

S. D. A. GEN. CONF. LIBRARY

# LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM



ROCKS OF INTOLERANCE ENDANGER SHIP OF STATE

**READ THE ARTICLE, "FACING A GRAVE CRISIS" — Page 6**

TWENTY CENTS A COPY

WASHINGTON, D. C.

# Religious Liberty Association

## DECLARATION OF PRINCIPLES

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

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

## 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, C. F. McVagh.

**Central States Religious Liberty Association** (affiliated organizations in Kansas, Nebraska, Missouri, Colorado, and Wyoming): Office, 303 W. Seventh St., 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, 507 Flower Ave., Takoma Park, D. C.; secretary, B. G. Wilkinson.

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

**North Pacific Religious Liberty Association** (affiliated organizations in Oregon, Washington, Idaho, Montana, and Alaska): Secretary, H. G. Thurston, Box 598, Walla Walla, Wash.

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

**Southeastern Religious Liberty Association** (affiliated organizations in Florida, Georgia, North Carolina, and South Carolina): Office, 202-216 First National Bank Bldg., Chattanooga, Tenn.; secretary, W. H. Heckman.

**Southern Religious Liberty Association** (affiliated organizations in Alabama, Kentucky, Tennessee, Louisiana, and Mississippi): Office, 2001 24th Ave. N., Nashville, Tenn.; secretary, O. F. Frank.

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

**Western Canadian Religious Liberty Association** (affiliated organizations in Alberta, British Columbia, Manitoba, and Saskatchewan): Office, Lacombe, Alberta; secretary, S. A. Ruskjer.

# LIBERTY

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

Published quarterly by the  
REVIEW AND HERALD PUBLISHING ASSN., TAKOMA PARK, WASHINGTON, D. C.

VOL. XXII

FIRST QUARTER, 1927

NO. 1

CHARLES S. LONGACRE, Editor

CALVIN P. BOLLMAN, Managing Editor

WILLIAM F. MARTIN, Associate Editor

## CONTENTS

AN ANALYSIS OF THE LANKFORD SUNDAY BILL PENDING BEFORE CONGRESS .....	3
FACING A GRAVE CRISIS .....	6
OPPONENTS TO THE LANKFORD SUNDAY BILL .....	10
PUBLIC SENTIMENT ARRAYED AGAINST THE LANKFORD SUNDAY BILL .....	10
THE LINCOLN "STAR" DISCUSSES THE SUNDAY BILLS BEFORE CONGRESS .....	12
OKLAHOMA UPHOLDS RELIGIOUS LIBERTY .....	13
THE AMERICAN SYSTEM OF GOVERNMENT AS CONCEIVED BY ITS FOUNDERS .....	14
BAPTIST MEMORIAL ON RELIGIOUS LIBERTY PROTESTING AGAINST COMPULSORY BIBLE READING .....	16
SUNDAY REFORM LAWS A MENACE .....	19
KEEP THE PULPIT OUT OF POLITICS .....	20
HOW AMERICA STILL FOSTERS CHURCH ESTABLISHMENT .....	21
NO WITCHES BURNED BY PURITANS .....	30
CONSTITUTION PROTECTS WEAK .....	30
RELIGIOUS INSTRUCTION DURING SCHOOL HOURS CONDEMNED .....	31
BISHOP SCORES "CHURCH IN POLITICS" .....	31
THE INCONSISTENCY OF SUNDAY LAWS .....	32

Entered as second-class matter May 1, 1906, at the Post Office at Washington, D. C., under the Act of Congress of March 3, 1879.

Acceptance for mailing at special rate of postage provided for in Sec. 1103, Act of Oct. 3, 1917, authorized on June 22, 1918.

**SUBSCRIPTION RATES.**—One year, 35 cents; three years (or 3 subscriptions, 1 year), \$1.00; five or more copies, mailed by publishers to five addresses or to one address, postpaid, each 9 cents. No subscriptions for less than one year received. Remit by Post Office Money Order (payable at Washington, D. C., post office), Express Order or Draft on New York. Cash should be sent in Registered Letter. When a change of address is desired, both old and new addresses must be given. No extra charge to foreign countries.



OUR CAPITOL BUILDING AT WASHINGTON, D. C.

# LIBERTY

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

VOL. XXII

FIRST QUARTER, 1927

NO. 1

## An Analysis of the LANKFORD SUNDAY BILL Pending Before Congress

**E**IGHT hearings were held on the four compulsory Sunday observance bills which are now pending before the national House of Representatives. The bills which received the most careful consideration were the two Sunday bills introduced by Congressman Lankford, namely, H. R. 7179 and H. R. 10311. The wording of the first bill was so patently religious and unfair in its discriminations that it was from the first of the hearing predestined to rejection by the House District Committee.

The advocates of Sunday legislation quickly drafted another bill, known as H. R. 10311, and offered it practically as a substitute for H. R. 7179.

In order that the public may know what is really involved in this proposed legislation, we will print this bill, H. R. 10311, in full:

### H. R. 10311

To secure Sunday as a day of rest in the District of Columbia and for other purposes.

[By

C. S. Longacre



*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful in the District of Columbia for any person, firm, corporation, or any of their agents, directors, or officers to employ any person to labor or pursue any trade or secular business on the Lord's Day, commonly called Sunday, works of necessity and charity always excepted. It shall furthermore be unlawful in the District of Columbia for any person under employment or working for hire to engage in labor under such contract of employment or hire on the Lord's Day, except in works of necessity and charity.*

In works of necessity and charity is included whatever is needful during the day for the good order, health, or comfort of the community, provided the right to weekly rest and worship is not thereby denied. The labor herein forbidden on Sunday is hired, employed, or public work, not such personal work as does not interrupt or disturb the repose and religious liberty of the community. The following labor and business shall be legal on Sunday:

a. In drug stores for the sale of medicines, surgical articles, and supplies for the sick, foods, beverages, and cigars, but not for articles of merchandise forbidden on Sunday for other stores and merchants.



*Looking Up Historic Pennsylvania Avenue From the Grounds of the U. S. Treasury*

b. In hotels, restaurants, and cafés, and in the preparation and sale of meals.

c. For the sale of motor oil, gasoline, and accessories necessary to keep in operation cars in actual use on such Sunday, together with labor incident to such repairs.

d. In connection with public lighting, water, and heating plants.

e. For the operation of boats, railroad trains, street cars, busses, sight-seeing cars, taxicabs, elevators, and privately owned means of conveyance.

f. For telephone and radio service.

g. In dairies and in connection with preparation and delivery of milk and cream.

h. In connection with watching, caretaking, or safeguarding premises and property, and in the maintenance of police and fire protection.

i. In connection with the preparation and sale of daily newspapers.

Sec. 2. That it shall be unlawful in the District of Columbia to keep open or use any dancing place, theater (whether for motion pictures, plays spoken or silent, opera, vaudeville, or entertainment), bowling alley, or any place of public assembly at which an admission fee is directly or indirectly received, or to engage in commercialized sports or amusements on the Lord's Day, commonly called Sunday.

Sec. 3. It shall be unlawful in the District of Columbia for any person, firm, corporation, or any of their agents, directors, or officers to require or permit any employee or employees engaged in works of necessity and charity, excepting household or hotel service, to work on the Lord's Day, commonly called Sunday, unless within the next six succeeding days during a

period of twenty-four consecutive hours such employer shall neither require nor permit such employee or employees to work in his or its employ.

Sec. 4. It shall be a sufficient defense to a prosecution for work or labor on the first day of the week that the defendant uniformly keeps another day of the week as holy time and does not labor on that day, and that the labor complained of was done in such manner as not to interrupt or disturb other persons in observing the first day of the week.

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

Sec. 6. All prosecutions for the violation of this Act shall be in the police court of the District of Columbia.

Sec. 7. This Act shall become effective on the sixtieth day after its enactment.

The Lord's Day Alliance and the National Reform Association are the chief sponsors of this bill. The first bill they drafted had no exemption for those who observe another day than Sunday as holy time, and they did not intend that it should have. These organizations have always opposed such exemptions in the past, and have insisted that all should be compelled by law to rest on

Sunday, no matter whether or not they had already rested on another day. But in order to secure an entering wedge, they surrendered a few of their demands, hoping to realize them later on after Congress has been committed to the policy of Sunday legislation. In granting this religious exemption, however, to those who observe another day than Sunday, they have made the new bill more religious and more unjust than the original bill.

#### **Religious Exemption Proves Bill Religious**

In the first place a religious exemption brands the whole bill as a piece of religious legislation; and secondly, it proves clearly that the bill without the exemption would interfere with the rights of a certain class of religionists, and with the exemption it discriminates in favor of a specific religion.

It proves that as soon as one attempts to legislate religious obligation into civil law, he is in for trouble, whether with religious exemptions or without them. Religious legislation never has been able to avoid trouble. The only safety is to keep legislative hands off from religious obligations.

This religious exemption says that those who do not observe Sunday must

“uniformly keep another day of the week as holy time.” Who can conceive of a stronger and clearer statement than the above expression in the Sunday bill, “as holy time,” in order to make it religious in character? What right has Congress under our Constitution to command people under civil penalties to keep any day of the week “as holy time”? If that is not enforcing religion, we would like to know what it is! Only religion insists on the observance of a day “as holy time.” For the state to command the keeping of “holy time” is to assume a prerogative of God. How dare any one say that a law which demands that a day be observed “as holy time,” is not a religious law? When the Sunday law advocates wrote that expression into their bill, they gave away the secret motive and the real intent back of the whole scheme of Sunday legislation; namely, that it is religious observance, and not social ethics, which they are seeking to enforce by civil law.

If the citizen who does not observe Sunday must “uniformly keep another day of the week as holy time,” it necessarily implies that the Sunday observer must likewise observe Sunday “as holy

*(Continued on page 24)*



*A Beautiful View of the Washington Monument*



After a Mural Painting by Elihu Vedder, in the Library of Congress

## Facing a Grave Crisis

**G**OVERNMENT of the people, by the people, and for the people," is today facing a crisis in this country, the gravity of which but few realize.

This crisis is nothing more nor less than a concerted attempt on the part of a strong religious lobby to secure from Congress the passage of a bill recognizing and enforcing the observance in the District of Columbia of a religious institution, namely, Sunday, the first day of the week, called by many the Lord's day, or the Christian Sabbath.

### Why Ask More?

We voice no objection to adjustments by a "governmental department" of its own normal business for the accommodation of its employees who want Sunday, or any other day, as a free day. For example, the courts and the departments are closed on Sunday. The mails are carried on trains, but the post offices

By  
**C. P. Bollman**

are not opened on Sunday, and the city and rural carriers have the day off. In the Army and Navy, as a rule, only "necessary work" is done on that day. The evident purpose on the part of the Government thus far is to adapt its activities, so far as consistent, to the customs of the people, but without any compulsion. Why should any one ask anything more?

### Demands of a Religious Lobby

But there is demanded by a strong religious lobby that, instead of merely leaving those who so desire free to keep Sunday, those who do not want to keep it shall be compelled to observe it under penalty of fines and imprisonment!

Because some want to worship on Sunday, others are to be forbidden to play upon that day. Because some want to attend church on the first day of the week, others are to be forbidden to go to the theater. In short, all commercial-



ized sports are to be prohibited, so that on Sunday the churches alone shall have the privilege of gathering in money from their patrons.

As brought out in a hearing last March, the rich man who is a member of a golf club may engage in his favorite sport on that day, for his sport is not commercialized; but the poor man who is not able to belong to a club cannot go to the public links on Sunday, pay his twenty-five cents, and play golf, because that would be commercialized sport!

#### No Power to Declare Any Day Holy

Now the writer does not attend theaters or moving pictures on any day; he does not believe that sports of any kind are proper upon the Sabbath; but neither does he believe that Congress has any power under the Constitution to declare any day holy, or to forbid any one to do anything on any day that may be innocently done on any other day.

This does not mean that worshipping congregations should have no protection whatever against unusual noises that would actually disturb them. But there are already such laws, effective not only on Sunday, but on other days as well. Our contention is that the Government has no Constitutional authority to recognize Sunday in the sense of undertaking to enforce its observance as a day of rest. It is primarily a religious institution, and no amount of legislation can make it civil. Civil holidays are permissive, not compulsory. No one asks for a law compelling the observance of a civil holiday. Only religious days are made obligatory.

#### The Purpose of the Founding Fathers

It was the evident purpose of the founders of the American Republic to establish here a nation in which church and state should be totally and forever separate. The great historian, George Bancroft, recognized this when he wrote:

"Vindicating the right of individuality even in religion, and in religion above all, the new nation dared to set the example of accepting in its relations to God the principle first divinely ordained in Judea. It left the management of temporal things to the temporal power; but the American Constitution, in harmony with the people of the several States, withheld from the Federal Government the power to invade the home of reason, the citadel of conscience, the sanctuary of the soul; and not from indifference, but that the infinite spirit of eternal truth might move in its freedom and purity and power."—*History of the Formation of the Constitution,* book v, chap. 1.

#### Virginia Bill of Rights and the First Amendment

This agrees with the statement by James Madison in the Virginia Convention in 1776, and which is today a part of the Virginia Bill of Rights:

"Religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence;" "therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience."

It was in harmony with this that the First Amendment to the national Constitution was adopted, declaring in part:

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

Article XI of the treaty between the United States and Tripoli, written by an ex-Congregational clergyman, and

THE church has committed to her the truth of the spiritual, supernatural realm. When she ceases to believe this truth, she loses all excuse for being. Her one commission is to demonstrate and declare the supreme truth of the spiritual realm. This truth is foolishness to the natural man. It is not apprehended by the natural senses, but by the supreme faculty of faith, that is, of pure reason, quickened in man by the Spirit of God. The church today is looking to natural science and world politics for the truth that is not in the natural realm, and so defeating her own mission. And the world is festering in corruption, with no one to give it the light of life.—*Jessie W. Gibbs.*

communicated to the United States Senate May 26, 1797, contained this declaration, a statement which was true then, and is equally true now:

"As the government of the United States of America is not, in any sense, founded on the Christian religion," "it has in itself no character of enmity against the laws, religion, or tranquillity of Mussulmans."

#### Jefferson's Testimony

In a letter to Rev. Mr. Millar, Jan. 23, 1808, Thomas Jefferson said:

"I consider the government of the United States as interdicted by the Constitution from intermeddling with religious institutions, their doctrines, discipline, or exercises."

In a letter to Edward Everett, March 19, 1823, James Madison wrote this:

"The settled opinion here is that religion is essentially distinct from civil government, and exempt from its cognizance; that a connection between them is injurious to both."

#### James Madison's View

As Mr. Madison was the father of the Constitution, and the author of the First Amendment, it is fair to presume that he knew better than any man now living its full meaning; and as we have seen, his understanding of that instrument was that it was designed, not only to forever separate church and state in this country, but that he understood it as forbidding the official recognition or fostering of any religion by the national Government.

In his "Memorial and Remonstrance" to the General Assembly of the Commonwealth of Virginia in 1785, Mr. Madison said:

"Who does not see that the same authority which can establish Christianity, in exclusion of all other religions, may establish, with the same ease, any particular sect of Christians, in exclusion of all other sects? that the same authority which can force a citizen to contribute three pence only of his property for the support of any one establishment, may force him to conform to any other establishment in all cases whatsoever?"

And here we learn the exact meaning of the word "establishment" as used in the First Amendment. It evidently is not limited to a church set up or established by law, but includes also any denomination established, set up, or founded by any one.

And yet today it is blandly argued by those who would have our government foster religion and religious institutions, that it means only a legally established church such as they have in England and in many other countries.

#### Only One Hope

There is just one hope, one only, for the preservation of our free institutions, namely, absolute loyalty to our matchless Constitution and to the principles upon which it was established.

We say to the principles upon which the Constitution was established, because while not legally bound by the language of the Declaration of Independence, we certainly are morally bound by the pledges made in that immortal document. In so far as the Constitution needs construction, it should be construed in harmony

(Continued on page 23)



{Ratification and  
Proclamation} Treaty with Tripoli, 3 Dec 1797

55

John Adams, President of the United States of America,

To all to whom these Presents shall come, Greeting:

Whereas a Treaty of Peace and Friendship has been concluded in the manner herein after mentioned, by the Plenipotentiary of the United States of America and the Bey and Subjects of Tripoli of Barbary; which Treaty, written in the Arabic Language, being translated into the Language of the United States, is in the words following

Article 11. No payment is ever to be made by either party.

Article 12.

As the Government of the United States is not in any sense founded on the Christian Religion, as it has in itself no character of enmity against the laws, religion or tranquility of Musselmans, and as the said States never have entered into any war or act of hostility against any Mahometan Nation, it is declared by the parties that no pretext arising from religious opinions shall ever produce an interruption of the harmony existing between the two Countries.

Article 13.

In case of any dispute arising between

the parties

In Testimony whereof, I have caused the Seal of the United States of America to be affixed to these Presents, and signed the same with my hand. Done at the City of Philadelphia, the Tenth day of June, one thousand seven hundred and ninety seven, all of the Independence of the United States of America, the twenty first.

John Adams.

By the President,

Thomas Pickens, Secretary of State.

A Facsimile of Portions of the Proclamation by President John Adams, Making Public the Treaty of Peace and Friendship Between the United States of America and Tripoli. This Treaty Was Negotiated While Washington Was President, but His Term of Office Expired Before Its Final Ratification. Photographed From the Original in the Department of State in Washington, D. C.

## OPPONENTS OF THE LANKFORD SUNDAY BILL

Compiled From the Official Report of the Hearings  
and From Other Sources

The Commissioners of the District of Columbia	Labor Unions in the District of Columbia
Washington Chamber of Commerce	Employees of Mercantile Establishments
Washington Board of Trade	American Federation of Musicians
Merchants and Manufacturers Association	Every Daily Newspaper of the City of Wash- ington
Realtors Board of Washington	Washington Baseball Club of the American League
Operative Builders Association	National Association of Amusement Parks
Several Members of Congress	Moving Picture Theater Owners of America
Several Lawyers of the Washington Bar Association	Association Opposed to Blue Laws
Pastor of a Methodist Church	A Large Majority of the Washington Citizens Associations
Pastor of a Baptist Church	Eighty-five Per Cent of the Citizens Called Upon in Solid Block Just as They Came.
Rabbi of a Jewish Congregation	
Seventh Day Baptists	
Seventh-day Adventists	

## Public Sentiment Arrayed Against the Lankford Sunday Bill

**T**HE National Reform Association says in the *Christian Statesman* for November, 1926, that the only opponents to the Lankford Sunday bill now pending before Congress, are "the moving picture interests, the atheists, and the Seventh-day Adventists." In this statement they told only a small part of the truth.

Printed reports of the hearings on this proposed Sunday law disclose the fact that the following organizations opposed the Lankford Sunday bill; namely, all the labor unions in the District of Columbia, the Washington Chamber of Commerce, the Washington Board of Trade, the Merchants and Manufacturers Association, employees of mercantile

establishments, the National Association of Amusement Parks, the American Federation of Musicians, the Operative Builders Association, the Realtors Board of Washington, 90 per cent of the Washington Civic and Citizens Associations, the rabbi of a Jewish congregation, the pastor of a Baptist church, the Seventh Day Baptists, the Association Opposed to Blue Laws, the pastor of a Methodist church, several Congressmen, several lawyers of the Washington Bar Association, the Commissioners of the District of Columbia, the Washington Baseball Club of the American League, and every daily newspaper of the city of Washington. A house-to-house canvass of a number of residential streets in the

District of Columbia revealed the fact that 85 per cent of the citizens called upon in solid block, just as they came, signed a petition protesting against the Lankford Sunday bill.

All the foregoing organizations sent from one to three representatives to the hearings to protest against these compulsory Sunday observance measures, and in a number of instances the vote taken by the members and delegates of these organizations was unanimously opposed to these religious proposals.

#### Labor Opposed

The Lord's Day Alliance and the National Reform Association claimed that their chief object in urging the passage of one of these Sunday bills was to protect the poor workingman and employee, so they could have one day's rest in every seven. But John B. Colpoys, editor of the *Trade Unionist*, and the authorized representative to speak for all the labor unions of the District of Columbia, exploded this fallacious argument. He stated plainly that the labor unions had already secured one day of rest out of every seven for themselves by their own efforts without the aid of legislation, and that practically every employee in the District of Columbia, even in establishments which required continuous service, had his one day of rest out of every

seven, and therefore this proposed legislation was entirely unnecessary.

Mr. Colpoys said that the delegates of 65,000 members of organized labor in the District of Columbia, had authorized him to oppose the Lankford Sunday bills, and that the delegates of all the labor unions "unanimously opposed the compulsory Sunday observance measures." Mr. Colpoys stated that these employees work six days each week, and when Sunday comes they are cooped up in boarding houses or dingy rooms, and if any one of these Sunday bills is passed, they will be deprived of the enjoyment of innocent amusements and recreation on the only day they are free from toil. He stated that since the employees had secured one day of rest out of every seven for themselves by their own efforts, they were not inclined to have anybody dictate to them how they should spend that time.

"It is a religious bill," said Mr. Colpoys, "and I can see but three reasons for legislation of this kind,—either morality, economics, or religion. From a moral standpoint, if it is immoral or unmoral to show pictures on Sunday, it is likewise immoral or unmoral to have them shown on Monday or any other day. Consequently, from a moral stand-

(Continued on page 26)



U. S. U., WASH., D. C.

A Hearing on the Sunday Observance Bill Before the Subcommittee on Judiciary of the House of Representatives Committee on the District of Columbia



U. & U., WASH., D. C.

*The Senate Chamber of the U. S. Capitol*

## The Lincoln "Star" Discusses the Sunday Bills Before Congress

**B**ECAUSE the Sunday-closing bills for the District of Columbia which were introduced in the last session of Congress failed of passage at that session, some have concluded that nothing more will be heard of them. It may be well, therefore, to call attention to the fact that they will be on the calendar for consideration during the present session. The real purpose of the measures, and the danger to liberty which their provisions contain, are set forth clearly in the leading editorial of the *Lincoln (Nebr.) Star*, of May 3, 1926, under the title, "Blue Law Legislation." The whole editorial is well worth repeating, and should be read by

all who prize the liberties for which the founders of the Republic contended.

"It is worthy of more than passing notice to record that four compulsory Sunday observance bills have been introduced in this session of Congress, which is now drawing to a close.

"Ostensibly these bills are to apply to the District of Columbia. In fact, however, they are more far-reaching than this. If, by any chance, their friends should succeed in having them enacted into law, they hope to make them serve as model legislation for the entire nation. Recognizing the futility of securing favorable action by all of the legislatures of the different States, it is the program of those organizations back of this legislation to open a campaign to secure Congressional action. The chances of success would be much better than if the fight was carried to the lawmaking bodies of the various States.

"It has been said that eternal vigilance is the price of liberty. Never was that more true than in the instance of blue law legislation. A fanatical zeal inspires those who are endeavoring to curtail the religious and civil liberties of the American people through legislation of this character. They never stop fighting. No obstacle is too great to be overcome, no barrier too forbidding for them to scale. Though they may represent a hopeful minority, any lack in numbers is more than accounted for by aggressiveness and untiring devotion to the cause which they sponsor.

"This is the spirit which has characterized most blue law legislation of recent years. For intolerance it matches the twentieth century with the colonial period of a hundred and fifty years ago. True, no one in this day and age of the world suggests man should be placed in stocks for his failure to observe the Sabbath, or that one should be given the lash for the same offense. But the intent remains the same. If these blue law advocates of today were to have their way, everybody's plan of living on at least one day of the week would conform to their accepted standard. Then the civil and religious liberties of a few millions were imperiled; today the threat of blue laws represents an endeavor to shape the thought and habits of more than a hundred millions of people.

"There is very little likelihood that Congress will take any action on these measures at the present session. Adjournment is not far distant, and there is a mass of legislation ahead of the blue law bills which will be given first consideration.

"But failure at this time will not end the fight.

"At the next session of Congress, it is expected the same alert lobby will be on hand to force these bills down the throats of the American people. The principal one prohibits all forms of amusements and recreation on Sunday. The other three are companion measures.

"What better opportunity has arisen to administer a richly deserved rebuke to these noisy minorities? The great majority of the American people, whether churchgoing or having no affiliation with any religious organization, do not believe in blue law legislation. The old Constitutional guaranty of religious freedom is as precious and as sacred to the overwhelming mass of citizenship as it has ever been. Men and women still believe it is their privilege and their right to think as they want to think and to do as they want to do, so long as they do not annoy or infringe upon the rights of others.

"Due to the constant encroachment of the Federal government in matters which had heretofore been regarded as exclusively within the province of the States for decision, the next battle-ground will be the national Capitol at Washington. Intolerance in the guise of blue

law legislation must be repelled there if the liberties of the people are to be preserved. It is a cause which should arouse the support of the thoughtful people of all communities. Liberty in these matters is too precious to be sacrificed because of indifference."

More power to the pen of the *Star's* editor!

v.

## Oklahoma Upholds Religious Liberty

THE *News*, of Oklahoma City, recently contained the following item:

"John S. Chesney, a grocer at 307 S. Harvey Ave., can keep his grocery store open on Sundays so long as he keeps it closed some other day of the week, the criminal court of appeals held Monday. Chesney is a Seventh-day Adventist.

"Chesney was arrested for violation of the law against Sabbath breaking, on complaint of J. K. Wright, county attorney. Chesney was acquitted by Judge James C. Cheek, former county judge, but Wright appealed the case.

"The court held Monday that so long as a man was following the dictates of his conscience, he could work on Sunday if he observed his Sabbath one day in the week. Complaint was made by Wright that he [Chesney] kept his store open June 4, 1923. He closed it Saturday, June 3, he told the court."

We are glad to know that some of our courts recognize the fact that justice is greater than law, and that the spirit of a law is greater than the letter of the law. Why should those who conscientiously observe another day than Sunday as holy time, be prosecuted for not observing Sunday also, any more than those who observe Sunday should be prosecuted and fined because they fail to keep the seventh day of the week also? Sunday laws are wrong because they give legal preference to a sectarian dogma; but where they are enforced, they should never be enforced so as to compel conscientious Christians to keep two days each week. Such a course is doubly offensive and oppressive.

WHAT America stands for is not toleration under civil sanction, but liberty under law.



© U. S. G. WASH., D. C.

Looking Toward the Capitol From the National Botanical Garden

## The American System of Government As Conceived by Its Founders

**A**MONG the nations of earth, the United States of America stands pre-eminent, without a competitor in the fundamentals of civil government and religion. The American government stands for absolute separation of church and state, in which respect it differs materially and fundamentally from those nations of Europe which had a semblance of divorce between church and state following the great Reformation of the sixteenth century. The principles of the Protestant Reformation made necessary a new order to exemplify them. Other lands had been so impregnated with the false theory of human government that virgin soil—a soil which did not need so much tilling or weeding—became an absolute necessity if these principles were to be a blessing to mankind.

The church and state system is pagan. Pagan-Roman law said:

“Worship the gods in all respects according to the laws of your country, and compel others to do the same. But hate and punish those who would introduce anything whatever alien to our

By

S. B. Horton

customs in this particular.”—*Neander's "Church History," Vol. I, sec. 1, part 1, Div. III, par. 2.*

Persecution of dissenters followed in the wake of such legislation, for, continuing, the law said:

“Whoever introduces new religions, the tendency and character of which are unknown, whereby the minds of men may be disturbed, shall, if belonging to the higher rank, be banished; if the lower, punished with death.”—*Ibid.*

On one occasion a number of religionists, designing to get some charge against Christ under which He might be prosecuted as a mover of sedition, asked Him the question, “Is it lawful to give tribute unto Cæsar, or not?” His answer was an altruistic statement, to serve for all time, “Render therefore unto Cæsar the things which are Cæsar's; and unto God the things that are God's.” He rendered unto Cæsar by paying taxes charged up to Him, and paid due deference even to the courts and rulers who united with the church party in putting Him to death.

Of all the notable colonial characters,



Roger Williams stands without a peer. Trained in the principles of religious liberty at the feet of Coke, the great English barrister, and enjoying a genuine religious experience, he was prepared to serve his fellow men for their highest good.

When Williams came to America, he found a situation corresponding in kind to that from which the Pilgrims had so recently fled. The settlers had united church and state, and he very soon came in direct conflict with the very people who should have hailed him as a safe guide and deliverer. His opposition to the church and state system caused him to be haled before courts. An author, writing about his experiences, says:

"The church brethren's estimate of Williams was on a level with their appreciation of the great principle to which his life was consecrated; that he was an incorrigible offender, and that the Boston court was patient, lenient, and long enduring; that he was obstinate, wrong-headed, and persistent in his purpose to disturb the peace and harmony of the colony. The explanation of [these] diverging opinions, so far as Williams' contemporaries are concerned, may be accounted for in part, perhaps, from the fact that the New England Puritans' understanding of religious freedom 'was not the freedom of the individual mind from the domination of the spiritual order, but merely the freedom of their particular church; and just as the English government had thrown off the tyranny of the pope to establish the tyranny of the bishops, they threw off the tyranny of the bishops to establish the tyranny of the brethren.'—*Discourse of Chief Justice Job Durfee, Providence, 1847; quoted in Oscar S. Straus' "Roger Williams," pp. 43, 44.*

The same author, on another page, referring to the experience through which Roger Williams was then passing, says:

"The Puritan writers have uniformly sustained the Boston court, and stigmatized Williams for being contentious and extreme in his opinions, and for creating dissension, without adequate cause, among the brethren at Boston. But it will be remembered that much of the religious contention of that age concerned itself about ceremonies. They were objected to by the nonconformists within the church, because they had a tendency to lessen the chasm between Protestantism and Romanism, and they were still more strenuously opposed by the separatists, or nonconformists, without the church, because their retention was regarded as tending

to sanction and perpetuate the corruptions with which they had been associated. To Williams it seemed absurd and a compromise of principle for the New England brethren to retain connection with the Church of England, especially in view of the fact that they had quitted England because of their refusal to conform to the ceremonies of that church.

"The other charge brought against Williams is that he denied the power of the civil magistracy to punish for the violation of the first table of the law. To understand the force and meaning of this objection, which goes to the root and foundation of the Puritan commonwealth, whose statute book was the Bible, pure and simple, we must bear in mind that the ten commandments were the corner-stone of their fabric. They were divided into 'two tables,' the first four covering the first table, and the other six the second. The first table prescribed the duties which man owes to God, namely, worship, the use of oaths, and the observance of the Sabbath. The second table relates to the duties which man owes to man. The magistrate under this system claimed that his jurisdiction related both to those duties which were to be rendered unto Cæsar, as well as to those which belonged to God. Roger Williams resolutely denied the power and the right of civil authorities to assume jurisdiction over the matters embraced in the first table, and to inflict penalties for the neglect of religious duties."

Roger Williams had to leave the scenes of his disinterested and patriotic devotion. But knowing his cause to be righteous, he was willing to suffer rather than surrender. He knew the difference between the true and the false conception of Christianity.

It was directly due to Roger Williams' doctrine that Rhode Island stood at the head of the colonies on the true principles of civil and religious liberty, though that colony has since deviated from its original attitude. Roman Catholics claim that Maryland took the lead in proclaiming liberty, but no student of history need make such mistake, and an appeal to her statute books will reveal the fact that some present enforceable laws have a very decided "bluish" tint. There was a reason for Roman Catholic liberality in Maryland, and that reason was the fact that under the charter granted to Lord Baltimore he was powerless to establish any religion but the Episcopal. Therefore he established

(Continued on page 28)

**T**HE Baptist General Association of Virginia presented a memorial to the Virginia Legislature at its last session, protesting against compulsory reading of the Bible in the public schools. A number of the leading Baptist ministers appeared before a legislative committee, and presented the following interesting memorial against the Bible bill, and were successful in defeating it:

**Text of Baptist Memorial**

"The undersigned committee, on behalf of the Baptist General Association of Virginia, composed of 1,175 white churches, with a total membership of 219,166 citizens of this Commonwealth, having been informed that a renewed and concerted effort will be made by numerous citizens and organizations to have your honorable body at its next session pass the bill defeated at the last session, or any similar bill, compelling teachers in public schools of this State to read the Bible daily in schools, hereby enters its solemn protest against the passage of any such measure, and in support of its protest, presents the following facts and considerations, and recurs to the following fundamental principles:

"1. The Bible is distinctly a religious book, and when properly read is an act of worship which cannot rightfully be enforced by law. Law rests on force. Religion is voluntary. Any attempt to promote religious worship by force of law is, in the language of our statute of religious liberty, 'a departure from the plan of the Holy Author of our religion, who, being Lord both of body and mind, yet chose not to propagate it by coercions on either, as was in His almighty power to do.'

**Many Different Versions**

"2. There are many versions of the Bible. One of these, commonly used by Protestants, is known as the King James Version; another used by Catholics, is known as the Douay Version, which contains entire books not appearing in the King James Version. These two versions differ in many particulars considered material by the respective sects. Our Jewish fellow citizens do not consider the New Testament as a part of their Bible. If the law is to compel the reading of the Bible, the question at once arises, Shall the Protestant, Catholic, or Jewish Bible be read? The proponents of the proposed law would doubtless answer, 'The Protestant Bible should be read, because it is the Bible of the majority.' To compel the numerous Catholic and Jewish teachers in our schools to read a Bible which



DAVIS STUDIO

State Capitol

# Baptist Memorial Protest Compulsory

they do not consider the true Bible, is not only an invasion of their right, but also of the rights of the non-Protestant pupils and their parents.

**Must Concede Rights of Others**

"We may best realize the wrong involved, by imagining our own feeling of protest, should the law compel the reading of the Roman Catholic Version to our Protestant children. Protestants can claim nothing on the score of conscience if they are unwilling to concede equally to others. It is not a question of majorities, for if the conscience of the majority is to be the standard, there is no such thing as the right of conscience at all. It is against the power of majorities that the right of conscience is protected. This right is an indefeasible natural right of man of which no free government can deprive him. There are some rights which even the majority cannot take away, and the right of conscience is the most sacred of these. Government should never interfere unless men, under t



Richmond, Va.

# Religious Liberty Against Bible Reading

guise of conscience, commit acts which violate the good order of society.

## Differences Fundamental

“To the Protestant, the Catholic Bible is a sectarian book. To the Catholic, the Protestant Bible is a sectarian book. To the Jew, the New Testament is a sectarian book. To the citizen who has no religion, all versions are sectarian. To select the textbook of any sect to be read in the public schools is to confer a peculiar advantage upon that sect. This is expressly prohibited by the constitution of the State (section 56). It is a mistaken idea that the Protestant religion, or even Christianity, has in Virginia any peculiar rights. Christianity may have been once a part of the common law, but this has long since been changed in Virginia, both by statute and constitution. The Supreme Court of Appeals has said that the ancient law on the subject ‘was wholly abrogated by our Bill of Rights, and the act for securing religious free-

dom, subsequently ingrafted in the amended Constitution, which wholly and permanently separated religion, or the duty which we owe to our Creator, from our political and civil government; putting all religions on a footing of perfect equality; protecting all; imposing neither burdens nor civil incapacities upon any; conferring privileges upon none. Placing the Christian religion where it stood in the days of its purity, before its alliance with the civil magistrate; when its votaries employed for its advancement no methods but such as are congenial to its nature; . . . proclaiming to all our citizens that henceforth their religious thoughts and conversation shall be as free as the air they breathe; that the law is of no sect in religion, has no high priest but justice. Declaring to the Christian and the Mahometan, the Jew and the Gentile, the Epicurean and the Platonist (if any such there be amongst us), that so long as they keep within its pale, all are equally objects of its protection.’—*Perry's Case, 3 Grat., 641.*

## All on Equal Plane

“Not only does the Constitution place all sects on the plane of absolute equality before the law, but, as if forever to banish the force of law from the realm of religion, it actually protects the individual from the church of his own choosing, by prohibiting the General Assembly from authorizing any religious society to levy a tax even on themselves,—again recognizing that the law must not be used to enforce any religious duty.

“History teaches us that the principle here contended for was established after centuries of struggle marked by persecution and bloodshed, culminating here in Virginia, whose government was the first in the world to proclaim complete and absolute religious equality before the law. Jefferson, who led the movement, declared it to be the bitterest fight in which he was ever engaged. Truly it is a blood bought blessing, and we consider it our duty to seek to protect it against the slightest encroachment.

## Shows Inherent Weakness

“3. The bill as proposed contains two provisions intended to protect the rights of conscience, but which disclose the inherent weakness of the whole proposition. It provides that at least five verses must be read without comment. It compels reading, but prohibits study. It also provides that pupils may be excused from the classroom during the reading of the Bible, upon written request of either parent. This provision is a recognition of the fact that any version of the Bible used will be looked upon by some as a sectarian book, and as

a measure of justice to such, their children may withdraw from the classroom. But this does not correct the injustice, for it is unkind and inconsiderate to subject the children of the small minority to the embarrassment of excluding themselves from a stated school exercise, especially because of apparent hostility to that version of the Bible which the majority have been taught to revere. The excluded pupil will lose caste with his fellow students, and is liable to be the object of reproach, and perhaps of insult. Such a course would tend to destroy the equality of the pupils, which the law ought to maintain and protect.

#### May Submit in Silence

"It is probable that a great number of non-Protestant parents, rather than subject their children to the embarrassment of separating them from their fellow pupils during the reading of the Protestant Bible, will submit to the injustice in silence, hoping for the day when minorities shall grow into majorities. In this connection it may be well for Protestants to remember that in some of the States, the Catholics are already, or soon may be, in a majority. May we reasonably expect from them better treatment than we accord them? It will be a sad day for the cause of public education when religious sects begin to vie with one another for the control of the schools. We must not drive the entering wedge of dissension into a system which is the bedrock of our republican institutions.

"Moreover, while the proposed act seeks to leave some discretion to the pupils, none is left to the teacher, who is commanded by law to read the Bible, and, presumably, will be punished for failing to do so.

#### Complete Equality First Principle

"4. The right to worship God according to the dictates of one's conscience is firmly established throughout America. But this is not all of religious liberty. It is broader. It means complete and absolute equality before the law of all religions. The State should have no favorites in matters of religion. Its only relation to religion is to protect all of its citizens in the sacred rights of conscience, just as it protects them in their rights of person and property. If there is one teaching which history makes clear, it is that Christianity prospers most under those governments which as such seek to help it least. A false religion may need the peculiar recognition of the law, but it is beneath the dignity of the true religion to ask or accept it. From the early days of the Christian era down to the present time, some of Christ's zealous followers have, in violation of His teachings, sought to promote His cause by force, first by burning at the stake, later by stripes or imprisonment and by taxing others to promote a religion in which they did not believe, and today we have the last faint glimmer of that hoary

fallacy remaining with those good people who erroneously think they can aid religion by invoking the strong arm of the law to compel the reading of the Bible. How blind to the teaching of history and the principles of Him who said, 'My kingdom is not of this world'!

#### Regarded as Literature

"5. Some argue that the law should compel the reading of the Bible, not as a religious book, but simply as literature. But this is evidently not the viewpoint of the proponents of this bill, for, as if to minimize the wrong done sects who do not accept our Bible, they limit the reading to five verses, prohibit comment, and excuse pupils from attendance upon the reading. The truth is that the Scriptures cannot be separated from their sacred religious character, and any move to advance their acceptance through secular authority under pressure of law, is an unworthy attempt to shift upon the State a solemn duty divinely commissioned to the church. The realm of religion is entirely beyond the scope of the State. True, it is sadly neglected, but the remedy is the re-establishment of the family altar and a redoubling of the efforts of the churches.

"6. We wish it distinctly understood that we are in full accord with the proponents of the bill in their belief in the importance of training our children in the great religious truths taught in the Bible. Its importance cannot be overstated. The only difference between us is one of method, but that method involves a great underlying principle which is a part of our religious as well as our political faith. Our public school system belongs to the members of all religious denominations, and those who are attached to none, and we must respect each other's rights in common property of us all. Religious training our children must have, but it should be given in our homes and churches, and not at the expense of those who do not believe in our Bible. We maintain that each Christian body should advance its own religion by its own efforts and at its own expense, and that any attempt to get the force of the State behind our religion, even to the extent of compelling the reading of five verses from our version of the Scriptures, begets a suspicion that our religion cannot stand on its own merits. We are unwilling to admit, but on the other hand emphatically deny, that the textbook of our religion needs the strong arm of the law to support it.

#### Religious Instruction Vital

"We fully agree that the religious instruction of the child should be given along with its secular training, but it by no means follows that it must be given by the same persons and in the same place. Our Catholic fellow citizens do not agree on this proposition, and maintain separate schools where religion may be taught; but it

(Continued on page 29)

# Sunday Reform Laws a Menace

BY J. K. JONES

**I**T is advocated that the traditions of the church should be enforced by the state, and that, among other things, Sunday observance should be made compulsory by Congress. This idea that religious institutions should be enforced by the political power, has been the cause of all the persecutions of past ages. When Rome was pagan and paganism constituted the state religion, the Christians who worshiped Christ instead of the gods of Rome were cruelly burned to death or thrown to the wild beasts. When the Church of England was the leading church during the days of Puritanism, she dictated the religious laws which were passed by the English Parliament. Our forefathers had to flee to Holland, then to America, in order to find a place where no man or church would dictate their religion.

However, shortly after this country was settled, the Church of England worshippers who colonized Virginia, began to persecute all others who dared teach doctrines contrary to theirs, who refused to attend church on Sunday, etc. They attempted to compel men to observe Sunday whether they believed in it or not. For the first offense, the culprit was forced to pay to the clergy 200 pounds of tobacco or be confined in the stocks. If this did not work a reformation, the offender was charged with blasphemy against God, and was branded with a hot iron on either his right hand or his forehead. Finally, if the person still refused to obey, the death penalty was brought into play.

In New England, where the Puritans controlled the State, the Sunday law was made equally oppressive. A Dunstable soldier, for wetting a piece of old felt to put in his shoe to protect his foot, was fined forty shillings for working on the "Lord's day." Captain Kemble, of Boston, was, in 1656, set for two hours

in the public stocks for his lewd and unseemly behavior, which consisted in kissing his wife publicly upon the doorsteps on his return from a three years' sea voyage.

## What Could Happen

These are only samples of the early Sunday blue laws. It only goes to show what could happen even in our country today if Congress, at the request of the churches, passes a Sunday law. We wish it clearly understood that we are in sympathy with every worthy endeavor to make this nation a clean place for our growing boys and girls. We believe that many of the moving pictures shown today are positively dangerous, and are having a bad effect upon our youth. But we also believe that the effort made to close the moving-picture houses on Sunday, while permitting them to operate and show the same pictures on other days, is unfair, and constitutes the favoring of Sunday above the other days of the week, and makes a religious question out of this matter.

How can it be wrong to run the moving-picture shows on Sunday, and yet be all right on Monday? Any one can see it is because some persons regard Sunday as a holy day, and want the State or city to enforce the observance of that day whether others wish it or not. That constitutes religion by civil law, and is wholly against the American principle of separation of church and state. It is really an effort to do away with anything that interferes with Sunday observance. Jesus Christ had a religion, but He did not attempt to force it on others.

## Men of All Beliefs

I believe in baptism by immersion, and the Bible teaches it, but I have no right to force my belief on others; neither should I ask Congress or the city council to do it. This country is made up of

men of all religious beliefs and good citizens who are not religious. We all have a right here. The man who goes to church doesn't own the country any more than the man who does not go to church. This is not a Christian nation, but belongs to all its people, whether they have joined a church or not. Congress has nothing to do with religious questions, whether they be Sunday laws or any other.

For the people who keep Sunday to ask the State to compel me to keep Sunday, is surely the case of one class of persons trying to invade the rights of others. If moving pictures are bad on Sunday, they are just as bad on Monday. If permitted to run on Monday, why should they not be permitted to run on Sunday? The State or city is not a church; it has no right to declare a certain day a holy day, for only God can make anything holy. If a man believes in keeping Sunday and does not believe in Sunday movies, then it is his privilege to go to church instead of to the movies. The fact that moving pictures are in operation somewhere down the street does not need to disturb his worship. There are other citizens equally patriotic who do not regard Sunday above other days, who do not care to attend church, but who do enjoy the picture show. Now why should the church member who keeps Sunday have a law made to force his neighbor to keep Sunday, and close the movies, thus denying to this other man his rights?

#### Results in Persecution

This enforcing of Sunday by law is decidedly wrong and unjust, and always results in persecution. As before stated, if the movies are all right on Monday, then they are all right on Sunday; for no State or city has any right to declare one day more sacred than another. For the city to close the picture shows on Sunday while permitting them to run on Monday, shows clearly that the civil power is favoring Sunday for religious reasons, and that is contrary to our American Constitution.

You will never make a man religious by merely closing the movies on Sunday or taking away his Sunday newspaper, baseball and football games, golf, tennis, pleasure boats, etc. The policeman may force him into church, but cannot change his heart.

In this age of enlightenment no State or city government can afford to pass Sunday blue laws, for they constitute class legislation, break down the safeguards in our Constitution, and make hypocrites instead of saints. If the church people will keep out of politics and depend upon God's Word, there will be no need to appeal to Congress, to the State, or to the city council to enforce Sunday laws. Men will choose to be religious through love, rather than be forced, through fear, to act as if they were religious.



#### Keep the Pulpit Out of Politics

**C**OMMENTING upon a recent gift of \$100,000 by Golden Rule Nash of Cincinnati to make the churches more Christian, the *Baltimore Sun* remarks:

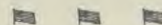
"The trouble with the churches is not so much with the congregations as in the pulpit. When the ministers take up politics, a certain amount of religion goes out of the pulpit. People do not go to church to hear political sermons.

"The preacher who divides his time between religion and politics, loses some of his effectiveness as a minister.

"The first move in the campaign to make the churches Christian ought to be, in our opinion, to require ministers to stick to their own jobs, and leave politics to the laymen."

That is sound advice.

But it will be less difficult to cause the leopard to change his spots than to persuade the preacher, once addicted to politics, to refrain therefrom.—*Sacramento Bee*.



THE greatest hypocrite is the one who makes the loudest profession of piety and charity, while he knows that his spiritual pond is dry.

# How America Still Fosters Church Establishment

## A Plea to Abolish the Evils Resulting From Sunday Establishment, and a Warning Against Present Political Church Combinations

BY I. A. CRANE

TIME and time again have Seventh-day observers been made to realize that there still remains a veritable church establishment in the United States. These people, having kept the seventh day commanded by Jehovah and observed by Christ, do not, of course, believe in keeping Sunday. Many of them at one time conscientiously observed Sunday, but having become fully convinced that such observance is unscriptural, they left off Sunday keeping, and at great inconvenience and sacrifice to themselves, began keeping the seventh day. For this "crime" they are subjected to arrest, fine, and imprisonment. During just two years, 1895 and 1896, at least seventy-two of these people were arrested, twenty-eight of whom were convicted, and served terms ranging from five to 129 days in county jails and chain gangs. These were not by any means the only years when such things have occurred, as hundreds since have suffered similar penalties, but it is sufficient evidence that one church is suffering because the doctrines of another church have been established by law.

By way of comparison, let us examine another case of church establishment. For years, in the early days of Virginia, the Episcopal Church was established by law. The salary of ministers and all other expenses of the church were therefore met from the State treasury. But a change was coming. The heaven-born principles of religious liberty were taking deep root in America. The Declaration of Independence had been adopted, and the principles of liberty were beginning to be better understood. Those

who were being taxed to support a church whose doctrines they could not indorse, were being aroused.

On Oct. 24, 1776, the Presbytery of Hanover addressed to the General Assembly of Virginia what was called the "Dissenters' Petition." In April, 1777, and in May, 1784, they presented similar petitions. These petitions contained a plea for total separation of church and state, which meant, of course, the disestablishment of the Episcopal Church. They denied that this church should continue to be thus favored by law, even though other churches were left free to worship as they chose. They said,

"The security of our religious rights upon equal and impartial grounds, instead of being made a fundamental part of our constitution as it ought to have been, is left to the precarious fate of common law."

When a member of the house proposed that special legal advantage be given to Presbyterians, those noble people absolutely refused any such proposition as being inconsistent with the true idea of liberty. They declared:

"The real ministers of true religion derive their authority to act in the duties of their profession from a higher source than any legislature on earth, however respectable." "In the fixed belief of this principle, that the kingdom of Christ and the concerns of religion are beyond the limits of civil control," they denied "any human establishment for the support of the gospel." "There is no argument in favor of establishing the Christian religion but what may be pleaded with equal propriety for establishing the tenets of Mohammed by those who believe in the Alkoran."

The civil magistrate could not decide matters of "Christian faith," they said, "without erecting a chair of infallibility, which would lead us back to Rome."

"We never resigned to the control of government our right . . . to the conviction of reason and conscience. And it would be a fatal symptom of abject slavery in us to submit to such usurpation." (See Journal of General Assembly of Virginia.)

In our day these demands could not be questioned, but at that time to secure such liberty was no easy matter. Religious establishment does not readily release its hold on the throttle of liberty. Some people felt that to declare an entire separation of religion and the state would mean infidelity, anarchy, and ruin. But thanks to such men as Jefferson and Madison,—men in whom the idea of liberty was a living principle,—the thing was accomplished.

Presbyterians and Baptists could see and feel the injustice of Episcopalian establishment; but blind prejudice and bigotry always hinders those in power from seeing the religious rights of others. This is so today. With all the evils of state-enforced religion before us, yet there are many today who would undo the work begun by the founders of religious freedom in America. Churches which were once strongly opposed to a state-enforced religion, are now urgently pressing Congress for recognition. The teaching of religion in the public schools, and the enforcement of Sunday observance by law, are urged by every possible means, with never a thought, it seems, that *the establishment and enforcement of doctrines which several churches may agree upon, is just as repugnant and evil to the minority who do not believe them, as were the Episcopal beliefs to Presbyterians, or the doctrines of Rome to dissenting Protestants. The establishment of doctrines agreed upon by the majority of churches, is as truly a church establishment as if it emanated from any one church alone; and it is all the more dangerous because of its increased power. The history of the past is replete with evils brought about by strong church combinations; and herein lies our greatest danger today.*

And when Congress yields to this political church combination, it will not be

the establishment of one church alone, but it will be the establishment and enforcement of the doctrines of a majority of the churches. This will open the way, and give life, to the tyranny that has long been waiting to spring again into active despotism. This was what placed Rome where she could exert her despotic power.

As before stated, there already exists the embryo of this religious establishment in the United States. It is found in our State-enforced Sunday laws. In Virginia, they had the establishment of *one church, the church of the majority. Now in nearly every State there exists the establishment of a church institution, the rest day of the majority.* Do majorities make right? Today Baptists and Presbyterians are more numerous in America than Episcopalians. Shall we establish one of these churches? Or suppose that the tide should turn, placing Jews or Adventists in numerical power; would a law enforcing Saturday in place of Sunday awaken no protest? In matters of religion by law the majority is always wrong, and those who would keep God's commandments need not expect friendship from the nations of earth.

Not only does Sunday establishment make trouble for Seventh-day people; but they, and others who know that Sunday is no more sacred than Monday, are taxed to support a religion which they do not believe. They must also meet their share of expense when large legislative bodies spend hours and hours of time discussing and framing Sunday laws. In this way they are as truly taxed to enforce a religion which they oppose as were Presbyterians in Virginia.

For these and other reasons they dissent from this establishment of religion, and ask for the full disestablishment of religion in the several States. They protest against being taxed to enforce a law which brings fines and imprisonment upon themselves in the form of Sunday prosecution. Like the Presbyterians of Hanover, they ask that the rights guaranteed them by State and national con-



stitutions, be preserved, "instead of being left to the precarious fate of common law." Like Virginia Baptists and Presbyterians, they have learned to their sorrow what it means to be left to the "fate of common law" in the matter of a legal religion.

An established Sunday, exempting seventh-day people, is a parallel to the established Episcopal Church tolerating Presbyterians, or to an established Catholic Church tolerating Protestants. It places conscientious convictions of religious duty in the hands of judges whose prejudices often outweigh their sense of justice. And not only so, but to admit the right to exempt, always implies the right to remove such exemption. This was demonstrated in Arkansas when the clause exempting seventh-day observers became a bone of contention, being voted in by one legislature and out by another. The fact is, that the whole principle of Sunday legislation, as well as every other law regulating religion, is Scripturally and morally wrong. Let us stand by the Constitution, and keep religion out of politics.

---

### Facing a Grave Crisis

*(Continued from page 8)*

with the Declaration of Independence, rather than by the royal charters granted to the colonies by Old World kings who imagined that they reigned by divine right.

But we see today a marked tendency to depart from the Constitution, to try experiments with it, and to read into it things that were the farthest from the thought of the men who framed it.

#### Jealous for Their Rights

The men who wrote the Constitution were jealous, not only for the rights of the several States which they represented, but for their own personal rights, and they sought as best they knew how to safeguard those rights. It was the evident purpose of the fathers of the Republic to withhold from Congress any

and all authority whatsoever in matters of religion. Article VI of the body of the Constitution provides that —

"No religious test shall ever be required as a qualification to any office or public trust under the United States."

Nor was this considered sufficient by free men jealous for their liberties: the very first Congress which assembled under the Constitution proposed this amendment, which was speedily adopted by the several States:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

For many years this amendment was taken by our legislators to mean just what it says and all that it says. In 1829 and '30 the words, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," were understood by both the Senate and the House as prohibiting Sunday legislation.

#### The Senate of 1829

Jan. 19, 1829, the Senate concurred in a report which said in part:

"It is not the legitimate province of the legislature to determine what religion is true, or what false. Our government is a civil, and not a religious, institution."

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

"If the principle is once established that religion, or religious observances, shall be interwoven with our legislative acts, we must pursue it to its ultimatum."

### Opinion of the House in 1830

On the legislative day, March 4 and 5, 1830, the House Committee on Post Offices and Post Roads, to which had been referred a certain memorial for the discontinuance of Sunday mails, rendered a similar report, in part as follows:

"The memorialists regard the first day of the week as a day set apart by the Creator for religious exercises, and consider the transportation of the mail and the opening of the post offices on that day the violation of a religious duty, and call for a suppression of the practice.

"Others, by counter memorials, are known to entertain a different sentiment, believing that no one day of the week is holier than another. Others, holding the universality and immutability of the Jewish decalogue, believe in the sanctity of the seventh day of the week as a day of religious devotion, and, by their memorial now before the committee, they also request that it may be set apart for religious purposes. Each has hitherto been left to the exercise of his own opinion, and it has been regarded as the proper business of government to protect all and determine for none. But the attempt is now made to bring about a greater uniformity, at least in practice; and, as argument has failed, the Government has been called upon to interpose its authority to settle the controversy.

"Congress acts under a Constitution of delegated and limited powers. The committee look in vain to that instrument for a delegation of power authorizing this body to inquire and determine what part of time, or whether any, has been set apart by the Almighty for religious exercises. On the contrary, among the few prohibitions which it contains, is one that prohibits a religious test, and another which declares that Congress shall pass no law respecting the establishment of religion, or prohibiting the free exercise thereof."

### An Alarming Feature

Ninety-seven years ago there were few, if any, to affirm that Congress had a Constitutional right to enact a Sunday law. Now, however, it is argued that in legislating for the District of Columbia, Congress acts merely as a Board of Aldermen, and is not subject to the limitations of the Constitution!

How any man, sworn to support the Constitution, and having no authority except it is conferred upon him by that instrument, can adopt such a view, is beyond our comprehension. It is surely a most alarming feature of the present

movement to force through Congress a bill which in effect undertakes to declare one day of the week holy time, and to require its observance as such.



### An Analysis of the Lankford Sunday Bill Pending Before Congress

(Continued from page 5)

time." Thus this bill commands church members and nonchurch members, in fact every citizen in the District of Columbia, to observe some day of the week "as holy time," whether he believes in "holy time" or not. Every citizen is commanded to act as if he were religious on one day of the week, whether he is or not. If he were commanded to rest on one day of the week whether he wanted to or not, that would be political tyranny, but when he is commanded under penalty to keep a day "as holy time," that is religious tyranny.

### Impossible of Enforcement

The state is asking a physical impossibility when it commands a man to keep a day holy. In the first place, no one can keep a day holy unless God has made the day holy. Man, of himself, can make nothing holy, he can only keep holy what God has made holy. The only day which God ever made holy is the seventh day of the week, and now the state, in this bill, is asking the citizen to keep the first day of the week holy — a day which God never made holy. It is asking an impossibility.

In the second place, the state is assuming a responsibility which, in equity, it can never discharge. How can mere man who sits in the seat of justice determine whether a man has kept a day "holy" or not? It would take divine omniscience and the ability to read the motives of a man's heart to judge him righteously in a matter of this kind. Whether the day has been observed "as holy time" is known to no one but the man himself and God. To impose such

a duty upon the civil magistrate presupposes that the state shall clothe the civil officer with divine prerogatives. This the state cannot do. Again, unholy men cannot keep "holy time," "for whatsoever is not of faith is sin."

We discover that this compulsory Sunday observance bill presumes to enforce the following impossibilities:

1. The keeping of a day holy which God has never made holy.

2. The keeping of "holy time" by unholy men.

3. The clothing of the civil magistrate with divine prerogatives so he can righteously judge the motives of men's hearts.

4. The state's ability to alter the moral and eternal law of God, which Christ said was the only thing in heaven and earth that was not subject to change, not even as much as in a "jot or tittle."

#### Unfair and Unjust

This proposed exemption is manifestly unfair and unjust. It requires every one who observes another day than Sunday "as holy time" to go to court and prove his innocence when arrested for Sunday labor. This compulsory Sunday observance bill compels, for instance, a Seventh-day Adventist to go to court every week, if he should be summoned, to make "a sufficient defense to a prosecution for work or labor on the first day of the week," and prove that he has "uniformly" kept "another day of the week as holy time." He must also prove that the "labor complained of was done in such manner as not to interrupt or disturb other persons in observing the first day of the week." No such hardship is imposed upon the Sunday observer. He can "interrupt or disturb" those who worship on Saturday all he desires. He is not allowed to be called to court to prove that he has "uniformly" kept Sunday "as holy time." Why should the Christian or Jew who keeps "the seventh day as holy time" be subjected to the expense and humiliation of making a "defense" in court every time some unscrupulous and bigoted fanatic wishes to challenge his

sincerity, or to annoy and persecute him? That is exactly what is being done in some States where similar laws are on the State books. It is high time for the Federal Government to enforce the guaranties of civil and religious liberty under the Constitution instead of passing oppressive religious laws that override the Constitution.

#### Law Would Oppress New Converts

This Sunday bill, if enacted into law, and literally enforced, would prevent new converts from joining the ranks of Seventh-day Adventists. The new convert, under this law, in case of prosecution, could not make "a sufficient defense" that he had "uniformly" kept another day than Sunday "as holy time." Failing to prove that he has kept Saturday "uniformly," even though he kept the previous Sabbath, would make one liable to a possible civil penalty, if he persists in keeping the seventh day as the Sabbath, of \$500 and imprisonment for a period of six months.

We do not want to say that the Lord's Day Alliance and the National Reform Association purposely incorporated this evil design into this Sunday bill, nevertheless, such would be the effect of this proposed law, when strictly enforced. It could be used as a weapon in the hands of religious fanatics to drive all new converts to the faith of Seventh-day Adventists to despair. They could be kept permanently in prison and have their property confiscated at the same time. The law is manifestly unfair and unjust. It discriminates in favor of the Sunday observer, and therefore is not only religious, but distinctly class legislation.

#### It Is Absurd

The proposed law says, "It shall be unlawful in the District of Columbia to keep open or use . . . any place of public assembly at which an admission fee is directly or indirectly received." Who can conceive of anything more absurd? What right under our Constitution has the Federal Government to

penalize a highly instructive lecture on morals and ethics, a high-class musical entertainment, a travelogue and a thousand and one other educational and patriotic programs and exhibits on Sunday in "any place of public assembly at which an admission fee is directly or indirectly received"?

If this proposed law was literally construed, it would be impossible to take up a collection or offering in a church on Sunday. Certainly the church building is a "place of public assembly," and an offering is a "fee" "indirectly received;" if it is not, then why do the State courts construe "an offering" taken up at a Sunday baseball game as the equivalent of an "admission fee"? Are American citizens ready for the Puritan Sunday law which shuts up on Sunday every building but the church, and every avenue but the road leading to the church door?

#### Flavored With Religious Phrases

Another evidence that this proposed law is religious is the fact that the religious phrase "the Lord's Day" appears four times in this Sunday bill. "The Lord's Day" belongs to the Lord, and not to Cæsar. The very title and superscription attached to the day is a religious expression and makes it a religious and not a civil institution. If they had called it "Cæsar's day" or "Washington's day" or "Lincoln's day," it would have at least the form of a civil day, but they have prefixed a religious title to the day, which marks it as strictly a religious institution which they are seeking to enforce by civil law. Such a thing is an anomaly under our system of civil government, especially when it is taken out of the category of voluntary customs and made obligatory under civil penalties. The whole bill is a perversion of the American idea of civil and religious liberty. The bill should not be enacted into law. It should go the way all the Sunday bills have gone since the first compulsory Sunday bill was introduced into Congress in 1888 at the instance of the National

Reform Association and the American Sabbath Union.

Thus far Congress has consistently refused to enact these religious measures into law because it is restrained from so doing by the First Amendment to the Constitution. Congress has no Constitutional right to pass a law for any of the citizens of the United States that would interfere with the free exercise of religion or that would aim to set up a religious standard for the people, much less to discriminate between the religious beliefs of the people. We have every reason to believe that the present Congress will emulate the example of its worthy predecessors, and will turn a deaf ear to the appeal of a few churchmen for legislative aid in behalf of a religious dogma. We would oppose such a law if it was in favor of our own most cherished religious beliefs. We do not believe that one class of citizens or religionists should enjoy special favors above others from the government.



### Public Sentiment Arrayed Against the Lankford Sunday Bill

(Continued from page 11)

point, there is no need for the passage of this legislation.

"There are two classes of people who are affected economically by the conduct of these businesses on Sunday," continued Mr. Colpoys, "and they are opposed to the passage of this bill. That leaves only one other question, and that is religion. Why should they specifically say that Sunday should be observed as the day of rest? Why should you discriminate in favor of one religion and against others?" queried the labor representative. He held that such a law was in direct contravention of the guaranties of religious freedom under our Federal Constitution.

#### Danger of Anti-Church Movement

Another labor representative, C. V. Gates, spoke for some 500 employees in a mercantile establishment, and seconded

the remarks of Mr. Colpoys. He said that many of the employees worked from early morning till late at night in mercantile establishments and in their own homes from necessity during the six working days of each week, and that Sunday is the only day they have for rest and recreation, and such employees feel that they should have the privilege of spending this one day as they themselves see fit.

Mr. Gates said the employees of every business establishment already had "a day of rest." "Sunday comes to them," he continued, "they may not want to go to church. It is their day of recreation. It is the day, the only day in the week, that they have for any kind of pleasure or for any kind of recreation that they might be particularly interested in. They look forward to that day. That is their day. They expect to do with that day just as they like. If they want to go to church, they go; if they want to go to the theater, they go. We claim that we have a right to go to the theater. We claim that the churchmen have no more right to close the door of the theater to us than we have to close the door of the church to them. And this is the sentiment that predominates in this city, in the District of Columbia. We claim as residents of the District of Columbia that no churchman from the South, North, East, or West has a right to come here and fasten upon us a law that is obnoxious to us."

When a committee member asked Mr. Gates if the employers of these business establishments should endeavor to make the employees work seven days each week, whether the employees would not then want Congress to pass a law to close these stores on Sunday, Mr. Gates replied that the business men of Washington had "too much manhood and too much sense to try to do it. Let them try it, and see what will happen. I have always supported the church; my family goes to church and I encourage them to go to church. I will tell you this: If the church keeps on with these

blue law enactments, they will wake up some day and find an antichurch movement in this country that will make their heads swim."

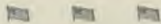
#### An Anomaly

The Lord's Day Alliance claimed that it represented nineteen Protestant denominations, totaling "16,000,000 communicant church members" who demanded the passage of these Sunday bills. The National Reform Association made a similar claim, with a few less Protestant denominations. Rev. R. H. Martin, director of the Sabbath Observance and Moral Welfare Department of the Presbyterian Church, claimed that he was speaking for "1,750,000 Presbyterians of the United States" who demanded the passage of the Lankford Sunday bill. Dr. David G. Wylie said he was speaking for 8,700,000 Methodists, 5,277,225 Baptists, 2,500,466 Presbyterians, 1,668,906 Disciples of Christ, 1,147,814 Episcopalians, 861,168 Congregationalists, 532,668 Reformed, 405,103 United Brethren, 307,177 Evangelical Synod, 108,500 Christians, 42,758 Scandinavian Evangelical, 26,802 Moravians, and 122,928 belonging to other religious bodies, "making a total of more than 20,021,953." Yet the report of the hearings on the Sunday bills before the Congressional committee reveals the fact that practically all the members of the various business, labor, and patriotic organizations which opposed the Lankford Sunday bill were church members of the respective Protestant denominations. This certainly is an anomaly. How can these churchmen speak for every church member of all these different religious denominations and record them as favoring the Lankford Sunday bill, when the above organizations, numbering thousands upon thousands of members of the same church affiliations, strongly protest against the enactment of the same bill? We will let the churchmen explain this discrepancy. This old stock argument, certainly, in the light of the nation-wide opposition and preponderance of petitions protesting against these bills, needs

a little investigation, before we can accept the churchmen's claim that they have to speak for all these church members.

Even the *Christian Statesman*, which has made a strong plea all summer for the church members to send in petitions favoring the passage of the Lankford Sunday bill, admits in the November issue that "so far" the opposition "have more petitions against it than the Sabbath-loving people have." This is a plain admission that public sentiment, as revealed in the petition work, is against Sunday legislation. It is more than ten to one in opposition to the Lankford bill, as the records now stand.

The vast majority of these petitioners are members of churches and are also "Sabbath-loving people." Some of them are strict Sabbath observers, but they believe that Sabbath observance should be voluntary, and should never be enforced by the civil magistrate under a penal code.



### The American System of Government as Conceived by Its Founders

(Continued from page 15)

no sect, but gave liberty to all Christians, that he and his coreligionists might themselves be free.

To George Washington and the Constitutional Convention of 1787 was committed, by a divine Providence, a mission of transcendent importance to all mankind. In more ways than one was Washington the father of his country. After the successful revolt against the mother country, he, with other leaders, saw the need of a transition from the federation of colonies to a national compact, to be known as the United States of America, with the words, "E Pluribus Unum," written across its banner of state.

A reference or two concerning the attitude of the States which were to ratify the Constitution, may be in place as we

develop the idea that I believe to have been uppermost in the minds of the best-thinking people of that time. In the Virginia Convention, Patrick Henry, a delegate, said in part:

"You are not to inquire how your trade may be increased, nor how you are to become a great and powerful people, but how your liberties can be secured; for liberty ought to be the direct end of your government. . . . Liberty—the greatest of all earthly blessings—give us that precious jewel, and you may take everything else! . . . Guard with jealous attention the public liberty. . . . The great and direct end of government is liberty. Secure our liberty and privileges, and the end of government is answered. If this be not effectually done, government is an evil."

Madison, in the same convention, said:

"There is not a shadow of right in the general government to intermeddle with religion. Its least interference with it would be a most flagrant usurpation. I can appeal to my uniform conduct on this subject, that I have warmly supported religious freedom."

After the Constitution had been ratified by the required number of States to make it operative and to launch the ship of state, it was thought by Seventh Day Baptists of Pennsylvania, and other Baptists of Virginia, that Article VI did not sufficiently guarantee religious freedom. Correspondence was carried on with George Washington, resulting in the addition of the first ten Amendments, the first being in part, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." The father of these amendments was James Madison, who was at the time a member of Congress.

The House of Representatives, in 1830, held that,

"It is the duty of this government to afford *all*—Jew or Gentile, pagan or Christian—the protection and the advantages of our benignant institutions on Sunday as well as every day of the week. Although this government will not convert itself into an ecclesiastical tribunal, it will practise upon the maxim laid down by the Founder of Christianity—that it is lawful to do *good* on the Sabbath day."

It has been asserted that the reason the name of God is not mentioned in the Constitution is because the authors of

that document were irreligious, or at best nonreligious. I will quote, in rebuttal of this position, the conclusions of the judiciary committee of the House of Representatives in 1874, as follows:

"The Committee on the Judiciary, to whom was referred the petition of E. G. Goulet and others, asking Congress for 'An acknowledgment of Almighty God and the Christian religion' in the Constitution of the United States, having considered the matter referred to them, respectfully pray leave to report:

"That, upon examination even of the meager debates by the fathers of the Republic in the convention which framed the Constitution, they find that the subject of this memorial was most fully and carefully considered, and then, in that convention, decided, after grave deliberation, to which the subject was entitled, that, as this country, the foundation of whose government they were then laying, was to be the home of the oppressed of all nations of the earth, whether Christian or pagan, and in full realization of the dangers which the union between church and state had imposed upon so many nations of the Old World, with great unanimity that it was inexpedient to put anything into the Constitution or frame of government which might be construed to be a reference to any religious creed or doctrine.

"And they further find, That this decision was accepted by our *Christian fathers* with such great unanimity that in the amendments which were afterward proposed, in order to make the Constitution more acceptable to the nation, none has ever been proposed to the States by which this wise determination of the fathers has been attempted to be changed. Wherefore, your committee report that is inexpedient to legislate upon the subject of the above memorial, and ask that they be discharged from the further consideration thereof, and that this report, together with the petition, be laid upon the table." — *House Reports, Vol. I, 43d Congress, 1st Session, Report 143.*

Thus is it shown that our forefathers bequeathed to posterity a priceless heritage, namely, a government of the people, by the people, and for the people, in which were incorporated lasting guaranties of civil and religious freedom. Patriotic successors, as a rule, have followed consistently in the path marked out by the founders.



AMERICA and Christianity both have more to fear from their enemies within than from those without.

## Baptist Memorial on Religious Liberty

(Concluded from page 18)

will hardly be maintained that their children are better than others, or grow up to make better citizens. The important thing is for our children to have religious instruction, and it is not essential that any part of such instruction be given in the day schools under governmental control and at public expense.

"7. Baptists in this State would suffer no direct injury from the proposed law, for the Bible which would be read in the schools is the version which the Baptists use; but the Baptists of Virginia know historically what discrimination against their religion means. Not many generations ago, when they were few in number, their ministers here in Virginia were punished and imprisoned for preaching the gospel; and now that they have grown to be the largest religious denomination in the State, they would be unworthy of the suffering and sacrifices of their forefathers and would lay themselves open to the charge that their love of right is for themselves only, if they did not seek to protect the religious rights of others.

### Would Pilfer Rights

"8. This matter seems trivial to some, who argue that the compelling of our teachers to read five verses of the Bible each day involves an infringement of their right so infinitesimally small that the law may well disregard it; but, to say the least, such a law would be a piece of petty pilfering of the rights of the minority sects, which would make us none the richer, but would brand us as offenders against the sacred rights of others, and render us easy marks for retaliation when circumstances are reversed.

"The matter is in truth one of tremendous import, not perhaps in itself, but because it is a violation of principle; and one violation leads to another, until the principle itself is in danger. The mere reading of five verses of Scripture without comment will not and cannot satisfy those who believe that religious training should be given in the public schools. The next step will be the actual teaching of the Bible, and when this is established, how strong the argument will be that inasmuch as the Protestants are teaching their Bible at public expense, therefore the Catholics should be permitted to do the same, hence, public school funds should be appropriated to Catholic schools, so as to give them an equal opportunity to teach their Bible at public expense. Such a division of school funds has already been accomplished in some parts of Canada, and will come in this country if success meets the efforts of those who insist on injecting matters religious with their inevitable sectarianism into our public school system. The dismemberment of that system

will be the natural fruitage of the adoption of the pending bill.

#### Appeal for Liberty

"We therefore appeal to your honorable body to adhere to the doctrine, peculiarly bound up with the history of this Commonwealth, which completely separates church and state, which refuses to exercise force in the realm of religion, and which places all religions on a plane of absolute equality before the law."

The Bible bill was defeated in the legislature of Virginia by an almost unanimous vote after this memorial was presented. The Virginians still remember the great principles of religious freedom so clearly enunciated by Thomas Jefferson. Thomas Jefferson and his ideals are more highly revered in Virginia today than they were at any time in the past. This memorial presents food for thought as similar bills will be considered during the sessions of our State legislatures this winter.

#### No Witches Burned by Puritans

**T**HE Sacramento *Bee* sets this matter straight in the following apologetic editorial:

"A protest has recently been made in New England against the 'witch-burning' accusation which is most frequently heard in connection with Salem, Mass.

"The Puritans, say these protesters, never burned any witches, and the charge that they did so is calculated to injure the reputation of these Puritans, as well as the good name of New England.

"So it appears that people have been doing the Puritans a great injustice all these years. They did not burn witches. They hanged them, pressed them to death under heavy weights, or disposed of them in other ingenious ways which it is a pleasure to be able to forget.

"But they did not burn them. Let that be remembered.

"The *Bee* is glad to be able to do its part in thus restoring the good name of New England; glad, also, to find that these Puritans were really such kindly people, after all."

These Puritans were very kind. History says they hanged eighteen alleged witches in a single year in Salem, and they were induced to abandon the cruel practice when the bewitched began to

point the accusing finger at members of the families of the Puritan elders and rulers. It is difficult to appreciate the pain of a pinching shoe until it is fitted on our own foot.



#### Constitution Protects Weak

**P**RESIDENT COOLIDGE recently stressed the importance of everybody's studying the Constitution and exercising the privileges of the franchise. Many newcomers to this country obtain a very erroneous idea of a free country and self-government. "Self-government is still government," said the President, and "obedience to law is the very essence of self-government." "Institutions are not hand-made, they are not imposed, they are a growth, they are the achievement of the people themselves. A crude and barbarous people could not establish and maintain a free republic.

"The best service this country can render to other countries," he continued, "is to leave them secure and undisturbed to develop their own institutions of freedom," and set them a good "example" of successful ideals.

#### Protects the Weak

The President also made plain a point that is not clearly understood by many Americans, that our Federal Constitution provides "the definition and protection of all the rights and liberties of the citizen." The Constitution, said he, is "the sole protection of the weak against the strong." It is another way of saying that our government is not a government of majorities, but of fundamental law; that the rights of the minority in matters of essential justice and God-given freedom are just as sacred as are those of the majority; and that the Constitution aims to protect the weak against the encroachments of the strong. This is a hard lesson for the religious reformer to learn when he is anxious to fasten the tenets of a popular religion upon the weaker dissenting sects.



## Religious Instruction During School Hours Condemned

THE Kansas City *Jewish Chronicle*, in the following interesting editorial, points out some grave dangers that lurk in the proposition to teach religion during school hours, under State supervision:

"We are all agreed, Jews and Christians of every sectarian faith, that there is a crying need for more and better religious education for our youth. We are not agreed, however, that this religious education shall become a part of the public school curriculum, or even that any portion of the school time be given over to religious instruction. The proposal to give the children an hour off on one day in the week to attend a religious school of their own choice in the neighborhood, is in itself quite innocent and not objectionable; but such a practice sets a fundamental precedent, and opens wide the door to the entrance of influences that might nullify the essential character of the public school system.

"There are great dangers in injecting the religious issue in so democratic an institution as our public schools. Religious instruction to the child should first begin in the home, and be continued through the church and synagogue. The responsibility of moral instruction cannot be delegated, even in part, to the public school system, not even to the extent of giving the children time off to go where they will to receive religious training. There is ample time outside the school hours for all the religious training a child can absorb, if the parents of the child only have some sense of responsibility for their children.

"The big danger in giving time off during school hours for religious instruction does not lie merely in the loss of such time for secular education, but is involved in the big temptation for ambitious ecclesiastics of every description to inject their own peculiar notions of religious training under the protection of public school auspices. It opens the door to possible conflict among the children themselves in prying into each other's religious affiliations. It opens the door to every form of intolerance and bigotry that has plagued mankind under the guise of religion. It has no place in our public school system, and ought to be kept out."

We are glad to see that this ancient people, who have done so much to preserve the ancient Scriptures for the benefit of mankind, have such a clear vision of the proper relation of the church to the state and the dangers that threaten

us when the two join hands to aid each other. They have suffered much at the hands of persecutors, and can appreciate to some extent what these unsanctified alliances mean to dissenters. As a rule, only those whose foot is pinched can appreciate the discomfort of a tight shoe.



## Bishop Scores "Church in Politics"

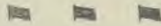
BISHOP CHARLES FISKE, of the Central New York Episcopal diocese, scored the political preachers and reformers who seek to "legislate people into Paradise," in a recent magazine article, as follows:

"Ecclesiastical counselors to State legislatures, amateur advisers in industrial relations, and youthful critics of the present economic order, are so numerous that one cannot shake a stick at them collectively, much less hit them with it individually on the head. Among Protestant denominations of the more violent type, paid secretaries and reform organizations have become a menace as well as a nuisance. Good men have mourned over their activities, and the people who are not naturally pious have been driven from indifference to bitter antagonism. They have engineered political blocs, forced through laws which only a small minority desired, held up legislation by demands for social and industrial reforms which could not be enforced. They have hung like hornets about the heads of legislators until the better type of politician has retired to private life, and men of the baser sort have been pushed into the making of laws which they themselves do not obey, and in whose real worth they never have had any faith.

"Is there actually any force of public opinion behind many of these proposed reforms? Such a public sentiment will never be aroused by men and women who follow the will-o'-the-wisp of reform led by a starry-eyed secretary who is well paid for his butterfly activities. And it will not be exerted continuously and effectively under the leadership of those whose one idea seems to be that you can legislate people into Paradise, and that a law, once on the statute books, becomes *ipso facto* a self-operating piece of reform machinery."

The only legitimate excuse any church has to go before a State legislature is to protest against proposed legislation which would in effect interfere with the

free exercise of religion or favor one church communion above another; but the church has no business in politics, nor has she a right to ask the State legislature to enact any law favoring her peculiar tenets of religious belief, which in effect puts a legal disapproval upon every other belief and practice. People cannot be made religious by law.



### The Inconsistency of Sunday Laws

**J**OHAN CLARK RIDPATH, in his "Cyclopedia of Universal History," gives the following interesting account of the inconsistency of Sunday legislation in England somewhat more than fourscore years ago, as follows:

"If we look in on London in the year 1840, we shall find no public institution more worthy of commendation, more honorable to the genius of the English people, than the British Museum. The institution was, by the law of its government, open to the public, but on Sunday it was closed. In July of the year just referred to, Joseph Hume, an enlightened and progressive member of the House of Commons, hoping on the principle of counteraction to draw large numbers of people of the poorer class away from the purlieus of vice and degradation, and to raise them somewhat to a higher and purer plane of thought by the contemplation of the grand and beautiful, introduced a bill that the British Museum and the National Gallery of Art should be opened at certain hours on Sunday. Mr. Hume carefully provided that the opening should be after the conclusion of divine service in the churches, and more particularly at such hours as *taverns, beershops, and ginshops*

*are legally opened.* The proposition was met with invective and the appeal to the *odium theologicum.* Mr. Hume was denounced as a covert enemy of the Sabbath day, a foe to the church, and a dangerous man to society, because he had introduced a bill which might serve to draw some thousands of people on Sunday afternoons from the sacred association of the *ginshops* to the degrading influences of the British Museum."

Many of the American States were equally guilty of the same inconsistency. Honorable and legitimate recreation and amusements were strictly prohibited, while the saloons were too often legally wide open on Sundays. The Sunday laws enforcing idleness became breeders of vice and of every evil work on that day. The vicious and criminally inclined are far better off in a museum or at a baseball game on Sunday than if forced to be idle all day. The Sabbath was made for the spiritual, and not for the carnal.

A Sunday law encourages crime among criminals and hypocrisy among professed Christians. A real Christian keeps the Sabbath without being forced to observe the day, and a godless person is better off occupied than idle on that day. The law does not make a carnal person righteous because he is forced to be idle on Sunday, but it does make hypocrites out of many professors of religion.



THE man who is in the dark needs more light rather than more law, more love rather than more lashes.

## Suggestive Petition

COPY AND CIRCULATE

To the Honorable, the House of Representatives of the United States of America, in Congress assembled:

We, the undersigned, adult citizens of . . . . . State of . . . . . hereby respectfully but earnestly petition your Honorable Body not to pass the compulsory Sunday observance bill H. R. 10311, nor any other bill making the observance of the Sabbath, or Lord's day, compulsory under civil penalty, thus giving legal sanction and preference to dogmas of one sect above another, and committing the Federal Government to the dangerous legal precedent of religious legislation.

NAME	ADDRESS

## A Constitutional Question

**I**N a recent article in one of the leading magazines, Clarence True Wilson, general secretary of the Board of Temperance, Prohibition, and Public Morals of the Methodist Episcopal Church, ridicules the idea that a Sunday law would be unconstitutional, saying:

"When our fathers came to found the government, they did not form it out of the air, but out of the solid structure of customs, habits embedded in a common law which were already firmly established. They found the Sabbath an established institution, but in the Second Article of the Constitution they recognized it by enacting that the President should have ten days to consider any bill that had been passed by Congress before he was required to sign, 'Sundays excepted.' So when a man says that Sunday laws are unconstitutional, he is apt to get himself laughed at, for the President's Sunday rest is protected by the Constitution of the United States."

This was doubtfully intended to be an argument, but it amounts to no more than a begging of the question. In every ten consecutive days there must be one Sunday and there may be two. Hence had the Constitution said nothing about Sunday, either that it was excepted or that it was included, the whole matter would have been left in uncertainty.

As far back as the fourth or fifth centuries Sunday was *dies non*, or no day in law, and had the Constitution not made the matter definite, one President might have assumed that he had eleven days, or in some cases twelve days, while another might have limited himself to ten days, including one Sunday or perchance two Sundays.

So the evident intent of the framers of the Constitution was not to make a Sunday law for the President, but simply to make the matter definite and certain. If the members of the Convention had designed to make a Sunday law binding upon the President, they doubtless would have provided that bills must not be signed on Sunday. But they did nothing of the kind. But even if it could be shown that the words "Sundays excepted" were designed to "protect the

President's Sunday rest," who cannot see that there is a wide difference between permitting the President to rest and compelling him to rest? B.

## Repealing Obsolete Laws

THE legislature of Massachusetts is said to have started a search for obsolete and unnecessary laws, with a view to repealing them. It has a grist of them that are worn out, and here is one of them. The Massachusetts State Constitution, under Article II of the Declaration of Rights, declares:

"It is the right as well as the duty of all men in society, publicly and at stated seasons, to worship the Supreme Being, the great Creator and Preserver of the universe."

Here we have another example of the idiosyncrasies of blending together religious and civil laws,—a Declaration of Human Rights placing all men under obligation to worship publicly the Supreme Being under State authority. Where do the human rights come in? Where is religious freedom?

Such incongruities ought to be removed from American jurisprudence. They make us the laughingstock of the world, and invite contempt of our laws. Those who shout themselves hoarse for law enforcement, would be the first to cry religious persecution if such religious laws were enforced against them. Let us examine our statute books before we call too loudly for law enforcement. We might be the first to go to prison, and the first to demand the repeal of some law.

## Consistency, Thou Art a Jewel!

THE people of St. Petersburg, Fla., recently voted to prohibit commercialized movies and baseball, but to permit commercialized golf and open-air shows and circuses. This justifies the claim that a legal religion is illogical and full of idiosyncrasies. If the civil government would legislate only on civil duties, we could make legislation a science instead of a farce.

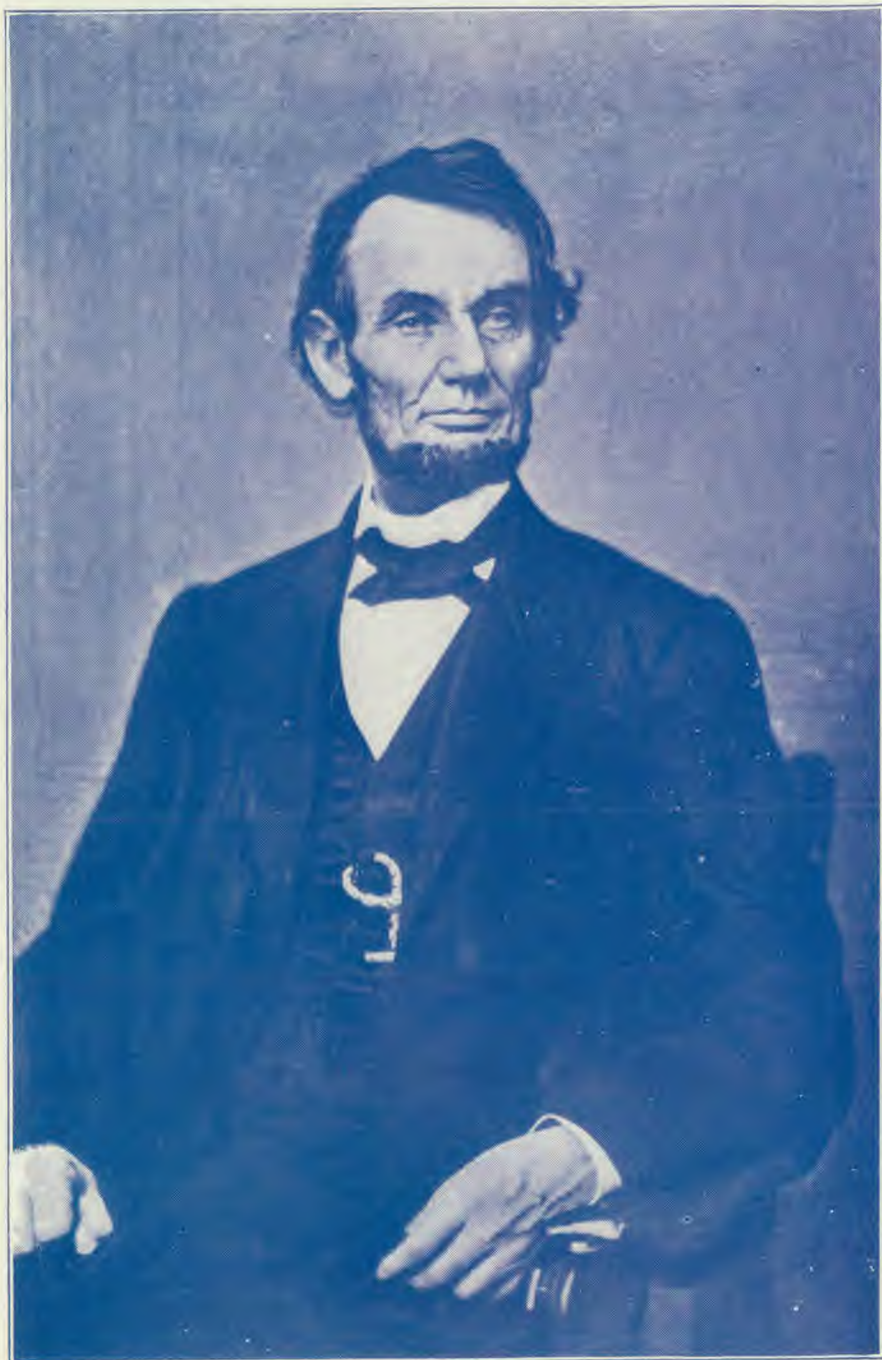


PHOTO TAKEN BY BRADY IN 1864

*Feb. 12, 1927, is the 118th Anniversary of the Birth of Our Sixteenth President,  
Abraham Lincoln*