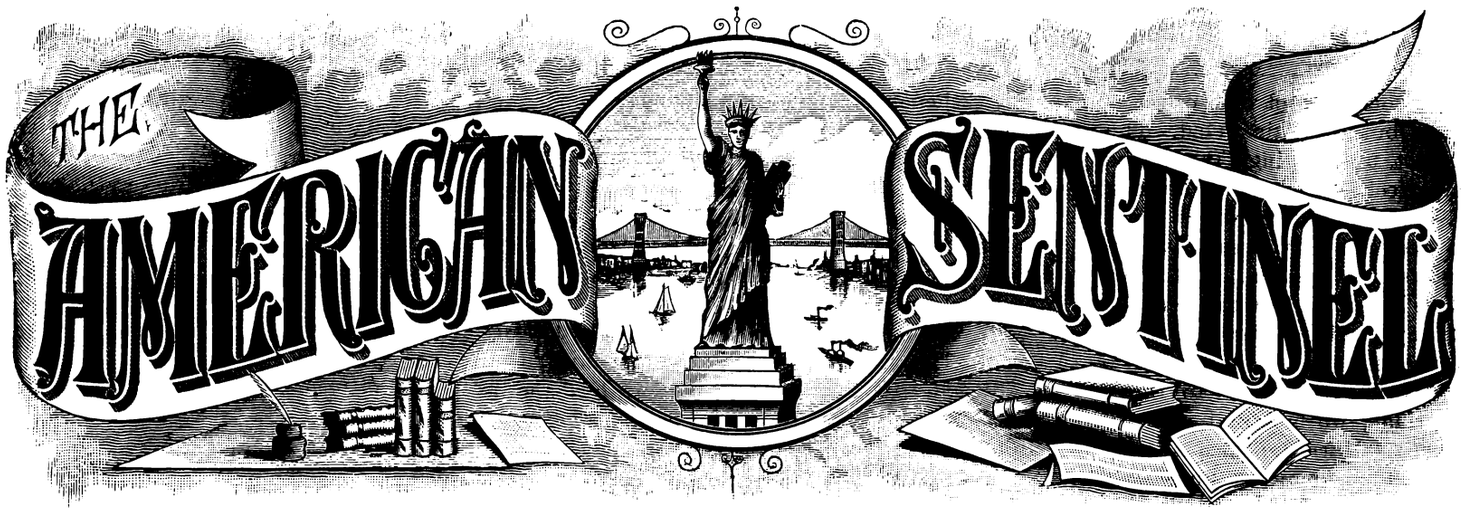

Equal and exact justice to all men, of whatever state or persuasion, religious or political.—*Thomas Jefferson.*

VOLUME 5. NEW YORK, SEPTEMBER 4, 1890. NUMBER 35.

The American Sentinel.

PUBLISHED WEEKLY, BY THE

PACIFIC PRESS PUBLISHING COMPANY,

No. 43 Bond St., New York.

Entered at the New York Post Office as Second Class Matter.

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OF Sunday laws, the Denver *News* says: "The utmost freedom in matters of this kind should be allowed. The less the statutes of a State undertake to control the conscience of its people in religious observances, the more they will commend themselves to the enlightened judgment of the world at large."

COMMENTING upon the action of the late Presbyterian General Assembly, in re-affirming the declaration of the Assembly of 1870, in regard to religious instruction in our public schools, the *Independent* says: "The Assembly did not define what this instruction should be; and if it had made the attempt, it would thereby have proved the unwisdom and impracticability of the idea in our public-school system, existing under the authority of the State, and supported by general taxation. The radical difficulty on this subject consists in determining what religion shall be taught at the public expense."

THE people are getting tired of officious intermeddling with the freedom of thought and belief, from persons who would rule the minds and bodies of others in the name of religion. And while there is so much said by Protestants against Catholic rule, there is one thing very certain, that while all religions are tolerated in this country, the people would not submit to the government of any one of the Protestant denominations sooner than to the Catholics. We are a free people, to think and believe at will, without dictation from any ecclesiastical source whatever. Our Government says, "Think and believe for yourselves, but hands off in religious matters."—*Judge Barlow.*

Religious Liberty and the Mormon Question.

AN interesting question, and a very important one too, has been raised in connection with the Sunday-law controversy; it is this: How can any one oppose Sunday laws on the ground that they are religious, and at the same time favor laws forbidding polygamy, which the Mormons hold as a part of their religion? To many the question appears difficult; but the answer is direct and easy, for the two things are totally unlike in every essential particular.

It is urged, however, that the Sabbath and marriage are both divine institutions, and that therefore the same rule should apply to both. It is true that marriage is a divine institution, but in a widely different sense from the Sabbath. The Sabbath is a divine institution, not only in the sense that it was instituted by the Creator, but in the sense that its existence depends solely upon divine revelation. And this revelation is something with which civil government can have nothing to do. Marriage is a divine institution in quite another sense, namely, it is ordained of God, not only because it is a matter of revelation, but because the inherent sense of every man informs him that marriage is one of the objects of life; he is instinctively drawn into the marriage bond. It is a natural relation, not, like the Sabbath, dependent upon revelation for its very existence. The Sabbath has reference solely to God, and to man's relation to him; marriage pertains wholly to the relations which the Creator designed should exist between man and woman. God has separated, not only in revelation but in nature, between the duties which man owes to him, and the duties which every man owes to his fellowmen; and a just regard for human rights demands that this distinction be respected.

The reason for the distinction between the duties which men owe to God, and the duties which they owe one to another, is so evident, that it needs only to be pointed out to be apparent to every one. God is the great moral Governor; to him every soul is responsible; to him every free moral agent must give account. To permit any power whatever to come between the individual and God, would destroy this individual responsibility to God. If it were the province of the State to enforce the law of God, the individual would naturally seek to know not the will of God, but the will of the State. And the effect would be to put the State in the place of God, just as the Papacy puts the Pope in the place of God, "so that he as God sitteth in the temple of God, showing himself that he is God." But God has no vicegerent upon earth.

The original Sabbath is a memorial of the creation. It was instituted for that purpose, and its intelligent observance is a recognition of God as the Creator of the heavens and the earth. It does not pertain to our duties to our fellowmen, but solely to our recognition of God; and a failure to observe it imposes no financial burden upon the State. Likewise, Sunday, the day now generally kept, is observed as a memorial of the resurrection of Christ. Its significance is, therefore, wholly religious. Thus, look at it either from the standpoint of the seventh or of the first day, the keeping of a weekly rest, has reference to the recognition of God as the proper object of worship. Therefore, to require such observance under any pretext whatever, is to require the observance of a religious institution.

Moreover, if the State had the right to require the observance of the Sabbath, or of a Sabbath, it would of necessity, have also a right to say in what that observance should consist; and all would be in duty bound to obey its mandates, under penalty not only of the civil law but of the divine law as well, for to dis-

obey would be not only crime against the State, but sin against God. Thus, not the perfect, unchanging law of God, but the imperfect, ever-changing law of man would be the standard by which men would be judged, not only in earthly courts but in the court of heaven. It follows that the State has no right whatever to enact laws of any kind in reference to Sabbath observance.

But when we turn to the subject of marriage, we find that it is entirely different. Marriage means the union of man and woman as husband and wife. It relates, therefore, wholly to mankind, and is properly a subject of civil law, because, as we shall see, the conservation of human rights demands that the safeguards of civil law be thrown around it.

It is true, as previously stated, that marriage was given to man by the Creator, and to violate the divine law concerning it is sin; but that is not the reason that it is properly regulated by civil law. "Thou shalt not kill," is a divine command, but that is not the reason the State punishes the murderer. The State punishes murder solely for the protection of life. The State knows no malice, and does not punish the murderer for revenge, but only to prevent repeated homicides by the same individual, and to deter others from following his example. Likewise, the State properly regulates marriage only because civil justice requires it.

The Declaration of Independence declares that "men are endowed by their Creator with certain inalienable rights," and that "to secure these rights, governments are instituted among men." An inalienable right is a natural right, a right that even though it may not be exercised cannot be surrendered, so that it ceases to be a right. An inalienable, or natural right, may not be exercised for a time, or despotic power may invade it, but justice confirms it, nevertheless, and just government will guarantee it. "Life, liberty, and the pursuit of happiness" are inalienable rights. A man may throw away his life, or he may sell himself into slavery, or he may bind himself not to seek happiness; but the State can in justice sanction none of these transactions. It is a contradiction of terms to say that "a man may be free not to be free;" for were the State to sanction a permanent surrender of individual, personal liberty, the one making such surrender would, after he had made it, have no more choice in the matter; and there can be no liberty without freedom of choice. The State does not compel any man to exercise his natural rights; but it does refuse to become a party to a surrender of those rights. If one throws away his life, the State cannot restore it to him; but if he sells himself as a slave, or agrees to forego the pursuit of happiness, the State refuses to sanction the act; these rights are still his, and whenever he sees fit to do so he may exercise them. The Creator has endowed him with these rights, and he cannot be justly deprived of them except as punishment for crime.

Marriage carries with it certain rights that are just as sacred and inviolable as any of the rights with which God has endowed man. The Creator has ordained that every man may "have his own wife, and every woman her own husband." These words are revelation, but they express a truth which is so evident that it must be accepted, whether one believes in inspiration or not. The framers of the Declaration of Independence set forth as a self-evident truth that "all men are created equal," and that they are endowed by their Creator with certain rights. Here the word "men" is generic, and includes women; it follows that women have just the same rights that men have. Therefore, reasoning even from a purely secular standpoint, we must conclude that if every man has a right to his own wife, every woman has a right to her own husband; for their rights are equal. The man who is willing that his wife should take one or more additional husbands, is the only man who can with even a shadow of consistency, defend the taking of more than one wife. *Polygyny* has its root in the assumed inferiority of women; it cannot live for a moment in an atmosphere of equal rights.

The natural right to have a wife or a husband, may not be exercised, or may be forfeited by violation of the marriage contract, just as life or liberty may be forfeited by crime; but it cannot be taken away by another; neither can the State properly sanction (and in such a case, to permit is, in effect, to sanction) any agreement or conflicting relation that would tend to invade or destroy that right. Polygamy does necessarily invade that right; therefore the State cannot sanction it, but is in duty bound to prohibit it.

If it be argued that the State may permit polygamy where all who engage in it do so willingly, the sufficient and just answer is, the State must refuse such permission in justice to those who having married in good faith have never given such consent; and who, were the State to legalize the relation, might be coerced into a consent, sufficient to meet the technical demands of any law that could be framed in regard to the matter, but coming very far short of that perfect liberty of action sought to be guaranteed by the law. It may be true that a majority of women in Utah, whose husbands are in polygamy, have freely given their consent; but because of the perfect equality of human rights the State must refuse its sanction. Justice says that the husband belongs to the first wife; she may at any time claim her rights as the only wife of her husband, and that her children are the only legitimate children of her husband, and the State must sustain her claim and vindicate her rights. But this it cannot do if it has in the meantime given its sanction to, or legalized, a conflicting relation. It follows that the State must forbid polygamy *in every case*, or else fail of the very object for which governments are instituted among men, namely, to preserve rights.

Again, the State must regulate marriage, because in its very nature it affects not only those who enter that relation, but the entire community as well. Marriage imposes upon those who enter it certain obligations, and they must not be permitted to escape those responsibilities, for if they do the burdens which they should carry will fall upon others. Ordinarily, marriage means offspring, and it is clearly the duty of those who bring children into the world, to support them until they are able to care for themselves. If they fail, or refuse, to perform this duty they thereby throw the burden upon the State, which is only to compel others to be taxed for the support of their children, and to pay for their negligence. And to protect the community from the imposition of this burden, the State insists that marriage shall not be transient, but permanent; and that it shall be so regulated that there shall be no question as to the paternity of children. It is therefore not only, the undeniable *right* but the bounden *duty* of the State to regulate marriage. This is not true of Sabbath keeping; for one man's failure to keep a Sabbath does not deprive another of that privilege; neither does it burden the State. This is practically admitted by even the most zealous advocates of what they are pleased to term a "civil Sunday-law." In answering the question, "Should there not be a law to protect the Jew in the observance of his Sabbath?" Rev. W. F. Crafts well says: "It is not sufficiently emphasized that the Jew is left absolutely free to observe the seventh day. He can close his shop; he can refuse to work." This is true; but it is no more true of the Jew and the seventh day, than it is of the Christian and the first day.

But since the State *must* regulate marriage, the State must likewise decide to what extent it will regulate it; and this decision must depend only upon the rights of the citizen, and the best interests of the State. The requirements of the divine law cannot enter into it at all, so far as the State is concerned; and this not because that law is not wise and just, but because the State cannot become a judge of that law; it must of necessity confine itself to things purely civil; and where civil justice is done the divine law will never be contravened.

But some may say, that while the State must of course regulate marriage, and may properly prohibit polygamy in general, it should make an exception in favor of those who, from religious motives, desire

to practice it. But it has already been shown that the State cannot, if faithful to its trust, permit plural marriages even among those who are agreed that such relations are proper. Were the State to make any such exception as this, it would afford opportunity for every man who wished to abandon his first wife, to practically do so simply by making a profession of Mormonism. He could then take as many wives as he saw fit, and might subsequently retain or renounce his new religion according to his own convenience. With polygamy legalized in any State or Territory, no woman in the United States would be *legally* secure in her marital rights. But, even leaving all that out of the question, the State cannot properly make any such exception. Such exception would only be to favor one class above another *for religious reasons*, and that would not be just; for laws should operate alike upon all. It would be manifestly unjust to imprison a "Gentile" for doing that which the Mormon is freely permitted to practice. And such laws would speedily bring all law into contempt, and make government an impossibility. It follows that if the State permits the Mormon to have more than one wife, it must grant the same privilege to the "Gentile;" and if it permits polygyny, it must in justice permit polyandry also. But this would cause utter confusion in families, and certainly burden the State with the care of numerous wards, whom it would have to supply not only with subsistence, but even with family names, as their paternity would be in doubt. And this would at one step plunge the State into absolute paternalism. Indeed the whole system of polygamy is inseparable from the idea of paternalism in government.

It is clear from these considerations, (1) That while marriage and the Sabbath are both divine institutions, they are essentially different in this, that whereas the Sabbath is dependent for its very existence upon revelation, and relates solely to the recognition of God as an object of worship, marriage is natural, and relates wholly to the proper relations of men and women to each other and to society; (2) That for civil government to regulate Sabbath-keeping would tend to destroy moral responsibility to God, and that, without in the least benefiting man; while on the other hand, for government not to regulate marriage would be to neglect the very work for which governments are instituted, namely, the securing of human rights; (3) That while the neglect or refusal of people to keep a Sabbath does not impose financial burdens upon the State, the practice of polygamy must inevitably burden the State with numerous wards of unknown paternity. The unavoidable conclusion is, that while polygamy is an invasion of natural rights, destructive of the very idea of civil government, ruinous to genuine civilization, and therefore, to *be prohibited to all alike*, the State has no right to either require or forbid Sabbath-keeping.

Senator George's Speech.

LAST week we gave Senator Reagan's speech on the Indian Appropriation bill. We now give the speech of Senator George, of Mississippi, on the same subject. It is brief, but strictly to the point.

Mr. President: I rise principally for the purpose of endorsing, in all its length and breadth and depth, the very fine argument made by the Senator from Texas [Mr. Reagan] in opposition to any scheme by which the money of the people of the United States, shall be appropriated to any particular denomination of Christians for the purpose of educating, civilizing, and Christianizing Indians. I believe that the Constitution of the United States is violated in spirit when that is done. The First Amendment says that, "Congress shall make no law respecting an establishment of religion." I believe we do our duty to the Indians, in the way of education, when we do for them what we do for the white people, and the black people of this country, giving them State education without reference to religious tenets. Whenever the Government embarks upon a scheme of that sort, we have, what has so manifestly appeared to-day, a contest between the various religious denominations of this country, as to who shall get the most. I am opposed to the whole scheme.

There is a denomination of Christians in this land, a very large denomination, probably as large as any other, who believe that the interference by Government with the teaching or establishment of the doctrines of any particular religious sect is wrong, and who, therefore, from conscientious scruples refuse to receive any money of the Government to teach any Indian school, or to go into the business at all. That denomination is the Baptist denomination. I think we shall do well when we adhere strictly in practice to that line of action.

[At this point, Senator Call, of Florida, spoke, endorsing the action of the Government in giving money to the churches, and attempted to make it appear that the opposition to the appropriation was only opposition to Catholics, to which Senator George replied, as follows:—ED.]

Mr. President: I do not intend to allow the Senator from Florida, to state in his own way, the position of those of us who oppose the appropriation of money, out of the Treasury of the United States, for the purpose of keeping up these schools. He stated that our opposition was based upon the ground that the Catholics had the schools. I repudiate that sentiment, sir, entirely; I do not care whether the school is kept by Catholics or any one of the Protestant denominations, it is no part of the business of Congress to take people's money for the purpose of having denominational schools. Denominational schools ought to be kept up by the denominations which own them, and they are kept up in that way all over the United States, for all the population of the United States, except only, for the Indians.

I desire simply to say that much. The Senator from Florida, wholly misinterprets the views and the sentiments of those who oppose these appropriations. I would as soon vote for an appropriation for one sort of a denominational school as for another. I am opposed to all of them. Not to the school, but to their being sustained by taxes collected from the people of the United States.

It Is All Wrong.

UPON the subject of enforced teaching of English in private schools, the St. Paul *Dispatch* says:—

> It is right that citizens of foreign nationalities should, among themselves, seek to maintain the traditions and memories of their native lands; but it is not right, and should not be tolerated, that they shall educate their children at the public expense, or otherwise, as if those children were destined to spend their lives in the countries from which their respective parents came.

We have never yet heard, nor do we believe that the *Dispatch* has, of any class of people who desired to educate their children in the traditions and memories of foreign lands *at the public expense*. We have not yet seen it denied that the public has the right to teach English solely in the public schools. The *Dispatch* therefore in this, raises a false issue.

That which is denied is that the public has a right to say what shall be taught in the private schools; and this is not a denial of the right of the State to say that English shall be taught in the public schools. It is not opposition to the teaching of English; but this opposition is to the assumption that if the State can say that English shall be taught in the public schools, that concedes the right of the State to say, that whatever it pleases shall be taught in the private schools; and that consequently there is no such thing as a private school; that the State arbitrarily turns the private school into a public school at private expense. And further than this, it is in defense of private rights as a whole. If the State can take charge of the private school and run it at private expense, then it can take charge of any other private affair, and there is no longer any such thing as private rights; everything becomes public; the State absorbs all, and becomes the parent of all; but that is not constitutional, nor American, nor Christian.

All this is conveyed in the above statement of the *Dispatch*, wherein it asserts

that the right of the citizens of foreign nationalities to "educate their children at the public expense or otherwise, as if those children were destined to spend their lives in the country from which their parents came, should not be tolerated." This puts the State at once in the place of the parent, and proposes to dictate what he may or may not teach in all things, and in all places. As we stated in THE SENTINEL, of June 5, this principle would prohibit ex-Minister Palmer from teaching and speaking Spanish to his adopted Spanish boy, as though the boy was destined to spend his life in the country from which he came.

The theory is all wrong, and the laws are wrong that are based upon the theory, and the arguments are wrong that are used in defense of it. The whole thing is wrong. And yet, for all that, we verily believe that the theory is going to continue until it will finally prevail, and we dread the day when it shall come.

A. T. J.

The Nature and Purpose of Civil Law.

WHAT is the nature of civil law? One writer has defined civil law as "the collective organization of the individual right of legitimate defense." It being true that every man has received from God, the right to defend his person, liberty, and property, it follows that any number of men may legitimately concert together to organize a common force for mutual defense and protection. In other words, law is the substitution of collective force, for the rightful force of individuals, in order that each may be guaranteed the safety of life, liberty, and property, and maintained in all his natural rights. This is necessary, in order to preserve the peace and safety of the people.

But the dignity of a State can only be preserved when its statutes are executed, as otherwise all authority and order in the Government would soon be dissipated. But a legislative enactment without a penalty, could not be enforced, for the reason that such an instrument would be nothing more than a suggestion, and could have no more weight than a mere opinion expressed. Men might or might not adopt such suggestions, as they saw fit, without molestation. But when a legitimate enactment provides that those guilty of violating its requirements shall be liable to a penalty, it makes no difference if certain ones in the State do disagree with its sentiment, they must fall into line, and obey the statute, even though it be against their will, or else suffer the penalty which the statutes provide.

Civil law is a legal remedy for injuries inflicted, no matter how slight such injuries may be. Were it not for the law, there would be no redress for any wrong. Public sentiment may condemn injury and insult, but it is not a substitute for the law, as it cannot remedy the matter. Its decision may be salutary, yet daily infringed. A principle resting only on public opinion, may be violated until it is not considered of any moment. Macaulay has truly said that "nothing that is very common can be very disgraceful. Thus, public opinion when not strengthened by positive enactment, is first defied, and then vitiated. At best, it is a feeble check to wickedness, and at last it becomes its most powerful auxiliary."

It is for this reason that law is necessary, because, where checks are fewer crimes are greater. But this is force; for were it not for the fear of suffering the penalty, no more heed would be given to the law, than as if it had no existence. Sometimes, as in the case of laws against selling intoxicating liquors, men violate them, expecting to pay the penalty, because they consider it more advantageous to themselves financially, to suffer the inconvenience of the penalty when not considered too heavy, than to obey the law. In view of this tendency, penalties are frequently provided, which are very severe, in order to deter from the violation of the law, and so preserve the authority of the State.

It is plain, therefore, that the operation of law is the operation of force, since men are obliged to comply with its provision or be punished. But for this very reason, civil law cannot properly prescribe positive duties for men, and require the performance of those duties, for the reason that civil government has not the prerogative of punishing men for the neglect of positive duties, because that would be to interfere with men's personal rights, with which a civil government properly has nothing to do. It is an indefeasible right of all individuals to use their faculties and powers as they see fit, and to any extent, in the improvement of their minds or in the accumulation of wealth, provided, however, that in their pursuits they have due respect to the rights of others, by making no offensive or restrictive attacks upon those rights, or anything which concerns them.

The law may punish for all breaches of the public peace. The only question to settle on this score, would be to determine what constitutes an offense. There must be a general agreement that every act of injustice by one citizen toward another, would come under this head; but, in matters of religion, what would constitute an act of injustice? It would certainly be unjust to permit interference with one's act of devotion, of whatever it may consist, whether it is public or private, so long as that devotion does not in any way injure another in person, property, or reputation. The Government may, and ought to have laws preventing such injury, because thereby the public peace is endangered. But the Government cannot go beyond this, and require a religious observance on the part of any one, no matter how creditable in itself such an act of worship might be, because that would be an unwarrantable invasion of personal rights, since God has given no one the privilege of deciding for another whether he shall or shall not worship.

Since all law is force, it cannot, therefore, go beyond the domain of mere force. When the law, by force, restrains a man from injuring others, it simply imposes on him a negation. In this case, it does not attack his person, liberty or property, but only protects others from the injustice of his attacks. The law then, is not made to *create justice*, but to *restrain the injustice* that naturally exists. In the absence of injustice, the opposite would come in without force. The office of law, therefore, is to restrain wrong, rather than to enforce the right. Just as soon as the law commences to act positively, it substitutes the will of those who framed the law, for the will of the citizens. When this is permitted, the intelligence of the citizens becomes a useless possession; their personality and liberty are gone; they need no longer have anxiety about the responsibilities of the future. In short, they would cease to be real men, but grown up children instead, when the laws are framed so as to prescribe their positive duties.

It is for these very reasons that civil law cannot recognize religion, or decide its requirements. We repeat that law is *force;* and whatever positive duties it requires, are forced duties. Therefore, where religion, in any of its forms, is required by law, it is a religion forced upon men, whether they will it or not. Yet it would not do for the law to be opposed to morality, for in that case, it would compel the citizen to accept the cruel alternative of sacrificing his ideas of morality, or his respect for the law. This would be as unjust as the other extreme of the law, prescribing the duties of religion for the citizen.

All, therefore, that civil law can properly do toward religion and be just, is to respect every form of religion, and favor none; to be neither hostile nor friendly to any, but simply be silent on the subject, as a matter lying outside of its jurisdiction. The reason for this is obvious; and the principle is admirably stated in the following words from "Church and State," by Dr. Schaff:—

"Freedom of religion, is one of the greatest gifts of God to man, without distinction of race and color. He is the Author and Lord of conscience, and no power on earth has a right to stand between God and the conscience. A violation of this divine law written in the heart, is an assault upon the majesty of God in man. Granting the freedom of conscience, we must, by logical necessity,

also grant the freedom of its manifestation and exercise in public worship. To concede the first, and to deny the second, after the manner of despotic governments, is to imprison the conscience. To be just, the State must either support all, or none of the religions of its citizens."

J. O. CORLISS.

Subtle Dangers.

THE following extract, from the *Congressional Record*, is submitted as an evidence of the subtle dangers which may be concealed in the most seemingly innocent measure, if it involves any illegitimate or unconstitutional legislation.

The extract is from the debate on the Senate bill for the "more complete endowment and support of the colleges for the benefit of agriculture," etc., which passed the House, August 20:—

Mr. Blount.—Will the gentleman allow me to say in the reply to the last suggestion, as to the constitutionality of this question, is not that a thing of the past? And I would also ask if there is anything in this bill providing for this system except what has already been anticipated, and is existing law to-day?

Mr. McComas.—That is the whole of it.

Mr. Blount.—For instance, you have got your colleges based on the land scrip of 1862, and you have your experimental stations based on the act of 1887, and as I understand it, the effect of this bill is simply to increase the amount appropriated, from $15,000 to $25,000.

Mr. McComas.—That is the whole scope of this bill.

Mr. Blount.—Therefore we are not confronted here with the question as to whether we are adopting this or that system, but we have it now, and this is just to extend its operations.

Mr. McComas.—And that is all. It is to appropriate more to secure some more schools in the new States.

Mr. Blount.—But the principle is already in the law.

Mr. McComas.—And not only the principle but the practice, the practice of all the States in the Union. And this simply increases the amount, and adds to the number of schools of like character.

This same method of reasoning was used in the Senate and House, during the debate on the appropriations for the maintenance of religious schools among the Indians; it was used in the discussion of the Breckinridge local Sunday bill, for the District of Columbia, before the House Committee on the District of Columbia; and also at the hearing in the last Congress upon the Blair Sunday-rest bill, before the Senate Committee on Education and Labor.

It does not require a very extended observation of the course which legislation is taking in this country, and of the opinions expressed in legislative halls, to see how it is possible within a few years that laws of a strictly paternal or ultra-religious character may come to their passage, and all protest be totally ineffectual, because the "principle is already in the law"—"and not only the principle but the practice."

Some Pointed Observations.

IN commenting editorially upon a recent Sunday-law sermon, delivered by one of the pastors of Oakland, California, *The Dial* of that city, says:—

The Doctor assumes that all persons outside of prisons are not at liberty to work or not to work on Sunday, as they please, in communities and States where there are no Sunday laws. He also intrudes an ingeniously sentimental appeal as between the rights of the workingman and the millionaire, as respects resting on Sunday—an appeal *ad miserecordiam*, as the logicians call it—to the lachrymal glands, as it were. As a matter of fact, under the present State laws, or the defect of them, on the Sunday question, millionaires sometimes work on Sunday. So, also, many poor men choose occupations in which they work on that day and receive the extra wage for that additional day's work. If they do not so choose, no law obliges them to do so, no more than any law can compel seven days' wages for six days' work in favor of any poor man. But we think we can answer the good Doctor's pathetic interrogation more specifically. We think we understand something of the spirit of the laws of this State. "When" he asks, "will California enact suitable Sabbath laws, etc.?" We believe it will be when the intelligence of California ceases to regard "Sabbath laws" to be in violation of the civil liberties of the citizen—when it ceases to regard "Sabbath laws" to be in violation of conscience—when it ceases to regard the demand for "Sabbath laws" to be inspired by the religious zeal of one portion of the community, for the purpose of enforcing its peculiar observances on the other. It will be when California, instead of representing, as she does to-day, in the spirit of her laws, the advanced principles of American civil liberty, retrogrades to mediæval methods for the persecution of opinion and the support of a semi-theocracy?

Our reverend townsman, like so many of his brothers of the cloth, talks feelingly of the "emancipation" of the workingman, but he gives himself entirely away in his appeal for "*Sabbath*" and "*Christian*" legislation. These pious gentlemen do not take the trouble to analyze their motives too keenly, flatter themselves that they mean well, but, as a matter of fact, they mean religious persecution, and they do not mean a great deal else. They simply want to force their neighbors to conform to the "Christian Sabbath," whether they religiously respect it or not. There are multitudes of good citizens, without highly colored religious convictions, who have quite as much regard for the rest and welfare of the "poor workingman" as these professional representatives of good will to men, and who have a great deal more regard for the principles of American liberty that protect saint and sinner alike. They have more of Christian charity, even; for they would defend with their lives the religious liberties, even, of their would-be persecutors—including those of the "Christian Sabbath"—and this they would do because they are Americans.

Professional religionists, like our reverend fellow-townsman, appear in these days to be afflicted with an increasing forgetfulness that they are living under a civil government, instead of a theocracy, and that there are in this country other classes of citizens whose rights of opinion and observance are quite as sacred as their own. . . .

They forget that there are even large religious bodies among their fellow-citizens, with convictions as sincere as their own, like the Jews and the Adventists, for whom the enactment of "suitable Sabbath laws" would be downright persecution; as such laws have already proved themselves to be in several of the "sisterhood of States"—in that precious land of religious liberty, Tennessee, for example! These orthodox gentlemen, not content to enjoy the freedom and privilege of Sunday worship for themselves, would have the first day of the week changed in color for their fellowmen, by the powerful analine of religious conviction. Conscious of their own growing weakness to accomplish this, they resort to the mediæval method of calling on the civil laws to help them out.

A SAN FRANCISCO paper remarks that "the advocates of Sunday laws should 'brace up' and know something. Mrs. J. C. Bateham, who flourishes the sesquipedalian title of 'National Superintendent of the Sabbath Observance Department of the Woman's Christian Temperance Union,' said in a lecture here, last Sunday evening, that the Sunday newspaper was a Sabbath desecration in that it compelled editors, reporters, and printers to work on Sunday. Mrs. Bateham ought to inform herself that the work done by these Sunday workers is for the Monday morning edition, which a strictly enforced Sunday law would make impossible, as it likewise would the reporting of her lecture and the sermons of the clergy."

Nobody that knows anything about newspaper work, supposes that the objection to Sunday papers is because of the Sunday work done upon them. That plea is simply chaff used to decoy unwary sparrows. The real objection to Sunday papers is that they are read on Sunday, and that the reading of them is supposed to keep people away from church.

DRAGGING the churches into politics is apt to hurt religion more than it helps government.

NATIONAL
RELIGIOUS LIBERTY ASSOCIATION.

DECLARATION of PRINCIPLES.

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

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C. ELDRIDGE, - - - - - *President.*
W. H. MCKEE, - - - - - - *Secretary.*

The Beginning of the Campaign in California.

THE American Sabbath Union must feel of California, as Cardinal Manning once expressed himself of England:—

> If ever there was a land in which work was to be done, it is here. I shall not say too much if I say that we have to subjugate and subdue, to conquer and rule, an imperial race. . . . Were heresy conquered in England, it would be conquered throughout the world. All its lines meet here, and therefore in England the church of God [Roman Catholic] must be gathered in its strength.

Substitute California for England, and American Sabbath Union for the Roman Catholic Church, and the above quotation is befitting language for Sunday-law advocates just now. Prior to 1883, California had a dead-letter Sunday law which was then repealed. Since then Sunday-law advocates have continually mourned and threatened, because California "is the only State without a Sunday law." The American Sabbath Union, last year, sent its best man, Rev. Wilbur F. Crafts. He organized numerous auxiliary societies and departed. He has again visited the State—a few months ago. Mrs. J. C. Bateham, Dr. W. W. Atterbury, of New York Sabbath fame, and Bishop Newman, are also on the Coast, but Sabbath laws are not yet.

Mrs. Bateham has given two lectures, recently, in Oakland, which were very slimly attended. She presented nothing new, and the old arguments were put in a remarkably weak form. An instance, and as telling an argument as she used, was that based on the stability of the Republic. Its foundation, she contended, was the Sabbath. Of course, concrete arguments are worth more than abstract, so the lady presented before us the two republics of France and the United States. The former sabbathless, the latter founded on the Sabbath; the former unstable, the latter stable. This would all have been good if her premise had been true, that a Sabbath-keeping nation was the only stable nation. But in the first place the United States has not been a Sabbath-keeping nation, and in the second place, the illustration as regards France, is of no worth in the light of opposite facts. Rome existed as a sabbathless republic, for five hundred years before Christ, and as a sabbathless imperialism more than two hundred years after. As a sabbathless republic she conquered the world. Under the last of her mighty emperors she became infected with that malignant plague—a Sunday law. According to Mrs. Bateham, right there, Rome's greatness and stability ought to have begun, but the facts are that the Sunday law of Constantine, was but a prelude to Rome's instability and destruction as a nation of unity and strength.

Another point, perhaps worthy of notice, was concerning the District of Columbia, another poor spot of earth without a Sunday law. The surprising fact, in connection with the matter, however, is this: That for years and years the District was without a Sunday law, and those dear people knew nothing about it till they searched the records. Yet the District of Columbia, during all that time, was one of the civilized spots of earth; it had grown apace; its people had lived, had worshiped, had died, many of them in hope. They had kept their Sabbath as good as in all other cities, except, perhaps, when the Federal Congress was there convened from the several Sunday-law States. And yet, the good people of Washington knew not they were so "disgraced" till our zealous Sunday-law agitators began their hunt. Poor Washington!

Another convention, of the American Sabbath Union, was held at the Young Men's Christian Association rooms in San Francisco, August 16 and 18, under the direction of the District Secretary of the Pacific Coast, Rev. Edward Thompson, LL. D. It was a poorly managed affair. It was announced two weeks previous, but the place was not given, and then nothing more was heard of it till the first day had passed. Even the officers of the association, Dr. Abbott, Rev. N. R. Johnson, and Mrs. J. C. Bateham knew nothing of the meeting. Mrs. Bateham was not present at all. It was a union meeting in only one respect, all wanted a Sunday law of some kind. The spirit of the gathering was well illustrated in Acts 19:32 "Some cried one thing and some another: for the assembly was confused; and the more part knew not wherefore they were come together." Yet all could cry as regards some kind of a Sunday law, "Great is Diana of the Ephesians."

"The Sabbath in the Home," was discussed by Rev. M. M. Gibson (United Presbyterian), and he said some very good things. "If the Sabbath is in the home," he declared, "it will be in the church and in the State." He stated most truly that there was no more religion in the church than there was in the home; and that if the Sabbath were in the home, it would pervade society and the State. And this contains the whole thing in a nutshell. If the Sabbath were in the homes of the people, there would be no need of Sabbath laws. On this point Dr. Gibson is sound, and the argument makes of none effect the Sabbath laws which he pleaded for in a half-hearted manner; again making of none effect his plea for law by returning to his original argument. The law he claimed would go no farther in restricting power, than the influence of home gave it that power.

Akin to the above topic was another: "Keep the Sabbath yourself." It was argued by Dr. Stewart that it was absolutely impossible to enact or enforce Sabbath laws while professed Christians were so apathetic. The real trouble exists with church members.

"Sunday laws not Oppressive," was discussed by Rev. J. A. Q. Henry (Baptist). He argued, from the following reasons, that they were not oppressive: 1. The Sabbath was a physical necessity. 2. The Sabbath was a necessity from an economic standpoint. 3. It was a necessity from an ethical standpoint. 4. It was a religious necessity. *Ergo* by a fourfold necessity, Sabbath laws were not oppressive. But Government has no right to enjoin a religious observance of the day, but to protect its citizens in their right to worship. Mr. Henry's conclusion no more followed from his premises, than figs could be expected from thistles. Every argument he adduced in favor of his position could be urged in favor of a law to regulate sleep. A proper amount of sleep is a physical and economical, an ethical, and a religious (civil) necessity; therefore, laws to regulate sleep, and we may also say, food and dress, are not oppressive. It is difficult to say whether pity for the man, or contempt for his so-called arguments, is the predominating emotion in listening to such puerilities. One man asked would it oppress the Jews?—No. Provision was always made for them and Sabbatarians, with the exception of laws of one State, Kansas, he believed. This is an indication of the ignorance of many able men upon this subject. A few facts, like the persecutions in Pennsylvania, Arkansas, and Tennessee, are worth a thousand such arguments. Sunday laws are *not* oppressive when they are allowed to become dead letters, as they are in most of our States, but when in operation and enforced they are *always* oppressive, as has been demonstrated times without number.

Dr. Atterbury, of New York, urged the convention to confine the question to the civil, secular Sabbath alone, and drop every other issue. Dr. Abbott made a very vigorous speech on the same line. He said the California Legislature, he

thought, would entertain a purely secular Sabbath bill, but it would do no good to ask for any other. If men were afraid of losing their religion in asking for such a bill, they had better keep away from Sacramento.

Dr. John Thompson (general Bible agent for the Pacific Coast), described the quiet Sabbath he spent in Virginia City, Nevada. Five saloons were running, but there were no places of business open. He returned to California sick at heart, because we in California had no Christian Sabbath, and this he repeated several times. Your correspondent, in conversation with him afterward, expressed surprise at the statement, and asked Mr. Thompson if he did not keep what he believed to be the "Christian Sabbath?" "Why, certainly," was the reply. "How is it then," was asked, "you have no Christian Sabbath here in California?" The Legislature, he said, had not given them one. "Then," it was asked, "do you receive your religion and religious institutions, and matters of faith, from the Legislature?" It is to such pitiable shifts that the logic of their madness drives them.

In the evening, a mass-meeting was addressed by Miss Corabel Tarr, of Chicago, Dr. Edward Thompson (District Secretary), and Bishop John P. Newman, of New York. Bishop Newman urged that the issue be made on a non-secular day, a day of rest. Dr. Thompson gave a glowing account of what had been accomplished in Southern California in the closing of saloons on Sunday. Miss Tarr spoke of women's work in the Sunday movement.

The strength of the Sunday cause is not to be estimated by these illy-managed meetings. While there is much division in the ranks in many respects, to all, great is the *disideratum* of some kind of a Sunday law. It will require some effort to convert California, but as Mrs. Bateham said, "the leaven is working," the baleful, poisonous, corrupting influence of religious legislation. M. C. WILCOX.

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THE *Loyal American* well says that "the divorce between State and Church should be absolute," and that " to complete the divorce, all churches and other religious property should be taxed."

THE AMERICAN SENTINEL

GB Wheeler

NEW YORK, SEPTEMBER 4, 1890.

NOTE.—Any one receiving the AMERICAN SENTINEL without having ordered it may know that it is sent to him by some friend, unless plainly marked "Sample copy." It is our invariable rule to send out no papers without pay in advance, except by special arrangement, therefore, those who have not ordered the SENTINEL need have no fears that they will be asked to pay for it simply because they take it from the post-office.

GOVERNOR HOARD has been renominated and the Bennett law re-affirmed by the Wisconsin Republicans. The Democrats have nominated Geo. W. Peck, and declared against the Bennett law. The action of the Republicans in indorsing the Bennett law is to be deplored, for it is certainly unworthy of the support of either of the great parties.

THE purpose to thoroughly secularize the Government of Brazil, is shown in the provisions of the new Constitution, making civil marriages compulsory, prohibiting any support of the Church by the State, the control of cemeteries by any religious bodies, the teaching of religion in the public schools, the residence of Jesuits in the country, and the founding of new monastic orders. It will now be in order for National Reformers and Roman Catholics to unite in denouncing Brazil as "atheistic," and her statesmen as the "enemies of all religion."

THE *Christian at Work* says: "Our Sunday laws are undoubtedly based upon feeling rather than laid along logical lines." Yet in the same connection it attempts to justify the enforcement of such laws! Referring to this fact, a Western paper says: "Logic is reason; therefore to say that Sunday laws are not laid along logical lines, is to say that there is no reason in them. And in this age of boasted enlightenment, people will plead for rigid laws, against reason. The pitiful part of the matter is that while the laws themselves are based upon feeling, they are usually enforced with a total lack of feeling."

JOSEPH COOK says: "I hold that the Sabbath is recognized in the Constitution of the United States, for the President is required to sign bills within so many days Sundays excepted. Every one of us is entitled to the same day's rest that he is. Still, so far as the State is concerned, I do not believe in enforcing the religious observance of the Sabbath, but only as a day of rest and quiet."

But there is no law to *prevent* the President from signing bills upon Sunday if he desires to do so. There is, whether Mr. Cook acknowledges the fact or not, a vast difference between *forbidding* a man to do work on Sunday, and providing that he shall not be *required* to do any. California recognizes Sunday more fully than does the Constitution of the United States, and yet, Mr. Crafts and Mr. Cook, as well as a host of lesser Sunday-law lights constantly complain that that State has no Sunday law. They would not be satisfied with a statute declaring Sunday *dies non*.

REFERRING to those who demand the abolition of capital punishment, because of the scenes accompanying the first electrical execution, in this State, the *Christian Advocate* says: "They may succeed, for this is an age of sentimentality and 'legislation by hurricane.'" This agrees exactly with the utterance of the *Christian at Work* concerning Sunday laws, namely, that such laws "are undoubtedly based upon feeling, rather than laid along logical lines." This is true; we have legislation by clamor, and trial by clamor, and too often the only thing back of the clamor is a sickly sentimentalism as utterly foreign to sound reason as ice is to equatorial Africa.

THE *Pearl of Days* says that, "the Catholic clergy of Los Angeles, California, have joined with other citizens in the following petition:"—

To the Los Angeles City Council:

The undersigned earnestly petition your honorable body so to amend or enlarge our city ordinance that the saloons shall be closed not only on election days, but also on Sundays. In this movement, for the moral benefit of the people, we wish the public to understand that we are influenced by no political partisanship. FRANCIS MORA, Bishop.

J. ADAM, Vicar-General, and all the other Roman Catholic clergymen of this city.

This is not to be wondered at, since the Baltimore Council declared in favor of *high license* and Sunday closing. The two measures are cut from the same web, namely, compromise with the saloon. They alike delay the final abolition of the evil.

IN a recent appeal in behalf of that society, Ida C. Craddock, Corresponding Secretary of the American Secular Union, says: "How mistaken is your action in refusing to join the army of the American Secular Union, which is waging the only organized warfare against these would-be uniters of Church and State!"

Has the Secretary never heard of the work of the National Religious Liberty Association? With all due deference to the Secular Union, we must say that in the single year of its existence, the Religious Liberty Association has done more effective work against the "would-be uniters of Church and State," in this country, than the Secular Union has ever done in twice the time, or ever can do; and this, for the simple reason that too much of the work of the Union takes the form of opposition to religion; while the Religious Liberty Association bases its opposition to Church and State union, upon the inalienable right of every man to profess any religion or no religion as he may elect, and that, absolutely free from any sort of State interference.

A FEW weeks ago, a five-year-old boy was run over, in the streets of this city, and had both his legs crushed. Subsequently his father made application to one of the courts, to be appointed guardian for his own child, for the purpose of bringing a suit for damages, in behalf of the injured boy. The father's application was denied, on the ground that he was not worth fifty dollars. It was shown that this father was a sober, industrious man, but that made not the slightest difference; he lacked the necessary property qualification, and could not, under the law as interpreted by the court, be permitted to enter suit in behalf of his minor child. Comment upon such a law is unnecessary. Every lover of justice and liberty will be able to characterize such a law himself, better than we could possibly do it. To say that it belongs with the most objectionable kind of class legislation, and that it is monstrously unjust is to put it very mildly.

"THE school question," says the *Catholic Review*, "is breeding difficulties with every hour. Following the troubles in Massachusetts, and Wisconsin, comes the news from Ohio, that a Catholic pastor in Toledo, has been indicted by the Grand Jury, 'for misdemeanor, or for neglecting to report pupils to the Board of Education.' There is an Ohio law, a meddlesome, impertinent law, of the same stamp as the Wisconsin Bennett law, conceived in the same spirit of malice, envy, and hatred, which requires all schools, public and private, to make a regular report to Boards of Education in each district, of the names of the pupils, ages, and so on. Acting under legal advice, the Toledo priest refused to make such returns from his private school, and his consequent arrest will test the constitutionality of the law, and make trouble for Ohio fanatics. These irritating questions are going to multiply."

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