



"IF ANY MAN HEAR MY WORDS, AND BELIEVE NOT, I JUDGE HIM NOT: FOR I CAME NOT TO JUDGE THE WORLD, BUT TO SAVE THE WORLD."

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ALONZO T. JONES, }
 CALVIN P. BOLLMAN, } EDITORS.
 LEON A. SMITH, } ASSISTANT EDITOR.

NOT A VICTORY FOR LIBERTY OF CONSCIENCE.

LAST week we published on our last page a special dispatch from Chicago, announcing the decision of Judge Gibbons of the Criminal Court of Cook County, declaring unconstitutional the special act passed by the Illinois Legislature in 1895, prohibiting barbering on Sunday.

We have since received the full text of the decision which is deserving of more than passing notice, because it has been hailed in some quarters as a victory for religious liberty.

Judge Gibbons held the act to be void, because it was class legislation; and the fundamental law of the State of Illinois provides that "the General Assembly shall not pass local or special laws" in any of a long list of enumerated cases; and special legislation is likewise prohibited "in all other cases, where general law can be made applicable."¹

Judge Gibbons very properly held that the act in question was in flagrant violation of the section alluded to. He said:—

I could never willingly consent to a law which would single out one class of citizens and visit them with penalties and punishment for actions which are innocent in themselves, from which all other classes are exempted.

This is good law and good sense, but we are sorry to say that the judge is not consistent throughout. Why should there be any "law" visiting anybody "with penalties and punishment for actions which are innocent in themselves"?

The judge seemed to fear that he would be understood as being opposed to Sunday legislation *in toto*, and apparently to guard against such an impression, he said:—

I should gladly uphold impartial legislation ordaining one day of rest in every seven; and if that day of rest should fall on Sunday, it would meet with

hearty approval from the great majority of the American people.

Then follows his declaration that he could not "consent to a law which would single out one class of citizens and visit them with penalties and punishment" "from which all other classes are exempted." He then continues, "Nor should I willingly assent to legislation which would place the ban of outlawry upon persons who believe in innocent and lawful recreation combined with rest on the sabbath day, which shall deprive persons pursuing a particular profession or vocation of their property, unless there was something in the nature of the property aimed at or in the vocation pursued hurtful to society."

It is difficult to understand what kind of a Sunday "law" Judge Gibbons would sanction. He declares that neither under the constitution of Illinois nor of the United States could an act be maintained requiring the observance of Sunday *on religious grounds*. He says: "The courts cannot take cognizance of the moral aspect of the case, even though a seventh day of rest seems to be established by divine decree." And again, his honor remarks:—

It must be apparent to every one that if the law under consideration is to be upheld, the action of the court can be justified upon no other theory than that the law promotes Sunday observance. Based upon such a theory, it finds no warrant in the Constitution, State or Federal. It is not within the province of the legislature to enforce an observance of religious duty on the sabbath.

Yet, he declares himself in favor of "impartial legislation ordaining one day of rest in every seven," and says, "If that day of rest should fall on Sunday, it would meet with the hearty approval of the great majority of the American people."

This proposition the judge attempts to justify by quoting approvingly the statement from the opinion of the Supreme Court of Virginia that "in all countries and ages among civilized peoples, governments have set apart days of rest recurring at short periods. This has been, and still is, regarded as necessary for the temporal welfare of the people as a certain amount of rest is regarded as absolutely necessary to men and animals subject to labor."²

It is not strange that Judge Gibbons adopts this view, since it is very common indeed, and

has long been urged by jurists and scientists in justification of so-called sabbath legislation. But notwithstanding the array of authorities quoted in its support it is not sustained by facts. A regular weekly rest has been the exception and not the rule among the nations of earth. And so far as physical strength and length of days are concerned, sabbath-keeping peoples have no advantage over those who know no weekly rest-day.

This custom has prevailed only among Jews and Christians. Even at the present time but little more than one-third of the inhabitants of the world have a stated weekly rest. Notwithstanding the fact that those having a set day of rest are more advanced in civilization and in sanitary science than are those not having such rest, it does not appear that the average of life is longer with them than with those who have no weekly rest day.

At a meeting held in Association Hall, this city, March 11, 1890, the writer heard Bishop Andrews, of the Methodist Episcopal Church, make the statement that "in China [from which he had but recently returned] they have no septennial division of time; no weekly rest-day, merely annual festivals. They work right along all the time with no day of rest as such; yet they live to a very advanced age. This fact has led one of the most careful thinkers who has ever been sent as missionary to China, to raise a serious question, whether the great purpose of the Sabbath is not for worship and communion with the other world."

This fact, stated by Bishop Andrews, completely refutes the physical-necessity argument so often made in justification of Sunday legislation. The truth is that a large element of the people demand Sunday laws. But the logic of our free institutions and of our written constitutions forbids such legislation; and it must be maintained, if maintained at all, upon other than the real grounds. Sunday "laws" are demanded only because of the religious regard in which Sunday is held by a large number of the people. The physical-necessity plea has been sought out in justification of that which is unjustifiable upon its own merits. So true is this, that the courts of a large number of States have ignored the constitutional prohibitions which Judge Gibbons theoretically recognizes, and have upheld Sunday legislation upon moral

¹ Art. 4, Sec. 22, Constitution of Illinois.

² In *Richmond vs. Moore*, *Supra*.

grounds; the very grounds upon which Judge Gibbons declares that "it finds no warrant in the Constitution, State or Federal."

The fact is, that we find nowhere else in our statute books any legislation similar to the Sunday statutes of the several States. The prohibition of Sunday labor is openly declared in some States to rest upon moral and religious grounds. This is notably true in Tennessee, Maryland, Georgia, and New York. Sunday work is likewise prohibited in other States, but in most of them professedly on so-called civil grounds, as a "police regulation," or a kind of "sanitary measure," because "man's physical necessities demand stated periods of rest," etc. But no corresponding attempt has ever been made to provide for the physical necessities of the people in the matter of rest. It is necessary that people should rest at night, and they should not over-work during the day; but, who ever heard of a law forbidding anyone to work whenever he desired to do so, except on Sunday? or requiring everybody to retire to bed at a certain hour and to spend a given number of hours in bed? The nearest approach that we have to this are laws fixing the number of hours that shall constitute a day's work; but such laws do not forbid persons to labor longer if they see fit.

Moreover the Sunday laws of most of the States bear upon their face evidence of their religious character. Such terms as "sabbath" and "Lord's day," and "sabbath desecration," and "whoever shall profane the sabbath," are too common in Sunday legislation to permit the idea that such statutes are simply "sanitary measures" or "police regulations."

Judge Gibbons' decision marks no advancement in the direction of religious liberty in this country; on the contrary, it rivets more firmly the fetters which bind the American people to the Sunday Juggernaut. He declares the act in question unconstitutional solely because it is class legislation. He confesses that barbering is in itself innocent; yea, that "it has long been recognized as a handiwork that very materially adds to the cleanliness and comeliness of the human family." He even finds scriptural indorsement of the trade, and yet he holds the act to be unconstitutional and beyond the legitimate power of the legislature, only because other equally harmless and even necessary occupations are not likewise prohibited! If the act had been general in its terms, if it had prohibited all manner of labor and business on Sunday, "works of necessity and charity only excepted," there is no question, judging by his own words, that Judge Gibbons would have sustained it.

EX-CONGRESSMAN SNODGRASS.

IN the course of his speech in the Adventist cases at Dayton, Tenn., Nov. 5, Ex-Congressman Snodgrass said, as reported in the *Chattanooga Times*, of the 6th inst. :—

"So far as I am concerned, the very law is obnoxious. I believe it is a violation of the organic law of the land. I believe that if the highest court in the land should ever have an opportunity to pass upon it, it would be declared void.

"They have as much right to keep the seventh day if they believe that it is the day they ought to keep holy as you have to keep the first day. One man believes in sprinkling, another in immersion. It is simply a difference in opinion; it is simply the exercise of judgment and conscience.

"Some governments said to which church you should belong and what money you should

pay to the church; and to raise your voice against these decrees was certain death; and this statute on our books is a relic of that past; it is a part of that barbarism—it is a part of the Dark Ages. Why, the idea of such a law in a free country like this, where a man believes he is serving God by keeping Saturday, and he is doing his duty to both God and man to rest on the seventh day. It is a violation of personal liberty to punish him."

Continuing, Mr. Snodgrass argued that the law was a violation of the bill of rights, and concluded by telling the jury that regardless of this question they should acquit the defendant, as the one act proven was not sufficient to constitute the offense charged in the indictment.

WE STAND FOR LAW.

WHILE so much is being said about the necessity of abiding by the law, the AMERICAN SENTINEL would, if possible, lift its voice higher than all others in behalf of the principle of allegiance to law,—to that which is *the* law, in the paramount sense of the word.

It is for this principle that the AMERICAN SENTINEL stands, and for it every word that it speaks is uttered.

We stand for law,—for right, for justice, for those eternal principles of the same which pertain to man's relation to his fellow-man, and to his God. This is law, and ever has been and must be law, independently of the ideas, the customs, and the statutes which have temporarily prevailed, in successive generations of human history.

What is law? Let us seek an answer from that Word which is infallible: "There is one Lawgiver, who is able to save and to destroy." Jas. 4:12. "The Lord is our judge, the Lord is our lawgiver, the Lord is our king; he will save us." Isa. 33:22.

All law is of God; he is the Creator of all, and in him therefore the eternal principles of right and justice must have their origin. Even the "laws of nature" are the laws of God.

"The heavens declare the glory of God, and the firmament showeth his handiwork." Sun and moon and shining stars in their orderly courses, without the sound of speech or language, proclaim, "The law of the Lord is perfect." Ps. 19:7.

Shall man, in the name of law, make void that law? Shall we stand in defense of anything which presumes to set aside one of the precepts of the Creator, under the plea of allegiance to law? To such questions we cannot so ably voice a fitting reply as is done in the following words by the Rev. Geo. Elliott, in his essay, "The Abiding Sabbath,"—the Fletcher Prize Essay for 1884:—

Long should pause the erring hand of man before it dares to chip away with the chisel of human reasonings one single word graven on the enduring tables by the hand of the infinite God! What is proposed?—To make an erasure in a heaven-born code; to expunge one article from the recorded will of the Eternal! Is the eternal tablet of his law to be defaced by a creature's hand? He who proposes such an act should fortify himself by reasons as holy as God and as mighty as his power. None but consecrated hands could touch the ark of God; thrice holy should be the hands which would dare alter the testimony which lay within the ark. By the lasting authority of the whole Decalogue with which the fourth commandment is inseparably connected, which is the embodiment of immutable moral law, and by the very words used in framing the command, the Sabbath is shown to be an institution of absolute, universal, and unchanging obligation.

But what has been done by the statutes of men? That precept of the eternal code which

says, "The seventh day is the Sabbath of the Lord thy God; in it thou shalt not do any work,"—which points out the true God, the creator of the heavens and the earth,—has been set aside and a rival day exalted in its place. The first day of the week is sought to be forced upon people as the weekly rest-day by the law of the land.

Is it allegiance to law to side with this daring attempt to set aside the law of the Highest? Are the well-being of society and the interests of good government to be promoted in that way?

The SENTINEL says, No; and therefore it is constrained to lift its voice of warning against the Sunday-exalting statutes, which are based, one and all, upon the assumption that Sunday is the Sabbath. In so doing it does not strike against law, but stands for the law of the Eternal, which cannot be set aside without the most disastrous consequences to mankind.

THANKSGIVING.

TO-DAY is Thanksgiving, set apart by the President of the United States "as a day of thanksgiving and prayer, to be kept by all our people." "On this day," says the President, "let us forego our usual occupations, and, in our accustomed places of worship, join in rendering thanks to the Giver of every good and perfect gift, for the bounteous returns that have rewarded our labors in the field and in the busy marts of trade, for the peace and order that have prevailed throughout the land, for our protection from pestilence and dire calamity, and for the other blessings that have been showered upon us from an open hand. And with our thanksgiving, let us humbly beseech the Lord to so incline the hearts of our people unto him that he will not leave us nor forsake us as a nation, but will continue to us his mercy and protecting care, guiding us in the path of national prosperity and happiness, enduing us with rectitude and virtue, and keeping alive within us a patriotic love for the free institutions which have been given us as our national heritage."

And this is officially done, as is witnessed by the these words: "I, Grover Cleveland, President of the United States, do hereby appoint and set apart Thursday, the 28th day of the present month of November, as the day of thanksgiving and prayer, to be kept and observed by all our people."

But by what right does the President of the United States set apart a day of thanksgiving, "to be kept and observed by all our people"? Who has appointed the President of the United States the high priest of the nation, the *pontifex maximus* of the American stomach, which once a year demands a sacrifice of roast turkey, cranberry sauce and pumpkin pie?

Who does not know that this whole Thanksgiving business is a hollow mockery, and that it is impossible for the nation as such to give thanks to God, and that the only genuine thanksgiving is that which wells up from individual hearts?

Thomas Jefferson, when President, considered himself prohibited by the Constitution from issuing any such proclamation. He said:—

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

But it is only proposed that I should *recommend*, not prescribe, a day of fasting and prayer. That is, that I should *indirectly* assume to the United States an authority over religious exercises, *which the Constitution has directly precluded them from.*

It must be meant, too, that this recommendation is

to carry some authority, and to be sanctioned by some penalty on those who disregard it; not, indeed, of fine and imprisonment, but of some degree of proscription, perhaps in public opinion. And does the change in the nature of the penalty make the recommendation less a law of conduct for those to whom it is directed?

I do not believe it is for the interest of religion to invite the civil magistrate to direct its exercises, its discipline, or its doctrines; nor of the religious societies, that the general government should be invested with the power of effecting any uniformity of time or matter among them.

Fasting and prayer are religious exercises; the enjoining them, an act of discipline. Every religious society has a right to determine for itself the times for these exercises, and the objects proper for them, according to their own particular tenets; and this right can never be safer than in their own hands, where the Constitution has deposited it.*

It is certain that there would be no less true thanksgiving than there now is if this matter were left just where Jefferson left it and where the Constitution leaves it, namely, with the churches and the people.

WHAT IT MEANS TO BE A CHRISTIAN.

[Christian Leader.]

THE attainment of the Christian is to be in the "likeness of Christ." What the devil hates most in man is the image of God in his heart. "Love your enemies, bless them that curse you, do good to them that hate you, and pray for them that spitefully use you and persecute you, that ye may be the children of your Father which is in heaven." "Be ye therefore perfect, even as your Father which is in heaven is perfect." "Be ye therefore followers of God as dear children." "Let your light so shine before men, that they may see your good works, and glorify your Father which is in heaven."

IT IS FITTING.

EVERY Sunday in the year and every hour of every Sunday, the Sunday "law" is violated in New York City by every street car line in the city, both surface and elevated, as it is also violated by the New York Central and Hudson River, and Hartford and New Haven railways. But no orders have been issued to the police of the city to make any arrests for these violations of the "law," hence, according to his own theory, that the one paramount duty of officials is to enforce the "law," President Roosevelt is guilty of criminal neglect of his official duty. But we do not so charge. We believe that it would be wrong to attempt to enforce the so-called "law" which we have cited. It is contrary to the law of nature, which is paramount to all human law, and it is because experience has demonstrated this, that the statute is not enforced.

The police authorities of New York know perfectly well that the running of street cars and of the elevated trains and of the railway trains and the selling of tickets is all just as illegal and just as much a violation of the "law" on Sunday as is anything else that is done or attempted to be done, and they make no effort to enforce the "law" against these things because they realize that they would not be sustained by the people in so doing, and they know that they will not be sustained by the people because these "laws" are an invasion of the rights of the people. And by their failure to even attempt to enforce the "law" in its entirety, Mr. Roosevelt and his fellow-commissioners confess that they do not regard as "more important than even the question of

what a law is, is the question of the honest enforcement of the law." They do not regard it as "the paramount duty of public officials to enforce the law." They no doubt regard it really as a paramount duty of officials to serve the best interests of the whole people; at least this is the light in which they ought to regard it. But while they do this in the matter of street cars and railway trains, they seem to lose sight of it in various minor matters. They are pursuing with the "law" the men and women who might otherwise earn a few much needed dimes and nickles on Sunday, while they close their eyes to the acts of the rich corporations that are reaping rich harvests of dollars every Sunday. But such "enforcement" of the Sunday "law" is fitting and ought to open the eyes of the people not only to the evils of all such legislation, but to the character of the Sunday institution itself.

SWEARING TO SUPPORT THE CONSTITUTION.

[By Addison Blakely, Ph. D., Lecturer in Political Science and History, University of Chicago.]

EVERY public official, before he enters upon the duties of his office, swears to support the Constitution. In this all are agreed. But right here an important question arises. Language conveys to different persons different meanings. In fact, by the very nature of things, no person can see material objects exactly as another sees them; this truth is more pronounced when it applies to a mental description of institutions and law, such as is the Constitution. Now the question is, Does the man in taking his oath to support the Constitution swear to support it as he understands that it is? or, Does he swear to support it as he understands that somebody else understands it?

These two views are the only views that can be taken of this much debated question. All are agreed that he must support the Constitution as it is. But how is he to know how it is? Is he to take John Doe's or Richard Roe's word for it? Or is he to endeavor to make up his mind himself from all sources bearing upon the question according to the best of his ability? Most assuredly, the latter.

If he were not to obey the Constitution as he himself understood it, the oath should read "that I will obey the Constitution as John Smith understands it," or "as the President of the United States understands it," or "as the Supreme Court understands it," etc., which oath would then mean that he would obey the Constitution as he understood that John Smith understood it, and so on. An oath, in law, always means the truth or facts as the deponent or speaker sees them. It is psychologically impossible that it should be otherwise. Whatever is (to me) is what is as I see it; and so when I swear what is, I swear what is as I understand it. Things could not be otherwise.

The most notable discussion ever had on this question was when Andrew Jackson was President of the United States. In reciting this controversy, Bishop, one of the very best legal authorities, lays down the law very clearly. "It will be remembered," says Bishop, "that during the administration of President Jackson, the question of rechartering the United States Bank came up for decision by Congress. And the two houses having passed a bill for its recharter, the President vetoed it on the ground, among others, that it was unconstitutional, notwithstanding the

question of its constitutionality had been decided in the affirmative by the Supreme Court of the United States.

"The veto-message, which was sent to the Senate, contained the following passage: 'The Congress, the Executive, and the Court must each for itself be guided by its own opinion of the Constitution. Each public officer who takes an oath to support the Constitution, swears that he will support it as he understands it, and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate, and of the President to decide upon the constitutionality of any bill or resolution, which may be presented to them for passage or approval, as it is of the supreme judges, when it may be brought before them for judicial decision. The opinion of the judges has no more authority over Congress than the opinion of the Congress has over the judges; and on that point the President is independent of both. The authority of the Supreme Court must not therefore be permitted to control the Congress or the Executive, when acting in their legislative capacities, but to have only such influence as the force of their reasonings may deserve.'"

"As soon as this message was read, a tempest began to rage in the Senate, and it raged through the whole country during the succeeding presidential election, and it has scarcely ceased raging now. The very clear and most accurate statement of the law just quoted, was denounced by the political opponents of the President in unmeasured terms, and all the people who could be influenced by them were made to believe it was rank heresy. 'No one,' said Mr. Clay, who in the Senate followed Mr. Webster in denouncing the message, 'swears to support it [the Constitution] as he understands it, but to support it simply as it is in truth.'"

If we bring the issue thus made up between Jackson and Clay to the test of authority, we shall find the question readily settled; and, as a legal question, it is not one about which there are two opinions. Suppose then, the violation, by the President, or by a member of Congress, of his official oath, is by a statute made punishable as perjury; and suppose a member of Congress, having voted for a measure which he believed to be unconstitutional, while the Supreme Court held it to be constitutional, is indicted before a judicial tribunal under the statute, and the facts appear as thus stated. The court, following the decision of the Supreme Court, would affirm the constitutionality of the measure for which the defendant had voted. It would next direct the jury to find the defendant guilty; because, though his vote was constitutional, he thought it was not, and for one to swear to what is true in fact, while he believes it to be false, is perjury.

"The proposition is that when a man swears to anything, though the oath is in form general, in matter of law he swears to the thing 'as he understands it.' This is an old doctrine, as old as the common law itself, and it has constantly maintained the vigor of its youth, both in England and this country, and at the present day it is as fresh and strong with us as ever. Thus, to go back to the time of Lord Coke, who is the great and overshadowing law authority, he says: 'Falsehood in knowledge and mind may be punished, though the words be true. For example, damages were awarded to the plaintiff in the Star Chamber according to the value of his goods riotously taken away by the defendant: the plaintiff caused two men to swear the value of his goods, that never saw nor knew

* 11 Benton's Debates, 519.

* 11 Benton's Debates, 536.

them; and, though that which they swore was true, yet, because they know it not, it was a false oath in them, for the which both the procurer and the witnesses were sentenced in the Star Chamber."³

"Now, it will be observed, that the form of the oath which the witness takes in court is, to speak the 'truth, the whole truth, and nothing but the truth.' Yet, in contemplation of law, it is, as the reader sees, to speak the truth as 'he understands it.' So, in like manner, the form of the oath which the legislator or the President takes is to support the Constitution; while, in contemplation of law, it is to support the Constitution as 'he understands it.' We have seen that, if the witness tells what is really true, but he does not understand it to be so, he swears falsely; so, on the other hand, if what the witness states is false, yet he believes it to be true, on what seems to be good ground of belief, he is innocent of perjury.⁴ And the latter part of this doctrine, as well as the former, applies to the President or a legislator, in respect of the official oath to support the Constitution."

"The author has just stated that this doctrine is old. Thus, Lord Coke has traced it back to the earliest dawn of light concerning the common law. He continues: 'For, as Fleta saith, Ad rectum juramentum exiguntur tria, veritas, conscientia, judicium; truth and conscience in the witness, and judgment in the judge. And herewith agreed Bracton, that a man may swear the truth, and yet be perjured. Dicunt quidam verum, et mentiuntur, et pejarant, eo quod contra mentem vadunt. Ut si Judacus juraverit Christum natum ex virgine, perjuriam committet, quia mentem vadit, quia non credit its esse et jurat.'⁵

"In like manner we may trace the doctrine down from Lord Coke through all the books on the original law, and through the adjudged cases, to the present time. The student who is curious on this point, will find help from consulting the note.⁶

The last statement of the doctrine by any text-writer is in the author's work on the Criminal Law. It is there set down as follows: "If the witness supposes he is testifying falsely, it is corrupt as to him, and a perversion of the truth in the court of justice; it is therefore perjury, though in fact what he says is true."⁷ Among the American cases is one in Indiana, decided in 1841, when the bench was occupied by able judges; and Blackford, a very competent judge, said: "To constitute perjury, the oath must, of course, be false; but that may be the case, whilst, at the same time, the matter sworn is true. The

law is, that what is sworn to must be either false in fact, or, if true, the defendant must not have known it to be so." The learned judge then quotes Lord Coke, the same as we have done, and adds: "The law is also so stated by the later writers on original law. It follows, we think, that where a man swears that a thing is so, or that he believes it to be so, when, in truth, he does not believe it to be so, the oath is false, though the fact really be as stated."⁸

"The Constitution of the United States, while it is the 'supreme law,' is so only in the sense of excluding all law which is in conflict with it. The law, which we are here considering, is, though unwritten, as obligatory as any written law, except such written law as is contrary to the unwritten provision. The clauses which require the oath to support the Constitution are not adverse to the unwritten law, but are to be construed by it; hence, we see, that the view which President Jackson presented of the oath was merely a statement of what was always the law of the land. . . . The law laid down by President Jackson was the old adjudged law, binding all persons concerned by the force of authority."

It is therefore evident that each officer must declare Sunday laws unconstitutional, *except when he believes them to be just and legal*, when, according to the law as we have presented it, he is protected in his belief; but otherwise, he violates his oath of office if he does not set the law aside and regard it as though it were not. "An unconstitutional statute," says Judge Cooley, "is to be regarded as having never, at any time, been possessed of any legal force."

SUNDAY OBSERVANCE.

Letter From Rev. M. O'Keefe on This Subject.

[From the Catholic Mirror, Baltimore, Md., Nov. 9.]

IN response to an invitation to attend a meeting of ministers in Towson, Father O'Keefe replied as follows:—

Towson, Baltimore Co., Md.,
Oct. 23, 1895.

REV. MESSRS. J. FRED HEISSE, W. G. CASSARD, and C. E. GUTHRIE—*Gentlemen*: I am in receipt of your esteemed favor of the 19th instant, courteously inviting me to attend a meeting in the lecture room of the M. E. Church, Towson, at 2:30 P. M. to-morrow, as follows:—

REV. M. O'KEEFE—*Reverend and Dear Brother*: The violations of the Sunday laws in your county is flagrant. The exposure of guilty parties is arresting attention. We desire a conference of the ministers of the county. Please meet us in the lecture room of the Towson M. E. Church, at 2:30 o'clock, next Thursday afternoon, Oct. 24. Sunday laws must be enforced. Come. Do not disappoint us.

Your Brethren,

{ J. FRED HEISSE.
W. G. CASSARD.
C. E. GUTHRIE.

October 19, 1895.

In reply, I would beg leave to say that whilst fully appreciating the courtesy extended me as a clergyman residing in the county, I am at loss to conjecture whether the invitation may be regarded as referring to me as a citizen or clergyman, or as both combined. Anyhow I regret to be obliged to state that I could not conscientiously participate in a discussion of the infraction of the Sunday laws.

Holding no office under the civil law, whether as judge, magistrate, sheriff, squire, bailiff, constable, detective or spy, paid or unpaid, I

could not help regarding myself otherwise than as an officious intermeddler in the legitimate business of the proper officers appointed to execute the laws, and who would very naturally regard my action as a gratuitous piece of interference in their legitimate calling.

The above officials under County Commissioners are the responsible officers entrusted with the duty of taking due cognizance of all such violations, and, doubtless, are as willing and ready as they are competent to bring all violators of the law to condign punishment. Hence, as a citizen of this great republic, I am amenable to the laws enacted by the people's representation for the benefit and happiness of the masses, and as one of the number, I highly appreciate and duly enjoy with undiminished gratitude the temporal blessings assured to every law-abiding citizen under that glorious flag of ours, which is the synonym of that genuine and plenary liberty attainable nowhere else on this planet.

Nevertheless, as a citizen neither the holder of, nor aspirant to any office, State or Federal, I am happy and contented in the role of a private individual, neither invited nor aspiring to, a participation in the control or management of public offices. Nor does my position as a recognized minister of the Christian religion seem to call for, or warrant any such interference. I hold in such esteem the divine calling I so unworthily represent that I would never, during my long life, avail myself of the right to register my vote for one or other political party; nor am I ever likely to do so, unless, indeed, that the ghost of "Sam"—defunct Know-nothingism—should once more develop itself in A. P. A. ism or other kindred, dark-lantern conspiracy, as it did in the early fifties, only to be crushed to powder by the voice and votes of an indignant people, uncompromisingly jealous of their liberty, religious as well as civil.

It is not, then, with me a question of right, but one of expediency as to whether I could consent to mire my priestly robes in the turbid and foul waters of muddy politics.

Hence, as a clergyman, I question the propriety or expediency of interfering, indirectly even, in the execution, or rather failure (if it prove so), on the part of officials to execute the Sunday laws, which are of a purely civil character.

As representatives of Christianity, we occupy a very questionable, nay, highly mortifying position, viz: to be obliged to acknowledge that the moral power of the Christian religion is lamentably inadequate to reform, measurably at least, the morals of its votaries without having recourse to the aid and interference of the civil law by imposing civil pains and penalties; thereby, publicly confessing the mortifying and shameful failure of Christianity to compass one of the chief ends of its institution and mission, viz: the culture of the moral law in the hearts of Christians. For the above reason, and others equally cogent (had I time to unfold them), I am reluctantly compelled to forego the pleasure which a meeting with my fellow citizens for discussion of the question named in the invitation would afford me.

Deeply impressed with the above views, during a long life as citizen and clergyman, I regret that our views as to the object of the meeting do not harmonize.

As a Catholic clergyman, I have ever been an earnest and steadfast advocate of Sunday observance; and I may say, too, without egotism, a life-long impersonation of total abstinence, and whilst I sincerely regret the use of intoxicants, I never could consent to be in touch with those who, in their rank fanaticism, would rob man of that God-given freedom

³ Gurneis's case, 3 Inst. 166.

⁴ 2. Bishop Crim. Law, 1007.

⁵ 3. Inst. 166.

⁶ Ockley's case, Palmer, 294; Allen v. Westley, Hct. 97; 1 Hawk. P. C. Curw. ed. p. 433, 6; 1 Gab. Crim. Law, 793; 2 Deacon Crim. Law, 1000; Archb. Crim. Law Proceed. 599; Archb. Crim. Pl. & V. 13th Eng. ed. 680; 2 Chit. Crim. Law, 303; 2 Russ. Crimes, Grea ed. 597; Whart. Am. Crim. Law, 4th ed. 2201; Rex v. Edwards, 2 Russ. Crimes, Grea. ed. 597 note; Rex v. Mawbet, 6 T. R. 619, 637; Commonwealth v. Hatstat, 2 Boston Law Reporter, 177, 179; People v. McKinney, 3 Parker C. C. 510; The State v. Cruikshank, 6 Blackf. 62. These authorities are all one way. They all sustain the doctrine of the text; but, as I wish to cite everything, I will add, that there is one case, reported in a book of reports which Mr. Wallace, in his Reports, 3rd ed. p. 226, says is, in point of reliability, "so so;" namely, the 3d of Modern, wherein that half-fabulous personage, "Curia," observes, by way of dictum: "There is a difference when a man swears a thing which is true in fact, and yet he doth not know it to be so, and to swear a thing to be true which is really false; the first is perjury before God, and the other is an offense of which the law takes notice." Rex v. Hinton, 3 Mod. 122. This is the only passage I ever saw in any law book, conflicting, even by way of dictum, with the doctrine of the text: and this leaves the offense to be perjury before God. But every lawyer knows that such an observation, from such a source, has no weight against a current of legal authority,

⁷ 2. Bishop Crim. Law, 3rd ed., 1004.

⁸ The State v. Cruikshank, 6 Blackf. 62.

which would be to him an inalienable gift and treasure. Two wrongs never made a right: and the drunkard and the fanatic are equally a nuisance—the latter the more dangerous of the two.

Whilst dealing with the question, I publicly own that although I have never but once in my life tasted liquor, and then whilst presumably in the jaws of death from yellow fever, my physician admonished me that death was inevitable, unless I consented to use a mint-julep—the vomit, the last stage of yellow fever, having set in. I then touched liquor for the first and last time during a life fast verging on the three-score and ten.

Before closing this letter, I would call attention to a distinction between violation of the divine and civil law. The latter enacts a penalty from the man who sells liquor on Sunday, on conviction, and should intoxication result to the individual, he is amenable to the law of God for his complicity in the crime of drunkenness, not because of Sunday, for the same guilt attaches to any other day. Were he and his victim Catholics, they are both before God guilty of the additional crime of desecration of the Lord's day. This is the result of an overt act of disobedience to the voice of the Church, commanding her children to keep the Sunday "holy;" God commanding us to hear her voice. But, reverend sirs, let me admonish you that no Protestant, true to the principles of his religion and conscientiously obedient to his teacher, the Bible, need ever have misgivings as regards the freedom of Sunday; nay, more, his teacher is consistent in impressing on him in every page of the New Testament as well as of the Old, that God has appointed the Sabbath or Saturday as the day set apart by him for his worship.

Our Saviour, whilst on earth, kept no other day; and we learn that for over thirty years after his death, the Acts of the Apostles record the fact that the Apostles consistently kept their divine master's Sabbath (the Sabbath which the Jews have kept ever since for over eighteen centuries, they having the same teacher, the Bible, as you have) according to the practice and teachings of Christ and his apostles, without modification, as testified by the New Testament from Matthew's Gospel to the Revelation. This statement is absolutely true and unsusceptible of successful contradiction; imagine, then, my surprise on reading the city papers yesterday of the anomalous and self-stultifying position occupied by you, as accredited ministers of the Christian religion, assuming the role of . . . spies—a self-constituted smelling committee—for you represent no civil office whatsoever, laying snares and traps to inveigle the unwary that you might drag them before the civil courts for violation of a purely civil law, forbidding the sale of liquor on the first day of each week. On what grounds, may I ask, can you justify such proceedings? How were these people interfering with you in the practice of your religious acts? Place your finger on any page of your acknowledged divine teacher, the Bible, and show the world the proof that, on your own principles, they had violated any ordinance of the Christian religion. I hereby denounce your conduct in this matter as not only highly reprehensible, but as being in direct violation of the revealed will of God as taught by your Bible.

You had succeeded in getting a verdict against them before the civil courts for transgression against the civil law. I now in the presence of the public pronounce you, on your principles, guilty of the grossest misdemeanor, thousands of times over, against the divine law.

When, let me ask, have you, even once, in your lifetime, kept the command of God: "Remember the Sabbath-day, to keep it holy?"

Which day is the Sabbath? I answer the last day of the week, the day kept by God himself, and for that reason, assigned by him for observance by man, the Sabbath or the day kept by the Redeemer and his apostles whilst they lived on earth.

You pose before the world as models of Christian morality, and behold every week of your lives you are guilty of gross violation of one of God's most positive precepts, "Remember the Sabbath," etc. Let me illustrate in order to prove God's earnestness in this respect; "And it came to pass, when the children of Israel were in the wilderness; and had found a man gathering sticks on the Sabbath-day; that they brought him to Moses and Aaron, and the whole multitude. And they put him into prison, not knowing what they should do with him. And the Lord said to Moses: Let that man die, let all the multitude stone him without the camp. And when they had brought him out, they stoned him, and he died as the Lord commanded." Num. 15:32-36. Such, Rev. Sirs, was the punishment meted out by command of God to a man who was guilty but once of an infraction of the law of the Sabbath, whilst each one of you is guilty of a similar desecration of the Sabbath (Saturday) each Saturday of his life—and this on the unerring testimony of your own teacher, the Bible. "Out of thy mouth I judge thee thou wicked servant."

Nor has God's counsels changed by the exercise of infinite patience. He can afford to abide his time for the vindication of his authority and contempt of his commands. The precept, "Remember the Lord's day, to keep it holy," is as obligatory now as it was in the Old Law, as in the instance above quoted. Can you offer the slightest pretext or palliation for your abandonment of your teacher, the Bible, which enjoins absolutely the keeping of that day, kept by God himself first, after the creation? You pursued the violation of the civil law unrelentingly and did not cease, until you secured a conviction. How, may I ask, will you fare when cited before the Divine tribunal, and compelled to confess from the pages of the Divine Record, which you boast of as your guide and teacher, that you have *never once* obeyed the Sabbath precept, and that you stand to-day before God, heaven and earth as the most unmitigated Sabbath breakers on earth? Do I exaggerate in the slightest degree the unscrupulous antagonism to the law of the Sabbath evinced by you, every week of your lives? Not in the least. And for the purpose of leaving you not a shadow of excuse, I herewith present each of you two pamphlets containing the countless proofs of your apostasy from the teachings of the Bible, your sole and recognized teacher. I defy you to disprove these pamphlets. Observe silence with regard to them, and the public must conclude that you rank, as I have already designated you, amongst the champion Sabbath breakers on earth, as the pamphlets, based on God's Word, your guide, prove you to be.

I have no sympathy with violations of the civil law, but when men are hunted down by self-righteous, self-constituted . . . spies, and detectives, whose record as violators of one of God's most positive precepts is unquestionable, I am reminded of Satan rebuking sin.

I will now conclude with the word of rebuke spoken by our divine Saviour (Matt. 7:2): "And why seest thou the mote that is in thy brother's eye [the violations of the civil law] and seest not the beam in thy own?" (the life-long career of a Sabbath breaker.) "Or how sayest thou to thy brother: Let me cut the mote out of thy eye; and behold a beam is in thy own eyes? Thou hypocrite; cast

out first the beam out of thy own eye, and then shalt thou see to cast out the mote out of thy brother's eye." Remove the beam before you search for the mote.

Having assigned you your true position as champion biblical Sabbath breakers, whilst I have shown that the victims of your self-righteous, arrogant and unjustifiable persecution, were merely violators of the civil law, a crime insignificant compared with yours, I close this correspondence with the sincere hope that you will reopen it, with a manly effort at self-vindication. Count on a reply.

M. O'KEEFE,
Catholic Pastor, Towson.

PERSECUTION IN THE TRANSCAUCASUS.

[New York Independent.]

WE have received news which has confirmed in all their hideous details the accounts which have already appeared in the English press of the persecution of the Dukhobors in the Transcaucasus. It all began by the Dukhobor conscripts being obliged by their officers to go to orthodox churches. The young soldiers wrote to their parents for advice, and they were counseled to throw down their arms. This they did, and were at once unmercifully beaten by command of their officers. The exact sequence of events is still wanting; but the next event is the assembling of all the Dukhobor soldiers in a field with their weapons. A huge fire has been built up and lighted, and on this they are casting their weapons when up gallops a regiment of Cossacks, with the provincial governor at their head. The Dukhobors did not submit and point blank refused to serve in the army. The governor in a rage ordered the Cossacks to do their worst, and for seven long days the wretched religionists were beaten and cuffed about, their women dishonored, their property ruined. Their position is now a terrible one. Their villages have been broken up, and they are scattered about all over the country in twos and threes, none daring to offer them shelter.

A PITIFUL PIECE OF SPECIAL PLEADING.

[St. Louis Globe Democrat, July 14, 1895.]

FROM the orthodox standpoint, the Adventist is absolutely right in the premises. If the Decalogue is to be regarded as perpetually binding upon the conscience of Christians, and all parts of it equally binding, there is not the slightest doubt that the seventh day should be observed as the Sabbath. There is not a shred of testimony in existence that either the Old or New Testament ever substituted any other day as a Sabbath. We are to "remember the Sabbath day," and there is no "Sabbath day" except Saturday. Any attempt to show that the sanctity of the day was transferred to any other day is a pitiful piece of special pleading, unworthy an honest mind. There is not an argument to sustain such a view that any court in the land would have the patience to listen to. The facts are all against the "Christian sabbath." The term is a misnomer and ought never to be used. The simple historic fact is, that the early Church dropped the observance of the fourth commandment just as they dropped the observance of many Jewish ceremonies, simply because these things belonged to an outgrown faith. . . . Luther and Calvin and the early Reformers understood this plainly. With them Sunday was not the substitute for the Sabbath. They never quoted the fourth commandment as having any relation to the Christian day of rest. They observed Sunday sim-

ply because it was the weekly anniversary of the Lord's resurrection. They abstained from labor, not because of the Decalogue, but because servile labor was one of the consequences of the fall of man from which Christ had redeemed them. But it is intolerant, bigoted and cruel to persecute and prosecute a sincere, earnest and truly religious body of men and women simply because they observe a day of rest which does not please the majority of people. It is not claimed that they interfere with the liberty or comfort or worship of any of their fellow-citizens, but only that they are offending the dominant religious sense of the community. That is what it practically amounts to.

NOT APPOINTED TO GOVERN THE STATE.

[*The Outlook*, Nov. 2.]

THE minister is not sent to govern, either in Church or in State. Whether individuals or parties come before him, he may reply, with Christ, "Who set me to be a judge over you?" He makes a mistake if he endeavors to carry his ministerial authority into the realm of politics. His kingdom is not of this world; it is a kingdom of truth, and he that is of the truth heareth his voice. When ministers have undertaken to control the political administration of the world, they have made a poor business of it—and this whether they were Roman Catholic priests in mediæval Europe, or Presbyterian elders in the Barebones Parliament, or Episcopal bishops in the House of Lords, or Congregational clergy in the Puritan hierarchy of New England. It is true that the minister is also a private citizen, and as a private citizen may take his part in political discussions, but even this he would better do cautiously, if at all. He has a grander service than that of reforming society, namely, regenerating it. To inspire a higher spirit of justice, purity, and patriotism in men of all parties is a nobler service than to shape the political platform or influence the political nominations of any one party.

And as he is not appointed to govern in the State, so neither is he appointed to govern in the Church. He is not a lord over God's heritage; he is not to be called master, nor is he ever to forget that he who is the greatest is the servant of all. Nor is this any real self-abnegation. Influence is more valuable than power. Pilate and Caiaphas had power, one in the State, the other in the Church; and the State and Church where they respectively ruled are both disintegrated. Christ had influence; it survived his death and has created new States and a new church. Power belongs to the form of organization, and perishes when the form changes; influence is vital, and is as immortal as life itself.

"FAR OUT OF THEIR PROVINCE."

[*Free Press*, Murfreesboro, Tenn., Nov. 23.]

WE have no respect for that man or that body of men who arrogate to themselves the right to say by what method a man shall address himself to a higher being. Man may control man's fleshly tendencies, but when he presumes to dictate to a fellow-being what he shall or shall not do when that fellow-being is making petition by word or deed to God is unwarranted and even blasphemous. He who throws obstacles in the way of him who is earnestly and conscientiously seeking to carry out the teaching of his Maker treads on dangerous territory.

PENNSYLVANIA STRUGGLING FOR LIBERTY.

[*The Philadelphia Record*, Aug. 8.]

THERE is at present on the statute books of this commonwealth a law which is in itself a reproach to the intelligence, the liberality and the justice of any Democratic-Republican community. This law strikes at the very root of personal liberty. Every American citizen should have respect for law; and, in fact, most Americans have an ardent and constant regard for proper authority. But when laws like the Sunday law of 1794 are made, and obedience to them is required, the citizen should protest frankly and emphatically against their operation. Laws of this character have no place in our civil code. They are a relic of mediæval monasticism. . . . The people have borne with them long enough. They have obeyed them with the same spirit that one complies with the whims and caprices of an old maid. But now they are tired, nauseated, and disgusted with the long-standing farce. And in the name of decency, and out of respect for the personal liberty guaranteed by the men of 1776 and 1789, they demand the immediate repeal of the Sunday law of 1794. Its provisions are subversive of true liberty; its restraint is opposed to the spirit of religious tolerance; it is in itself unreasonable, iniquitous and tyrannical. Liberty requires that it be repealed; the people demand it! Blot it out!

A PRAYER FOR LIBERTY.

BY FANNIE BOLTON.

DARK were the clouds that once shadowed the land,
When the State held the conscience with stern, iron hand,
When freedom of worship, by law was curtailed,
And sweet Liberty's banner no more was unfurled.
Oh! oh! then were sighs of woe.
Oh! oh! then were tears aflow.
Oh! oh! prayers were whispered low,—
"Father in heaven, we look to thee,
Earth's mighty nations speak tyranny,
Turn this fierce tide, and calm this wild din,
And keep us from sin. . . . Hear our prayer."
And God above listened in love;
Sent down the light that scattered night,
Till Liberty once more was free
To lend her help to you and me.

Sweet peace rules the world where Liberty reigns;
Injustice is banished with torture and pains.
The Dark Ages flee 'neath the light of her smile,
And kindness and beauty touch nations the while.
Oh! oh! shall it not be so?
Oh! oh! bring us no more woe.
Oh, oh, let our prayers breathe low,—
Father in heaven, we look to thee;
Sweep from our country dread tyranny.
Quell this fierce strife, and calm this wild din,
And keep us from sin. . . . Thus we pray.
But should the storm break on our path
Let no alarm come from earth's wrath.
Calmly in love, we'll look to thee,
Father, in whom is Liberty.

SUNDAY ENFORCEMENT IN MARYLAND.

THE *Baltimore Methodist*, "published by the authority and with the patronage of the Baltimore Conference of the Methodist Episcopal Church," is making a strong fight for general Sunday-law enforcement in that city.

All that was required in Baltimore to secure the prosecution of a poor Seventh-day Adventist cobbler, was for one or two Sunday-keepers to lodge complaint against him with the police authorities. He was then watched and arrested for mending shoes in his own rooms on

Sunday. But thus far, to the best of our knowledge, the *Baltimore Methodist* has called in vain upon the police authorities to close the saloons upon Sunday. The editor complains, in his issue of Oct. 3, that notwithstanding the fact that he "went under oath before the grand jury and most plainly told those gentlemen some startling facts," the saloons complained of are still open on Sunday. "We write this with the blush of shame," says this Methodist editor. Almost in despair he says:—

Information comes to us direct that after our testimony was given, the grand jury had a prolonged discussion, as a number of jurors contended that the evidence furnished was not sufficient upon which to frame indictments. We stand amazed. Is Towson waiting for more evidence? What stronger testimony can be given? We have done filthier work than we ever dreamed of doing to get satisfactory evidence. The editor himself trudged through heat and sand much to his discomfort, sabbath after sabbath, secured incontrovertible testimony, and at sacrifice of time and placing ease in the background, spent hours at the county seat.

And all this was practically to no purpose, which goes to emphasize the fact that there is not sufficient public sentiment back of Sunday laws to secure their enforcement, except against a small minority, whose religious belief and practice is not in accord with that of their neighbors.

CATHOLICS ON SUNDAY OBSERVANCE.

SEVERAL of the Catholic papers have had in them recently, various notices relative to the part "Protestant" ministers are taking in trying to follow Dr. Parkhurst. One of the strongest items of the kind which has come to our notice was a letter from "Father" O'Keefe to some ministers in Towson, Md. It seems the Protestant clergy had thought it was incumbent upon them to investigate the infractions of Sunday laws, and wishing to make the matter as universal as possible they invited "Father" O'Keefe to be present at and to take part in their deliberations. "Father" O'Keefe took occasion to reply to the invitation, and at the same time gave them a terrible scoring for the efforts they were putting forth, to do, as he called it, the work of "spies and detectives." And now comes the following, from the *Pittsburg Catholic*, of Nov. 14:—

That Ohio minister, a candidate for the State legislature, who thought he could put money in his pocket by promising his vote, if elected, to Senator Brice, is in bad odor. His pulpiterers reject him, and his fellow-citizens regard him as a Judas. In the days of "Old Hickory," a minister called on him for an office, stating that he had stumped for his election every week-day of his campaign and preached for the Lord on Sundays. Jackson turned short to him, and looking him squarely in the face, said: "By the Eternal, if you would cheat for the Lord you would cheat the country. I will have nothing to do with you nor with anything like you. Good morning!" The political preacher was justly estimated.

As a rule we take issue with those of the Catholic faith upon nearly every point, and it gives us a good deal of satisfaction to be able to say "Amen" to much which "Father" O'Keefe says. (We print this letter for the information of our readers, on page 373.) It is certainly true that the Lord has never put it upon any of his ministers to meddle in civil affairs, and this only goes to show that the Church, having lost the power of God, still retaining the form of godliness, tries to make up for the deficiency by getting the State to legislate in its behalf, and then the ministers of the church freely assist the officers of the law in enforcing those measures which have been adopted at the instigation of the clerical party.



NEW YORK, NOVEMBER 28, 1895.

ANY ONE receiving the AMERICAN SENTINEL without having ordered it may know that it is sent to him by some friend. Therefore, those who have not ordered the SENTINEL need have no fears that they will be asked to pay for it.

CAPE COLONY has recently placed another Sunday "law" upon its statute books. Our South African correspondent discusses it in an article which we will print next week.

THE *Independent* attributes Republican success in this State, in part at least, to Warner Miller's Sunday plank, and says: "He is the true leader of the people on this question, and the Republicans of the Legislature must pay heed to him."

WHILE you are reading this item at home, surrounded by loved ones, enjoying your God-given and constitutionally guaranteed freedom, R. R. Whaley, of Church Hill, Md., is a prisoner in the Centreville Jail for no other offense than hoeing cabbage plants on Sunday in his own garden after having observed "the Sabbath according to the commandment."

WE still have on hand a few hundred copies of the illustrated SENTINEL of Sept. 26, containing the historical article, "Religious Toleration in Maryland." Everybody ought to know the facts stated in this article. It is a complete refutation of the claim that Roman Catholics established religious liberty in Maryland.

THE *Independent* nominates Warner Miller for United States Senator, to succeed David B. Hill in 1897. Our contemporary says of Mr. Miller: "His understanding of what Israel ought to do in an emergency, and his statesman-like qualities highly commend him for the United States Senate." It was Warner Miller who sprung upon the Republican convention "the unqualified endorsement of the so-called Christian sabbath."

ALL communications intended for publication in this paper or for the information of the editors, should be addressed, "Editor AMERICAN SENTINEL," and not to any individual. Business communications, subscriptions, change of address, etc., should be directed to "AMERICAN SENTINEL," and not to the editors or to any individual. The reason is that the editorial work is done in one room, and the subscription books are kept in the counting-room on another floor.

NOVEMBER 11, a street flower vender was arraigned in the Harlem Police Court for selling a bunch of violets on Sunday. To the credit of the justice, be it said, the defendant was promptly discharged. But technically, the sale of a bunch of violets on Sun-

day is just as much a violation of the "law" as would be the sale of a horse or of a suit of clothes, or any other article of legitimate trade; but the justice before whom this prisoner was arraigned chose to follow the law of justice rather than the statute, in this instance.

It is said that in a recent interview Cardinal Swampa, the probable successor of Leo XIII., laments the national observance of September 20 as equivalent to opening an old sore. In his opinion the papacy can never be reconciled with Italy unless the latter restores to it the fullest territorial liberty. Until this be done he feels that, in civil matters, the position of the pope is very little better than that of a government employé.

THE *Northwestern Chronicle* (Roman Catholic), in its issue of November 1, prints a synopsis of a lecture by "Rev. Father" Thomas E. Sherman, son of the late General Sherman, in which he is credited with these words: "Our grandfathers found that they could not unite the Church and State if they wished to form a nation. However, we have what amounts to a union of the Church and State. The object of union has been attained after all—they are one in principle, one in action. If there is not a kindly sympathy between the Church and the State, why is it that there are chaplains in our armies, and that our church property is untaxed? The church is content that there should not be a union in the strict sense, because we believe that this form of government is one under which the church can best thrive—a form of government which is to her best interests."

PERSECUTION IN ILLINOIS.

MONDAY, Nov. 11, J. F. Rothrock, a Seventh-day Adventist, was tried at Albion, Edwards County, Ill., for the "crime" of keeping open his store on a certain Sunday in May last. He was found "guilty" and fined ten dollars and costs. The judge, however, granted a new trial, which will defer the decision of the case till next spring.

Wednesday, the 13th, several more Adventists, mostly farmers, were tried at Olney, Richland County, for the like "crime" of pursuing their customary vocations upon the first day of the week. Considerable difficulty was encountered in selecting the jury, the prosecuting attorney being careful to ask each person called if he attended the Adventist camp-meeting held at Olney last fall, and promptly ruling them out if their answer was in the affirmative. The trial resulted in the conviction of those indicted. We have not learned the amount of the fine.

As is usual in such cases, the testimony of the witnesses called revealed that the prosecution was inspired by a spirit of religious animosity. One lady, seventy-two years of age, testified that she was disturbed by plowing done on Sunday by one of the prisoners in a

field a quarter of a mile from her home, and that the disturbance consisted mainly in her knowing that a young man of such good character as she knew the prisoner to have, was at work on the sabbath day that she had always been taught to keep. Another witness testified that he was disturbed in his mind by this Sunday plowing, notwithstanding that he had on the previous Sunday, as he admitted, assisted in hiving a swarm of bees. The two leading prosecutors in the case are men who were recently arrested and fined for disturbing a singing-school.

The Sunday statute of Illinois provides that—

Whoever disturbs the peace and good order of society by labor (works of necessity and charity excepted), by any amusement or diversion on Sunday, shall be fined not exceeding \$25. This section shall not be construed to prevent watermen and railroad companies from landing their passengers, or watermen from loading and unloading their cargoes, or ferrymen from carrying over the water travelers and persons moving their families on the first day of the week, nor to prevent the due exercise of the rights of conscience by whomever thinks proper to keep any other day as a sabbath.

From this it appears that it was the plain intention of the framers of the statute that such persons as observed another day than Sunday as a sabbath, should be protected from interference in the quiet, peaceable pursuit of their regular vocations on the first day of the week. But notwithstanding this, these Adventists are convicted and fined just as though there were no such provision in the statute.

It is probable that an appeal will be taken in these cases to the State Supreme Court.

THE *Catholic Review* says: "Who will tell us? 1. How many Protestants there are in South America? 2. How many of them are natives? 3. What is the text of the laws which the Methodist ministers of Chicago say abridge the civil or religious liberty of those Protestants? We want to get at the exact truth."

In giving this information to the *Catholic Review*, will the Methodists know enough of the true principles of religious liberty to inform the *Review*, and through it the pope, and the Roman hierarchy everywhere, that the number of Protestants in South America makes not one bit of difference; that religious liberty is a God-given right, and that a minority of one is entitled to the free enjoyment of it equally with a larger minority or even with the majority?

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