

Equal and Exact Justice to all Men, of Whatever State or Persuasion, Religious or Political.—*Thomas Jefferson.*

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“ETERNAL vigilance is the price of liberty;” power is ever stealing from the many to the few. The manna of popular liberty must be gathered each day or it is rotten. . . . Only by unintermitted agitation can a people be kept sufficiently awake to principle not to let liberty be smothered in material prosperity.—*Wendell Phillips.*

TOLERATION denotes neither the freedom of religion from State control, nor the equality of all religions before the law. On the contrary, it implies either a preference by the State for some one form of faith or worship, though other forms are permitted; or the right of the State to regulate the administration of ecclesiastical affairs by the civil law. In the etymological sense, toleration is the permitting of that which is not fully approved. In the ecclesiastical sense, it means definitely the allowance of religious opinions, and modes of worship, in a State when contrary to or different from those of the established church or belief. Toleration is a concession, in part, of that control over religion which the State assumes to exercise, but which it so far permits to fall into abeyance.

THIS is not the condition of things in the ideal American State. The religious liberty, guaranteed by the ideal American State, is absolute freedom of religious opinion and worship, a vested right of conscience, not derived through any grant of the civil power. All that the ideal American State can do is to protect her

citizens in the enjoyment of these vested rights. Liberty of opinion, liberty of worship, liberty in all matters pertaining to religion, is not a privilege created, or conceded, by the State, but is a right inherent in the personality of the individual conscience; and the ideal American State is pledged not only not to interfere with that right, but to protect it.—*Rev. T. De Witt Peake, Methodist.*

### Some More Tennessee Cases.

THE sin of blasphemy and profanity is one which those who have undertaken the defense of the faith by the sword of the civil law have ever visited with severe punishment. The code of Tennessee has presumed to place profanity within the jurisdiction of the courts of that State, and has left the discrimination as to what is profanity with the court. The Tennessee code of 1884 has these sections:—

2291. Any person who shall profanely swear or curse in the hearing of any justice of the peace, or shall be convicted of profanely swearing and cursing before a justice, shall forfeit and pay fifty cents for every oath or curse.

2292. Any person executing any public office who shall be convicted of profanely swearing and cursing, shall forfeit one dollar for each oath or curse.

2293. Any person who shall profanely swear or curse in the presence of any court of record, may be fined at the discretion of the court, and imprisoned not exceeding twenty-four hours.

The internal evidence contained in the opinions of the judges given in some of the cases reported will be sufficient to show the animus of this law, and prove whether it be civil or religious in character. Profanity was first held to be indictable, in Tennessee, by Judge Caruthers in the case of *State vs. Graham* at the September term of Court held at Knoxville, in 1855. 3 Sneed 134. In this case the judge adopted the inherited principle of North Carolina cases, and in support of his course referred to the Carolina law of 1741, enacted by Governor Gabriel Johnson, under a Church and State rule, in which a graduated series of fines is established for the punishment of the offense, according to

the condition of the offender and the place in which the profane speech was spoken. The sections here quoted are manifestly, from their similar form, patterned after the English law of 1741, with the exception that the Tennessee law omits the penalty of three hours in the stocks which Governor Johnson affixed to his act, in addition to the fine. This act of 1741, as has been previously seen, is, without possibility of denial, a religious law in form and intent. It makes no pretense of being anything else. Yet from it this statute is copied, and to it Judge Caruthers refers as authority. The Judge carries the derivation of this law still further and cites the old English statute of 19 Geo. 2 ch. 21, which is constructed in precisely similar lines,—of a graduated series of fines for persons of different rank, etc., in different situations,—as is its provincial Carolina child, and its United States Tennessee grandchild. The authority he quotes for this is “Blackstone’s Commentaries,” from the chapter on “Offenses Against God and Religion.” Thus this law traced to its source is found to be religious there, and religious in its character throughout its whole course. But Judge Caruthers saw that these authorities would only uphold the punishment of single offenses by fine before a justice of the peace, therefore to justify the indictment of such an offender he cites as authority two Carolina precedents wherein the original English enactments of the English law were improved upon for their own purposes by the Carolina courts, and the judges legislated that “several oaths” constituted a nuisance which was liable to indictment, and that the charge “Did in the public street curse and swear and take the name of God in vain,” was good, and under it the culprit might be indicted as a common nuisance. Having quoted thus from the Church and State laws of the English province of Carolina, and the laws of England itself, of professedly religious purpose, with the intent to make his position still more impregnable he goes back to the fountain head and says, “It is in violation of the

second commandment, and the general injunctions and precepts of religion; it generates a contempt for holy things,"—therefore he follows the Carolina precedent, being convinced, as he says, that "it is difficult to conceive how profane cursing and swearing in public could fall short of what the law denominates a nuisance."

In holding thus the Judge seems entirely unconscious of the fact that he is ignoring the explicit wording of the statute of the State, as well as that of the different laws from which it has been transmitted. The language of the statute is, in one section, "shall forfeit and pay fifty cents for every oath or curse," and in another section, "shall forfeit one dollar for each oath or curse," showing that it was the clear intent of the statute to provide for a repetition of oaths by affixing a certain penalty to each and every profane expression. Nevertheless, Judge Caruthers follows the precedent in which the Carolina judge not only went beyond the limit of his jurisdiction, but directly contrary to the expressed language of the statute of his State.

The next reported case of this character came before the March term of court, 1871, having been appealed from an arrest of judgment in the Circuit Court in 1867. The presentment charges the defendant with uttering "profane and blasphemous language as therein stated to the great scandal and nuisance of all good citizens, etc." The opinion of the court was delivered by Judge Nelson, and after succinctly stating the case, he decides the question in two concise sentences, thus:—

The offense was held to be indictable, in an able and exhaustive opinion by Judge Caruthers, in the *State vs. Graham*, 3 Sneed 134, and no other citation of authorities is necessary. Reverse the judgment, let the defendant be fined five dollars, with costs, and remand the cause under the code.

Thus easily does error multiply itself and become a fixed habit in human practice. A North Carolina judge in 1809 decides that as the act of 1741 makes a single expression of profane swearing a finable offense under the law of Carolina, therefore he does not see why its repetition may not become a nuisance and be indictable,—therefore it is a nuisance and indictable,—and, forty-four years after, Judge Caruthers, by decision of the Supreme Court of Tennessee, puts in the fixed and settled law of that State, the same double error, of attempting to mete out a punishment by human law for that which is solely an offense against God and his law, and extending the scope of the action, from a petty offense under the jurisdiction of a justice, to an indictable crime referred to a higher court. The erroneous precedent is established, and as appears from the next case reported it is followed thereafter, without question or comment; and the only reason that the Judge thinks necessary to give in sup-

port of such a course is the citation of the single precedent.

It is noticeable that the two cases thus far cited have served to give the highest judicial authority in the State to the transfer of the Carolina law against blasphemy and profanity into the Tennessee law, and to sanction its extension into an indictable offense when repetition might give color to the claim that the language was a nuisance. These two cases, that of *State vs. Graham*, 3 Sneed 134, decided by Judge Caruthers, and that of *State vs. Steele*, 3 Heiskell 135, decided by Judge Nelson, have gone thus far and no farther. In the September term, 1887, comes the case of *State vs. Gaines*, 7 Lea 410, in which Judge Cooper, after having quoted these two cases, continued:—

And it was said by the eminent judge who delivered the opinion of this court in the *State vs. Graham* that an isolated act of profanity was only punishable under the act of 1741 brought into the code, section 1735, which imposes a small pecuniary penalty for each oath, recoverable before a justice of the peace. *It is possible, however, to conceive of cases where even a single oath, either by its terms, its tone, or manner, might under the peculiar circumstances, be held to be a nuisance.*

In the case under his consideration the Judge held that the prisoner was only finable, not indictable, because the profanity was not in public, and although two oaths were proved against him it was only by the testimony of two separate witnesses, yet it is well worthy of note that in the italicised sentence Judge Cooper has given sanction to an enlargement of the sphere of possible indictment in these cases not before contemplated. In the very next reported case, *State vs. Young*, 10 Lea 165, Judge Cooper himself takes advantage of this extension of indictment to certain single cases of profanity, which he has himself suggested, to make a decision, upon his own previous decision as authority, to fix that doctrine as a precedent to be followed in succeeding cases. The matter was brought before the Supreme Court on an appeal in error from the Circuit Court of Wilson County. In the Circuit Court it was moved to quash the indictment on the ground that but one offense was charged, and, according to the statute, was therefore only to be proceeded upon before a justice of the peace. The Court overruled this motion and Young was convicted. He then appealed in error from that judgment.

In delivering his opinion Judge Cooper said:—

A single act of profanity would not, ordinarily, be sufficient to convict a defendant. *But, as we have said, even a single oath, either by its terms, its tone or manner, or the circumstances under which it was uttered, might be a nuisance.* *Gaines vs. State*, 7 Lea 110. Whether it was or not would be a question for the jury under a proper charge. The question, therefore, upon the second ground of the motion to quash, is whether the indictment should expressly charge that the oath was repeated more than once, or set out the circumstances by reason of which the single oath would have become a nuisance.

But it would be difficult to embody in an indictment the tone and manner of utterance, or the variety of circumstances which would go to make a single oath a nuisance. . . . Affirm the judgment.

Thus by an accretion of precedent, so remarkably gained, has the severity of the provincial law in the case of profanity and blasphemy, been increased from simple fine by a justice of the peace to indictment by grand jury and arraignment before the higher court. For this there is not the slightest shadow of legislative authority. It is judicial legislation entirely. Under it he who is guilty of a single word of profanity is liable to indictment under which he will be subject to a heavy fine, and to increased costs in any event, as well as greater publicity given to the case and consequently wider disgrace; and this too notwithstanding that the statute takes into consideration just such cases, and provides for them a stated penalty for each oath, so that the enlargement of the application of the statute is extra judicial entirely, and without shadow of excuse to be found in the language of the statute itself or its evident intent.

This steady growth of error by subtle and almost imperceptible additions along judicial lines marks a great danger of the time. The assumption by the judiciary of power outside and beyond its legitimate sphere,—encroaching upon legislative prerogatives,—has ever been productive of the direst results. The most terrible events narrated in English and French history witness to this. Where a statute is an error to begin with its growth is nothing but the continuance of disease which must result in a monstrosity. And nothing has ever produced such monstrous forms of legalized injustice and barbarity as the unnatural graft of legal enactment upon religious prejudice.

If the reign of precedent is allowed to continue, and increase in the future as it has in the past, that in itself will be sufficient to eventually place this country entirely under religious rule, without any further legislation whatever.

W. H. M.

THE State can not teach morality, because it does not know morality. It does not know absolute right and wrong; it knows rights and wrongs. It does not know absolute goodness and badness; it knows the efficient and the detrimental. It does not know the holy and the sinful; it knows the loyal and the criminal. It does not know theft and murder and adultery and slander as wrong; it knows them as wrongs, as infractions of the rights of others, and as hurtful to the body politic. Thus not having a cognition of morality, it is impossible for the State to teach morality.—*Rev. Owen James.*

SUNDAY laws are always and everywhere religious.

## Is It the Sabbath?

AS THE SENTINEL has repeatedly demonstrated, by the most indubitable arguments, the State has no right to decide religious questions, nor to pass upon the truth or falsity of religious doctrines. It follows that the State has no right to examine the claims of Sunday, or of any other day, and decide either that it is, or that it is not, the Sabbath. Inasmuch, however, as State recognition of Sunday sacredness is demanded on the ground that that day is the Sabbath, enjoined by the law of God, and binding alike upon nations and individuals, the question, "Is it the Sabbath?" becomes a pertinent and interesting subject of personal inquiry; though, as before intimated, the result of the examination can not affect in any way the right of the State to legislate upon the question. The State can have no such right in any event. With this proposition in mind, the reader's attention is invited to an examination of the claim that Sunday is the Sabbath.

That Sunday is by many regarded as the Sabbath, and that it is actually kept by some as such, does not affect the question, Is Sunday the Sabbath in a Bible sense, or by divine authority? This is the claim made for Sunday by those who demand that its observance shall be enforced by civil law. What then say the Scriptures of truth on this subject?

The first mention of the Sabbath in the Bible is found in Gen. 2:2, 3: "And on the seventh day God ended his work which he had made; and he rested on the seventh day from all his work which he had made. And God blessed the seventh day, and sanctified it: because that in it he had rested from all his work which God created and made." In this text there is no command to keep the Sabbath, neither indeed is it called by that name; but we are told that it was sanctified, which means set apart for a holy use; and in Mark 2:27 we have the assurance of the Saviour that "the Sabbath was made for man." It seems evident, therefore, that at the very dawn of human history God gave man the Sabbath. But be that as it may, there is in Ex. 20:8-11 a positive command given to "remember the Sabbath day to keep it holy;" and it is explicitly stated that "the seventh day is the Sabbath." "For in six days the Lord made heaven and earth, the sea, and all that in them is, and rested the seventh day: wherefore the Lord blessed the Sabbath day and hallowed it."

This identifies the Sabbath of the fourth commandment with the seventh day of creation week; not with an indefinite seventh part of time, nor with a seventh day after six days of work, but with the seventh day, the memorial of the finished creation.

This day was especially pointed out to the children of Israel before the giving of the law by the absence of manna upon it, and

by the fact that that gathered upon the sixth day would keep over the Sabbath, while "it bred worms, and stank," when an effort was made to keep it at any other time. The record is thus briefly given in Ex. 16:—

"Then said the Lord unto Moses, Behold, I will rain bread from heaven for you; and the people shall go out and gather a certain rate every day, that I may prove them, whether they will walk in my law, or no. And it shall come to pass, that on the sixth day they shall prepare that which they bring in; and it shall be twice as much as they gather daily." "And when the children of Israel saw it, they said one to another, It is manna: for they wist not what it was. And Moses said unto them, This is the bread which the Lord hath given you to eat. This is the thing which the Lord hath commanded, Gather of it every man according to his eating, an omer for every man, according to the number of your persons; take ye every man for them which are in his tents. And the children of Israel did so, and gathered, some more, some less." "And Moses said, Let no man leave of it till the morning. Notwithstanding they hearkened not unto Moses; but some of them left of it until the morning, and it bred worms, and stank: and Moses was wroth with them. And they gathered it every morning, every man according to his eating: and when the sun waxed hot, it melted. And it came to pass, that on the sixth day they gathered twice as much bread, two omers for one man: and all the rulers of the congregation came and told Moses. And he said unto them, This is that which the Lord hath said, To-morrow is the rest of the holy Sabbath unto the Lord: bake that which ye will bake to-day, and seethe that ye will seethe: and that which remaineth over lay up for you to be kept until the morning. And they laid it up till the morning, as Moses bade: and it did not stink, neither was there any worm therein. And Moses said, Eat that to-day; for to-day is a Sabbath unto the Lord: to-day ye shall not find it in the field. Six days ye shall gather it; but on the seventh day, which is the Sabbath, in it there shall be none." "So the people rested on the seventh day."

From Josh. 5:12 we learn that the manna continued until they had entered the land of Canaan, forty years after they left Egypt. Thus fifty-two times every year for forty years, or a total of 2,080 times, was the definite seventh day, the Sabbath, pointed out to the children of Israel by the double miracle of the manna keeping over the seventh day and none falling upon that day. That this was the day which the fourth commandment required the people of God to keep, anciently, is beyond question; and that that day was still kept at the time of the crucifixion, not only by the Jews, but by the followers of Christ also, is expressly stated in Luke 23:56, and 24:1, where we read of certain women that "they returned and prepared spices and ointments; and rested the Sabbath day according to the commandment. Now upon the first day of the week, very early in the morning, they came unto the sepulchre, bringing the spices which they had prepared."

From the text just quoted we learn two things, first, that at the time of the crucifixion of our Lord, the fourth commandment required the observance of the Sabbath; for the women kept it "according to the commandment;" and second, that that day was the day just preceding the

first day of the week, which must necessarily have been the seventh day of the week. The unavoidable conclusion is that the fourth commandment requires, not the observance of a seventh day, that is of any seventh day after six days of labor, but of the seventh day of the week.

That the week is a definite and well-known division of time, and that consequently the seventh day of the week is likewise a well-defined portion of time, is attested by all history. Indeed few other facts are so well attested, and no other division of time is so ancient as is the weekly cycle. Moreover, the week is at once an unimpeachable witness to the truth of the Mosaic account of creation, and an imperishable monument to the original Sabbath, the seventh day of the week.

Aside from the Bible, history furnishes no clue to the origin of the weekly cycle. Some have thought that it might have been suggested by the changes of the moon; but very unfortunately for that theory the moon does not change once in seven days but once in seven days and nine hours, as nearly as may be, hence its phases do not synchronize with the week. There is absolutely nothing in nature to suggest the septenary cycle; and so patent is this fact that the "Encyclopedia Britannica," article "Calendar," says:—

As the week forms neither an aliquot part of the year nor of the lunar month, those who reject the Mosaic recital will be at a loss, as Delambre remarks, to assign to it an origin having much semblance of probability.

The same authority, article, "Babylonia," says:—

The week of seven days was in use from an early period, indeed, the names which we still give to the days can be traced to Ancient Babylonia; and the seventh day was one of *sabum*, or rest.

This fact constitutes the week an unimpeachable witness to the truth of Genesis. But the question may be asked, How is it also an imperishable monument to the original Sabbath? The answer is easy. As the Sabbath of the fourth commandment is the seventh day of the week it can not be lost as long as the weekly cycle endures; and that it never has been lost, is attested by the fact that the week has always been known among almost all nations.

Rev. Thos. Hamilton, A. M., of Belfast, in his prize essay, "Our Rest," published by the Sabbath Alliance of Scotland, testifies that even the Chinese formerly had, not only the septenary division of days, but that they knew and to some extent observed the original Sabbath. Seventy-five out of one hundred and seven ancient languages, reveal a knowledge not only of the weekly cycle but of the Sabbath, the last day of that cycle. On this subject Rev. Dr. Lewis has eloquently said:—

The nations that spoke many of these languages have long since gone from the earth. But the words of their mother tongue embalm their thoughts and practices as ineffaceable and unmistakable monuments showing the identity of the week and

of the Sabbath. Tides of emigration have swept hither and thither over the earth. Empires have risen, flourished, and fallen, but the *week* has endured, amid all convulsions and changes.

Philology has done for the truth concerning God's eternal Sabbath, what cuneiform inscriptions, and mummy pits, are doing for general and national history.

All of which facts support the statement, that the week is an imperishable monument to the true Sabbath.

That the week has not been lost this side of the Christian era need not even be asserted, in view of the facts already given. Even the tyro in history knows that such a thing would have been impossible. It follows, that unless we find in the Bible authority for keeping as the Sabbath a day other than the seventh day of the week, as we now have it, the claim that Sunday is the Sabbath enjoined by the fourth commandment, utterly fails for want of even an excuse for ever having had an existence. And that the Bible affords no such evidence will be shown next week.

C. P. B.

#### Method in Their Madness.

"If the Russian policy of persecution towards the Jews is deemed madness," remarks the *Observer*, "there is apparently some method in the madness. According to the Vienna correspondent of the *London Standard*, M. Pobedonostzeff was asked by M. Poliakov, a well known Russian Jewish banker in St. Petersburg, whether it was true that the recent expulsion of Russian Jews was due to his initiative. Minister Pobedonostzeff replied that it was, and then went on to say: 'I addressed a memorandum to the Czar, and that was the origin of the orders you refer to. In that memorandum it was pointed out how useful it would be to Russia if a considerable number, at least some thousands, of Jewish families could be converted to the Orthodox faith, and thereby assimilated to or absorbed in the Russian race. The best way to this end, it was urged would be to enforce the old decrees against the Jews, because the classes most wanted, like landed proprietors, manufacturers, first-class merchants, doctors, lawyers, and so forth, would rather be converted than to be driven out of their homes, and forced to reside within the Jewish pale. We Russians want new blood in our race, and none better could be found than that of the Jews, whose thrift, industry, soberness, domestic tastes, thirst for learning, and self-culture, whose instinct for trade, money making and money saving are just the qualities which we require, and which would come into our race by the infusion of Jewish blood. We can not amalgamate with the lower classes of Jews. But I can not observe any bad qualities in the better class of Jews, like you, M. Poliakov, and we hope to retain them by conversion, if we only leave them expulsion as an alternative.

All this was in my memorandum, and in an audience I had of the Czar, his Majesty directly expressed the hope that tens of thousands of the better class of Jews would embrace the Orthodox faith, and thereby become Russians.' The scheme is certainly a bold one and the statesman who would thus boldly announce it is almost an anomaly. The views of M. Poliakov on the subject would be interesting."

#### The Powers of a Commonwealth.

THE distinctions between sin and crime are many, but to make the discrimination it is necessary to mention but a few.

1. Sin is "a breach of the law of holiness, a lapse out of the likeness to the divine form," while crime is any act in violation of civil law. 2. Sin is defined by the moral law, crime by the civil statutes. 3. The penalty for sin is always the same, while penalty for crime varies according to time and circumstances. It is true that sin, in some forms, may be crime, and crime may be identical with sin, but not necessarily so. For instance, civil laws permit the acquisition of property. But when one labors to that end, the State does not question whether covetous motives induced the effort or not. Property is disposed of, and handsome profits realized, but the civil law does not demand a portion of the proceeds for charity. In his greedy desire to accumulate money, one may withhold from a prospective customer the knowledge of an existing flaw in that which he is selling and thereby secure the best of a bargain. It is dishonest to take such a course, in fact it is a sin, yet the law does not oblige such an one to give the purchaser an equivalent, because that method of dealing is not counted a crime. Again a man's covetousness may lead him to marry for money. He has violated a plain command of God, and so committed sin, yet the marriage is regarded lawful by the State. On the other hand, it is possible for one to be convicted of crime by the civil law, when he has violated no precept of the moral law. In their zeal to protect what they call their own interests, some governments make laws of an oppressive nature, for which those on whom they operate harshly can see no good reason. To illustrate: The United States has exclusion laws which forbid certain persons, from other countries, to land on its shores. But suppose one of these unfortunates, in defiance of the law, pursues happiness by quietly seeking to better his fortunes on forbidden territory, what precept of morality has he violated? Yet such an one is apprehended by the civil law, and his liberty restrained, just the same as the most pronounced criminal.

As another illustration on this point, the following fact, relative to American slavery, may be cited. Prior to the civil strife which resulted in the freedom of 4,000,000 slaves, it was held to be a criminal

offense to aid one of those bondmen to escape to English soil, or to harbor one while thus running the gauntlet for liberty. All along the northern borders of the slave States, benevolent Quakers, and others, operated what was then known as "under-ground railways," for the purpose of secretly helping the unfortunate blacks into freedom. But in every case they exposed themselves to the penalty of six months' imprisonment, a fine of \$1,000, and civil damages to the same amount. To thus befriend a fellow-creature, held in forced bondage, and for no fault of his own, was then considered a crime worthy of severe penalties, yet who can say that the self-sacrificing acts of those men, in defying the rigors of the civil law, were sin before the law of Jehovah?

Another, and a very substantial reason why a civil government can not treat crime as sin is that, the attempt to do so would completely overthrow the social fabric. While the moral law calls for an extreme penalty upon its transgressor—even death itself, no one need suffer the punishment prescribed, however great his sin, provided he accepts certain conditions of amnesty freely offered to all. The conditions are, that any one convicted of sin by the moral law may, upon genuine sorrow and repentance, attested by humble confession in the name of Christ, have instant pardon. See Ps. 32:1-5; 1 John 1:9. This done, the sinner is free from the penalty of the moral law.

But suppose the State should regard crime as sin, and attempt to punish it as such,—as a representative of God's government,—what could it do in the case of one who, on being apprehended for crime, and brought before the judge, should declare, with acceptable evidence, that he had already been absolved from the offense by the Court of Heaven? If the State, in its judicial work, acts as the agent of Jehovah, would it not be legally bound to recognize the validity of the prisoner's plea, and discharge him? Carry the matter a step farther. Suppose the prisoner has not, up to the time of his conviction by the civil court, acknowledged his guilt. But upon the verdict to that effect being rendered by the jury, he immediately, with tears, makes open and hearty confession of his sin, and then declares that by faith he has received full forgiveness of God for the same. Could the court then, if in session for the purpose of discovering moral guilt, refuse the prisoner his liberty? It certainly could not, for when God makes one free he is "free indeed."

That would never do, one may say; such a course would destroy the power of the State to bring any one to justice. It certainly would, and that without remedy. But still it would be the only logical outcome of an attempt to make the civil law punish crime as sin against God; and all because the State, which is at best but a human power, assumes to exercise the attributes and authority of Jehovah.

Does any one suppose for a moment that because a set of fallible men are chosen by their fellows to represent their will in the management of a civil government, that therefore God really confers upon them divine power to be used at their discretion, as ministers of the divine will? If so, then it follows that all the wickedness of civil rulers is committed by God's authority. Who does not know that many of the rulers of this world have been the worst of tyrants, and that they unstintingly perpetrated cruelty and wrong upon their defenseless subjects? To make God responsible for this, is to impeach his character and blaspheme his name.

If it be said that civil governments represent the authority of God only when they do right, that is virtually saying that they have just as much divine authority as a banking establishment when it does right. It certainly could mean no more; for in the words of Samuel T. Spear, D. D.: "All moral beings, whether kings on thrones, or peasants in cottages, have a divine warrant for doing right, in the sense of being obligated thereto by the law of God. This warrant includes the civil ruler; but he has no special application that distinguishes him from other men. Justice rendered by the private citizen is as really divine as justice rendered by the magistrate."

"To say that governments, established by iniquity and perpetuating the iniquity in which they originated, are the executives and representatives of the divine will in any other sense than that of existing in the providence of God, is to place his authoritative sanction upon the most horrible abominations found on the pages of history. The divine right of civil rulers would be a mere assumption without proof even if all rulers had been wise and pure; but when we put the Alexanders, the Neros, the Caligulas, and all the bloody tyrants of history into the catalogue of civil rulers, then the doctrine is rendered impossible by the attributes and moral character of God." J. O. CORLISS.

#### Where Will It End?

Most people are familiar with the old story of the man who neglected to have a nail driven in the shoe of the horse he was riding, and how, "for want of a nail the shoe was lost, for want of a shoe the horse was lost, for want of a horse the rider was lost, and all for the want of a horse-shoe nail." A very small beginning, true enough, but most disastrous in its ending.

This lesson comes home to us to-day with striking force in view of the indifference with which so many regard the present Sunday movement. "It is only a little temporary craze which will soon die out," they say, and so dismiss it from their minds. The time was, perhaps, when

such an opinion might have been advanced with some degree of plausibility, but in view of the rapid developments of recent years, it can readily be seen that a conflict of stupendous magnitude lies before us in regard to this question. This becomes doubly apparent when we stop to consider that some of the very ones who, at the first, pooh-pooed at the "idle fears," so-called, of those who opposed it, have turned in with the very movement that they declared would amount to nothing, and are now using their utmost endeavors to make it effective. And this tendency becomes more marked, almost with each successive day, in political circles. The average politician, generally speaking, has an eye to the "main chance," and as he sees petitions being circulated, public meetings being held, and all manner of expedients being used to bring Sunday prominently before the public, he soon reaches the conclusion that if he expects to maintain his hold upon public opinion, it will be about the correct thing for him to express his belief in the universal sacredness of the "American" Sunday, however little religious regard he may have for the day, or for the sacredness of anything else.

And it is this very political agitation which furnishes such grave cause for apprehension. If the advocates of Sunday sacredness simply desired to observe the day themselves, or even if they only wished to call the attention of others to the need of a better observance of the day, no reasonable objection could be urged. This would be nothing more than their lawful right. But when they endeavor to secure legal sanction of the sacredness of that day or of any other, they not only go contrary to the most vital principles of Christianity, but they attempt something, which, if carried out, will subvert the very foundation of our national greatness, and transform the "best Government the sun ever shone on," into a despotism more tyrannical than that of the Russian Empire.

Any such attempt is contrary to Christianity because the teaching of Christ was, and is, to do unto others as we would have them do unto us. This gives the fullest possible liberty of religious thought and action; unless, indeed, our Sunday-law friends are prepared to admit that they would like to be compelled to acquiesce in some religious observance which was utterly contrary to their own desires,—a conclusion whose self-contradiction is so evident that it needs no refutation.

Our national greatness arises not so much from our favored position and immense resources as from the just and equal protection which our laws offer to all who come within our boundaries. Here the oppressed of all the earth have found a welcome, and the very name America has almost become a synonym for civil and religious freedom. But to seek legislative aid in behalf of any religious institution,

is not only a confession of weakness, but is also an attempt to coerce the religious opinions of men, and to stifle all the convictions of conscience, thus despotically depriving them of the liberty of individual thought, and making mere machines of them, or at the best, making them *act* as though they believed something which they do not believe; which is nothing less, in fact, than making hypocrites out of otherwise honest men.

It may be said by way of objection to the foregoing that this movement is not a religious but a civil one. But if so, why is so much enthusiasm manifested by the Church over the question? and why is it that the prime movers are found chiefly among the ministry and membership of the great religious bodies of the land? There are reforms which would properly come within the jurisdiction of civil law. Why do they not take more interest in these things if it is from motives of pure patriotism that they are working? The fact simply is that the prominent agitators of this Sunday-law movement have time and again acknowledged that it was the *religious* character of the day that they desired to have recognized. In proof of this it is only necessary to cite the reader to any of the attempts made of late years to secure congressional action upon this very matter. It is the religious and sacred phase of the subject that continually crops out, and it is the religious, not civil, aspect to which they are looking in the future, and which they hope to eventually succeed in enforcing upon the public.

But, if it is within the province of this government to dictate what day shall be observed, it is also its privilege to specify *how* it shall be kept; and as the great complaint against Sunday violation, at present, seems to be on account of people staying away from church, the only logical conclusion that can be drawn is, that if a national Sunday law is once secured, the next step will be enforced attendance upon religious services. And, of course, if individuals can be lawfully compelled to attend church it is nothing unlawful if they shall be obliged to financially keep up and support the various church establishments of the land. Not only so, but it follows, as naturally as night follows day, that the civil power shall have the right to dictate what church each individual shall support, what congregation he shall unite with, and what particular form of belief or profession of faith shall be required of him. Thus the civil power will be but a tool in the hands of the religious element, to execute its autocratic behests, and the two will be as completely united as they ever were in the palmiest days of the Roman hierarchy. By parity of reasoning, the State will then have power to declare what shall *not* be believed, so that what is now simply a difference of religious opinion will then be heresy, and will be punishable as a

crime under the laws of the State, the same as murder, felony, etc.

Let no one say the picture is overdrawn; for instead of being exaggerated, it is not fully filled out. Let the precedent once be established for the Church to dictate to the civil power, and the tyranny of religious persecution will just as surely throttle liberty of conscience as it did during the Dark Ages.

The boon of religious liberty and freedom of thought is too priceless a heritage to be squandered for a mess of political pottage. The advocates of the present movement in favor of Sunday legislation had better ponder deeply upon these questions. The measures contemplated by them will lead onto dangerous ground, and their inevitable end, if carried into effect will be to revive the bigotry, cruelty and religious persecutions of the past.

When the United States shall have substituted her law-making powers to such base ends, "Ichabod" may well be written over the portals of her legislative temples, for her glory will have departed. *Let the people beware of the first step.*

J. W. SCOLES.

THE lower house of the Prussian Landtag has been excitedly debating a new Educational Bill, which is practically a measure to make a State religion of which the German Emperor should be the Pope. The avowed object of the measure is to put the Prussian schools into the hands of the clergy, to make what is called religious instruction obligatory, and to exact from all students a full measure of conformity. In the language of the Imperial Chancellor, who is the chief advocate of the measure, "it is a bill against atheism." It would force doctrinal teaching upon children whose parents are opposed to such teaching; it would force Jews to accept Christianity,—such Christianity as the priests of the State religion might choose to teach. It sets up as supreme what is called in Prussia the "Confessions." The Emperor and his Lord Chancellor appear to believe that matters of faith can be easily regulated by statute, and that the people of Prussia are quite ready to put their consciences and their relations to God in the hands of the king. The opposition to the measure declares that it is an attempt to set up a political religion, which would practically result in the domination of an organized priesthood. The promoters of the bill admit the truth of the criticism, and attempt to justify it on the express ground that the real, vital question is whether Prussians are to be Christians or atheists. The discussion has been very warm, not a few of the government party being in the opposition. The Minister of Finance sees in it a menace to some of his plans for managing the monetary affairs of the empire, and has resigned. This is a singular comment upon the practical working of a religion made by law. We suggest that the advocates of legislation in behalf of religion and religious institutions in our own country make a study of this extraordinary Prussian movement.—*Sabbath Recorder.*

## NATIONAL Religious Liberty Association



### DECLARATION OF PRINCIPLES.

We believe in the religion taught by Jesus Christ.  
We believe in temperance, and regard the liquor traffic as a curse to society.  
We believe in supporting the civil government, and submitting to its authority.  
We deny the right of any civil government to legislate on religious questions.  
We believe it is the right, and should be the privilege, of every man to worship according to the dictates of his own conscience.  
We also believe it to be our duty to use every lawful and honorable means to prevent religious legislation by the civil government; that we and our fellow-citizens may enjoy the inestimable blessings of both religion and civil liberty.

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A. F. BALLENGER . . . . . SECRETARY.

THE Pittsburg *Dispatch* again chronicles the results of the Sunday sessions of the police courts of that city,—fifty-six cases in all, before five magistrates. It seems the Law and Order League of Pittsburg has its own machinery oiled to run seven days in the week.

AN act was introduced in the Missouri Legislature, February 3, to prohibit the sale of any vinous or spirituous liquors within two and one-half miles of the Methodist and Christian churches at Marietta Prentiss County, Mississippi. Why favor these two denominations above all others?

A CABLE dispatch reports that a Chinese General, Toheu Kitong, has been executed for treason in having become a Christian and for having furthered the cause of missions. It seems that they are practical "National Reformers" in China and logically follow the doctrine to its ultimate conclusions.

AN association, to be known as the "Milwaukee Sabbath League," has been lately established in Milwaukee, Wisconsin. In the resolutions adopted at its organization the aid of all citizens is invoked to secure the enforcement of Sunday laws, and it is "demanded" that the Wisconsin exhibit at the World's Fair be closed on Sunday.

THE petition list of the New Jersey Legislature, for one day, protesting against the opening of the World's Fair, on Sunday according to the record, was quite large,—petitions being presented by Senators Rue, McMickle, Rogers, Perkins, Adrain, Miller, Cornish, and Hinckliffe, signed by "numerous of their constituents." The New Jersey Sabbath Union is making every effort to have the Legislature, commit itself on the question of Sunday closing of the Fair.

THE *Christian Advocate* notes the approach of the centennial anniversary of the constitutional establishment of religious freedom in this country, and says: "The Executive Committee of the American Baptist Home Mission Society has decided to call a celebration of the centennial of the incorporation into the Constitution of the United States of the clause forbidding Congress to make any law establishing or forbidding the free exercise of religion, as a triumph of Baptist principles. The ratification of the amendment was declared

during the congressional session of 1791-92, so that we are now in its centennial year. Arrangements are on foot to make the celebration a marked feature of the Baptist anniversaries, in May next, in Philadelphia." At the same time they would do well to consider whether, in attending this anniversary, they are celebrating the birthday of a living principle in this Government, or have gathered to measure how much more than a word and a name that same amendment is after the lapse of one hundred years.

AN evidence of how rapidly the idea of establishing national feast days, fast days, and religious and semi-religious holidays, is gaining ground, is the presentation in the Legislature of Minnesota, of a memorial asking for the passage of a law appointing October 12, the anniversary of the discovery of America, by Columbus, as "a day of national thanksgiving." Of this the *Christian at Work* says: "We, together with the *Lutheran Observer*, have recommended the observance of Discovery Day for years."

IN Minneapolis, "Mayor Winston has signed the amended liquor ordinance giving only the police of the city authority to make complaints against saloon keepers. It is stated that Superintendent Henderson has ordered the police to keep their hands off, and that saloons will open Sunday, beginning February 21. The whole matter will be carried to the Supreme Court, by a citizens' committee, on the plea that a person has the right to file information against another who is alleged to be breaking the laws of the State."

THE World's Fair bill, appropriating \$300,000 for the exhibit of the State of New York, has been amended in the Assembly by the addition of a provision that the State exhibit should be kept closed on Sunday. The amendment was adopted by a vote of forty-nine to forty-seven. On motion of Mr. Bush the resolution was then laid aside, in order as the mover said, "to give the Republicans, who were trying to make political capital out of a religious question, time to think over the matter." The bill can be called up at any time, and if passed in this form by the Assembly will necessarily return to the Senate for its concurrence upon the amendment.

THE "Pearl of Days," says "the security or disaster of our American institutions depends upon the issue of this Sabbath contest and the proper enforcement by civil enactment of all divine law that inures to the well being of the State."

To determine what portion of divine law inures to the well being of the State, and then to construe that portion and decide as to its application to the State, the proper terms by which to enact it into civil law, and fix the methods of its enforcement, has always involved those legislators who have attempted it in such a maze of evident error, contradiction, inconsistency and injustice, as ought in itself to prove to any intelligent being the impropriety of attempting to enforce the divine law by the civil.

AN exchange reports Rev. J. H. Willey, of Syracuse, New York, as teaching in a sermon, lately delivered in that city, that in order to preserve the religious observance of Sunday the Government must legislate to that effect, and then enforce its laws,—and saying, "When the law is made then I appeal to you as a church; I appeal to you as Christians, stand by the ship of State and if any one dares to desecrate the day—over the rail with the wretch!"

To have carried out the nautical figure of speech to an exactitude he should have said, "Let him walk the plank!" It has been evident for some time that there are pirates on board this ship of State, who intend to mutiny, capture the ship, and do their best to send all who oppose them to Davy Jones' locker. They must be very sure of success to appeal so openly to their co-conspirators.

"McMASTER'S History of the United States" says of the code under which the French and Spanish city of New Orleans was governed before the cession of Louisiana to the United States in 1803,—"Wretched indeed was the plight of the friendless offender, or even an accused person, who was brought before one of these perambulatory judges. If he had reviled the Saviour or the Blessed Virgin, his property was confiscated and his tongue cut out." Although such penalties would not now be imposed because of being "cruel and unusual," neither would the reviling of the "Blessed Virgin" be treated as a penal offense, yet the spirit of this very criminal procedure is still retained, only modified out of respect to public feeling and to correspond with Protestant instead of Catholic creed.

The *Citrograph*, Redlands, California, publishes this, credited to the *Grocer and Country Merchant*, and heads it, "Absurd Laws."

"Commercial travelers, or others who carry accident insurance policies, should be careful when business or pleasure takes them to some of the eastern States, having Sunday laws, that they do not go shooting or fishing on the first day of the week. By a recent decision of the Vermont Supreme Court it was held in the case of *Duran vs. Standard Life and Accident Insurance Company*, that a person who walked from one town to another on Sunday for the purpose of hunting violated the laws of Vermont, which forbid hunting on Sunday, or traveling on that day, except from necessity or charity; that an injury occasioned by his slipping on frozen ground while returning home from hunting on Sunday was not covered by an accident insurance policy exempting the company from liability where a 'violation of law' was the act, cause, or condition, 'wholly or partly, directly or indirectly, producing the injury, or where the injury was affected by any such act, cause, or condition, or under its influence.' Residents on this coast, where the law is indifferent as to whether one attends church or goes fishing on Sunday, will find it hard to realize that such enactments as the Vermont Sunday law exist in any American commonwealth. It may be perhaps that to the existence of the narrow views, as expressed in the Vermont statute, is to some extent due the steady decline in the population of a State which has produced so many men of distinguished ability."

In Pittsburg, where the Law and Order League is very active in trying to put down the Sunday paper as well as all forms of Sunday work, the Printers' Assembly, a branch of the Knights of Labor, has passed the following resolutions:—

WHEREAS, There are many laws on the statute books of Pennsylvania, notably the conspiracy and Blue Laws, which militate against the rights and liberties of the laboring class, and

WHEREAS, An association styled the Law and Order League, mainly composed of disreputable persons, not citizens of the United States, has taken it on itself to enforce the obnoxious Blue Laws of 1794 to the detriment of workingmen and their families, in an attempt to deprive them of their Sunday papers, thus denying them the only means they have to educate themselves; therefore, be it

Resolved, That Printers' Assembly 1630, Knights of Labor, hereby emphatically denounces the conspiracy and Blue Laws as blots upon the statute books of the State, and insists upon the repeal of laws which permit foreigners to levy blackmail upon American citizens and allow capital to grind down workingmen through the medium of the courts; and further, be it

Resolved, That we call upon all citizens who have the interest of labor at heart, and also on all workingmen, to cast their ballots for only those candidates for the Legislature who will pledge themselves to vote for the repeal of the conspiracy and Blue Laws and all other acts on the statute books of Pennsylvania which are to the detriment of labor and the benefit of capital.

It may be an extravagance to style the members of the Law and Order League "disreputable characters" yet at the same time all such leagues are a menace to civil freedom. However one can but see, from these resolutions, that the laboring men are not as anxious for Sunday-laws as the American Sabbath Union and other Sunday-law advocates would have it thought.

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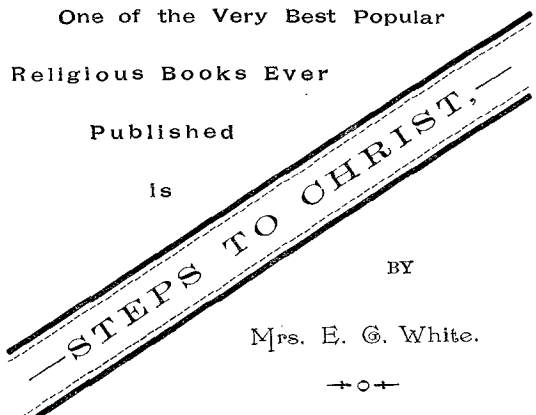
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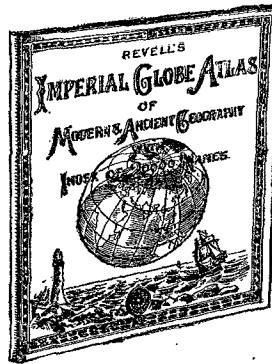
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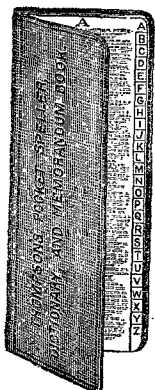
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SIXTY-NINE professors of the University of Berlin, including two of the theological faculty, have, it is stated, petitioned the Prussian Diet not to pass the Primary Education Bill, on the ground that the bill restricts the right of the State. It should be opposed on the ground that it restricts the right of the individual.

THE *Catholic Review* claims that the Roman Catholic population of the United States is at least 20,000,000. Of these, 8,000,000 are "good Catholics," and the remainder, persons who believe the doctrines of the Catholic Church but who neglect confession and communion; the *Review* calls them "bad" or "indifferent" Catholics.

A WESTERN paper says that "at a recent special meeting of the Burlington, Iowa, branch of the Sunday Observance Union, resolutions were adopted strongly urging all persons interested in the proposed organization of a baseball club in Burlington, for the coming season, to insure that no games be played on Sunday, and pledging the Union to the enforcement of the Sunday observance law."

THE *World* expresses itself upon the Sunday law of the State of New York thus:—

It is time for the Legislature to sweep away this relic of Puritanical intolerance. Its existence is not only a violation of the principle of our American system of government, and therefore a wrong to the individual; it is a direct incentive to evil.

Certainly, all religious laws in the State statutes are not only incentives to evil, but they are in themselves evil and only evil; they should be repealed; and if this "Nation" were only sufficiently "Christian" to understand the Bible and practice its teachings, they would be repealed before this present session of the Legislature closes.

THERE are in use in Belgium special postage stamps for those who do not wish their mail handled on Sunday. The object of the Government is to ascertain what proportion of the people of that country are practically opposed to Sunday mails. Remark upon this fact an obscure National Reform organ, published in this city, says:—

Why not agitate for such stamps in this country?

Why not write letters to Hon. John Wanamaker, P. O. Department, Washington, D. C., requesting that such stamps be prepared and put on sale? Surely the Superintendent of Bethany Sabbath school will do as much to give letter writers a chance to express their convictions as the Belgian Government.

Certainly; why not let those who want their letters delayed over Sunday have it so? The number however would be small, especially of those who are consumed by a desire to dictate to others what they shall and shall not do on that day. National Reform is not like charity; it does not begin at home: it seeks to reform the other fellow.

In Switzerland, as well as in Belgium, "Sunday postage stamps" are advertised for sale, that thus, by their use, the authorities may obtain an expression as to the sentiment of the people in reference to Sunday mails. In comment upon this the *Northwestern Christian Advocate*, remarks:—

It seems that the Government has not the courage to meet that question in a square and manly way. Oh, for more moral courage!

By this the *Northwestern* means, why did not the Swiss Government act despotically upon this question and do away with Sunday mails without consulting the wishes of the people in any manner. It would seem that in the eyes of that paper a religious despotism is the only moral and manly government.

ATTENTION has been called recently, perhaps more emphatically than ever before, to some of the defects in the United States postal laws, by the exclusion of *Printers' Ink*, published in this city, from the privileges of second-class mail matter. That the decision is unjust and arbitrary must be clear to the average American mind; and that the law should be repealed or amended, which places such power in the hands of a single man, from whose decision it permits no appeal, is equally clear. On what principle the Post-office Department holds that *Printers' Ink* is third-class matter while it admits *Book News* as second-class, is hard to understand, unless indeed it is that the publisher of the latter publication is the Postmaster General. Mr. Wanamaker should spare time enough from political wire-pulling, or if needs be, from his Sunday school, to see that his subordinates deal a little more justly with the people.

CERTAIN clergymen of Buffalo have requested the Superintendent of the public schools, of that city, to furnish for publication in the daily press the names, together with the religious belief, of all of the teachers employed. The request was doubtless due to the charge that a number of Catholic teachers had been appointed by the superintendent. The superintendent's reply is respectful, as it should be, but it contains nevertheless a well-merited rebuke. He reminds the preachers that

the laws and regulations governing the public schools of Buffalo do not require him to examine into the religious creeds of those who are employed, and further that for him to have attempted such an examination would have been impertinent and detrimental to the cause of education.

COMMENTING upon these facts, the *Washington Post* well says that "the school teachers of Buffalo are employed for the same reason that school teachers are engaged in other cities, and for this reason Superintendent Crooker's reply will interest the whole country. If any teacher is incompetent, he or she, as the case may be, should be promptly removed. But if one religious denomination is to be denied the privileges of the common school system it would be unjust to expect those of that belief to contribute to the support of the schools. This is an old question; the people are opposed to sectarianism in the schools, and the inquiring ministers of Buffalo are not altogether wise."

IN 1890 the friends of the "poor laboring man" in New Jersey made an effort to prevent his being "compelled" to work on Sunday; and this is what the *New Jersey Agriculturist* for July of that year said of it:—

An attempt was made to prevent berry-picking on Sunday in certain districts of New Jersey, but fortunately failed. The loss of a single day means the loss of thousands of dollars in the berry business. If the Lord saw fit to ripen berries on Sunday it is a crime against common sense and the goodness of the Giver to allow the berries to perish. A work of necessity done on Sunday need not fear censure from sensible Christian people.

THE SENTINEL does not believe that berry-picking is a work of necessity in any such sense as that claimed by the *Agriculturist*; nevertheless the note shows that Sunday-keeping is not insisted upon in the interests of the toiling masses, but in the interests of those who regard Sunday as a sacred day.

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