

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

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THE phrase "a Christian nation" is absurd. If every man, woman, and child in the State were a Christian, we should then not be a Christian Nation, but a Nation of Christians. Christianity is not a national characteristic; it does not run in the blood. No one is a Christian in virtue of his birth, of a certain race, or of citizenship in a certain State. Christianity is a personal and an acquired characteristic, and is not essential to nationality or to citizenship.—*National Baptist.*

THE State does not know religion. It does not know dependence on God, obligation, responsibility, duty, love, or obedience to God. These all are personal cognitions and experiences. Persons having them may, and frequently do, organize on them as a basis and for their cultivation. The Church is such an organization. But such a society the State is not. It is based on cognitions and experiences entirely different and for entirely other purposes. Persons who do not have these cognitions and experiences, and who deny the possibility of having them, belong to the State, hence a religious character is impossible for a nation.—*Rev. Owen James.*

CIVIL liberty is the legitimate and necessary outgrowth of true religion. In just the proportion that false religion occupies the hearts and influences the minds of those who make and enforce the laws of a country, will legislative and judicial religion infringe upon the right of the citizen to worship and hold such religious belief as he will. God exacts heart-service

of his followers, as little children,—not political support, as of party adherents. The failure to appreciate this fact and be governed accordingly is to give unmistakable evidence of the fact that true religion, as expressed in the gospel of Jesus Christ, has failed to find lodgment in the heart. To those who appeal to the decree of the judge, the club of the policeman, or the sword of the soldier, to uphold and enforce their views of religion, that is a sealed book in which it is written, "Whatsoever ye would that others should do unto you do ye even so unto them."

Another Tennessee Case.

A CASE almost coincident with that of R. M. King; of Tennessee, is that of W. H. Parker vs. the State of Tennessee. Parker lived at Springville, Tennessee, and was convicted, in the Circuit Court of Henry County, of following his common avocation, that of blacksmith, publicly, upon Sunday, in the month of April 1885, and upon other Sundays previous to that,—in fact that it was his usual habit to work in his shop on the first day of the week; and to this accusation no demur was made. Conviction followed in the lower courts and the case was taken to the Supreme Court of the State, on an appeal in error from the Circuit Court of Henry County. There, although the statute of the State does not make Sunday labor an indictable offense, but only finable in the sum of three dollars, to be recovered before a justice of the peace, it was held that the repetition of the acts of Sunday labor constituted a nuisance and thus became indictable. The decision of the lower court was sustained, and Parker subjected to fine and costs amounting to sixty-nine dollars and eighty-one cents. This fine he refused to pay, in the belief that the payment of the penal sum would be, on his part, a virtual acknowledgment of the justice of the conviction, and submission of his conscientious religious belief to the decree of the court. The only alternative left him was to serve out the amount in the com-

mon jail, to which he accordingly went under a sentence of two hundred and eighty days. After having served fifty-nine days he was taken with malarial fever and was released from confinement, on his bond to return upon his recovery; after the lapse of two months he returned to the jail and worked out the remainder of his sentence. However, the malarial poison there absorbed remained in his system and he finally died, as has been claimed by some, from the lingering effects of the imprisonment. The case of Parker was used as a precedent, under the ruling in which it was assumed that the court must find a similar verdict in the case of King, in which the precedent case was imitated by bringing an indictment upon the plea that King's farm labor, on Sunday, amounted to a public nuisance.

The case is reported on page 476 of volume 16 of Reports of cases argued and determined in the Supreme Court of Tennessee, reported by Benjamin J. Lea, Attorney General and reporter, in which it is said of Parker's labor that—

The indictment avers said work was a disturbance and nuisance to the good citizens of said county, and it was averred that such work was not necessary, or a matter of charity.

Another count charges that Parker was guilty of a public nuisance by such work on Sunday, to the prejudice of the public morals and contrary to the statutes, etc.

The proof upon the trial was, that defendant was a blacksmith, having a shop near Springville, in said county, and numerous witnesses testify to having seen him at work at his trade in his shop upon different Sundays within twelve months before the finding of the indictment. One witness said that he knew the defendant worked at his business every Sunday. The defendant's counsel insists that although it is proved that the defendant worked at his trade on Sunday, there is no evidence to show that he disturbed or damaged any person thereby so as to constitute a nuisance, and unless it does appear by proof that some person or persons were disturbed or annoyed, the offense might be punishable under section 2289, of New Code, but is not indictable.

It is held in 1 Lea, 129, 130, that hunting, or fishing on Sunday may be punished by indictment, and these offenses are declared punishable by the same penalties as those prescribed in Section 2289, New Code. See section 2290. So that the working at

one's trade, under such circumstances, and to such an extent as to amount to a nuisance, is indictable.

Judge McKinney says, in a case where a defendant had been indicted and convicted for the utterance of obscene words in public, and quoting from Blackstone's Commentaries, page 42, that the municipal law looks to more than the protection of the lives, liberty, and property of the people. Regarding Christianity as a part of the law of the land, it respects and protects its institutions, and assumes, likewise, to regulate the public morals and decency of the community. The same enlightened author distinguishes between the absolute and relative duties of individuals as members of society. He shows that, while human laws can not be expected to enforce the former, their proper concern is with social and relative duties; hence, however abandoned in principle, or vicious in practice a man may be, if he keeps his wickedness to himself, and does not offend against the rules of public decency, he is out of the reach of the law, but if he makes his vices public, they then become, by the bad example they set, of pernicious effect to society, and are punishable by the law; 1 Swan, 42, citing 1 Blackstone's Commentaries 124; 4 Swan, 41, 42.

In an indictment for profanity, which is punishable under the statute by pecuniary penalty, like this case, it was held that when the vicious acts are public, they will be dealt with as crimes, because of their tendency to disturb and annoy others, and exert a baneful influence upon the morals and habits of the community. Generally any practice tending to disturb the peace and quiet of communities, or corrupt the morals of the people, are indictable as public offenses by the common law: 3 Sneed (Cooper's edition) 133, and cases there cited.

In 7 Lea, 410, it is held that profanity, when it becomes a public nuisance, is indictable, but in that case it was held the case was not made out, but a single act being proved.

In 1 Bishop's Criminal Law, section 946, it is said, public profane swearing and blasphemy have been held in this country to be indictable at the common law, yet less, according to some of the judges, as tending to sap the foundations of Christianity, than as disturbing the peace, and corrupting the morals of the community. In the next section it is said, but however uncertain may be the precise extent to which the common law protects Christianity, there is no question that it practically and fully cherishes the public morals, and it punishes, as a crime, every act which it deems sufficiently evil, and directly tending to impair the public morals, and while a single act of the class forbidden by the statute may be punished by a specific fine, as described by the statute, yet if repeated and continued, it becomes punishable by indictment at common law: 1 Bishop's Criminal Law, section 1055. See also section 939, 2 Bishop's Criminal Law where it is said that the doctrine has been laid down, in Pennsylvania, that though a single act of Sabbath-breaking is punishable by a fine, there may be such a succession of acts of the same sort as will amount to an indictable offense.

The statute makes it unlawful for any one of the enumerated classes to follow his ordinary secular avocation on the Sabbath day, because it is immoral and is of pernicious effect, and, though it may be conceded a single offense may be liable only to the penalty prescribed by the statute, yet a succession of such acts becomes a nuisance and is indictable, such a succession and repetition of the acts are shown in this case, as one witness says, that defendant did work at his trade, as blacksmith, in his shop near Springville, every Sunday, and others testify to similar acts on many Sundays, within twelve months before the finding of the indictment. Nor is it necessary to a conviction that the proof should show that any person was disturbed thereby. It is sufficient that the acts, which the law holds as illegal and forbidden, have been done in such public manner as to have been open to the observation of the public. Their tendency is to corrupt public morals, and the example is pernicious and contrary to law, and the well-being and good order of society.

The defendant offered to prove that he belonged to a "Christian sect," who kept the seventh, instead of the first day of the week as Sunday. "A general prohibition against doing worldly business on the Lord's day, extends to persons who conscientiously observe the seventh day of the week as the Christian Sabbath:" 1 Bishop, Criminal Law, section 268.

There was therefore no error in excluding the offered testimony, nor in refusing to charge as requested. There is no error in the record for which the judgment should be reversed, and it will be affirmed.

The opinion of the court in this case is thus quoted at length in order that the lines of thought along which it runs may be fully seen. The first authority presented by the Judge is a precedent of his own making in a previous case, 1 Lea 129, where he had held that hunting, and fishing, on Sunday, were indictable offenses; and therefore working at one's trade, on that day, is also indictable. In support of the principle upon which he would base the right to thus judicially legislate and make that indictable which the Legislature only made finable before a justice, he quotes Judge McKinney, who makes his own the theory of Blackstone, that the municipal law has a broader sphere than the protection of life, liberty, and property; and that it must protect Christianity as part of itself, and so being itself Christianity it must protect itself and regulate the public morals of the community. The word *regulate*, here used, has had judicial interpretation in a very notable Tennessee case that of the Mayor and City Council of Nashville vs. Link, 12 Lea 499, in which was considered the constitutional right of the Legislature to confer upon municipalities the right to compel cessation from secular pursuits on "the Sabbath day" and the "power to enforce observance of the Sabbath day." Here was another example of judicial legislation in which the legislative grant of power to the municipality to *regulate* by ordinance the carrying on of business within its limits, was construed to authorize ordinances *prohibiting* business on Sunday or "Sabbath-breaking." In the opinion in this case it is said:—

The word regulate inevitably involves all that is meant by restraint, and more, as it carries with it the affirmative element somewhat of continued action in a defined direction. But this is restraint, so as to prevent other action than that desired.

The municipal law, therefore, having absorbed Christianity into itself must protect its Christian self by such municipal regulations as will prevent all other action than that it desires. Beyond this religious legislation or decree never went, neither does it need to, for the attainment of all its ends.

In the case in 3 Sneed 133, where profanity is held to be indictable, although punishable under the statute only by pecuniary penalty, and quoted to sustain the similar position taken in the case of Parker, the Judge says of profane swearing,—

It is in violation of the second commandment,

and the general injunctions and precepts of religion; it generates a contempt for holy things, tends to the corruption of morals, and the debasement of humanity. In all this the public have a deep interest, and may well enforce penalties to avert such consequences.

These are but examples, every case quoted, without exception, teaches the same lesson,—of a strained construction to permit the following of religio-legal precedents introduced into Tennessee law, through the provincial Church and State laws of North Carolina and derived from the Church and State theories of Blackstone, and ancient religious statutes of England. To follow the different authorities cited would only be cumulative on the same point, and there is not here sufficient space.

The quotation from Bishop's criminal law made by the Judge, in the next to the last paragraph of the opinion reprinted here, is well offset by another citation from the same source made by this Judge in his previous decision of the case against Gunter,—“Mr. Bishop says, ‘unnecessarily to perform secular labor on Sunday, in such a way as to disturb the worship of others on Sunday,’ is indictable.” To disturb worship at any time is punishable. But this does not necessarily make Sunday labor in a shop indictable. A citation from Mr. Bishop, which is more apt to these cases would have been found in Section 344, Volume 1, where it is said:—

And a court that felt itself bound by a statute, could not permit a defendant to show that he deemed it in conflict with God's law; because this would be equivalent to receiving from him a plea of ignorance of the law of the land, which we have seen is not permitted. Therefore a man can not make the defense in court, that there is a higher law than the one there administered forbidding him to obey the law of the court, further than it may tend to shake the legal validity of the latter. Upon this point Baron Hume observes, “the practice of all countries is agreed.” The rule lies necessarily at the foundation of all jurisprudence; yet, necessary though it is, it has shed the innocent blood of almost all the host of martyrs who have laid down their lives for conscience' sake.

Accept this doctrine and human error will be found to have so entrenched itself behind legal precedent that there is no appeal, except to the final adjudication before the court of God. W. H. M.

Has Morality a Legal Place in Politics?

CARDINAL ARCHBISHOP HENRY EDWARD has said, in his article entitled “Without God No Commonwealth,” that “without a higher sanction, and the cohesion of a moral law, the whole political order would be disintegrated, the whole social order would be dissolved, and the whole domestic life would be confusion.” Without questioning the truth of this statement, let us ask the question, Is it true that the genius of civil government requires a moral law to keep it from dissolution? If it is, there must be infinite advances for political science before us; if not, we ought at least to recognize the

principle by which the moral code is barred from our political institutions.

Ideal government has for its end the protection of individual rights, and the promotion of national welfare. The highest attainment of civil law can never be the morality of a nation, nor of the individual; for morality is purely a personal matter, and the civil law has nothing to do with the individual as such, but only as he is associated with others. It has nothing to do with the man who makes an attempt on his own life, but only as he is found effecting his criminal intentions on another. The moral law lies farther back, recognizing the motive which has inspired the crime, and that alone.

Again, the civil law can not be said even to enforce good citizenship, except so far as good citizenship is coincident with justice. It is not good citizenship for one man to defraud another in a one-sided bargain, and yet the civil law demands the fulfillment of that bargain. In the same way it insures fidelity to an inconvenient promise. Another fact which has an important bearing on the relation which the moral law should sustain to civil government is, that the civil law is not, nor can it be, a prophylactic agency. In other words, it can have nothing to do with the criminal until his crime either has been actually committed or is believed to have been. The reason is obvious. It is manifestly unjust to argue that because malice in one person has led to crime, it will lead to crime in another. Neither can we always argue from what a man believes, to the good or evil in which that belief will terminate. We say that the practice of polygamy is injurious to the best interests of the State. So it is. Here then is the point where civil law can deal with this evil. The fact that a man is a Mormon, and that Mormons have always practiced polygamy, is no reason why Mormons should be considered criminal in the eyes of the civil law.

It was charged that the Russian Jews, as a sect, were injurious to the best interests of the Russian State; that they were a nation of usurers who exacted unjust returns, corrupted morals, and had a hundred other unlawful customs, and yet, Christendom regards their expulsion from the Russian Empire as no less than religious persecution, because, no matter how many crimes may have been committed by Hebrew individuals, it does not follow that all who profess their creed would have committed the same or like offenses. To the neglect of this obvious truth may be traced all the great religious and civil persecutions of history. Civil government finds its province only in meting out punishment for the actual offense; and when it has fulfilled its threats civil law has done its work.

Whether the man who steals the loaf from the baker's window be a hardened criminal of lifelong experience or the un-

fortunate father of a starving child, there can be no discrimination in the eyes of the civil law. There may be a moral distinction between the man who kills his neighbour in cold blood in hope of gain, and the one who desires by that act to relieve society of a dangerous fellow, and yet if there is such a distinction, civil law is blind to it, and justly so. It can not judge of the motives which have led to the crime, except when they are evidenced by action. And never, until our legislative bodies shall possess that wisdom, whereby, with the Almighty, they can read and judge the consciences of men; never, until with an infinite foresight, looking into an unknown future, they can predict unflinchingly to what results the different temperaments of men and their diverse environments will lead them, can they throw away the evidences of guilt found in the injury itself, and on the principles of morality, convict the criminal before he has committed his offense.

There are two points of view from which we naturally regard a criminal offense,—the evil with which we associate it, and the personal injury which follows as its result. Obviously the former constitutes the sin of the action, and the latter we call the crime. In other words, the motive which would influence one to commit an offense, and the resultant act which that motive, right or wrong, will lead the individual to commit are two very different matters, which from a legislative standpoint may be considered the respective provinces of Divine and human wisdom. To illustrate this, take the case of a familiar instrument, the stereopticon. The simplest observer is able to judge the merits or defects of the picture which is cast upon the screen. With his sense of harmony he will detect its blemishes or recognize a perfect representation. But it requires a much higher wisdom to judge of the conditions under which the negative will produce a perfect or deficient picture; to tell what results will be obtained by the relative light and shade, or the distance of the negative from the lens through which the representation is to be cast. Thus between the thoughts and visible acts of man the lens of his disposition and environment may differ with every individual. The motive which in one case would result in a praiseworthy action, might under other circumstances, known only to the individual and his Maker, lead to a criminal offense; and when man presumes to regulate his penal code to condemn the moral side of life, his actions will find its terminus in nothing short of intolerance and religious persecution.

The moral law defines the duties of men to God. It regards the offense from the standpoint of the transgressor, and not from that of the one against whom the wrong has been committed. In other words, it is everywhere consistent with

the words of the great apostle, "SIN is the transgression of the [divine] law."

Profanity is a sin, but who will presume to punish profanity except as it reflects a positive injury on a second individual? Sabbath desecration is a sin. Covetousness is a sin, but it has nothing to do with criminal law until this sin, cast upon the screen of action, results in the crime of actually taking what is not one's own.

Whatever place morality ought to have in molding the minds and opinions of men and statesmen, we can come to no other conclusion than, that, in politics and in the execution of civil law, morality and the law which governs it can have no legal place.

W. E. SANDERSON.

The Powers of a Commonwealth.

WHEN the Roman Church, in the Middle Ages, united with the State and took charge of the conscience of the world, it announced its decrees as the voice of God. But who can now wish for such a condition of things? Yet he who would advocate that the State ought thus to punish whatever its representatives think to be sin, certainly never could, with propriety, censure the Papal Church for the bloody work it did during the Dark Ages. For it was through the proclamation of this very theory by which she was enabled to gain control of the civil power, and cause it to put to death all whom the Church counted incorrigible sinners; and every heretic was counted such. The New England Puritans manifested the same spirit; and so would every class of religionists, of like belief, upon whom might be thrust a like opportunity. The writer does not take this position because he lacks faith in God, or the power of his grace to help men to do right; but he has no faith in the power of men to control their passions or prejudices, when left to themselves. Besides, history has demonstrated, over and over again, the truthfulness of this statement, and also shown conclusively that the civil power has no right to legislate, in any degree, in the interest of religion and the Church. The truth on this point is very concisely stated by Faustin Helie, in the "Cyclopedia of Political Science," under the title "Law":—

Is it true that moral justice and human justice have a common origin? Is it true they both have the same mission to fulfill, although using different means and acting in different spheres? No; for what moral justice exacts is the expiation of the fault, that is to say, retribution made for the fault committed by the evil inflicted. Is this the mission of social justice? Has it been delegated by eternal justice to enforce its laws? Has it the power to exact the expiation of crime? It has not even the means of proving that expiation has been made; for its vision is short, and its means of ascertaining truth are limited. It can not enter the conscience of the guilty party; it can not see his motives or his remorse; it can measure neither the degree of the fault nor the degree of expiation; it apprehends the external facts alone. How, then, since it can not determine absolute criminality, can it act the part of divine justice? It proceeds against material

acts, with the aid of material means; the exalted but mystic view of expiation does not belong to it; this view is that of the human soul; it can not be that of society. The principle of action which should govern society is to be found in the law of self-preservation inherent in it. This law, which is the first of all human laws, obliges the social power to maintain order, that is, to secure respect for the rights of the State, and the rights of its members. Penal justice exists because society exists; because it is one of the attributes, one of the conditions, of its life. It needs no other title; its legitimacy rests entirely on social law. . . . Its mission is not to give a sanction to this divine law, and enforce the observance of its precepts. It concerns itself, and can only concern itself, with public order and social interests; it can have no other object than to maintain this order, and protect its interests. Chastisement, as has been very truly said, has no right except against crime; but to constitute crime in the eyes of human justice, does not suffice that moral order is disturbed; it is necessary that there should be a grievous attack upon social order, a serious breach of external peace.

The transgression of God's law is sin (1 John 3:4), and the penalty for sin is death (Rom. 6:23). To carry out this principle of justice in human government would, as before stated, be an assumption of divine prerogatives by an earthly power. But God reserves to himself the right of punishing infractions of his moral law. The nature of man itself asserts this. It is believed by all, who support the Bible, that man's passage to the grave does not settle his account for sin committed. They are well assured that after death comes the judgment (Heb. 9:27), when all men, without respect of persons, will have the thoughts of their hearts made manifest, and will receive from God the due punishment for every sin (1 Cor. 4:5; Rom. 2:3-11). No one ever supposed that civil punishment for crime would end the responsibility of the culprit. So, the murderer, who is punished with death, does not, in that, pay the penalty for the sin of murder. His sentence to death is not for sin against God, but for crime against his fellow-creature. To admit the principle of inflicting punishment by the State as retribution for moral evil, is to oblige the State to greatly enlarge its list of offenses. In other words, if it punishes for violence or fraud as a sin against God, rather than a crime against man, it obliges itself to punish for everything that is counted sin, whether it be a crime against man or not. This would be assuming infallibility, to that degree, at least, which would admit the divining of the thoughts; for even "the thought of foolishness is sin" (Prov. 24:9). Since all sin is reprehensible, it would follow that, under such a *regime*, one would be held answerable to an earthly tribunal for every passing thought. In short, there would be no end to the absurdities that would follow in such a train. One of the most abominable of the brood would be the establishment, in some form, of an inquisition. For how else could one human being learn of what another is thinking? It was done that way by the Papal Church when it controlled the State in the interest of its religious dogmas, and

why would not the same result follow now, under the same circumstances? In past ages, when an inquisitor wished to know the thoughts of a suspect regarding the Church, all he had to do was to put his victim on the rack and torture him till, in his agony, he revealed everything. It was, of course, then legitimate to punish him for his thoughts. The Inquisition is but the natural outgrowth of such a theory.

Some, however, may be inclined to contend that to simply make God's law a basis of civil government need not cause such extremes. But that is just what it would lead to. The moral law extends prohibitions to the very thoughts and intentions of individuals. The law says, "Thou shalt not covet." This forbids immoderate desire,—an improper operation of the mind. It further says, "Thou shalt not commit adultery." In enforcing this precept, Christ said: "I say unto you, That whosoever looketh on a woman to lust after her hath committed adultery with her already in his heart" (Matt. 5:28). Again: "Thou shalt not kill" is a part of the divine law, yet the inspired apostle, referring to it, says: "Whosoever hateth his brother is a murderer" (1 John 3:15).

It is plain, from these references, that conformity to the moral law requires purity of thought. Anything short of this is sin. Now, if the civil power were to attempt to make that law the basis of punishment to be inflicted on offenders, it must punish for every improper operation of the mind, whether overt wrong actions follow or not. True, God can punish for these things, and will, if the offender does not avail himself of the means of grace offered to expiate them; for God's authority over men extends beyond this life, even to the eternal judgment. But human law must stop far short of this, inasmuch as all the conditions upon which it operates are greatly modified. It has only the power that human force can give it, and can therefore only view the outward actions. It knows nothing of the state of the mind, because that is only understood by the inner consciousness of the individual. A man may, therefore, hate his neighbor, wickedly desire his friend's possessions, or think impurely of a woman, but so long as these matters are confined to the thoughts, the State can not punish him, sinner though he be, in the sight of God, for the reason that the State has no means of detecting the sin.

But if one is led to attempt injury to the subject of his hatred, either in person or reputation, the State properly punishes that. Let his covetousness betray him into theft, and the result is the same. Or if, failing to restrain his impure thoughts, he offers insult to a woman, the State justly applies the penalty. And yet, for none of these offenses is the sentence rendered because of immorality, but for incivility,—not for sin, but for crime.

J. O. CORLISS.

Queer Resolutions for Christians.

At a recent State meeting of the Indiana division of the American Sabbath Union, among others the following resolutions were passed:—

Resolved, That we view with alarm the growing tendency to eliminate from the first day of the week all that is sacred and to make it a day of common labor and amusement, and especially do we deprecate the secularizing of the day by members of the church.

Resolved, That we earnestly recommend to all workingmen that they co-operate with all proper efforts to secure for themselves and their families, the Lord's day, as a day of freedom from unnecessary toil.

Resolved, That Christian ministers and laymen should not be entangled with Sabbath-breaking corporations (such as railways, street-car companies, newspapers, etc.) by owning stock in the same, thus reaping a harvest from the Sunday toil of the laboring classes.

One of the strong points set forth by many of the leaders of the American Sabbath Union, is the necessity of securing a "civil Sabbath." It is hard to conceive just how anything that is a purely *religious* institution can, also, at the same time be quite as fully civil. But our Sunday-law friends tell us that we must have a "civil Sabbath" enforced by civil law. Now if they make a "civil Sunday" by law, will not that very act secularize the day? For are not civil things secular? Then why deplore the "secularizing" of the day when the very leaders of the movement are trying to secure a "civil" rest day, which could not be anything but secular?

But note the fact that it is the members of churches who are complained against as casting their influence toward secularizing the day. And again, the last resolution quoted charges even "Christian ministers," as well as laymen, with accepting profits from Sunday toil. Since the various auxiliaries of the American Sabbath Union, in so many of their meetings, find it necessary to speak and resolve against ministers and church members for failing to observe Sunday, it must be that they find much that they consider wrong in this respect. And where is the consistency of asking a civil law to compel Sunday observance, when those who profess to believe it do not keep it themselves? If the ministers and people who are thus laboring to secure the compulsory observance of Sunday, would only study their Bibles more closely they would find that law does not make men better. We may have the best laws that can be devised, and hope thereby to make men moral, but the power of Christ alone is able to give ability to the individual to conform to moral precepts; and laws looking toward the enforcing of morals, only furnish an opportunity for malicious men, under the guise of Christianity, to oppose their fellow-men who do not believe with them. The records of the centuries attest this fact, and there is no evading it. The State should make and

enforce laws, compelling men to be civil, but when it comes to making laws for the observance of Sunday, or any other religious institution, Christians above all others, should be the very first to call a halt.

A. O. TAIT.

An Eloquent Monument.

THE Mansion House of London, the official residence of the Lord Mayor, is one of the finest buildings in the city, and is known throughout the world. But that the magnificent structure is a shameful monument of a shameful period is known to but few, even of Londoners themselves. It also stands as an eloquent protest against the folly of giving religious men full control of civil affairs to the disqualification of all others whose religious tenets do not harmonize with theirs. In 1740 the Corporation of London passed a by-law inflicting a fine of four hundred pounds and twenty marks (\$2,000) on every person declining to stand for the office of Sheriff after he had been nominated, and of six hundred pounds (\$3,000) on every one refusing to serve after being elected, making the fine \$5,000 in all. The reason of this by-law was evident. The Corporation consisted of members of the Church of England and they knew that all Dissenters would refuse to act on account of the Test Act which had been passed years before in the profligate time of Charles II. This iniquitous act was a masterpiece of National Reform principles and provided that all persons filling public offices of whatever kind should not only take the oath of allegiance and supremacy, but also should take the sacrament according to the usages of the Church of England. Of course no conscientious Dissenter could hold office under such conditions. Then these dear "Christians" who composed the Corporation of London, knowing this, proceeded to elect Dissenter after Dissenter to the office of Sheriff. All these unfortunate men had to do was to pay up the \$5,000 fines, which were devoted to the erection of the said Mansion House.

This went on for six years until the fines amounted to £15,000 (\$75,000). At length the courts of law were appealed to for protection, and after years of litigation the House of Lords gave judgment against the "Christian" Corporation. It was then that Lord Mansfield delivered one of those judicial decisions which live in history. In scathing terms he denounced the attempt of the Corporation to make two laws—one to prevent men from serving, the other to punish them for not serving. "If," said he, "they accept, punish them; if they refuse, punish them. If they say 'Yes,' punish them; if they say 'No,' punish them. My lords, this is a most exquisite dilemma, from which there is no escaping. It is a trap a man can not get out of. It is as bad a persecution as that of Procrustes: if they are too

short, stretch them; if they are too long lop them!" "Persecution," he added, "is against natural religion, revealed religion, and sound policy."

This little incident is of interest to lovers of religious liberty as it shows the actual working of the National Reform idea when logically applied. It is what religious men have always done under such circumstances, and always will do.

FRANCIS HOPE.

The Church as Mediator between the Classes.

THE Mediæval Church dreamed of being a universal peacemaker, when the Pope would settle in his court questions between kings or nations. The churches of to-day are haunted by the same dream. Each little flock hopes to inherit the kingdom, and its ministers aspire to settle questions between labor and capital. Things in dreams are not as they seem, but dreams now as in old times have their interpretations, and are sometimes guides to truth. The churches may, perhaps, help to solve the labor problems, but not by putting up their ministers to hear evidence and to give judgment. Their part is rather to teach than to judge, and to give than to take evidence.

The public is the only potentate who can fill the place at which the Pope grasped, and from its opinion there is no appeal. It is for the churches so to inspire the public that its judgment will be sound, and then to offer the evidence on which it may exercise that judgment.

The chief duty of the churches to the world is to set forward an ideal of life, and to draw out admiration for noble, generous and honest conduct, and to show the penalties which surely follow all forms of lying and selfishness. This duty has special applications according as different subjects arise for the judgment of the public.

The labor problems, the rate of wages, the length of the working day, the rights of trades unions, the treatment of the unskilled, the weak, and the old, press for settlement. A man once came to Christ saying, "Command my brother that he divide the inheritance with me." If labor and capital come to the churches urging that they command a different division of profits, the answer of the churches must be the answer of Christ: "Who made me a judge or a divider over you? Beware of covetousness." It is covetousness on both sides which hinders the solution of the labor problems, and the special duty of the churches at the present juncture is to convince both capitalists and laborers of the covetousness which, like the proverbial mote in the eye, prevents fair judgment of others. David could not believe that he was the man who had taken a poor neighbor's one ewe lamb, and there are thousands of upright capitalists who

would not believe that they are spoilers, and thousands of well-disposed laborers whom covetousness has so blinded that they say of every capitalist, as Satan said of Job, "Doth he serve God for naught?" . . .

The public whose opinion has ultimately to settle the labor problems is made up of capitalists and laborers. To the public, therefore, the churches must repeat Christ's message. Their ministers must show the failure of covetousness, the havoc it works in character, the misery, the poverty it brings in its train. But, chiefly, they must hold up for admiration the human life, which makes every one who is human turn from greed as from something foreign to his humanity. . . .

The churches have done much, but they have not educated public opinion in this direction. They have rather been ambitious, sometimes for the triumph of the doctrine they represent, sometimes for their ministers. They have seemed to the people to be anxious only to make proselytes, or to get the reputation of being peacemakers or arbitrators, "advertising parsons or peripatetic philanthropists," which are the titles their ministers have earned. . . . The churches have not educated public opinion to beware of covetousness or to understand the facts of life. They have often rather themselves illustrated the force of covetousness. They have introduced class into places of worship, and have made charity a barrier and not a bond. They still, however, hold the field as educators, and with them it largely rests to solve the labor problems. They are still supreme in many departments of life, and each church can show a record of work which must command attention. They are still the outward expression of the small voice which speaks in every man, and they still bear in them the marks of the Lord Jesus Christ.

The churches (or as I would rather say, the Church) are, therefore, powerful; and when they make their buildings meeting-houses of rich and poor, their highest services a communion, and their chief doctrine the preaching of Christ, they may so educate public opinion as to forever settle on a stronger foundation than on a decision of an arbitrator, or even on a law, the rate of wages and the hours of labor.—*The Warden of Toynbee Hall, in N. Y. Independent.*

To those who threaten to boycott the World's Fair:—

"There was also a method of conversion used by our forefathers, consisting of two little pieces of iron attached at both ends by a screw.

"The man who to-day says, 'I will not trade with that man because his religion is different from mine,' has the same spirit that possessed the one who used the thumb-screw; all the wretch lacks is the power."

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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In the Iowa Legislature the house committee on the judiciary has reported a resolution cutting off the Sunday pay of employes.

It is said that a particular brand of postage-stamps is used in Belgium by those who wish that their mail should not be handled on Sunday.

THE Fourteenth Ward Improvement Association, of Newark, New Jersey, under the lead of detective Wishart, is moving to "secure the purity of the Sabbath" in Newark. The Newark *Times* ridicules the movement as an attempt to regulate the morals of the city.

In the New York Legislature, Senator Hunter has introduced a joint resolution urging the Representatives of the State in Congress to use their influence with the World's Fair Commissioners to close the Fair on Sunday; and asking that they favor no measure in further aid of said enterprise, except it be coupled with a condition that the Fair be closed to visitors and suspended as an Exposition on the Sabbath day.

THE *Pittsburg Dispatch*, of Monday, February 8, records that at the Sunday morning hearing, February 7, in that city, Judge Gripp disposed of fifteen cases; Magistrate Succop, twenty cases; Magistrate McKenna, twenty-seven cases; Magistrate Hyndman, six cases; Magistrate Leslie, one case. Here is an opportunity for the Pittsburg Law and Order League to secure an indictment of these magistrates for pursuing their common avocation on Sunday, on the plea that this hearing of cases on Sunday has by repetition become a common nuisance.

ON the evening of Sunday, February 7, after the burning of the Hotel Royal, where, under such frightful circumstances, so many human lives were lost, Rev. W. W. Atterbury, President of the New York Sabbath Committee, spoke at the old Scotch Church in Fourteenth Street. The *World* characterizes his address thus:—

"The speaker said that on his way to church his ears had been pained with shouts which he had never heard before on the streets of New York on Sunday. Everybody leaned forward in their pews eager to hear what had shocked the minister. Something like a look of disappointment passed over the faces of the audience when Mr. Atterbury said that what 'pained his ears' had been the 'cries

of newsboys selling papers containing reports of the big fire.' Such things were against the law, he said, and should be stamped out. If boys are allowed to sell papers on Sunday, he declared, they will some day develop into troublesome criminals. Mr. Atterbury expressed no sympathy for the victims of the fire. The fact that newsboys were selling papers seemed to have impressed him more than the terrible loss of life."

THE daily papers contain a dispatch in regard to a Seventh-day Adventist of Houston County, Ga., who has resigned his position as school commissioner, rather than violate the Sabbath. He shows in this that he does not need a civil law to compel everybody to rest on the day he wants to keep, in order that he may observe it himself. Would not the same rule hold good in regard to those who really desire to keep Sunday? If a man has a conscience in the matter, he will find a way to keep the day, and a situation or job of work will not long stand in the way.

THE Wisconsin Sunday Rest Association in its late meeting at Madison, Wisconsin, reorganized as a branch of the American Sabbath Union, and adopted lengthy resolutions in regard to the Sunday closing of the World's Fair, and Sunday observance in general. This Association at its inception, attempted to confine itself solely to the "civil" side of the question, and prove the possibility of the enforcement of a civil Sunday as something separate and distinct from a religious Sabbath observed on the same day. The "civil" disguise will no doubt soon be dropped altogether by all the promoters of legal religion.

A LIQUOR traffic and Sunday labor Prohibitionist says in the *Christian Patriot*, that the Prohibition Party is not a temperance society, but a political party which seeks for political success that it may suppress the liquor traffic, and that one way by which to secure the "good will and votes of a majority, is to urge diligently Sabbath reform." "A plank in a platform is not enough. The Prohibition papers must make the matter prominent. And in no other way can they make as many votes. . . . The Sabbath plank of the Prohibition Party is good for at least five hundred thousand additional votes if it is made prominent." This is a frank statement of the alliance of the Prohibition Party with the religious legislationists.

THE bibliography of the relation of the National Swine Breeders' Association to the Sunday closing of the World's Fair is becoming quite large. One of the most exquisitely comical things yet said is from *Farm, Field, and Stockman*, where, with innocent unconsciousness of its ludicrousness, the statement is made that, "The hog is the American farm-mortgage lifter, and should be recognized as an important feature in the Exposition designed to illustrate the advance of civilization. He has rooted many a poor man into a comfortable home, and those who have given him this power should have some influence in the matter whether he shall be put upon show on Sunday." Will this Christian Nation ride "pig-a-back" into the kingdom of heaven?

IN regard to the Prussian education bill, which the *Examiner* says "embodies the Emperor's solution of the burning educational problem, and aims to reorganize education in Prussia on a denominational basis, as denominationalism is understood by the Prussian State; that is to say, as embracing the Catholic and Protestant religions. The bill, accordingly, has been described by the Emperor as one to abolish atheism. Under it education is compulsory, and Christianity is so too. It allows a choice of denomination, and makes it possible for Protestant and Catholic children to be instructed in schools where their particular denominational truths are

taught, except in the cases of the children of Jews, Mohammedans, freethinkers, and atheists, who must, under severe penalties, receive instruction in the orthodox Christian faith." The Emperor's educational bill seems, in one respect, to be more liberal than Mr. Blair's historic educational amendment to the Constitution, in that he puts Protestants and Roman Catholics on an equal civil footing, whereas the Blair amendment recognized only Protestants; otherwise the German bill is the same, only translated into the methods of monarchism.

IF correctly reported, the Supreme Court of Pennsylvania has certainly expressed itself on the enforcement of Sunday laws. At the hearing of an appealed case, where the Law and Order Society of Allegheny County obtained the conviction of an oil well owner for pumping oil on Sunday, according to the *United Presbyterian*, the Judge, "in respect to the habit of taking appeals for infractions of the Sabbath law, said with some impatience: 'It is idle, and a great waste of time to bring such questions up here upon a certiorari. There is no appeal, and, as we have said at least a hundred times, we can not review the evidence.'" Upon this the Sunday-law promoters consider themselves strongly entrenched in Pennsylvania.

REV. JAMES P. MILLS, Field Secretary of the American Sabbath Union, is conducting a campaign for his Association in Milwaukee,—the *Sentinel* of that city has this in reference to the peroration of his first discourse.

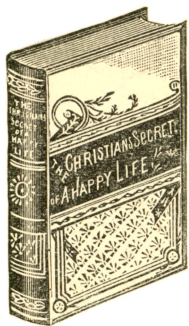
In conclusion the speaker said that the questions he had outlined were those that the Sabbath Union proposed to agitate to a settlement, until the real status of the Sabbath should be fixed. The agitation was not confined to the United States. Some twelve foreign countries were discussing it. Among them were France, Germany, Austria, Holland, and Hungary.

The extent of this agitation, its purpose, and its result are distinctly pointed out in prophecy, and there is no more important subject presented to the attention of the world at the present time. It will not be found that the true solution of the Sabbath question lies in the enforcement of Sunday observance by law.

THE Galesburg, Illinois, *Press and People* has the following appreciative note on "American State Papers":—

"In these days, when the agitation of the question of compulsory Sunday observance, compulsory reading of the Bible in public schools, State appropriations for sectarian institutions, untaxed church property, and kindred questions, are agitating the public mind, an organization like the National Religious Liberty Association becomes a necessity. . . . The society has already compiled and published in elegant typography, a comprehensive volume of three hundred and sixty pages, entitled "American State Papers Bearing on Religious Legislation," with a thorough historical review and *resumé* of the whole Sunday question. The volume ought to be in the hands of every free American citizen."

THE Washington correspondent of the *Sioux City Journal* chronicles the presentation in the House, of a memorial against the closing of the World's Fair on Sunday by Representative Hayes of Iowa, and reports that it is the second document of the kind protesting against Sunday closing presented in Congress this session, while every member of both houses has probably offered from one to twenty memorials asking that the gates of the Fair be closed on Sunday. Congress has no power to open or close the World's Fair on Sunday, and no doubt the majority of those who are opposed to legislative interference in religious matters know this. If Congress should attempt to assume any such authority intelligent Christian voters everywhere would make their protest known against any such usurpation of authority.



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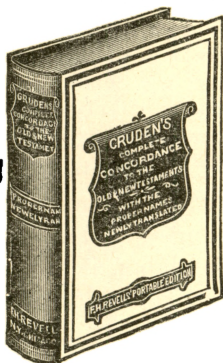
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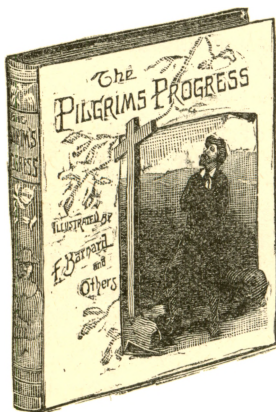
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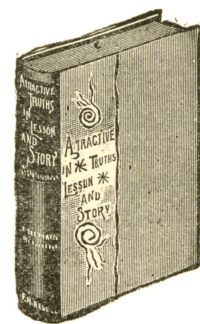
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NEW YORK, FEBRUARY 18, 1892.

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THE *Denver Times* very truly says that "no educational system has ever been devised, or ever will be devised, to obliterate crime, and no legislation can ever make men moral."

THE *Nelson Miner* (British Columbia) remarks that the new Sunday law, which went into effect January 1st, "is not strictly observed, neither will it be as long as people are constituted as they are."

A FRENCH court has decided that the Pope is a sovereign, and is entitled to inherit property in France. Upon this, the *Catholic Review* remarks: "From this decision it seems that after all the day is not so far off when the Pope will regain his former rights and possessions."

A LONDON paper has this bit of Sunday history which is not without interest in these days of agitation for more strict observance of the day:—

The old English Sunday in the north of England appears, from Mr. William Andrews' curious work on "Old Church Lore," to have been characterized by some strange practices. Sunday announcements of forth-coming auction sales and other equally secular matters were in some instances made by the parish clerk in the church-yard, or even in the church itself. It seems moreover that at Wigton, in Cumberland, during the reign of Charles II., a Sunday meat-market was held. Butchers put their carcasses of meat at the church door, and customers actually took the joints they had bought inside the building and hung them on the backs of the seats till service was finished. The clergyman was, we are told, so disturbed by this irreverent custom that he made a journey to London, on foot, and secured the change of market-day to Tuesday.

This sounds odd to modern ears, but when we remember that the Sabbath idea of Sunday is of comparatively recent origin, it is not at all strange that even pious people made meetings held upon that day, occasions of traffic.

THE German nation is very much agitated over the matter of primary education. Chancellor Caprivi says that the elementary schools in the empire have been in a chaotic condition. "We feel," he says, "that we are living in very serious times, amid forces against which we must rally all our resources of defense. We are developing within the State one of the most important means to this end. As-

surely the school must aid us in this. It is equally certain that we can not dispense with religion in this work. *It is beyond dispute that most schools need Christianity. The school, however, can not possess this without creeds; it must, therefore, be connected with the churches whence creeds emanate.*

THE italics in the preceding paragraph are introduced for the purpose of calling attention to an important thought, namely, that *the schools can not have religion without creeds.* This is evident, for the simplest definition of "creed" is, "That which is believed;" it is simply an expression in words of the faith of one or more persons, and it is utterly impossible to teach religion without teaching a creed, for it is impossible to teach religion without teaching that which some body believes.

WE hear in this country a great deal about unsectarian religious instruction in the fundamental doctrines of the Christian religion. But there is no such thing as unsectarian Christianity. If Christianity is to be taught in the public schools at all it can be done only as the Emperor proposes to have it taught in Germany, namely, by the churches. Caprivi is right, the schools can not possess Christianity without creeds. What then is more natural than that having determined that Christianity shall be taught in the public schools the State should turn to the churches whence come the creeds?

REFERRING to a recent infidel lecture in Brooklyn, Dr. Talmage said:—

Is there any such thing as blasphemy? If there be, is there no law against it? These are tremendous questions which I ask of the legal fraternity, the judges of our courts and through them the Legislature of the State of New York. There is such a thing as blasphemy. Let the law against blasphemy be erased from the statute book or let it be executed. . . . It would have been the grandest drama that Brooklyn had ever seen if last Sabbath my friend Patrick Campbell, the Chief of the Police, who believes in God—in Jesus Christ—had walked on the platform, followed by a platoon of police officers, and had put his hand on the shoulder of the blasphemous lecturer and said to him: "In the name of the common law, in the name of the State of New York, and in the name of the city of Brooklyn, this infamy must stop—must stop here and must stop now."

Yes, there is such a thing as blasphemy, and the time was when Dr. Talmage, had he lived and preached as he now preaches, would have been adjudged guilty of it.

"Blasphemy," says Bouvier, "is to attribute to God that which is contrary to his nature, and does not belong to him, and to deny what does." It follows that every man who has a different conception of God from that which his neighbor has, blasphemes, in the estimation of that neighbor, if he gives expression to that conception. Thus, in the eyes of the Trinitarian, the Unitarian blasphemes

when he denies the divinity of Christ and the personality of the Holy Spirit. Civil laws against blasphemy are dangerous things.

THE *Chicago Times* has the following:—

A Port Townsend doctor of divinity, according to the *Spokane Spokesman*, recently convened his Sunday school half an hour earlier than usual so that it might adjourn in time for the Sunday baseball game. The good doctor has precedents for his course in the action of the fathers of the church, who adopted the customs of the heathen and their festal days, and made them the customs, and the holy days of the Church. If Port Townsend will play ball Sunday the doctor is determined that Sunday ball-playing shall be made a part of the church service.

"The doctor," remarks the *Sabbath Recorder*, "would have good precedent for using a portion, at least, of Sunday for secular labor, if he were disposed so to use it. The edict which made Sunday in any sense a holy day gave permission to country people to work in their fields; and a bishop of the church, which established the Sunday festival, dismissed his congregation from the Sunday service to their several occupations. We have seen, in our day, devout adherents of the same church go to mass on Sunday morning, and thence to their potato fields and wash-tubs. The conduct of the doctor above mentioned is entirely consistent with the whole history and tradition of the church which gave us the Sunday festival."

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