regard to affiliations, and not depending upon political favors or political support either to retain their positions or become re-elected thereto, is a much safer and far superior body to be intrusted with the rights and liberties of the individual than a Congress which is composed only of partisan politicians. And even to think of making it possible for Congress to supersede our Supreme Court is, in my estimation and judgment, a folly far



below the mind of even the ordinary American citizen.

"I am fully persuaded that even to think of letting Congress supersede our only guarantor of human liberty, human justice, and the pursuit of human happiness, our Supreme Court of the United States, in any manner or in any matter, would be sacrificing each thereof to the biennial or election term whims of the political party then happening to be in power, and such would result in open rebellion and revolution of the general citizenship in very short order.

"We must have the steam to run the engine, and that steam is Congress in making our laws; but there must be a governor—a balance wheel—to regulate and construe that steam, or the engine of affairs of our country and its citizens will be dashed to pieces or whirled to revolution. This governor, this balance wheel, should—must be—our Supreme Court in all its sacred majesty.

"The Supreme Court of our United States has our every respect, and should receive our every support to the supremacy of every human power, and our Congress should be supported and improved in membership by the election thereto of more competent and more conscientious legislators—legislators of and for all the people all the time—and less politicians.

"When labor is ready to submit to the dictations of capital; when the poor submit to the rule of wealth; and when the oppressed submit to the heel of the oppressor, then let Congress supersede our Supreme Court; but until then let our Supreme Court rule and reign supreme, for through this tribunal, and this only, can come the absolute and continued guaranty of life, liberty, and the pursuit of happiness.

"Yours for the betterment of each and all of our American institutions.

"(Signed) EMIL B. HATCH,  
"Attorney at Law, Greeley, Colo."

We have given considerable space to the discussion of this important issue which is now pending before Congress. We regret that we cannot insert many other favorable letters on this subject received from prominent public men. We should regard with alarm the present tendency to destroy the integrity of our Constitution and the stability of our government. The restraints which our forefathers have placed in the Constitution, limiting the powers of Congress, have been repeatedly assailed by Congress and defended by the Supreme Court.

The Supreme Court thus far has been the defender of the Constitution and the

friend of human rights as vouchsafed under the Constitution, and in these days of unrest and lawlessness it behooves us to accept Abraham Lincoln's advice, and not engage in the dangerous business of swapping horses while crossing a stream.

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### President Roosevelt on Sunday Observance

IN one of Major Archie Butt's private letters to his mother concerning his visit to Roosevelt's home on Long Island, he gives President Roosevelt's views on Sunday observance. As the family laid its plans to play tennis and golf on Sunday afternoon, Major Butt asserts, he noticed "that the President was not to be included in any of the arrangements for the day. He told me later that he did not regard it as either wicked or careless of holy things to play tennis or golf on Sunday, but he simply did not do any of these things on Sunday on account of the effect it might have on other people." He said: "If I were a private citizen, I would possibly join you today in tennis; but were I to do so as President, all the papers in the country would have something to say about it, and the example might be harmful to them. I am afraid that I sometimes shock the sensibilities of our people, but I never want to do so in any matters pertaining to the morals or the religious prejudices of the people."

This is certainly a sensible view to take on the question of Sunday observance. There is no bigotry or legalism in that attitude, and it leaves every other man free to follow the dictates of his own conscience. President Roosevelt's attitude was far different from that of the legalist who wants to force his peculiar religious views of Sunday observance upon everybody else at the threat of fines and other civil penalties for non-conformity.

It is this legal phase of compulsory Sunday observance that we are opposed to, and that President Roosevelt con-



demned as "narrow." We believe that every man, woman, and child should observe the Sabbath day as divinely ordained, but we do not believe that it is either Christian or American to compel people by the power of the civil magistrate to observe either the seventh or the first day of the week as a holy day. Holy things are purely matters of conscience, and with them the civil government has no concern so far as pertains to the citizen's relationship to God.



### Sunday Law Defeated

THE city council of Chattanooga, Tenn., defeated Councilman Lee Monday's "blue Sunday" ordinance by a vote of 7 to 3.

The press report of the hearing was as follows:

"In introducing his ordinance, Mr. Monday explained that the Baptist ministers were responsible for its introduction. He said he wanted to close his business on Sunday, but could not do so because others would not observe the Sabbath.

"Councilman W. M. Fulton said he was a Christian and believed in observance of the Sabbath, but did not believe it was possible to legislate people into attending churches. In commenting on the section of the ordinance prohibiting the operation of swimming pools on Sunday, he said that cleanliness had always been recognized as next to godliness, and he thought this should be classed as a necessity.

"Councilman E. E. Ailor said the ordinance was an attempt to put over class legislation. The proposed ordinance, he said, would allow the railroads to operate because they were classed as necessities, and force another business to close because it only contributed to the happiness or comfort of the public.

"Councilman Hazen said members of the council had apparently forgotten the fourth commandment, so he repeated it in full.

"When he finished, Councilman W. E. Peters said it was a pleasure to listen to such a Bible scholar as Mr. Hazen.

"Councilman Baker said he favored the passage of the ordinance so that the public would be forced to halt long enough to meditate on the way in which they should serve God.

"Councilman A. D. Albright said Jesus was liberal in His views of observing the Sabbath. He said he did not believe such an ordinance

would have the moral support of the public, which was necessary to the enforcement of any law.

"He asserted that there was too much legislation and not enough enforcement.

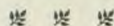
"Councilman Charles A. Brakebill said he believed that it should be left up to the individual to decide how he should observe the Sabbath, and that it was not the duty of the council to legislate religion into those in the churches.

"Mayor Ben A. Morton said he would vote against the ordinance because he believed that every man should worship God according to the dictates of his own conscience."

What strikes us funny about this hearing is that one councilman said that he "wanted to close his business on Sunday, but could not do so because others would not observe the Sabbath." He might as well have said I want to be a Christian, but I cannot be one because there are others who refuse to be Christians. I don't want to steal, but I cannot help it because there are others who insist on stealing.

And another councilman read the fourth commandment of the decalogue in full in support of the legal observance of the first day of the week as the Sabbath, when the fourth commandment expressly and explicitly states that "the seventh day is the Sabbath of the Lord thy God: in it thou shalt not do any work." This would be really funny if it were not so serious a matter.

How men can deliberately stultify themselves by producing such flimsy arguments in favor of Sunday laws, and also pervert the plain teachings of the Bible, is almost beyond comprehension. Certainly this is "untempered mortar" with which Ezekial said the false prophets "daubed" the wall of their own building which God had never sanctioned.



CHARACTER is impossible of development without being subjected to tests and trials. To legislate temptation out of the world, is to legislate character out of man.



## Churches of Philadelphia Attempt to Coerce New Mayor

ACCORDING to the *North American* of Philadelphia the Sabbath association of that city, composed principally of the Presbyterian and Methodist churches, is making a strenuous effort to force the hand of Mayor Kendrick in the matter of the rigid enforcement of the antiquated Sunday blue laws of the State of Pennsylvania. This law was originally drafted by a committee of Presbyterian clergymen and introduced at their instigation, and now it is still being fostered and nourished at their hands. The history of those early times shows that the Presbyterians and some other Protestant sects were making war upon the Sabbatarians whose headquarters were at Ephrata, Pa. The argument before the legislative committee pleading for the necessity of such a law was directed by the clergymen on that occasion against these Sabbatarians. An exemption for these people was positively denied them, and they were informed that they must also observe Sunday in addition to the seventh-day Sabbath.

We trust that Mayor Kendrick will follow the example of his illustrious predecessor, ex-Mayor Moore, and refuse to be henpecked by the churches concerning a religious issue upon which the Christian Protestant churches of Philadelphia widely differ. It is highly improper to enforce an obsolete statute which had its birth in ancient history when the church and state were yoked together in an alliance which has long since been repudiated by the American people.

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## Religion and Politics Badly Mixed

ACCORDING to the Associated Press report, religion and politics got into a bad mix-up in Los Angeles, Calif., over the proposition whether the so-called "Puritanic" laws of colonial times should be inflicted upon

that growing city. A mixed committee of preachers and city councilmen "suffered shipwreck on the Sunday-blue-law-reef" during a heated controversy over this much-agitated religious question, resulting in "a noisy adjournment," accompanied by threats that the "blue law" controversy would be passed along to the people for solution at a special election.

The Jinnistan Grotto's annual charity circus was raided by two clergymen who led the police force in the raid, in which eight men were arrested for swelling the Masonic organization's Christmas charity fund. The Masons are planning to hold their charity ball hereafter in Venice instead of Los Angeles, "on account of ministerial interference" in the latter city. Imagine Christ leading a police force in a raid upon amusement seekers! Imagine these Masons going to church and submissively receiving the communion cup at the hand of these clergymen who planned a *coup d' état* on a previous Sunday!

This is a union of church and state in practice if not in theory. It is mixing religion and politics with a Puritanic vengeance. Such un-Christian methods lower the dignity of the sacred office of the clergy and retard the progress of true Christianity.

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## Workmen and Women Opposed to Sunday Laws

WE are frequently reminded by the Sunday law advocates that they want Sunday laws to protect the poor workingman, but time and again we get word from workmen's organizations that they are opposed to Sunday blue laws which rob them of their privileges of recreation on Sunday.

According to a report of the *New York Journal* of January 28, the Workmen's Civic League of Hudson County, New Jersey, went on record as opposing the Sunday blue laws of New Jersey and favoring the bill introduced into the New Jersey Legislature by Assembly-



woman May Carty of Hudson County, calling for the repeal of the compulsory Sunday observance laws of New Jersey. It is stated that some of the women's organizations of Hudson County are also backing May Carty's bill. Thus the workmen and the women feel that the Sunday laws of New Jersey are their foes and not their aids. No one wants religion forced upon his or her conscience by a civil law. Sunday observance is purely a matter of conscience in the field of religion, and is not a proper subject for civil prescription.

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### Transporting a Hog and Shining Shoes Made Crimes

**A**CCORDING to the Worcester (Mass.) *Evening Gazette* of January 22, Carl Johnson, of Worcester, Mass., who transported a hog from Greenwood Street to Auburn on Sunday; and Robert Jorgorian, of the same city, who blackened a pair of shoes in his shoe-shining parlor on the same Sunday, were both prosecuted as criminals under the Sunday law of Massachusetts.

The editor of the LIBERTY magazine received a letter containing the newspaper clipping telling of these criminal(?) acts from a descendant of the old-time Puritans, saying that he believed this was "unreasonable coercion," and "altogether too much legislation on the subject of religious and moral matters" and that he was of the opinion that such "laws should be repealed altogether." There is hope for America when the children of the Puritans begin to realize that such legislation is religious, and therefore "unreasonable coercion," and altogether incongruous in America, where the church and the state are totally separated in our fundamental law.

The fact that we do not make it a crime to transport a hog or to shine shoes on Monday, but only on Sunday, is positive proof that Sunday laws are religious, and not civil statutes.

The court fined Johnson \$10 for transporting the hog, and Jorgorian \$5 for shining the said shoes on Sunday. Both men said these acts were necessary acts. Johnson said he had no other time in which he was free to move his hog, and Jorgorian claimed his act was necessary in his judgment as a means of supplying the necessities of his family. The law allows necessary works on Sunday. Whose conscience ought to decide what is and what is not necessary Sunday work?

Since the question of the proper observance of Sunday is clearly a religious question, it would seem that each individual conscience should be the proper monitor to decide what is necessary according to the circumstances surrounding the case. If a man's sheep or ox falls into the well, must he first obtain a court order before he can pull it out of the well on the Sabbath day? Our civil officers are poor judges of religious questions, and the sooner these religious laws are repealed the better it will be for both the church and the state. To the same degree as we have repealed the religious laws in America, in the same proportion have the church and state prospered in their separate and distinct fields of operation. Our New England brother of the Congregational faith is correct when he says such "laws should be repealed altogether."

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### Sold Papers on Sunday — Fined

**CHARGED** with violating the borough's blue law ordinance, the result of their having sold newspapers in Carnegie on Sunday, Matthew McLane and Mrs. Charlotte McLane, his wife, were assessed a joint fine of \$25 in addition to costs by Justice of the Peace J. W. McMillen, of 17 Main Street, Carnegie, yesterday. The two pleaded guilty. The charge had been made as a consequence of a law passed by the borough council about a month ago, closing everything on Sundays except restaurants and drug stores.— *Pittsburgh Post*, Feb. 28, 1924.



## NOTE AND COMMENT

### Ministers Object to Sunday Theaters

THE Newark (N. J.) Ministerial Association belabored and bemeaned the director of public safety, W. J. Brennan, because he refused to close the theaters on Sunday which gave a large portion of their receipts on Sunday to charity. They want the director to invoke the "blue laws" to close all theaters on Sunday, for two reasons, (1) because it is an insult to their religious views, and, (2) because they are running in competition with the churches in attendance and finances. How would the churches view the matter if the theater owners should petition the director of public safety to close up all the church functions on week days and nights, so as not to run in competition with the attendance and finances of the theaters? If Sunday belongs exclusively to the churches, why should not the week days belong exclusively to the theaters? Why not let the church hold its meetings whenever it desires and likewise grant the theaters the same privilege? Certainly each ought to enjoy this civil right.

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### Papini Denounced by American Italians

PAPINI, the Italian author of the famous "Life of Christ" and of "Nomo Selvatico," who was engaged by Columbia University to deliver a course of lectures next summer, is strongly opposed by his own countrymen in America for his anti-American sentiments. In his book "Nomo Selvatico," he calls America the "land of the millionaire, of the nauseating Longfellow, of the degenerate Whitman, and of the intolerable Washington," and his own countrymen of New York City sent a set of resolutions to President Nicholas Murray Butler, of Columbia University, in which they assert:

"We may be of Italian birth, but we are American citizens. We believe that Papini

has no business in this country. He is a Fascist; he believes with Mussolini that the world should be one Imperial Roma again, with Mussolini himself wearing the crown of the Cæsars."

This is a good sign that American ideals and standards are winning their way into the hearts of foreign-born peoples, and when they become Americanized, they are real red-blooded Americans.

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### Hope of Church Union Scant

THE Archbishop of Canterbury's attempt of forming a reunion of the Anglican and Roman Catholic faiths has met with a snag, and the chances of such a union are very slim at present. The newspaper comments on this proposal are not very encouraging for the archbishop and other reunionists. If two churches with a paper-wall partition cannot perfect such a union, how much of a chance is there where an adamant wall separates them and keeps them apart?

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### Cardinals Oppose Pope

ACCORDING to a news report from Rome, many of the cardinals of the Catholic Church are opposing Pope Pius XI, who is determined, it is said, to proclaim a new dogma raising the Virgin Mary even higher than previous Popes have raised her when they promulgated the dogma of the Immaculate Conception. The new dogma, it is also said, will be called the "Personal Corporeal Presence of the Blessed Virgin Mary in Heaven."

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### Destructive School Law Tested

THE Hill Military Academy, of Portland, Oreg., is now attacking the validity of the Oregon school law, which aims to destroy all private and church schools below the ninth grade in Oregon. This academy is testing the constitutionality of the law before the Federal District Court, on the ground that it violates the Constitution of the United States in that it takes property without due process of law and denies to the school equal pro-



tection of the laws and impairs the obligations of the contracts of the plaintiff.

It is expected that whichever side loses before the district court will appeal the case to the Supreme Court of the United States. The matter ought to be settled soon by the highest court in the land, as similar laws are proposed in at least two other States.

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#### "Deadly Wound" Healed in Europe

THE "deadly wound" which France dealt to the Papacy in 1798, when it took the Pope captive and sent him into exile, and brought about a diplomatic separation between the Vatican and many European powers, is now being healed. The French Republic has recently made peace with the Vatican by granting it the right to occupy its former property in France and by appointing Celestin Jonnart as ambassador to the Vatican, although the French Senate is still withholding its consent to pay his salary and expenses. Thus practically all the European powers which had severed diplomatic relations with the Vatican, are now sending envoys to the Vatican as formerly. The "deadly wound" it received more than a century ago is being "healed."

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#### Blue Sunday in Alabama City

THE city fathers of Anniston, Ala., ruled that on January 13 and succeeding Sundays the "blue Sunday" law of Alabama should take effect, not only prohibiting all business transactions on Sunday, but closing tight all gasoline filling stations, service places, and garages, making it impossible for a man whose ox falls into a pit to pull him out on Sunday in Anniston.

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#### Two Moral Standards

AN illegitimate child can figure in a moving picture in Boston every day in the week except Sunday. For the Sunday shows the baby's parents must be married. The Selznicks have just run

up against this double moral standard of the Massachusetts law. So now the show presents an illegitimate child in the play, "Woman to Woman," on week days, and on Sundays it presents a married woman with her child. This reminds us of the days when the clergymen insisted that the wicked saloon be closed on Sundays though legalized on week days. If a thing is civilly and morally wrong on Sunday, why is it civilly and morally right on Monday? We would like to have some one answer this question without taking into account his bias for the religious custom of Sunday observance.

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#### A Distinction Without a Difference

THE British Empire Exhibition, it is decreed, must be closed on Sundays at Wembley, ten miles from the center of London, but the Sunday movie shows are legal in the same place. This inconsistency proves that Englishmen and Americans are indeed cousins. But a legal religion never has learned how to be consistent and impartial. The legalists in Christ's day were blessed(?) with the same inconsistencies. They crucified the perfect and the innocent One, and set at liberty the murderer — Barabbas.

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#### Sunday Laws No Terror to Bricklayers

FOUR bricklayers were fined five dollars apiece recently in Larchmont, N. Y., for laying brick on Sunday. "That's all right," they said, as they peeled off the bills. "Counting the double overtime, we make \$36 for every Sunday's work." No doubt the five-dollar fine for doing honorable work, will make these bricklayers feel more kindly disposed toward a legal religion hereafter.

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#### Monkey Business Barred in North Carolina

THE Washington *Herald* contains the following news item: "The governor of North Carolina is ready to use the entire State militia, if necessary, to keep evo-



lution textbooks out of the public schools of that State. Textbooks linking man with monkey are barred and no more teaching of evolution in the public schools is permitted." The taxpayers are not willing to pay for the teaching of religion nor for the teaching of infidelity in disguise, and so both are barred from the State schools.

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#### How Long Will Our Republic Endure?

THE historian Guizot once asked the poet Lowell, "How long will your Republic stand?" The poet replied: "As long as the ideas of the men prevail who founded it." No truer saying was ever uttered by an American. The great principles of government as set forth in our Constitution by the founding fathers as well as the guaranties of human rights, are the bulwark of strength and perpetuity of our Republic. Just as soon as the American people lose these principles of self-government, and mutual respect for each other's rights in their own lives and in their dealings with each other, our Republic is doomed, and we shall go the way of all other republics of the past.

The safety of our Republic is greatly enhanced by a frequent recurrence on the part of the American people to the great fundamental principles of government as conceived by our founding fathers. They are as sound today as they were then.

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#### "Blue Laws Make Criminals," Says Burns

ACCORDING to the Associated Press report as set forth in the *Sacramento Daily Union* of Dec. 21, 1923, William J. Burns, Chief of the Bureau of Investigation of the United States Department of Justice, who arrived in Los Angeles, Calif., when a "Sunday blue law battle" was raging, made the following comments on the pending issue:

"Blue laws make criminals and invite crime. Intolerance never accomplishes its ends, and the history of all civilization has shown that to suppress forcibly the natural and harmless desires of large numbers of persons is dangerous. The cities where crime is the least prevalent in this country are those where liberty, not license, prevails, and where the individual's desires have an opportunity for expression within the bounds of decency."

Mr. Burns further expressed his disapproval of so-called "puritanical" laws which enforced idleness upon the vicious and criminally inclined, without granting them an opportunity for healthful and innocent recreation, on Sundays. Such "blue laws make criminals and invite crime," said he.

We agree with Mr. Burns that enforced idleness on Sunday for the criminally inclined is a curse instead of a blessing, which is clearly demonstrated in our police courts every Monday morning. The percentage of crimes committed is from three hundred to four hundred per cent higher on Sundays than upon any other days of the week, unless they happen to be holidays. The devil always finds plenty of mischief for idle hands and brains to do.

A Christian needs no law to compel him to be religious on the Sabbath day or to rest in harmony with the divine commandment, and enforced idleness by civil law upon the individual whose heart is differently inclined, is no benefit to him, but an injury. The Sabbath is spiritual and the rest of the Sabbath day is spiritual, and none but a spiritual person can in reality keep the Sabbath day as it was divinely ordained. No carnal man can keep the Sabbath acceptable to God, even if he sits all day in an easy-chair twiddling his thumbs.

What God demands is heart service instead of cold legal conformity. The only power God ever intended should dominate the heart of man, is the power of His divine love, relative to religious obligations. This is the only power that can move to heartfelt obedience, the only service that is acceptable to God.



# “A Soldier and a Christian”

UNDER this heading, the following was copied by the *Columbian* (R. C.) from the *Sacred Heart Review*, another Catholic paper. It is reproduced here because it describes the attitude toward civil government of all men who have decided religious convictions:

“It is related of a brave French general that he always received Holy Communion in full uniform, at Easter. ‘I have two duties to perform, that of a soldier and that of a Christian,’ he often said. ‘I am always ready, when necessary, to give my blood, but never to sacrifice my soul.’”

By sacrificing his soul this general meant, of course, violating his conscientious convictions, and thus placing his soul in jeopardy of being eternally lost. He was ready to give his life at any time his country might require such a sacrifice, but not to violate his sense of religious obligation.

And this, we say, is and always has been the attitude, not alone of the heartfelt Christian, whether Catholic or Protestant, but the attitude of sincere religionists of every school, pagan, Mohammedan, and Christian. Only the utilitarian, whose morality has no better foundation than “Honesty is the best policy,” is able to trim his sails to every passing breeze, to adjust his conscience to his environment, and to square his life by public opinion instead of by that which he esteems divine law. The man who has a religion worth anything to him, a religion that is a power in his life, must be true to his honest convictions, even at the cost of earthly existence itself.

Of course, the convictions of men vary widely. One may feel that when he has observed certain forms, or participated in a prescribed ritual, his personal duty toward God is done, and that he can then leave all else to the government, or to his superiors in command; while another cannot do this, he feels that in

things moral he is individually responsible to God and not to man. He may agree with one of our American poets who expressed the thought thus quaintly in the colloquial speech of rural New England of seventy years or more ago:

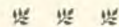
“Taint your eppyletts an’ feathers  
Make the thing a grain more right;  
‘Taint a-follerin’ your bellwethers  
Will excuse you in His sight;

“Ef you take a sword and dror it,  
And go stiek a feller thru’,  
Guv’mnt ain’t to answer for it,  
God’ll send the bill to you.”

Conscience is a plant of tender growth. The individual may stifle it; false systems of religion may misdirect it; and despotic power may override it; but no government can afford thus to array itself against the bulwark of real manhood. In the words of Fairchild’s “Moral Science:”

“Conscientious men are not the enemies, but the friends of any government but a tyranny. They are its strength, and not its weakness. Daniel, in Babylon, praying, contrary to the law, was the true friend and supporter of the government; while those who, in their pretended zeal for the law and the constitution, would strike down the good man, were its real enemies. It is only when government transcends its sphere, that it comes in conflict with the consciences of men.”

No man who has a tender conscience, responsive to the law of the Supreme Ruler of the universe, will be found sneering at the convictions of his fellow man, however much he may differ from him in judgment. B.



IN America, we say in theory to every citizen that he may worship God as he elects, or not worship at all; but in practice we try by law to make him worship as we do. If he does not worship as we do, we think he is ready for the asylum or the prison cell.





## SOUL LIBERTY

*Calvin P. Bollman*

Think not to shackle mind or heart ;  
The thought's as free as bird on wing,  
And love to God is not controlled  
By law nor chain nor other thing.

Man must be loyal to himself,  
Which means he must to God be true,  
In whom he lives and being has,  
To whom alone his all is due.

Religion's not a legal thing,  
It's not a form to be observed ;  
It's that which binds our hearts to God,  
And brings us blessings undeserved.

O no, the heart cannot be bound,  
Except by cords of love divine.  
Each soul must for himself declare,  
O God, my heart of hearts is Thine.

