Equal and exact justice to all men, of whatever state or persuasion, religious or political.—*Thomas Jefferson.*

VOLUME 5. NEW YORK, JUNE 19, 1890. NUMBER 25.

The American Sentinel.

PUBLISHED WEEKLY, BY THE

PACIFIC PRESS PUBLISHING COMPANY,

No. 43 Bond St., New York.

EDITOR, - - - ALONZO T. JONES.

ASSOCIATE EDITORS,

C. P. BOLLMAN, W. H. McKEE.

THE statements in regard to compulsory education in the leader in last week's SENTINEL are not to be taken in an absolute sense; but as in intent agreeing perfectly with the propositions in the article reprinted from Judge Prendergast in the same paper. Taking, however, the phases of compulsory education which we had directly in mind we mean all that we said, that it is totally unwarranted and only evil. We shall print another article shortly, giving the facts which show this to be so. We merely make this note now to prevent any misunderstanding of the phrases in the article named.

A MARKED feature of the debate, in the Senate, on the bill "subjecting imported liquors to the provisions of the laws of the several states," which was introduced to do away with the result of the "original package" decision of the Supreme court, has been an almost universal consideration of the question from a "moral" point of view. "Regulation of morals" and "protection of morals," by the police power of the State, have been phrases in constant use throughout the discussion. If the highest deliberative body in the Nation fails to distinguish between sin and crime, immorality and incivility, and in its debates presupposes the right of the State to "regulate morals" by police power, how far are those who are striving to bring about the general governmental supervision of morals from the accomplishment of their purpose?

The moral question as to whether a man shall injure his own health, blunt his moral sensibilities and come short of eternal life, through the use of intoxicants, or any other agent, is an entirely different question from the civil issue as to whether another man may manufacture and expose for sale that destructive agent.

The manufacturer and seller of intoxicating liquors must answer to God for the sin of tempting his neighbor to his destruction, but for the crime against the peace and welfare of the State he is answerable to the police power of that State.

The manufacture, transportation, and sale of intoxicating liquors, so far as the authority of Congress or the police power of the State is concerned, has nothing to do with morals, but is solely a matter of the jurisdiction of the municipal law.

What the Bennett Law Really Is.

WE have before stated that in his review of the Compulsory Education laws of Wisconsin and Illinois, Judge Prendergast was more tender of the Bennett Law than there is any need to be, and we think more than the law itself will justly allow. His first remark in this direction is:—

I venture to say that the opposition to the so-called Bennett Law of Wisconsin is directed against what that law is believed to be, rather than against what it is.

That is too bad if it is true; because there is certainly enough in the law for what it is to justify all the opposition to it that there is, or has been. It is too bad to spend legitimate effort under a misapprehension when there is such ample ground for a right expenditure; we shall therefore examine the matter again to clear it of all misapprehension, and let the opposition be concentrated upon the law strictly for what it is.

Next the Judge says:—

The Bennett Law, while open to some objections, is yet replete with provisions recognizing and guarding parental rights.

We shall see how replete it is with such provisions, when we shall have gone a little further along.

The State Superintendent of Public Instruction, for Wisconsin, issued an official circular, January 25, to explain to Boards of Education, Boards of School Directors, and School District Boards, the provisions of the Bennett Law. In this circular the Superintendent says:—

The following is a copy of that part of the law which imposes specific duties upon school boards and school officers:—

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:—

SECTION 1. Every parent or other person having under his control a child between the ages of seven and fourteen years, shall annually cause such child to attend some public or private day school in the city, town, or district in which he resides, for a period of not less than twelve weeks in each year, which number of weeks shall be fixed prior to the first day of September in each year, by the Board of Education or Board of Directors of the city, town, or district, and for a portion or portions thereof, to be so fixed by such Boards, the attendance shall be consecutive, and such Boards shall, at least ten days prior to the beginning of such period, publish the time or times of attendance, in such manner as such Boards shall direct; provided that such Boards shall not fix such compulsory period at more than twenty-four weeks in each year.

SECTION 2. For every neglect of such duty the person having such control and so offending shall forfeit to the use of the public schools of such city, town, or district, a sum not less than three dollars ($3.00) nor more than twenty dollars ($20.00); and failure for each week or portion of a week on the part of any such person to comply with the provisions of this act, shall constitute a distinct offense; provided, that any such child shall be excused from attendance at school required by this act, by the Board of Education or School Directors of the city, town, or district in which such child resides upon its being shown to their satisfaction that the person so neglecting is not able to send such child to school, or that instruction has otherwise been given for a like period of time to such child in the elementary branches commonly taught in the public schools, or that such child has already acquired such elementary branches of learning, or that his physical or mental condition is such as to render attendance inexpedient or impracticable, and in all cases where such child shall be so excused the penalty herein provided shall not be incurred.

SECTION 3. Any person having control of a child who, with intent to evade the provisions of this act, shall make a wilful false statement concerning the age of such child or the time such child has attended school, shall, for such offense, forfeit a sum of not less than three dollars ($3) nor more than twenty dollars ($20) for the use of the public schools of such city, town, or district.

SECTION 4. Five days prior to the beginning of any prosecution under this act such Board shall cause a written notice to be personally served upon such person having control of any such child, of his duty under this act, and of his default in failing to comply with the provisions hereof, and if, upon the hearing of such prosecution, it shall appear to the satisfaction of the court that before or after the receipt of such notice such person has caused such child to attend a school as provided in this act in good faith and with intent to continue such attendance, then the penalty provided by this act shall not be incurred.

SECTION 5. No school shall be regarded as a school, under this act, unless there shall be taught therein, as part of the elementary education of children, reading, writing, arithmetic, and United States history, in the English language.

SECTION 6. Prosecutions under this act shall only be instituted and carried on by the authority of such Boards and shall be brought in the name of said Boards, and all fines and penalties, when collected, shall be paid to the School Treasurer of such city, town, or district, or other officer entitled to receive school moneys, the same to be held and accounted for as other school moneys received for school purposes.

SECTION 7. Jurisdiction to enforce the penalties herein described in this act is hereby conferred on justices of the peace and police magistrates within their respective counties.

On this Judge Prendergast says:—

With all proper deference to the State Superintendent it must be said that this circular improperly construes the Bennett Law as conferring a right upon School Boards to subject private schools to their approval or disapproval and as vesting in School Boards the right to determine the extent and the subject of instruction to be acquired by children attending private schools.

Now with all proper deference to the Judge we inquire, which is right, he or the State Superintendent?

The controlling section of the whole law, the one section that governs and defines all the others, so far as any school is concerned, is section 5. That distinctly declares that "no school shall be regarded as a school under this act, unless there shall be taught therein, as part of the elementary education of children, reading, writing, arithmetic, and United States history, in the English language." This is the only thing that constitutes a *school* under this act. Wherever the word "school" is used in the act therefore, whether it be called public or private, it means only such a school as is there described, and that is the only kind of a thing that will count. Although it be a private school, it counts for nothing under this act, unless there shall be taught therein what is named in this section and *in the English language* as the section says.

Now Section 1 says, "Every parent or other person having under his control a child between the ages of seven and fourteen years, shall annually cause such child to attend some public or private day school, for a period of not less than twelve weeks in each year." That is to say that every person having control of a child between the ages of seven and fourteen years shall cause that child to attend, not less than twelve weeks in each year, such a school as is defined in section 5. He might send the child every day in the year to a school in which the branches named were not taught in the English language, yet in the purview of this act he has not sent the child to school at all; and it will not count any more than if the child had not seen a school. So far then as private schools are contemplated in the Bennett Law, it annihilates them unless they conform to section 5. And if they do conform to section 5, they are virtually annihilated anyhow because then they are under State control and so become State schools instead of private schools.

So far then every child must attend *such* a school as is defined in section 5, at least twelve weeks in each year. Now who is to fix the time? Who is to say what particular twelve weeks of the year they shall be? Section 1 continues, saying: "Which number of weeks *shall be fixed by the Board of Education* or *Board of Directors* of the city, town, or district; and for a portion or portions thereof, *to be so fixed by such Boards*, the attendance shall be *consecutive;* provided that such Boards shall not fix such compulsory period at more than twenty-four weeks of each year." If that does not subject private schools to Boards of Education and Board of Directors, anywhere from twelve to twenty-four weeks in each year just as *they* shall see fit, then it would be impossible to frame a statute that would do so.

Now does the Bennett Law subject private schools "to the approval or disapproval" of School Boards? Section 2, provides that "from attendance at school required by this act," that is from attendance at such a school as is defined by section 5, any child shall be excused "*by the Board* of Education or School Directors, upon its being shown, *to their satisfaction*, that instruction has otherwise been given for a like period of time to such child in the elementary branches commonly taught in the public schools, or that such child has already acquired such elementary branches of learning." By this the power is conferred upon the School Boards to pass upon the system of instruction employed in any private school. It must be shown *to their satisfaction* that the children who do not attend the public school, have received in another place such instruction as is required by the public-school curriculum. This must be shown to the satisfaction of the Boards; and the Boards themselves are the ones who are to decide whether the presentment is satisfactory or not. Therefore, if the Bennett Law does not subject private schools to the approval or disapproval of School Boards, and vest in those Boards the power to determine the extent and the subject of instruction to be acquired by children attending private schools, then it would be impossible to do so without specifically stating it in so many words.

Accordingly the State Superintendent said:—

Parents, guardians, and others who may elect other means than the public school of the district in which they reside for the education of children under their charge or control, when summoned by the School Board of their district, must show sufficient reasons for non-attendance of their children upon the public school.

But of this instruction Judge Prendergast says:—

This is the meaning and effect of the injudicious Illinois Statute, but it is certainly not the meaning or effect of the Bennett Law.

Nevertheless it is clear that the State Superintendent states the matter rightly. By the law, if a child is not in the public school, the parent or guardian must answer for it under penalty of from three to twenty dollars. If the parent or guardian says that the child goes to a private school, then he must show to the satisfaction of the School Board that the child receives there such instruction as is required by the public school course. If the child is in neither a public nor a private school, then also it must be shown to the satisfaction of the School Board, that he has received or is receiving elsewhere the instruction required by the law and in the English language as the law requires. It is certain therefore that the State Superintendent has interpreted the law according to its evident intent.

Again the Superintendent said:—

In extent the instruction must not be less than that prescribed by the rule adopted by the Board. In subjects the instruction must include reading, writing, arithmetic, and United States history in the English language as provided in the fifth section of the act in question.

And upon this, Judge Prendergast remarks:—

The act nowhere confers upon School Boards authority to prescribe the extent of instruction that children must receive in private schools.

There is a technical turn, by which alone this statement can be true. It is true that the act nowhere confers upon School Boards authority to prescribe the *greatest* extent of instruction that children must receive in private schools. But it is certainly true that it does confer upon School Boards authority to prescribe the *least* extent to which instruction can be given there. The act distinctly says that the number of weeks of compulsory attendance shall be fixed by the School Boards; and the period shall not be *less* than twelve, nor *more* than twenty-four weeks in each year. But when this period has been fulfilled, the other private school may go on all the other weeks of the year, and the School Board has nothing to say about it. If the School Board in the present year shall fix the period at sixteen weeks in which instruction shall be given according to the terms of the law, the instruction must not be less than this in extent. That is what the Superintendent said and that is what the law says. And the technicality that saves the Judge's criticism from being false is hardly worth the trouble of using.

If now we have removed any misapprehensions as to what the Bennett Law is; if we have dispelled any misbelief of what it is, and have assisted in any way in making plain what it really is, so that the opposition may be concentrated upon it and directed definitely against it for exactly what it is, we are satisfied with this effort. The Bennett Law and the Illinois Law are both distinct and positive invasions of the rights of the parent and the rights of the people. We hope they both may be annihilated as they propose to annihilate the private school. A. T. J.

A DENVER paper says: "The advocates of Sunday legislation are finding fault with Denver Sunday recreations, and will endeavor to close Elitch's Zoo, stop the Berkeley motors, and shut off the City Park concerts. The last-named is not so much an eye-sore, however, as the concerts do not occur until 4 P. M. The sky is ruddy, however, with an effort to force people to either remain at home on Sunday or go to church."

The So-Called National Reform Movement.

THE National Reform movement is defined by David Mc Allister, D. D., LL. D., Treasurer of the National Reform Association and author of the "Manual of Christian Civil Government," as "organized opposition to the encroachments of the secular theory of civil government." "The secular theory," he says, "is summed up in the statement that "civil government has nothing to with religion but to let it alone!" This definition of the secular theory we accept; but the Doctor's definition of National Reform is defective for the reason that it gives the impression that the movement is wholly defensive, whereas it is decidedly aggressive, as will appear presently.

In his "Manual of Christian Civil Gov-Government," Dr. Mc Allister says:—

> From the first the work of the Association has been both conservative and reformatory. It has never failed to stand in the breach when any of the Christian institutions of our Government, such as Sabbath laws, or the Bible and unsectarian religious instruction in our common schools, were assailed and needed sturdy defense. At the same time it used its utmost efforts to reform every abuse and wrong in our public life, and go to the root of the matter by such a radical reformation as would put the Nation in avowed allegiance to Christ as King of kings, and practical obedience to his law.

This shows, as before remarked, that National Reform is not simply "organized opposition to the encroachments of secularism," but that it is an organized demand for the enactment of laws directly in the interests of religion and religious institutions. This is well illustrated in the case of the Sunday. We have no national Sunday laws, and never had such a law, therefore, as a national Association the National Reformers have not stood "in the breach" when our "Sabbath laws" have been assailed. Their standing in the breach has been by making demands for the passage of a national law for Sunday observance and by efforts to secure more stringent State laws. And not only so but they demand a radical and far-reaching change in our fundamental law. Just what this change is will appear from a consideration of the proposed amendment to the preamble to the Federal Constitution. They demand that this preamble shall be amended to read as follows:—

> We, the people of the United States [recognizing the being and attributes of Almighty God, the divine authority of the holy Scriptures, the law of God as the paramount rule, and Jesus, the Messiah, the Saviour and Lord of all], in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and to our posterity, do ordain and establish this Constitution for the United States of America.

The part inclosed in brackets constitutes the proposed amendment, and is certainly much more than "opposition to the encroachments of secularism;" it is in fact a direct assault, not only upon secularism as at present embodied in our laws, but upon the rights enjoyed by non-Christians under the Constitution as it is.

Nor must it be supposed that this would be simply a triumph of a theory over a theory, and that the adoption of this amendment would be barren of practical results. So far would it be from this that it would subordinate every statute, yea every constitutional provision to that which the courts should hold to be the law of God. We say that which the courts should hold to be the law of God, because the question of what constitutes that law would have to be passed upon by the courts. And not only so, but they would also be called upon to sit as judges of that law, interpreting it just as they now interpret and construe acts of Congress.

The courts might decide that the ten commandments constitute the law of God, or they might hold that by the law of God as used in the amended preamble was meant the whole revealed will of the divine Being. But be that as it might, they would be compelled to take cognizance of everything coming within the scope of that law, and thus become judges not alone of words and acts, but of thoughts as well, for that law takes cognizance of the most secret emotions of the soul; it is declared to be "a discerner of the thoughts and intents of the heart." Heb. 4:12. In harmony with this declaration of the apostle, we find the Saviour declaring that hatred is murder (Matt. 5:20, 21), and that lust is adultery. Verses 27, 28. It follows that to administer the divine law men must in some way get at the thoughts of the heart, and that could be done only by extorting confession by torture, just as confession was wrung from the victims of the Inquisition in the Dark Ages.

It may be supposed by some that this is taking an extreme view of the National Reform position and of its logical results for the purpose of presenting the movement in as unfavorable a light as possible; but it is nothing of the kind. It is just what they say about it themselves. In an article in the *Christian Statesman* of April 17, a prominent National Reformer says:—

> The whole moral law as summed up in the ten commandments, and the whole moral Mosaic penal code, would be the rule of action in Congress, in State Legislatures, and in courts of justice.

And again:—

> Not the ever-changing will of the people, but the unchangeable law of the Most High would be of supreme authority.

The effect of this would be to change this Government from a government of the people and by the people to a theocracy, not indeed a true theocracy as was the theocracy of Israel, but to a counterfeit of that theocracy in which men would rule in the name of God, but without his sanction and without divine guidance. It would be a government in which men would sit in the temple of God showing themselves to be God, that is assuming the powers which belong alone to God, thus opposing and exalting themselves above God, as does the man of sin described by the apostle in Second Thessalonians.

In saying this we do not charge the National Reformers with the intention to follow the example of the Papacy, nor with any purpose to oppose themselves to the truth of God by usurping his prerogatives; far from it; but we do charge that their zeal for God and for his law is not according to knowledge. Their purpose is to honor God by requiring all to acknowledge him as the rightful ruler of this Nation and of all nations; but the effect of their proposed amendment would be to put the Government in the place of God, to substitute for the divine law human interpretation of that law, and so to destroy allegiance to God.

This would be most disastrous to the very best elements of manhood, and destructive of conscientious obedience to God. Under such a Government men would look not to God and to his law to know their duty but to the law of the land. They would naturally ask, not, what does God require? but, what does the State require? And instead of seeking to please God, they would seek to please the State; and with that done, no matter how superficial the service, they would be content.

C. P. B.

Is Protestantism Powerless?

AN old saw says, "You cannot eat your cake and keep it, too." In like manner it may be said you cannot keep the public schools intact and devote them to the furtherance of religious instruction. Why? —For several reasons. In the first place, there can be no religious instruction without giving that which by some religionists will be considered sectarian. For example, when it is insisted that the Bible should be read in the public schools, what is meant is that a specific translation and none other must be used. That translation is the King James version. It is objected to by Roman Catholics that it is a distinctively Protestant version; that certain renderings are wrongly made; and it is objected that the Bible should be explained by competent teachers, for which work the public school teacher is not qualified. Therefore, say the Roman Catholics, such instruction is sectarian. Is it, or is it not? Suppose the circumstances were reversed, and the Catholics forming the majority were to insist on reading the Douay version in the schools with "do penance" translated for "repent"—would not Protestants object, and with good reason?

But if it be insisted that this King James version shall be read and taught as "an educative force," is it not clear the way is opened up to the Roman Catholics

not only to withdraw from the public schools, but to insist that a share of the school tax shall be allotted to their parish schools? A version of the Bible held to by certain sects and repudiated by other sects is to that extent sectarian. How is it possible, then, to keep the schools free from sectarianism, and yet introduce a sectarian version of the Bible in the schools?

Furthermore, is Protestantism so weak that it must depend upon five or ten minutes of Bible instruction, by teachers of the public schools, many of whom are unqualified for the work of instruction, in order to religiously educate their children? Are the home, the Church with its prayer-meetings, its Sunday-school and other agencies wholly inadequate to the work of religiously educating the youth, so that if the King James version of the Old Testament is not read the omission would be "deplorable and suicidal"? Possibly Protestantism is as weak and powerless as such a condition of affairs would indicate. But we very greatly doubt it.—*Christian at Work.*

Sunday Laws Again

WE are glad to be in harmony with others whenever it is possible, and we find we are in harmony with Brother Mc Creery in several particulars. We agree with him that no Sabbath laws should be passed for the enforcement of the Sabbath as a religious ordinance, and we also fully agree with him that workingmen and all others should be protected in the observance of the Sabbath; and we further agree with him fully that the "Sabbath was made for man," to be a blessing spiritually and temporally, and we are sure that if all would observe the Sabbath day they would be in better health, live longer and be far happier. So far we are agreed. Wherein then is the Sunday-rest Bill wrong? We answer that the object of the bill is to enforce the observance of a religious ordinance. Article 2, of the constitution of the American Sabbath Union, contains the following: "The basis of this Union is the divine authority and perpetual obligation of the Sabbath." In the writings and speeches of many of its strong supporters the claim is boldly put forth that God is visiting our Nation in judgments, because of a failure to recognize him in the Constitution, and Christ as the ruler of the Nation, by appropriate legislation. The Johnstown flood, the Louisville cyclone, and the fire by which Secretary Tracy was bereaved, are cited as acts of God, by which his wrath is shown toward the United States because, as a Nation, we refuse to keep Sunday.

These are the persons who are clamoring for the passage of the Blair Sunday-rest Bill, and all this talk about the movement being for the purpose of "protecting" the workingman is a sugar coating over the real pill which is being prepared for the people to swallow.

The terms of the bill show that the object is not "protection," but compulsion: "Any person laboring on Sunday shall be fined not less than $10 or more than $1.000," more than a year's wages forfeited for daring to labor. "Any person receiving pay for laboring on Sunday may have it taken from him by whoever shall first sue for the same." It does seem strange that any one should argue that those terms only mean to "protect" those who wish to be religious and to observe Sunday.

Taking it for granted as assumed, that all that is intended is "protection," let us try the same argument in another way. We are agreed that the daytime is for labor and that the night is for sleep. Men would be healthier and in many ways benefited by following this rule and many men are now laboring in the night time, to their detriment. We, therefore, feel a great interest in "protecting" them and proceed to pass a law that if Brother Mc Creery is found at his study or workbench after 9 o'clock in the evening "he shall be fined not more than $1,000" and if he receives pay for the same, I may recover it from him and use his night wages for myself. Would you call that protection?

A majority of the people conclude that men would live longer, have better health and be happier if they regularly used soup. It is a God-given right which all have to use soup. It may be that this idea is traditional and has been handed down to us from a soup country, and it may also be true that with these who praise and laud soup so very highly it is used as a religious rite, but that is neither here nor there. "Soup is good for man," and the workingman must be protected in this, his God-given right to eat soup. The workingmen may appear by their representatives and say, "Leave that soup business alone; we will get our rights without your aid." In our extreme anxiety for "protection" we formulate our law and when it is completed, it provides that Brother Mc Creery, with others, must regularly and at stated intervals take his soup, and he must take it at the same time those who use it as a religious rite take theirs, and a failure to do so makes him liable to a fine of not over $1,000, all because soup is good for man, and man must be "protected" in his right to eat soup. Brother Mc Creery may have conscientious scruples about eating his soup on the stated day and may have eaten his the day before. That makes no difference; the law must be enforced or at least can be enforced, and it may be that the "less enlightened" States may enforce the law to the detriment of his particular stomach, but the more "enlightened States" might be "tolerant" and not wish to disturb our worthy brother.

How is that for "protection"? yet it is just the same as this Sunday protection.

The statement that the States which are the least advanced are the ones where Seventh-day observers are persecuted, and the more enlightened States are tolerant, is the best argument against any such law. The more enlightened States see the absurdity of such a law and will not enforce it, while the States that are behind make the lot of one class hard, because they can do so with a bad law. The fault is with the law and not with the people.—*J. D. Pegg, in Fort Collins, Colorado, Courier.*

The History of the Bennett Law.

THE history and the provisions of the Illinois and Wisconsin Statutes and the steps officially taken in both States to construe and enforce them will show that those who have positive convictions as to the place of the parent in the domain of education had just ground of apprehension if not of complaint; while, on the other hand, those who entertain positive or even advanced views on the relation of the State to education will, on learning what is really opposed, find much in the Illinois Statute and something in the Bennett Law that may be omitted or amended without impairing the just rights of society or the State, and without at all interfering with the development of the elements most to be desired in a system of universal education.

Like individuals and all things within the State, both kinds of schools are amenable to the powers of the State to an extent measured by the necessities of the common welfare, but the public schools, being the creation of the State, bear a relation to the State control not shared in by the private schools, which are the creation of voluntary individual action.

For some years it was observed in the city of Chicago that a considerable number of children of school age were loitering on the streets and in public places, with evident injury to their moral and physical well-being. Other children, in much greater numbers, were put to labor in shops, factories, and stores at an immature age, and it was considered that such practices were injurious, not only to the children, but to society. As to the children that wandered upon the streets, it was felt that in some cases blame attached to parents; in other cases that the children were beyond the control of their parents.

These conditions and the agitation arising from them among the people and various organizations, in the press and in the Board of Education, resulted in the appointment of a committee by the President of the Board of Education to frame acts to be presented to the General Assembly of the State of Illinois, then in session. Three bills were drawn and

submitted to a public meeting of citizens embracing all shades of opinion on the subject of education and religion; were approved by that meeting; subsequently approved by the Board of Education, and the Board appointed a committee, other than those that had framed the bills, to take these proposed laws to Springfield and cause them to be introduced in the Legislature. These three bills were introduced in the House of Representatives on March 7, 1889, and became known as follows:—

House Bill No. 531, a bill for an act regarding truant children.

House Bill No. 547, a bill for an act prohibiting child labor.

House Bill No. 557, a bill for an act concerning the education of children.

These three bills were referred to committees of the House and the first two of them were not acted upon thereafter by the House, and so did not become laws. The third bill passed the House, I believe, was sent to the Senate, and in the Senate there was substituted for it a bill which was commonly supposed to have been prepared by the State Superintendent of Instruction, and which became a law. This bill differs radically in several respects from the bill which was prepared and generally approved in Chicago, and it is to the objectionable features of this bill that it would seem, the whole controversy, both in Illinois and Wisconsin, is due.

The bill that passed the Illinois Legislature permits and even invites harsh, unnecessary, and illegal prosecution against parents. It undertakes to vest in Boards of Education and Boards of Directors authority and jurisdiction over private day schools, and subjects these to the approval of such Boards, without which they cannot, according to the act, exist. Several prosecutions have taken place in the State of Illinois under this act, while not a single prosecution has taken place in the State of Wisconsin under the so-called Bennett Law.

This brings us to consider what is the Bennett Law, and what were the circumstances preceding, surrounding and succeeding its enactment.

The Wisconsin Legislature was in session during the winter of 1888–9. There was presented in that Legislature a bill known as the Pond Bill. The announced object of this Pond Bill was to secure statistics from all schools in the State of Wisconsin, public, private, and denominational, touching several matters connected with the schools. The provisions of this bill were regarded as somewhat sweeping and inquisitorial. Agitation against the bill was widespread throughout the State, and it was defeated.

About this time, whether because of the defeat of the Pond Bill or not, I am not advised, copies of the three bills which had been prepared in Chicago, presented to the Illinois Legislature and defeated, were run together and introduced as one bill in the Legislature of Wisconsin by Mr. Bennett, and it was announced, and repeated over and over again, and became generally accepted as true throughout the State of Wisconsin that the Bennett Bill, which in fact consisted of three bills on three very different, though related, subjects, was a copy of the Compulsory School Law, enacted in Illinois, and hence it came to pass that unjust prosecutions under the Illinois law were regarded as liable to be duplicated at any time in the State of Wisconsin.

Those who were alarmed and exasperated by these Illinois prosecutors, all of them not being conversant with the rules of construction of statutes, and in many cases without having carefully studied the Bennett Law itself, grew to have an antipathy toward it because of what they supposed it to be. The blunder, to use no stronger term, of passing in Illinois a crude and defective law was followed in Wisconsin by the blunder of merging three separate bills, each containing machinery for its own enforcement by pains and penalties, and passing the whole as one bill, which seemed, as was said in one of the protests made against it, "to bristle with penalties."

The opposition to the Bennett Law was the result principally of the belief that it was the same as the Illinois law, which law permitted and authorized harassing and illegal interference, on the part of School Boards, with parental rights. And so the controversy grew, on one side persons believing that their parental and even religious rights were being unjustly interfered with, and on the other hand, persons believing that the opposition to the Bennett Law was opposition to popular education, opposition to the public school law, and opposition to the development of a high standard of citizenship.—*Judge Prendergast, Chicago.*

A Sunday Convention in California.

A DISTRICT Sabbath Observance Convention was held at San Jose, California, May 20 and 21, under the auspices of the California Sabbath Union and the Woman's Christian Temperance Union. It will be understood that the word Sabbath here refers to Sunday. From the published call for the Convention, we extract the following:—

The great importance of the divine institution, the steady growth of opposition to it as a sacred day of rest, the alarming prevalence of Sabbath desecration, and the danger that a continental Sunday may displace our true American Sabbath, all call for combined wisdom and united effort to promote Sabbath sanctification and to secure a righteous civil law in our State that will tend to prevent the contemptuous disregard of our precious rest-day.

Among the arguments brought to bear on the subject was the claim of Rev. T. B. Stewart, of San Francisco, that the murder of President Lincoln was a judgment of God on the Nation because the people of the North spent Sunday in rejoicing, with drums and cannon, over the surrender of Lee to Grant.

Mrs. Bateham, of Ohio, was quite hopeful of the future. "This question," she said, "is being agitated all around the world." She said:—

We have in America tried the Puritan Sabbath, and we ought to know what its influence has been. Foreign nations have envied us this holy observance. All the nations of Europe are tending towards a more perfect keeping of the Lord's day. There has been a Sabbath Observance Congress in France, and we may soon expect a Sabbath law in this State. This is very encouraging, for France is one of the three spots in the civilized world that has no Sunday law. The District of Columbia is the second, and California, as you all know, is the third. . . . We have passed the midnight hour on this question, and now the dawn is coming. . . . Even the railroads have been influenced, and the Sunday freight traffic has diminished by one-half. . . . I have found a much stronger feeling in favor of this law in California than I expected, and I am greatly encouraged by such a Convention as this.

In the course of a subsequent address, Mrs. Bateham said:—

There are people who ask for what they call a free Sunday. They should remember that liberty to play means liberty to work, and liberty to work means the liability to be compelled to work by those who are restless in their greed for wealth.

In this the speaker completely upset the plea for a "civil Sabbath," with which the people of California are being regaled. That theory would give men a free Sunday; in fact, *freedom* of the overworked laborers is professedly the great object sought. But according to Mrs. Bateham, they must not have freedom to play. What then must they have freedom to do? Let her own words tell:—

We wish to secure this day safe from all work, in order that men may spend it with their families and have time to attend the house of worship and to study.

Those people who are credulous enough to accept the plausible civil Sabbath advances in favor of a State Sunday law may as well open their eyes first as last to the fact that no such thing is contemplated by the chief movers in this plot. The whole tenure of the sentiment expressed by members of the Convention was to the point of a sacred, religious observance of the day. Mrs. Bateham is an acknowledged mouth-piece of the Sunday-law element, and her denunciations of a free Sunday are applauded by the California Sunday-law Union. Quite a number of honest people have been thus far duped with the idea of "merely a civil Sabbath;" but when this movement shall have culminated in law, they will find that a religious day underlies their expected day of recreation. They must not have liberty to play.

Dr. Hirst, President of the University of the Pacific, delivered an address on the subject, "Shall We Have a Continental Sunday, or the Christian Sabbath?" He, too, dwelt emphatically on the sacredness

of the day, and the dangers of making it a holiday. His emphatic declaration was: "Take religion out of the Sabbath, and it becomes only a foot-ball." He said:—

It is deserving of notice that those who ask that the people should have a holiday, never think of asking that Wednesday should be set apart for that holiday. No; they ask for the Sabbath, for it is thought to be safer to rob God than to rob men.

We had noticed the fact ourselves, that when the specious pretext of a civil Sabbath for the workingman's physical benefit was being held up for the admiration of the public, it was always Sunday, never Wednesday, or any other day but Sunday. Now we have the admission of one of the Sunday-law champions, and an able one, too, that they mean to enforce the religious observance of the day,—the civil feature was only the sugar coating. There was one good suggestion the speaker uttered, which we think applies quite aptly to the movement he is advocating, namely, that "great evils are often, if not always, insidiously developed." This Sunday-law evil is coming to the front in just that way.—*Signs of the Times.*

Religion and the State.—No. 1.

THE present tendency, in various countries, is to form a closer relation between civil government and religion. The principal reason assigned for this by those who favor the movement is that the constant increase of crime demands a moral remedy to be administered by the civil laws of the commonwealth. This movement generally manifests itself in two ways, namely, in the demand for stricter Sunday laws, and the reading of the Bible in the public schools.

In seeking to enact strict Sunday laws, the promoters of the movement deny any wish to change in the least the present relation of the Church to the State. Indeed, they unanimously assert that, while it is within the province of the State to guard public morals and promote the interests of the Church, the two departments should forever be kept separate. But, to justify the State in enacting Sunday laws, they declare that to maintain a Sunday rest, is only to insure order and peace in the community, for which it is the duty of every commonweath to provide. Thus, Sunday laws are made to appear as civil or police regulations, and as though they were in no way calculated to interfere with a man's personal relation of faith and obedience to God, and as in no sense religious enactments.

The same theory maintains that the Bible in the schools is necessary in order that children, who are prospective citizens of the commonwealth and therefore the wards of the State, may be educated in morals, without which they cannot properly discharge the responsibilities of citizenship soon to be laid upon them. This point is emphasized by the fact that many children have no moral training at home, and, not being required to attend church, they are, therefore, abandoned to the liability of developing into criminals unless the State steps in to counteract this tendency, through the public schools.

It certainly is to be regretted, that some children are not trained in virtue and morality, either at home or in the church. Could all have the benefit of a proper religious training from infancy, it would undoubtedly be a safeguard against crime, as well as a stimulus to high attainments in citizenship. But, does it follow that because the Church and the home are unfaithful in the discharge of religious duties, the State should assume their prerogatives, and, in addition to its civil duties, attempt the teaching of religious doctrines?

Doubtless some are ready to answer this question at once in the affirmative. But there are some principles underlying this whole matter, which it is well to consider, before drawing a final conclusion. Every man has certain natural rights which must necessarily accompany his existence. If man were the creature of a civil government, the same power by which that government could create its subjects, would enable it to create the rights of its subjects. But man, being God's creature, existed long before any civil government, and, of course, his rights also antedato all such governments. On the other hand, civil government is the creature of man, and was created by him, for a single purpose, that of protecting his previously existing rights, given him by his Creator. Civil government, therefore, having no power to bestow these rights, can properly have no authority to infringe them. The only province of civil government, is to protect rights already possessed, and no matter how infinitesimal a man's rights may be, it is the duty of civil government to protect those rights against any encroachment. For any government to go beyond this, and assume to override or restrict man's God-given rights, is to usurp an authority which belongs only to the Creator of man and his rights.

J. O. CORLISS.

WE do not vouch for the statement, but it is said that "a saloon man has been found in Washington who closes his place with prayer. His application for renewal of license having been rejected on the ground that his place bore a bad name, he appeared before the commissioner in his own behalf. In reply to the question, 'Do you shut up promptly at midnight?' he answered: 'When ten minutes to twelve comes, I kneel down, say my prayers, and shut up.'" Prayer under such conditions would be just about as much of a farce as is the labeling of governments and corporations, Christian, when everybody knows that they are nothing of the kind, and when in the very nature of the case they cannot be Christian.

IN Arkansas, State Secretary D. Nettleton has been doing some very effective work for the Association in the distribution of Religious Liberty literature. It is expected that at the session of the Legislature, the coming winter, another effort will be made to increase the stringency of the Sunday laws in that State.

IN an editorial on the "True Basis of Sabbath Laws," in its issue of May 29, the *Christian Statesman* unintentionally draws a comparison which does indeed show conclusively the true basis of civil laws for the observance of Sunday, as it existed in the mind of the writer. The article says:—

The principle of Judaism would make the seventh day of the week our civil Sabbath. The principle of Mohammedanism would make the sixth day our civil day of rest. But our law has no such connection with Judaism or Mohammedanism. It has a connection however with Christianity.

Judaism would make the seventh day, Mohammedanism the sixth day, and Christianity the first day, our civil Sabbath.

By this collocation the authority of the three is equal and similar, each in its own sphere.

Nothing more is required to show the falsity of this position than to ask whether the authority of Christianity, or Judaism rests upon the same basis as Mohammedanism, and whether Judaism enforced the observance of the Sabbath by the same authority from which Mohammedanism derives its right to enforce its rest day, and whether *true* Christianity bears the same relation to Judaism, which Mohammedanism does to Judaism?

No religion enforced by, and observed in obedience to, a civil statute can be anything else than a man-made religion. Mohammedanism is a man-made religion, and the legal Christianity proposed by the *Statesman* would be no better, for it would be liable to all manner of human perversions and corruptions. W. H. M.

NEW YORK, JUNE 19, 1890.

IT is stated that a wealthy citizen of Minneapolis, Minnesota, has announced his intention to spend $50,000, if necessary, to prevent one of the theaters of that city from giving Sunday performances hereafter.

IN the American Bible Society, at its annual session in this city, it was stated that during the past eight years, 750,000 families in this country have been found without Bibles, and almost 300,000 of these families refused the Bible even as a gift. That is another argument which goes to show how this is "a Christian Nation."

WE recently selected for our columns an article from one of the great religious papers of this city which we thought exceptionally good, and which we designed printing with proper credit. It was put into type, and came very near getting into the page before we noticed that it contained an entire paragraph which had been plagiarized bodily from the *Sun*. We have no objection to the *Sun;* indeed we think it a very good paper, but we feel ashamed to think that one of our leading religious papers is compelled to steal editorials from a secular paper. It is probably true that there is honor among thieves, that is, among ordinary thieves, but it is scarcely true of literary pirates.

ABOUT the only thing in which the advocates of Sunday laws are perfectly agreed among themselves is, that they should have Sunday laws. But when it comes to the basis for the required legislation, they find themselves unable to agree. The National Reformers repudiate the idea of the "civil Sabbath." They maintain that the only proper ground for Sunday laws is the law of God, and very properly say that to admit any human authority or civil policy, would be to admit the right of the State to fix, and consequently to change the Sabbath; and to take this position would be virtually to say that were the State to change the day, they would also change their practice in the observance of the day.

But many, even among Christian ministers, assert that there is a civil basis for Sunday laws, and that they ask for such legislation, not on religious, but on civil and utilitarian grounds. This idea is made prominent by the American Sabbath Union, and by those who are working in harmony with them. It was the central thought in a recent Sunday law meeting held in Oakland, California, at which the Council of that city were requested to pass a Sunday-closing ordinance on purely "civil grounds." But to show the confusion which existed in the minds of the leaders of the meeting it is only necessary to say that the resolutions adopted, used repeatedly the term "the Christian Sabbath," and closed with these words: "We hereby express our decided conviction that the City Council should, without delay, pass an ordinance that will close all the saloons on the Sabbath day." This shows that it is not the "civil Sabbath," so called, which they wish to preserve, but the religious institution insisted upon by the National Reformers. It also shows the fact that nobody recognizes a "civil Sabbath;" that is, a Sabbath having any basis other than the authority of the Church or the authority of God.

THE President of the American Sabbath Union recommends his Saturday evening paper for Sunday reading. But the one objection that takes precedence of all others against the *Sunday* newspaper is that the reading of it keeps many people from church, and that those who read it and go to church are very much hindered in their devotions, and their listening to the sermon while at church. Now will not the reading of Mr. Shepard's Saturday evening paper on Sunday have the same effect? And if so, will the American Sabbath Union advocate the abolition of Mr. Shepard's Saturday evening paper? If not, why not?

THE *Converted Catholic* of this city says that "it is painfully true that former priests, and even converted priests, will receive ample compensation for their services in denouncing Popery in all its phases, and especially if they speak of the immorality and wickedness of Jesuit priests and nuns, but they can starve if they try to preach the gospel to the Roman Catholics." This simply shows that the contest between Catholics and Protestants is no longer one of principle but is simply a fight for advantage. This is further shown by the fact that Protestants are so ready to adopt Catholic methods and invoke the aid of the civil power to advance their interests.

REV. THOMAS DIXON, JR., pastor of the Twenty-third Street Baptist Church, of this city, is credited with the following sensible utterance concerning the Sunday paper:—

In my humble opinion the Sunday newspaper has come to stay. It is useless to rave and talk wild talk on this subject. You cannot destroy it. It has a mission. Why not cease our efforts to destroy, and seek to convert it and make its great cylinders to throb with the great truth of the living God, and send its messages of love and faith circling round the world? The Sunday newspaper is no rival of the pulpit. To be candid, I would rather, myself, read a live newspaper than listen to a dead man try to preach. The preacher who cannot hold his own against cold type is not called to preach, and the sooner he quits trying to preach, the better for him and the better for the cause he represents.

The only answer that can be given to Mr. Dixon's query is that the gospel which the Sunday-law advocates proclaim is not one which seeks to convert, but one which seeks to compel; it is not a gospel of moral suasion but of physical force. Mr. Dixon's would be the better plan, but it can never be popular with those who having departed from the spirit of the gospel have imbibed the spirit of the Inquisition.

UPON the action of the late Presbyterian General Assembly upon the subject of religion and education, the *Sun* pointedly remarks:—

The Presbyterians want religious instruction in our public schools.

But how can we have it in this republic, where the Church and the State are wholly separate? What religion shall we teach? Shall it be Christianity or Buddhism, Judaism or the doctrines taught by Jesus?

The Presbyterians assail the Roman Church as the enemy of the school system; and yet they are joining forces with it in demanding religious education as a necessary part of the public-school system.

THE *Pacific Union*, a California labor paper, has the following:—

When Mr. Gompers was asked what would be wanted after the eight-hour day, he answered, "More." And then what? "More." But how much more, Mr. Gompers? "Why, not one iota less than the full fruit of his toil. Put that on your banner."

Mr. Gompers does not say who will employ labor under such conditions, nor where the capital is to come from to inaugurate, and to support in their infancy the various enterprises that are to return to the laborer the full fruit of his toil. Such a demand, if general, would bring starvation to hundreds of thousands of homes, that under our present industrial system know no want.

THE AMERICAN SENTINEL.

AN EIGHT-PAGE WEEKLY JOURNAL,

DEVOTED TO

The defense of American Institutions, the preservation of the United States Constitution as it is, so far as regards religion or religious tests, and the maintenance of human rights, both civil and religious.

IT will ever be uncompromisingly opposed to anything tending toward a union of Church and State, either in name or in fact.

Single Copy, Per Year, post-paid, $1.00
In clubs of ten or more copies, per year, each, . . 75c.
To foreign countries, single subscription, post-paid. . 5s.

Address, AMERICAN SENTINEL,
43 Bond Street, New York.