

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

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THERE is almost an entire misapprehension in the public mind as to the Sunday law of Tennessee.

SEEING the despotic and persecuting proceedings of the State authorities in Henry County, Tennessee, as regards Sunday work by those who keep Sabbath, the public have gathered the idea that the Sunday law of that State is a rigid, fierce, and fire-breathing thing. This is a mistake.

OF course all Sunday laws are bad. But as a matter of fact the Sunday law of Tennessee is about as mild as any Sunday law could be. And as a further fact the Sunday law of Tennessee is entirely innocent, so far as the persecutions on this subject in that State are concerned.

THE truth is that the persecuting prosecutions that have been carried on by the authorities of the State of Tennessee, as regards Sunday work, for the last eight years, have been, and are, without any statutory authority whatever. The statute in relation to Sunday work is ignored, and has been ignored these eight years, and all these cases, and extra-statutory measures have been applied and carried through. This the public should understand.

THE Sunday law of Tennessee, the only statute on this subject in that State, provides only for prosecution "before any justice of the peace of the county;" and provides there, only that the person duly convicted (of performing any of the com-

mon vocations of life on Sunday), "before any justice of the peace of the county, shall forfeit and pay *three dollars*, one half to the person who shall sue for the same, the other half for the use of the county."

THIS is the only provision of law on this subject in the State of Tennessee. And it is clear as words can say it, that there is in that State no provision of law for any prosecution for Sunday work, in any court but that of a "*justice of the peace*," and no provision of law for any fine or penalty, but "*three dollars*." Yet every case of prosecution for Sunday work in that State for the last eight years, has been before the Circuit Court, and the fine placed at whatever figure the jury or the Circuit Judge has chosen to levy. That is, the proceedings, instead of being an enforcement of the law, are simply an infliction of the arbitrary will of the court. And such procedure has been solemnly pronounced by the Circuit Court of the United States, to be "due process of law."

THIS lawless course was begun in the case of W. H. Parker in the year 1885. Parker was tried before the Circuit Court, and duly convicted and imprisoned. Then nothing more was done in this line until the noted case of R. M. King in the summer of 1889. King was first prosecuted according to the law, and the fine provided in the law, was assessed and collected. A simple fine of three dollars, however, was not sufficient to satisfy the religious zeal of those who would prohibit the observance of any day but Sunday. Accordingly, these extra-statutory measures were adopted; the law was ignored; and Parker, King, and all others since, have been prosecuted before the Circuit Court, for the crime of "public nuisance," whereby the jury can assess any fine they see fit *above fifty dollars*; under that sum the amount being left to the discretion of the judge.

By this method, not only can the fine

be assessed at any amount, but the court can convict without any evidence. This is precisely what was done last May in the cases of Dortch, Moon, Stem, and Lowry. They were prosecuted for the crime of public nuisance committed by working on Sunday. And though not a soul had made any complaint against any one of them, and though not a single witness testified that anybody in the community had been disturbed by any one of the accused, or had complained of any one of them; yet all four were found guilty of having done that which "was and is a disturbance in the community in which done, was offensive to the moral sense of the public, and was and is a public nuisance." And the fines were such as to keep them in jail from forty-five to sixty-four days.

OF course, as we have shown, there is no law in Tennessee making work on Sunday a public or any other kind of nuisance. That turn was made in this way: Some years ago the Supreme Court of that State set forth the doctrine that "Christianity is part of the common law" of Tennessee, and that offenses against Christianity were properly indictable and punishable as common law offenses. This is the doctrine that was confirmed by the Circuit Court of the United States, which said that though there is "not any foundation for the ruling that it is a common law nuisance to work in one's fields on Sunday;" that King was "wrongfully convicted;" and the court "wrongfully decided;" yet it was all "due process of law." And this decision of the Circuit Court of the United States establishing as "due process of law," the "wrongful decision" of the Supreme Court of Tennessee, which confirmed the "wrongful conviction" of a man, under a ruling for which there was "not any foundation"—this is to-day the authority, the only authority, and the only authority that is claimed, for the crusade in behalf of Sunday, that is now being carried on in the State of Tennessee.

It is a mistake therefore to speak as some have of Tennessee's "rigid Sunday law." Tennessee has no rigid Sunday law. On the contrary she has a very mild law for a Sunday law, and even that is not enforced. It is somewhat wide of the mark also to call, as some papers have, for Tennessee to repeal her Sunday law. This is not the need just now; for Tennessee's Sunday law is not hurting anybody. It is the Sunday law that she *hasn't* that is doing the mischief—and that can't be repealed.

What is urgently needed just now in that State is a rigid reform of her courts. There needs to be secured a set of judges who will have some respect for the laws, both constitutional and statutory; and who will be content to set forth the law as it is written, and not take it upon themselves to set forth their own arbitrary will for the law. Judges are wanted there who will keep within the bounds set by the Constitution for the judiciary, and who will not attempt to exercise also the prerogative of the legislative branch of the State government. This is a reform, too, that is sadly needed not only in Tennessee but clear from the Circuit Courts of that State all the way up to the Supreme Court of the United States. But lo! in this very fact of the widespread and deep seated need, lies the hopelessness of any reformatory remedy ever being successfully applied.

Tennessee also needs attorneys-general who will be content to be prosecuting attorneys, without turning themselves into persecuting attorneys after the manner of that one down in Henry County—attorneys-general and not inquisitors-general.

A. T. J.

#### Government by the People, for God.

THE Supreme Court of the United States has seen fit to decree that the divine law of Jehovah is the civil law of this land; and the Congress of the United States has interpreted that law, and made actual application of its interpretation, in reference to one point of belief and practice. This is no less than the assumption of the vicegerency of the kingdom of God on earth.

To assume to be the vicar of God and to speak and to rule by divine right is no new thing upon the earth. Heretofore, however, it has been an expression of the blasphemous error of religious absolutism exercised by a one man power, a despotism of one. But monarchial form of government is not positively necessary to support a religious despotism.

The ruling classes of the United States, and perhaps of the leading nations of the world, have now reached that stage of development that they are able to subject themselves and their vassals to the despotism of an idea; and the sway of that idea may be more despotic, enforced by the methods they can bring to bear, than the personal rule of any one man could possibly be. The despotism of an idea is sure to be imperative, coercive, relentless. The despotism of a religious idea, misdirected into channels of civil legislation, is certain to be unqualified tyranny. This has been demonstrated in the history of the Papacy. When the ruling majority in this country shall establish the civil authority of a religious idea and compel, or assume to compel, the citizens and residents of the United States to yield obedience to it, then a the-

oretical papacy will have been established. A perfect similitude of a papal despotism will be enthroned.

A papacy established after a monarchial theory is concrete, necessarily, in its form. A papacy constituted in, and according to the theory of, a republican form of government must conform to the necessities of representative expression. The one then is the concrete tyranny of an individual will; the other is the elusive, but no less real, despotism of an abstract idea enforced by the will, or the permission, of majorities. The latter is the complete similitude of the former, but on a higher plane of intellectual and governmental development. Humanly speaking, only, is it on a higher plane. It is an advanced development; a more subtle manifestation of the direst and most fatal error into which the mind of man has ever fallen.

This image to the Papacy is the highest refinement of governmental wickedness possible. By it the people, in and through the regular procedure of self government, assume to themselves, each and separately, the divine prerogative, and attempt to usurp, individually and collectively, the authority of God. In just that degree to which this is a government of the people, by the people, for the people, in just that degree is each sovereign citizen responsible for the establishment of this similitude to the Papacy.

It may be said that this is but the expression of a fine drawn theory which can never be realized. It is already realized, as shown by the initial facts which were used as stepping stones to these thoughts. This Government has then declared itself to be a government of the people, by the people, for God. The result will be a similitude of the Papacy worthy of the intellectual development and moral degradation of the nineteenth century.

W. H. M.

#### Bishop Potter and the Fair Again.

In the current number of the *Century Magazine* is an article from Bishop Potter, in which he enlarges somewhat upon the views set forth by him in the *October Forum*. As will be remembered, the Bishop favored only partial Sunday opening of the Fair—a silent Fair—open grounds and buildings, but motionless machinery and closed bazars.

But Bishop Potter has been severely criticised by the more ultra Sunday-closing element, and his article in the *Century* is doubtless for the purpose of explaining his former utterance. After a number of platitudes, the Bishop assures his readers that of the danger of any substantial surrender of the benefits of Sunday he is "profoundly impressed," and continues:—

If it is to be a question between the complete closing of the Exposition, and such surrender of it to secular uses on Sundays as to make no discrimination between Sundays and week-days, then, for one, I should be in favor of the most rigid closing of every door.

With the Bishop then, the question is not one of principle but of policy. He agrees that the Fair must be so manipulated as to exalt Sunday; the only question with him is, How can Sunday best be honored? He says:—

To most of us that day stands supremely as an institution of religion. But for what is religion, if it be not for the revelation and the inculcation of moral ideals? It may have, most surely it has, other uses, but this, no less surely, is pre-eminent among

them. And so if, when Sunday came to the Exposition in Chicago, it could be assumed that in some great hall in the midst of it there would be some worthy and impressive presentation of these—if the Nation should summon its ablest and most eloquent teachers and bid them do for us the prophet's work amid such profoundly interesting and suggestive surroundings, it would hardly summon them in vain.

And this he would have the Nation do! Nor would the good Bishop stop here; he would have "on Sunday afternoons and evenings the multitudes assembled in Chicago from hamlet and village and prairie that rarely or never hear the great works of the great masters," "lifted on the mighty wings of grand and majestic harmonies;" and he enthusiastically adds, "Surely that, too, would be no unworthy use of a day consecrated to lofty visions and unuttered aspirations." "And finally," says the Bishop,—

if, in addition to all this, there could be, not alone in immediate connection with the Exposition itself, but in every sanctuary and pulpit of the great city, thronged and vibrant with a great and keen curiosity, some elect and chosen voices to speak for God and Duty and Patriotism and Self-sacrifice and the Eternal Verities, that, too, would be an undertaking worthy of the best energies of those who might give themselves to it, and worthy no less of the great religious ideals of a great people.

Thus Bishop Potter would not only have the Government still more fully committed, if that were possible, to the patronage of the Sunday as a religious institution, but he would have the Fair so used and manipulated as to destroy, in the minds of thousands of individual Christians, all their previous ideas of its proper observance. Sunday is not the Sabbath, but Congress has decided that it is, and Bishop Potter would have this action followed up by the Nation summoning its "ablest and most eloquent teachers" and bidding "them do for us the prophet's work"! That is, he would not only have the Nation adhere to its championship of Sunday as the Sabbath, but he would have it continue its assumption of control over its observance in such a manner as to still farther strengthen in the minds of the people the idea of governmental authority in religion and governmental patronage in the practice of its forms. Congress having assumed the guardianship of the consciences of the people so far as the Sabbath is concerned, by deciding that Sunday is the Sabbath, the Bishop would have it further debauch those consciences by giving them another standard of Sabbath observance than that laid down by the Author of the Sabbath. Not only would he assent to the action of Congress in construing the fourth commandment as meaning the first day and not the seventh, but he would also have that body set aside the inspired commentary upon the fourth commandment given in Isa. 58:13.

But such must ever be the result of governmental interference in religious things. Had the Fair been opened on Sunday by the action of the Directors, and had Congress kept its hands off from the question entirely, leaving the whole matter to the individual conscience, little harm would have come to anybody by an open Fair. Those who had conscientious convictions upon the subject would have remained away on Sunday; those who had no such convictions would have gone to the Fair, but they would have been no worse morally for so doing. But, by the scheme now proposed, Congress is to assume all responsibility not only of saying that Sunday is the Sabbath, but of defin-

ing proper Sabbath observance. Thus the innate wickedness of this thing becomes more apparent at each step in its development.

C. P. B.

### Christ vs. Religious Legislation.

THE Church and the State were both ordained of God. The Church to teach the gospel and be the light of the world, while the State was commissioned to exercise authority in civil affairs. God is a God of order and not of confusion. He made no mistake when he called both of these organizations into being, and assigned to each its work. And he did not assign to both the same work. There was to be no occasion for coercion in accomplishing the work assigned to the Church and in her commission she was authorized to use none. She was to present Jesus as the world's Redeemer and the sinner's only hope and say, Come! The power through which her work was to be performed was in Christ and not in the civil government. The weapons of her warfare were not to be carnal, but mighty through God to the pulling down of strongholds.

The civil government was to use carnal weapons in the protection of those who acted civilly and in the administration of justice upon the uncivil. The judging of civil questions has been committed to the hands of men in this life and it is proper for them to sit in judgment upon such cases; but of religious matters it was said, "Judge nothing before the time, until the Lord come, who both will bring to light the hidden things of darkness, and will make manifest the counsels of the hearts; and then shall every man have praise of God." Paul was here speaking of the treatment the Christian church was receiving at the hands of her persecutors on account of her faith in Christ. He further adds: "But with me it is a very small thing that I should be judged of you or of man's judgment: . . . But he that judgeth me is the Lord." Hence, judging in matters of religion before the Lord comes, who will judge the living and the dead at his appearing and his kingdom, is called by Paul judging before the time, and denounced as all out of place for the civil government, and very wrong.

Even Jesus told his disciples that if any one heard his words and believed not, he would not judge him, but that the word which he had spoken should judge him in the last day. Certainly the disciple is not greater than his Lord, and if the Master would not judge those who did not accept his teaching, his followers are not authorized to judge and to imprison their fellow-men because they do not accept their religious views.

We have many examples in the Scriptures where the civil government has legislated upon religion. But in the instances given, Jesus has ever identified himself with those who were condemned because they would not sacrifice their conscientious convictions in religious matters, in order to be in harmony with the State. With the three Hebrew worthies in the fiery furnace, there was seen the form of the fourth which was like the Son of God. He sent his angel and closed the lions' mouths when Daniel was condemned, and cast into their den on account of his faith. In like manner he manifested himself to Paul and Silas, and

to Peter, when they were imprisoned for preaching Jesus. The angel also tells them that they should ignore the command of the State in this and go right on preaching the gospel in its simplicity, though they were few in number and the State was legislating against their religious beliefs. When Stephen was being stoned on account of his faith, and he cast his eyes about him to catch a glance from some sympathizing friend, he was greatly encouraged by seeing the heavens opened and beholding Jesus standing at the right hand of God. So now those who may see the power of the State arrayed against them because they follow the Master, keeping the commandments of God and the faith of Jesus, have the comforting assurance, "Lo, I am with you always, even unto the end of the world." As the Saviour said to Saul when he was persecuting the church, "Why persecutest thou me?" so now he says to those who persecute his followers, "Inasmuch as ye have done it unto one of the least of these my brethren ye have done it unto me."

True religion never seeks to enforce its observance upon others. It seeks only voluntary adherents. Enforced religion is always the result of apostasy. Let those who contemplate lending their influence in support of religious legislation, beware lest haply they be found to fight against God.

R. C. PORTER.

### Christianity and the Common Law.

In another place in this paper it has been pointed out how that in Tennessee the statute is ignored and the theory of "Christianity as the Common law" is used as the authority for the persecutions there for Sunday work. This doctrine of "Christianity as the Common law" is worthy of some attention on its own account; and as this Tennessee history furnishes a living example we take this opportunity to show what the doctrine really amounts to.

It is an undeniable principle of the law that the common law is superseded by the written law. A statute repeals the common law on the same subject; and a Constitution supplants the common law on all points upon which the Constitution speaks.

1. As a statute takes the place of the common law on the same subject, and as the State of Tennessee has a statute on the subject of Sunday work, it follows that any indictment or prosecution, at common law, for Sunday work, is therefore precluded, and is void.

2. As a Constitution supplants the common law in all points upon which the Constitution speaks; as the Constitution of Tennessee expressly declares that "no preference shall ever be given by law to any religious establishment or mode of worship;" and as Christianity is in its every intent and purpose a mode of worship; it follows that when the Supreme Court of Tennessee recognized and established Christianity as a part of the common law of that State, that court did thereby positively give preference by law to that religion and its modes of worship. But this, being in violation of the express provision of the Constitution, is in itself void.

It may be well to give some citations upon this point. The Constitution of California contains substantially the same

provisions as does that of Tennessee. And upon this same question the Supreme Court of that State spoke as follows:

We often meet with the expression that Christianity is part of the common law. Conceding that this is true, it is not perceived how it can influence the decision of a constitutional question. The Constitution of this State will not tolerate any discrimination or preference in favor of any religion; and so far as the common law conflicts with this provision, it must yield to the Constitution. Our constitutional theory regards all religions, as such, equally entitled to protection, and all equally unentitled to any preference. Before the Constitution they are all equal. When there is no ground or necessity upon which a principle can rest, but a religious one, then the Constitution steps in and says that you shall not enforce it by authority of law.—9 *Lee* 513.

The Constitution of Ohio has the same provisions, almost word for word, as has the Constitution of Tennessee. And likewise upon this same question the Supreme Court of that State spoke thus:—

The Constitution of Ohio having declared "that all men have a natural and indefeasible right to worship Almighty God according to the dictates of conscience; that no human authority can, in any case whatever, control or interfere with the rights of conscience; that no man shall be compelled to attend, erect, or support any place of worship, or to maintain any ministry, against his consent; and that no preference shall ever be given by law to any religious society or mode of worship, and no religious test shall be required as a qualification to any office of trust or profit," it follows that neither Christianity nor any other system of religion is a part of the law of this State. We sometimes hear it said that all religions are tolerated in Ohio; but the expression is not strictly accurate; much less accurate is it to say that one religion is a part of our law, and all others only tolerated. It is not mere toleration that every individual here is protected in his belief or disbelief. He reposes, not upon the leniency of government, or the liberality of any class or sect of men, but upon his natural, indefeasible rights of conscience, which, in the language of the Constitution, are beyond the control or interference of any human authority.—2 *Ohio Rep.*, 387.

The Constitution of New York is substantially the same; and the Supreme Court of that State annihilates the proposition that Christianity is part of the common law, in the following masterly reasoning:—

The maxim that Christianity is part and parcel of the common law has been frequently repeated by judges and text writers; but few have chosen to examine its truth or attempted to explain its meaning. We have, however, the high authority of Lord Mansfield, and his successor, the present Chief Justice of the Queen's Bench, Lord Campbell, for stating as its true and only sense, that the law will not permit the essential truths of revealed religion to be ridiculed and reviled. In other words, that blasphemy is an indictable offense at common law. The truth of the maxim in this very partial and limited sense may be admitted. But if we attempt to extend its application, we shall find ourselves obliged to confess that it is unmeaning or untrue. If Christianity is a municipal law, in the proper sense of the term, as it must be if a part of the common law, every person is liable to be punished by the civil power, who refuses to embrace its doctrines and follow its precepts. And if it must be conceded that in this sense the maxim is untrue, it ceases to be intelligible, since a law without a sanction is an absurdity in logic and a nullity in fact.

Let it be admitted, however, that Christianity is a part of the common law, in any sense of the maxim which those who assert its truth may choose to attribute to it. The only effect of the admission is to create new difficulties, quite as impossible to overcome as those that have already been stated. How, we would then ask, . . . are we to apply the test which Christianity is said to furnish? It will not be pretended that the common law has supplied us with any definition of Christianity. Yet without a judicial knowledge of what Christianity is, how is it possible to determine whether a particular use, alleged to be pious, is or is not consistent with the truths which Christianity reveals?

No religious use has been or can be created, that does not imply the existence and truth of some particular religious doctrine; and hence, when we affirm the validity of a use as pious, we necessarily affirm the truth of the doctrine upon which it is founded. In a country where a definite form of

Christianity is the religion established by law, the difficulty to which we refer is not felt, since the doctrines of the established church then supply the criterion which is sought; *but with us* it can readily be shown that *the difficulty* is not merely real and serious, but *insurmountable*.—*Sandford's Superior Court Reports*, pp. 181, 182.

All of this Judge Cooley confirms in these words:—

It is frequently said that Christianity is a part of the law of the land. . . . But the law does not attempt to enforce the precepts of Christianity on the ground of their sacred character or divine origin. Some of these precepts, though we may admit their continual and universal obligation, we must nevertheless recognize as being incapable of enforcement by human laws. That standard of morality which requires one to love his neighbor as himself, we must admit is too elevated to be accepted by human tribunals as the proper test by which to judge the conduct of the citizen; and one could hardly be held responsible to the criminal laws, if in goodness of heart and spontaneous charity he fell something short of the good Samaritan. The precepts of Christianity, moreover, affect the heart and address themselves to the conscience; while the laws of the State can regard the outward conduct only; and for these several reasons *Christianity is not a part of the law of the land in any sense which entitles the courts to take notice of and base their judgments upon it*, except so far as they can find that its precepts and principles have been incorporated in and made a component part of the positive laws of the State.—*Constitutional Limitations*, p. 584.

3. This provision of the Constitution of Tennessee is a part of the title, "Bill of Rights." Now another principle of law and government is, that—

Everything in the declaration of rights contained, is excepted out of the general powers of government, and all laws contrary thereto shall be void.—*Idem.*, p. 46.

As, therefore, the "Declaration of Rights" of the State of Tennessee has provided that "no preference shall ever be given by law to any religious establishment or mode of worship;" as all matters of conscience, religion, and worship are thereby "excepted out of the general powers of government;" and as "all laws contrary thereto shall be void," it is clearly demonstrated that the preference given to Christianity as by common law in the State of Tennessee, is void.

There is yet another defect in this theory that Christianity is part of the common law. The theory is drawn from the English courts. But "even in England, Christianity was never considered as a part of the common law so far as that for a violation of its injunctions, independent of the established laws of man, and without the sanction of any *positive act of Parliament made to enforce these injunctions*, any man could be drawn to answer in a common law court," as was done in this case by the courts of the State of Tennessee.

But Judge Hammond himself goes even further than this, and in a communication printed in the *Appeal-Avalanche*, Aug. 30, 1891, shows that "in one of the latest cases in England the Lord Chief Justice pronounced former expressions that Christianity is part of the law of the land, as *dicta*, and not true now."

True enough! It is not true now, and it never was true by any principle of justice or right. We have not space here to go into the details of this matter. It must suffice here simply to observe that it was introduced by fraud, it was established by falsehood, and it has been perpetuated by imposture. And query: As it is "not true now" in England that Christianity is part of the law of the land, how can it be true that it is true now in Tennessee, which professedly derives the doctrine from England? And further and doubly, How can it be true now in Tennessee in

face of the State Constitution, which expressly prohibits it in the declaration that "no human authority can in any case whatever control or interfere with the rights of conscience; and no preference shall ever be given by law to any religious establishment or mode of worship?"

Thus it is demonstrated by the living principles of American law and government, that the procedure of the Tennessee courts in the case of Mr. King instead of being of absolute authority, as the United States Circuit Court decided, is absolutely void and of no valid authority at all. And the demonstration is complete, the decision of the United States Circuit Court to the contrary, notwithstanding, that King, and Dortch, and Moon, and Stem and Lowry, were *deprived of their liberty and property* "WITHOUT DUE PROCESS OF LAW." A. T. J.

#### Are Sunday Laws Religious?—The Courts so Declare.

It is urged by certain writers in favor of Sunday legislation, that the Sunday laws have nothing to do with the day as a religious institution; that they deal with the "civil Sabbath" only, etc. While it is true that great diversity is shown in the various "decisions" by which the courts make more law than the statutes do, it is also true that much of this court-made law upholds Sunday on the most positively religious grounds, as the following will show. The Sunday laws of the United States grew out of the English laws. In 1824, an English judge rendered his decision in the following words:—

It seems to me that the object of the statute was to prevent persons keeping open shop and *disregarding the decency of the Lord's day* by the public show of their ordinary trades and occupations. Little Dale J., in *Blossome vs. Williams*, 5 D. & R., 82.

A similar decision was made in the State of New York, in 1811, in which Judge Kent said of the Sunday law:—

The statute has, for over a century, recognized the sanctity of the obligation and punished its violators. Ruggle's case, 8 Johns 290. In 1834 a learned judge in the same State spoke of "the public order and solemnity of the day." Boynton vs. Page, 12 Wend., N. Y., 57.

Still later and stronger were the words of a judge in 1859, who declared that the Sunday law of New York "explicitly recognizes the first day of the week as holy time; and, thus, it has brought us back to the full, enlarged and absolute rule of interdiction, which we find prevailed in the earliest laws of Christian States, and which the construction of the statute of Charles II, has tended somewhat to narrow and impair." Campbell vs. International Soc., 4 Bos., N. Y., 298.

Another court, in 1882 recognized the religious characters of the laws as follows:—

Is it not obvious that, by reason of keeping a store open for business, a temptation is presented to those who have no regard for Sunday as holy time, to violate the law? Anonymous, 12 Abb. N. C. (N. Y.), 455.

Pennsylvania has always held to the religious character of her Sunday law, and has always refused to recognize the rights of those who keep the Sabbath to be free from its penalties; hence it is not surprising to read in the reports of Jandelle's case (3 Phil. 509) the decision of a Pennsylvania judge that "the day [Sunday] is clothed with peculiar sanctity." In the case of Moore vs. Hagan, 2 Duv.

437 (1866), two statutes of Kentucky are contrasted, the decision stating that "one applied to Sunday as sacred, and the other to holidays as secular." The same idea is set forth in Iowa, Davis vs. Fish, Green 406, (1848), when it is stated that Sunday is "sacred, set apart for rest by the voice of wisdom, experience and necessity."

In a North Carolina decision the Sunday law is alluded to as follows: "All religious and moral codes permit works of necessity and charity on their sacred days." Ricketts case, 74 N. C., 184, (1876). Stronger still is the statement of a decision in the State of Georgia, Gholston vs. Gholston, 31 Ga., 625, (1860), wherein it is said: "All courts should abstain from the transaction of ordinary business on this holy day," and again: "In every form, by all the different authorities in this State, by its organic laws, its civil and criminal code, and by every judicial decision upon the question,—the Sabbath is regarded as the Lord's day, and it is protected from violation by so many guards, that the courts should not be allowed to invade its sanctity, and in so doing make a record to be read by all men, in all time." Bass vs. Irwin, 49 Ga., 436. In the case of Weldon, (62 Ga., 449) Sunday as the Lord's day is declared to be a holy day.

One class of decisions recognizes the power of the State to consecrate Sunday, thus enunciating the doctrine of a union of religion and the State, and essentially of Church and State. Speaking on this point, Ringgold says:—

There are cases which hold that its sanctification was accomplished by statute. Thus, one reason given for "separating" the day as a "holy" one in Massachusetts is 'the fact that the legislative power has exacted the observance of it as such.' Pearce vs. Atwood, 13 Mass., 324.

And Judge Kent assures us that, in New York, "the statute for preventing immorality consecrates the first day of the week as holy time." People vs. Ruggles, 8 Johns, 290, (1811). Judge Robertson of Kentucky, speaks of the law in his State as "the statute consecrating the Sabbath," (Moore vs. Hagan, 2 Duv., 437), and so in Georgia courts and magistrates are to regard Sunday as the Lord's day "as a matter of mere law, irrespective of religious obligation and duty." Weldon's case, 62 Ga., 449 (1879). (Sunday, Legal Aspects, etc., p. 34.)

If this power of the State be conceded, the full doctrine of the union of Church and State is established. If the State can "consecrate" a day, it can a place, or a person, a building, or an altar. If statute law can make one thing holy and require men thus to consider it, we have returned to the original pagan conception that religion is a department of the civil government, and any disregard of the State regulations concerning sacred things must be punished under the civil law as other crimes against person or property are. This is civil religion *in extenso*.

But we have also another class of decisions which declare that Sunday is sacred by divine authority. These conflicting views sometimes appear in decisions under the same statute, and in the same commonwealth. Instance: Judge Allen, of New York, holds that the province of the statute is to recognize and enforce regard for a holiness which already exists. These are his words:—

It does not detract from the moral or legal sanction of the law of the State that it conforms to the law of God, as that law is recognized by the great

majority of the people. Linden Muller's case, 33 Barb., 548 (1861).

The same ground is taken in a case under the statute of Pennsylvania. Eyre's case, S. & R. 347, (1815), in which it is said: "Sabbath-breaking is the violation of a divine as well as a human law." In a still later case in Pennsylvania we find the following: "The learned council for the plaintiff has entered largely into the question of the origin and sanction of the Christian Sabbath. It may not be essential, but it is far from being irrelevant, to the decision of the present case, to sustain the divine authority of its institution," the day has been "set apart by divine command and human legislation as a day of rest," and "we have no right to give up this institution. It has come down to us with the most solemn sanctions both of man and God, and if we do not appreciate it as we ought, we are at least bound to preserve it." Johnston's case, 22 Pa., 102 (1853).

The foregoing statements concerning the divine origin and authority of Sunday observance are incorrect whether considered in the light of the Bible or of history; nevertheless they constitute a part of the Sunday law of Pennsylvania as created by judicial decisions. Arkansas strikes the same strain, and informs her citizens who play cards on Sunday that the day "is set apart by divine appointment, as well as by the law of the land, for other and better engagements." Stockden's case, 18 Ark., 186 (1856).

Iowa is not far behind Arkansas, for in the case of Davis vs. Fish 1 Green, 406, (1848), her court declares that Sunday observance has been "established by laws both human and divine, for public worship and private devotion—a time honored and heaven-appointed institution." Maryland is not less distinct in her testimony; her courts declare that "the Sabbath is emphatically the day of rest, and the day of rest here is the Lord's day or Christian Sunday. Ours is a Christian community, and the day set apart as a day of rest is the day consecrated by the resurrection of our Saviour, and embraces the twenty-four hours next ensuing the midnight of Saturday." Kilgour vs. Mills, 6 G. & J. 268 (1834).

Georgia has taken the most ultra ground in the following words:—

The law fixes the day recognized as the Sabbath day all over Christendom, and that day by divine injunction is to be kept holy, on it thou shalt do no work. The Christian Sabbath is a civil institution older than our Government, and respected as a day of rest by our Constitution, and the regulation of its observance as a civil institution has always been considered to be, and is, within the power of the Legislature, as much as any regulations and laws having for their object the preservation of good morals, and the peace and good order of society. Karwisch's case, 44 Ga., 204 (1871).

In another decision under the statutes of Georgia it is declared still more at length that—

Independently of the moral obligation, resting upon all men, to obey the law of the Lord, and to observe by abstaining from all secular business on the day set apart for his worship, throughout Christendom, the rest of one day in seven from all physical and mental labor is a great conservative, refreshing, invigorating means, designed by Almighty wisdom for the preservation of health and the re-creation of our mental and bodily faculties. But neither the law of God nor the law of man forbids us to do good on the Sabbath day. The Saviour rebuked the Pharisees who questioned his divinity, because he healed the impotent man on the Sabbath and bade him take up his bed and walk; and he who spake as never man spake said that the Sabbath was made for man, not man for the Sabbath, and that it was lawful to do good on the Sabbath day, and his own pure and perfect

life illustrates his teaching by deeds of constant kindness and beneficence on the Sabbath day. When the statute of Georgia, therefore, excepts works of benevolence and charity from the operation of this penal statute, it but re-enacts the law of the Almighty as announced by the Saviour and beautified by his example. Salter vs. Smith, 55 Ga., 244 (1875).

In the presence of such decisions it is useless for men to assert that the laws do not deal with Sunday as a sacred day and on religious grounds. Men would not make such assertions were they not anxious to avoid the opposition and the odium which this age attaches to religious legislation. Let it not be forgotten that the decisions quoted above openly state what the friends of Sunday really seek, namely, that Sunday shall be upheld and guarded as a sacred day, a religious institution, by civil law. There are those who say this openly, and make the issue fairly and without equivocation. We do not believe in such legislation, but we respect those who do and have the honesty to say so; on the contrary, those who "juggle with words," declaring for the "civil Sabbath" only, forfeit their claims to straightforwardness and honest purposes. As is shown elsewhere, the late action of Congress concerning the Sunday closing of the Fair was based on the demands of religion, and the wish of religious people. If that action continues in force it will do much to fortify the doctrine that the Nation may interfere in religious matters whenever religious people urge their views in sufficient numbers and with sufficient vehemence. Let this policy be settled, and in spite of our national Constitution all forms of religious practice will be proper subjects for national law and congressional interference. The friends of Sunday closing of the Fair have unsheathed a double-edged sword, which may yet find the heart of religious liberty in the United States.—Sabbath Outlook.

#### Strikingly Similar.

AN extract from church history in the days of Constantine's rise, placed beside an item of political news of to-day, presents a scene strikingly similar.

Eusebius says of the bishops in Constantine's day, that it was their ambition "to assert the government as a kind of sovereignty for themselves." Nor was it alone government in the churches they were so anxious to wield, but government in the State, which they expected to use in the interest of the church when once obtained. For "there had in fact," he says, "arisen in the church . . . a false theocratical theory, originating not in the essence of the gospel, but in the confusion of the religious constitutions of the Old and New Testaments."—Neander.

These bishops, it will be seen, were anxiously laboring to obtain an influence in political circles, which thing they did, and which in itself proved the union of a fallen church with the State.

In the daily Cincinnati Post, of September 1, under the heading "Republicans Thoroughly Organizing in West Virginia," the following appears:—

In this (Cabell) and in Lincoln County they [Republicans] have fused with the People's Party, and the opposition confesses that there is no walk-over in November, as it stands now. Hon. John K. Thompson, one of the shrewdest politicians in the State, is in charge of the work, and it is in this region where most of the battle for supremacy will be fought. Rev. Charles Caldwell, the preacher-lawyer-politician, of Parkersburg, the Republican candidate for Congress, is a splendid stumpster, and he is making a great canvass.

Certainly the tide of political religion is rising when "shrewd politicians" see that the popular sentiment is calling for professedly religious men as candidates. And why not? If congressmen, to become popular, must put on some religious garb, should we not expect religious profession be made an evidence of the fitness of candidates for office? "Shrewd politicians," and even ministers, have not been slow in catching this idea. Congressmen are longing to remain in politics, and the ministers are longing to get into politics, and both are striving to achieve their desires through religio-political measures which are nothing more nor less than a "union of Church and State." How smoothly, subtly, blended is the title given Mr. Caldwell, "Preacher-lawyer-politician"! Already it is a "condition and not a theory which confronts us," and this hyphenated title marks the coalition even now attained. These things are not happening by chance, and who can not see in the two bits of history a "striking similarity"?

T. E. BOWEN.

#### Christian Patriotism not Religious Politics.

THE presidential campaign is past. A political revolution has taken place. It is proper to ask whether this bodes anything, one way or the other, to the cause of religious liberty. The decisive answer to that question is to be found in prophecy. That which is to be, is to be. The fluctuation of party politics can have no appreciable effect upon the conclusion of the whole matter. But, irrespective of the eventual and certain result, or the channel by which the comprehension of what it is that is to be is reached, it is clear to all intelligent and faithful preachers, teachers, and believers of the gospel of Christ that religious issues are not the issues upon which to organize political campaigns. The planks of the universal platform of natural right, and religious truth, can not be filched by any political platform. The sawing, and hewing, and matching which they must of necessity undergo that they may be accommodated to the requirements of human imperfection will inevitably destroy in them all likeness to those portions of the divine moral law from which it may be claimed that they have been taken. No political party has a mortgage on the universal platform of natural right, or upon any part of it. No authorship or ownership of any of the principles of civil liberty, or any inalienable right, can be attributed to, or claimed by, any political party. These principles do not by right depend in the least degree upon the supremacy of any party to establish them in vogue. They exist independently of all parties. To them all parties owe equal allegiance. All men of all parties are equally subject to these principles irrespective of their party affiliations, or their personal views as to the management of civil affairs. The course of all conscientious men, as citizens, is governed by the universal principles of civil right. They are, in consequence, necessarily independent of party politics. They can not be depended upon by politicians for assistance in any selfish measures. They can only be depended upon to protest against all encroachments upon civil right and civil freedom in religious matters, wherever they appear, and to

champion exact justice and equal rights to all men everywhere.

The fealty of the just man is to justice. No Christian can be other than just and live up to his profession. Therefore the civil allegiance of the Christian, in a representative government, is to civil justice first, and to no party except as the party of his choice may be the embodiment of civil justice.

Politics and religion will not mix. The Christian can not be a politician, as the word politician is now understood. But this is not saying that the Christian man will not be a patriot, for he will be in the highest sense. If he be a Christian, he will love his neighbor as himself and will use all his civil rights and privileges for the benefit of his neighbor as for himself. That he may do this, it is requisite that he should have an intelligent acquaintance with civil affairs, and be capable of exercising a just discrimination as regards every civil measure. To be an intelligent and worthy Christian, a man must be an intelligent and worthy citizen. Such a man will not be unmindful of political revolutions, but he will himself be no part of them for selfish ends, but only for the furtherance of abstract right and justice. W. H. M.

#### Religious Bigotry.

WHEN one reads of the cruel religious persecutions in Tennessee under the laws of that State and contrary to the Constitution of the United States, he is forcibly reminded of the days and old scenes enacted under the Spanish Inquisition. To know of conscientious men being thrust into prison in this country, there to lie until the uttermost farthing be paid as a penalty for violation of what the wise legislators of that State deem good law on the Sunday question, is indeed horrible. Four men in said State are reported to have lain in jail some months because of acting in accordance with their religious convictions, believing that the seventh day is the Sabbath and keeping that day, and further believing in the command that "six days shalt thou labor and do all thy work," as well as the command, "but the seventh day is the Sabbath of the Lord thy God; in it thou shalt not do any work," etc. They were arrested for working on one of the six days, and although acknowledged to be good citizens otherwise, were thrust into prison to pay the penalty for what the statute books of Tennessee denominate a crime, no matter what his religious views may be regarding the Sabbath question. Such a law appears to be a kind of Church and State affair. A keeper of the seventh day has the same moral right to his convictions as the man who thinks he has it right when he observes the first day of the week as the Sabbath and keeps it. Old Tennessee should call a halt and retrace her steps in that which she seems to have entirely ignored, the Constitution of the United States, which guarantees to every citizen the right to worship God according to the dictates of his own conscience. The act of imprisoning men in this age for simply working on Sunday, at the same time they holding to the doctrine that the seventh day is the Sabbath, and keeping that day, savors too much of heathenism.—*Palmyra, (Wisconsin) Enterprise.*

### NATIONAL RELIGIOUS LIBERTY ASSOCIATION.

THE *Dassel Freeman*, Dassel, Minn., has set apart a column for the presentation of questions pertaining to the subject of religious liberty. The matter is edited by Mr. O. B. Knapp, who assumes the responsibility for the views presented in that department.

THE *Eight-Hour Herald* says in reference to workingmen and the Sunday closing of the World's Fair.

"There is no question but that there exists a deep-rooted and insurmountable opposition in the minds of the working classes of this country to the Sunday closing provision. Our experience teaches us that this is one question upon which workingmen can unite bodily, to all intents and purposes."

THE Grand Chief Templar of the Independent Order of Good Templars of California, at the thirty-third session of the Order just held at Stockton, Cal., said: "We pray that our Columbian Exposition may stick to the strict Puritan-American ideas of a sacred Sabbath."

The Good Templars of California should read the history of the enforcement of the "strict Puritan Sabbath" before they acquiesce in these views of their Grand Chief.

THE amalgamated religion of politics is likely to breed many ludicrous incidents. One religio-political event about as ridiculous as anything that has been reported since the resolutions of the Swine and Cattle breeders' Associations for the Sunday closing of the World's Fair, has been narrated by the *Christian Statesman*. The comicality of the situation is heightened by the self-satisfied gravity with which the *Statesman* tells it. This is the item:—

A Republican torch-light procession in Pittsburg, on a recent Saturday night, when the clock struck twelve in the midst of the march, and ushered in the Sabbath, turned itself at once into a sacred "concert" and the bands struck up,—

Here on the earth as a stranger I roam,  
Here is no rest, here is no rest.

The aptness of the application of this couplet to peripatetic politicians is certainly apparent to the dullest mind, but the most agile perception fails to seize the devotional idea.

THE press dispatches report that the Methodists of St. Louis have experienced a painful shock. In fact, the Methodism of St. Louis has received such a concussion that a reverend culprit is likely to be dislodged from his clerical seat by the recoil. As stated in the dispatch the head and front of the clerical offending seems to be the unpardonable sin of buying on Sunday. It appears upon investigation of the case that the commodity purchased was cigars, but the fact that a minister should use cigars becomes apparently insignificant and unnoticeable under the stress of the scandalous fact that they were bought on Sunday. True it appears, too, that the ministerial smoker also used profane language and was a bigamist, but these venial errors only serve as side issues, as it were, in the indictment for Sunday breaking under which this ecclesiastical sinner is to be brought before his conference.

MRS. ALICE HOUGHTON, one of the board of Lady Managers for the State of Washington, writing to the *Spokane Spokesman*, says:—

Petitions will this week be placed in prominent business houses of this city, protesting against closing the World's Fair on Sunday. The casual observer, without stopping to investigate just what ground this covers will exclaim, "We must not foreignize our American Sabbath;" and many go even farther and use the word "desecrate." Now let us pause for a moment and consider whether either word applies to the issue. . . . Let us look at this question fairly and honestly and let us

enroll our names among those who have some care and thought for humanity. Let us make this petition of such magnitude that Congress will immediately feel the necessity in their coming session of repealing this law.

Now that an organized effort to secure the Sunday opening of the Fair has been started, it devolves upon those who comprehend the true principle involved in this matter to use special zeal in bringing it to the attention of those who give their names and influence to this Sunday Opening Association.

The fact that they have been ready to do this is evidence that they are more than half way on the road to an understanding of the fact that this is a subject with which Congress has properly nothing whatever to do.

THE corresponding secretary of the National Religious Liberty Association, in an article in the *Battle Creek Review and Herald*, comments on the rapid progress of legislation upon religious questions, and the attention which the discussion of the impropriety of such legislation is now receiving, as well as the evidence of its continuance in increasing ratio, and says:—

As these agitations thus become so intense, it furnishes us great opportunities to present the truth before the people, and we should not allow ourselves to be indifferent to the situation. We trust that all are planning for an active campaign in the circulation of our Religious Liberty literature this winter. This discussion will reach a high degree of earnestness with both advocates of the Sunday-closing and those who are opposed to it, and while the opening or closing of the Fair in itself may not be of much consequence, it brings up the whole subject of legislation on these questions and all should be ready to step in and give the word of truth. THE AMERICAN SENTINEL, as well as other important reading matter, should be placed in the homes of many thousands of people where it has not gone as yet.

It is an earnest call which the secretary of the Association makes. It is a timely one also. The daily evidences that it is being heeded are most encouraging. The attention of the Nation is now attracted to these questions. It is the time to put forth every effort,—now or never.

THE *Mail and Express* speaks of the action of the Association organized in Chicago to secure the reversal of the Sunday closing provision attached to the World's Fair appropriation as "an aggressive movement by the Chicago Sabbath-breaking organization," and prints the following "special" in regard to it:—

The organization formed here a few weeks ago to secure the opening of the Exposition on Sundays has been doing a good deal of quiet work and will, in a few days, begin an aggressive movement throughout the country.

This organization, composed as it is, not only of Chicago business men, but including in its membership several widely known preachers, realizes fully that the Christian sentiment of the country is against its purposes. Still thousands of Chicago citizens demand that the Fair shall be open on Sundays, regardless of the moral or civil law.

The curious anomaly is presented by a movement headed by preachers that is opposed by church-goers throughout the country. The latter class here find much gratification in the fact that Bishop Potter, of New York, is the only prominent clergyman of any orthodox church who is conspicuous in the Sunday opening movement.

In Chicago the newspapers have generally advocated Sunday opening. The *Herald* has led in this and the campaign of the Sunday-breaking organization is practically under its management. The leaders in this movement fully realize that they must secure action by Congress before they can legally open the gates of Jackson Park on the Sabbath.

The vote of \$2,500,000 last spring by Congress in aid of the Exposition carried the express condition that the Fair should be closed on Sundays. It is to secure the amendment of this act of Congress that the Chicago organization is now at work manufacturing public sentiment.

The plan of campaign is to make Congress believe when it meets next month that there is a popular feeling throughout the country in favor of Sunday opening. To secure this a young newspaper man of Chicago is now making a tour of the large cities of the country seeking to secure

the co-operation of a leading journal in each city. The newspaper approached will be asked to present a petition to Congress to rescind the Sunday closing act. Readers of these papers will be asked to sign the petition and the paper will support the movement editorially. It is expected that hundreds of thousands of names will be signed to the petitions which will be forwarded to the Washington office of the organization and presented to Congress with much ceremony on the same day. The Chicago people are convinced that the petitions presented to Congress by the American Sabbath Union when the appropriation bill was pending was the influence that secured the passage of the Sunday closing measure. They think the same tactics will secure its repeal.

If this Association would work on the correct principles of governmental non-interference in religious matters the good done by it might be very great; but if it acknowledges the authority of Congress, legislature and courts, in such matters and only seeks for a paltry compromise, its action will only rivet the chains of religious law, and emphasize still further the theory of the authority of men over the religious views and observance of their neighbors.

On November 1, a bill was introduced in the Legislature of Vermont to amend the statute of that State prohibiting Sunday work, hunting, etc.

The present Sunday law of Vermont as given in the Revised laws of Vermont, 1881, Chap. 202, Sec. 4315, reads:—

Any person who between twelve o'clock Saturday night and sunset on the following Sunday exercises any business or employment except such only as works of necessity and charity, or is present at any public assembly except such as is held for social and religious worship and moral instruction, or travels, except from necessity or charity, or visits from house to house, except from motives of humanity or charity, or for moral or religious edification, or holds or resorts to any ball or dance, or uses or exercises any game, sport or play, or resorts to any tavern, inn or house of entertainment for amusement or recreation, shall be fined not more than two dollars.

The proposed amendment to this section increases the fine from two dollars to twenty dollars.

Another clause in the law is:—  
SECTION 4316. A person who hunts, shoots or pursues, takes or kills wild game or other birds or animals, or discharges any fire-arms, except in the just defense of person or property, or in the performance of military or police duty, on Sunday, shall be fined ten dollars, one half to go to the person who makes the complaint and one-half to the State.

The fine in this section is to be increased to twenty-five dollars.

These are the "stakes" that are being driven, while the Sabbath Union and Law and Order League are "getting the ropes ready."

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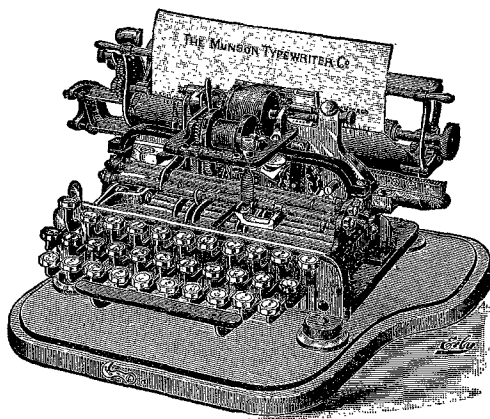
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NEW YORK, NOVEMBER 17, 1892.

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SOME months ago a Protestant student in Germany, published a brochure criticising the Holy Coat crusade at Treves. Bishop Korum, under whose auspices the crusade was carried on, brought suit against the author of the pamphlet with the result that he was sentenced to six week's imprisonment and his publisher to three. The case has been appealed, and will doubtless be carried to the Supreme Court of the Empire at Leipzig.

A CRITICAL reader calls our attention to the fact that on page 330 of the current volume, in the last paragraph in the first column, a wrong scripture reference is given. The error was in the proof-reading; for in the copy the reference was properly given, Eze. 22:26. No one who felt interest enough in the matter to look up the text would be at a loss to find it; and the application was so apt that none could fail to see it. Those who substitute Sunday for the Sabbath have *all* Scripture against them. The Sabbath "question" so-called is a "question" with only one side, so far as the Scriptures are concerned. Sunday as a holy day is absolutely unknown to Holy Writ.

COMMENTING upon Bishop Potter's article in the November *Century*, the *Christian Union* says:—

The American Sunday stands supremely as a religious institution, and Bishop Potter asks with great force, For what is religion, if it be not for the revelation of moral ideas? and he proposes that on Sunday there should be in some great hall in the Exposition a noble presentation of these greater themes suggested by the glory of mechanism and art; and, in addition to this direct teaching, he suggests the rendering of the works of the great masters of music on Sunday afternoons or evenings. This is an admirable practical illustration of Paul's direction to overcome the evil with the good. If every Sunday afternoon could be devoted to such addresses, the Exposition could be made a means of both broadening the Church's conception of Sunday and of commending the day to many who now disregard, if they do not positively resent it.

And why not? If it is the province of Congress to recognize Sunday at all as an institution of the Church and to legislate concerning it, why not carry the matter further and order the day to be observed in that way which in the judgment of our law-makers would best redound to the benefit of the Church and to the glorification of Sunday?

Bishop Potter and the *Christian Union*

may be woefully mistaken in thinking that an open Sunday Fair would be a "means of broadening the Church's conception of Sunday and of commending the day to many who now disregard it," but now that Sunday and the manner of its observance have by the action of Congress, and that with the consent of the churches, become a political question, they are logical in demanding that the measure and manner of Sunday observance shall likewise be settled by political methods.

THE President, in his role of official high priest of this "Christian" Nation, has issued the following proclamation:—

The gifts of God to our people during the past year have been so abundant and so special that the spirit of devout thanksgiving awaits not a call, but only the appointment of a day when it may have a common expression. He has stayed the pestilence at our door; he has given us more love for the free civil institutions, in the creation of which his directing providence was so conspicuous; he has awakened a deeper reverence for law; he has widened our philanthropy by a call to succor the distress in other lands; he has blessed our schools and is bringing forward a patriotic and God-fearing generation to execute his great and benevolent designs for our country; he has given us great increase in material wealth, and a wide diffusion of contentment and comfort in the homes of our people; he has given his grace to the sorrowing.

Wherefore, I Benjamin Harrison, President of the United States, do call upon all our people to observe, as we have been wont, Thursday, the twenty-fourth day of this month of November, as a day of thanksgiving to God for his mercies and of supplication for his continued care and grace.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 4th day of November, one thousand eight hundred and ninety-two, and of the independence of the United States the one hundred and seventeenth.

By the President, BENJAMIN HARRISON.  
JOHN W. FOSTER, Secretary of State.

It is a little strange that while such proclamations are issued, professedly, because this is a "Christian" Nation, this particular proclamation, like many others before it, bears no internal evidence of being a Christian document, or that it is issued by a Christian ruler. The veriest pagan might be the author of such a proclamation. Deioeces or Cyaxares might have issued a proclamation in the exact words of this one issued by the President of this "Christian" Nation, and nobody would have even suspected that it was not designed to honor the god of Persia.

If this is, as the Supreme Court holds that it is, a "Christian" Nation, the President certainly ought to issue Christian proclamations; if it is a pagan Nation, the proclamation in question will answer every purpose; but if the Nation is simply a civil government, organized for civil purposes, and as President Washington asserted, "is in no sense founded upon the Christian religion," we should at once and forever be done with the farce of professing something which only a small per centage of the people really feel,

and which causes a professedly Christian man, an elder in a Christian church, to deny his Lord by issuing as a Christian act, a proclamation which fails to recognize our Lord even in the date which it bears.

"THE president of the Ohio State University, a public institution, located at Columbus, Ohio," remarks the *Catholic Review*, "is a Methodist clergyman, the Rev. W. H. Scott. Is, did we say? No, was; for the other day he assembled the students in the chapel and announced to them that he had resigned from the ministry of that denomination in order to enter the 'freer and larger religious life' of Pantheism. But his presence at the head of a State school, the chapel that was built on the grounds with public funds for the use of himself and his brother preachers, the last baccalaureate sermon preached there by a Presbyterian clergyman, the Rev. Dr. Moore, and the general management of the whole place as a Protestant college, show what our friends mean when they insist that all our public institutions must be non-sectarian. Put a priest as president of that university, erect a chapel for the celebration of the mass, let all the professors be Catholics, invite other priests to come occasionally to address the students, and you will have the reverse of the picture of the non-sectarian Ohio State University as at present conducted."

And the same thing might be said of other State institutions both in Ohio and elsewhere; they are non-sectarian only in the sense that in management and curriculum they are in harmony with the ideas of the so-called orthodox churches; Catholics, Jews, Freethinkers, and the smaller Protestant bodies which dissent from some of the doctrines of the dominant churches, are not considered at all. They are not regarded as having any rights that ought to be respected.

WE are requested to say that Mr. E. M. Macdonald, who has since the death of D. M. Bennett been the editor of the *Truth Seeker*, the New York Freethought journal, has become the business as well as the editorial manager. Persons having relations with the *Truth Seeker* should address him at 28 Lafayette place, New York City.

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