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## Religious Intolerance in the Republic.

CHRISTIANS PERSECUTING CHRIS-  
TIANS IN TENNESSEE.



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## FREEDOM.

Is true freedom but to break  
Fetters for our own dear sake,  
And with leathern hearts forget  
That we owe mankind a debt?  
No; true freedom is to share  
All the chains our brothers wear,  
And, with heart and hand, to be  
In earnest to make others free.

They are slaves who fear to speak  
For the fallen and the weak;  
They are slaves who will not choose  
Hatred, scoffing, and abuse,  
Rather than in silence shrink  
From the truth they needs must think;  
They are slaves who dare not be  
In the right with two or three.

—James Russell Lowell.

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It is incumbent on the authors of persecution previously to reflect whether they are determined to support it in the last extreme. They excite the flame which they strive to extinguish; and it soon becomes necessary to chastise the contumacy, as well as the crime, of the offender. The fine, which he is unable or unwilling to discharge, exposes his person to the severity of the law; and his contempt of lighter penalties suggests the use and propriety of capital punishment.

—Gibbon.

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# RELIGIOUS INTOLERANCE IN THE REPUBLIC.

## CHRISTIANS PERSECUTING CHRISTIANS IN TENNESSEE.

[THE following matter constitutes the editorial in the December issue of the *Boston Arena* :—]

On the 18th of last July, a moral crime was committed in the State of Tennessee; a crime which should fire with indignation every patriot in the land; a crime over which bigotry, gloats and fanaticism exults; a crime so heinous in its character and so vital in the far-reaching principles involved, that any man acquainted with the facts is recreant to his manhood if he remains silent; a crime which reveals in a startling manner the presence and power in our midst of that spirit of intolerance which almost two thousand years ago pursued to the cross, nay, further, taunted in the throes of death's agony, a great, serene, God-illuminated soul. The great Prophet of Nazareth had asserted the rights of man, and had declared that man was to be judged by the fruits shown in life, and not by observances of rites, forms, or dogmas. He had declared that the Sabbath was made for man, and not man for the Sabbath. He had given as the supreme rule of life for all true disciples a simple but comprehensive law, "Whatsoever ye would that men should do to you, do ye even so to them." That was the sign by which in all ages his disciples should be known, and none knew better than this pure and tender soul that that rule carried out would forever crush the spirit of persecution and intolerance, which from the dawn of time had fettered thought and slain the noblest children of men.

The crime committed in Tennessee was very similar to the crime committed in Jerusalem more than eighteen hundred years ago. The animating spirit was precisely the same. The crime committed in Tennessee was, moreover, exactly similar in nature; that is, it in-

involved precisely the same principles as those crimes against which enlightened thought to-day recoils, and which lit up the long night of the Dark Ages with human bonfires, and drove to death for conscience' sake the noblest hearts and purest lives of Europe, because the victims could not conscientiously conform to the dogmas which the vast majority believed to be the will of God:—Strange, indeed, that the closing years of the nineteenth century should witness, flaming forth, the same spirit of insane fanaticism against which the Reformation made such an eloquent, and, for a time, successful protest. And in the present instance, as in the religious persecutions of the past, the crime has been committed in the name of justice. Victor Hugo, in speaking of the social structure in France in 1760, said: “At the base was the people; above the people, religion represented by the clergy; by the side of religion, justice represented by the magistracy. And at that period of human society, what was the people?—It was ignorance. What was religion?—It was intolerance. And what was justice?—It was injustice.” And so I think the historian of the future, from the noble heights of a golden-rule-permeated civilization, will point to such deeds as have recently been committed in Tennessee, as illustrating the cruel indifference of a pretended civilization which could tolerate such enormities without a universal protest.

I will now briefly outline the facts involved in this crime against justice and liberty, which has been committed in the name of law and through the instrumentality of a spirit which is the unmistakable and undeviating mark of savagery, as opposed to the spirit of Christ; a spirit which is at the present time exerting its power through organization, and like a canker worm at the tap root of the giant oak, is assailing the vitals of free government; a spirit which I profoundly believe is to-day the most dangerous, as it is the most insidious, evil which menaces republican government.<sup>1</sup>

<sup>1</sup> This intolerant spirit has in recent years crystallized itself into an organization known as the American Sabbath Union. It is not American, nor does it uphold the Sabbath. It is the true child of paganism, and seeks to establish in this republic the odious laws of the sun-worshipping Christian-pagan Constantine, and to persecute with the ferocity of a Nero all who do not believe as do these narrow-minded children of paganism. This body is seeking everywhere to close the museums of art on Sunday, that the poor may be denied the education and the pure pleasure of these noble educators. It was the activity of this organization which made it possible to carry the Sunday-closing clause of the World's Fair bill, which, should it prove effective, would rob hundreds of thousands of poor men, women, and working-girls of the inestimable educational benefits of this great world of instruction; and, what is more, it is indisputably working to change the republic of our fathers into a theocracy by

The facts relating to the persecution in Tennessee are briefly as follows:—

At the town of Paris, Henry Co., Tenn., on the 18th of July, 1892, three conscientious, law-loving, God-fearing Christian men, who had been lying in jail for a month and a half, were marched through the streets, in company with some colored criminals, and put to work shoveling on the common highway. All were men of families. One was an old man of sixty-two years; another was fifty-five years old. The State's attorney, who, in the interest of fanaticism, prosecuted these men with the same ferocity as a blood-hound would exhibit in attacking its victim, was constrained to admit that *aside from the crime charged, that of working on Sunday after they had religiously worshiped God on Saturday (their Sabbath), they were otherwise good citizens.* It will be noted that these men had not robbed their fellow-men, either legally or illegally; they were not extortioners; they were highly moral and exemplary citizens. Moreover, they were God-fearing men. They belonged to the little band of earnest believers in Christ, known as Seventh-day Adventists, a body of Christians who find in the Bible an injunction which they hold to be divine, requiring them to work six days in the week and to keep holy the seventh day, and who do not find any passage repealing this command in the Holy Scriptures. These sincere men worshiped God according to his word as they understood it, by keeping holy the Sabbath, or seventh day of the week. But they were poor men. Fifty-two days in the year were all the rest they could afford, if the wolf of want was to be kept from the door. Now, the Constitution of Tennessee declares that, "All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience; . . . that no human authority can, in any case what ever, control or interfere with the rights of conscience; and that no preference shall ever be given to any religious establishment or mode of worship."

From this it would seem self-evident that any law which might operate so as to render it impossible for God-fearing citizens to support themselves and families without doing violence to their consciences by having to disobey what they believed to be God's imperative command, would be unconstitutional and consequently

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uniting Church and State, even in the light of all past history, which at all times has proven that such a union corrupts religion and assassinates liberty. This organization should be opposed at all times and in every rightful way, for it is no less the foe of pure religion and true Christianity than it is the enemy of liberty and justice.

void; while it will appear equally evident that if any percentage of the population of Tennessee believe that God had commanded them to keep holy any day other than the first day of the week, to compel these persons to desist from work on the first day would be to compel poor people in the present fierce battle for livelihood to work on the day they believe holy, as to rest over one hundred days in the year would mean starvation to them and their loved ones. I do not see how any mind that is not blinded by bigotry can escape this conclusion. With this thought in mind, let us proceed.

In Tennessee, as in many of our Eastern States, there are ancient statutes, relics of a savage past, statutes which partake of the nature of the Blue Laws of colonial days. These enactments have for generations been practically obsolete. Hate, spite, and fanaticism have occasionally resurrected them; but constitutional guarantees, the enlightened sentiment of the age, and competent judges have usually rendered them of no effect. The law in Tennessee, which is of this nature, was an heir-loom from the theocracy of England, coming to Tennessee through North Carolina. It forbids any Sunday work, "except acts of real necessity" or "of charity," and prescribes a fine as punishment.<sup>1</sup> If the fine is not paid, the convicted party is to be imprisoned. Another statute declares that any one who maintains a nuisance may be fined one hundred dollars; while according to recent rulings of the State courts in Tennessee, a succession of such offenses as working on Sunday is a nuisance and is indictable.

On May 27 the Grand Jury of Henry county indicted five farmers living on small places near the village of Springville, Tenn. The cases were tried in Paris before a certain Judge W. H. Swiggart. The prosecution did not attempt to prove that any one was disturbed by the work of these poor farmers; indeed, the witnesses for the State each declared that he was not disturbed. One of the prisoners had been seen ploughing strawberries on Sunday, another cutting sprouts, and still another loading wood on a wagon. The accused did not employ counsel, but each made a simple statement of his case, relying upon the guarantee of the Constitution and the intelligence of the judge and jury for acquittal. The following is the statement made by Mr. W. S. Lowry, whose case came first:—

"I would like to say to the jury that, as has been stated, I am a Seventh-day Adventist. I observe the seventh day of the week as the Sabbath. I read my Bible, and my convictions on the Bible are that the seventh day of the week is the Sabbath, which comes on Saturday. I observe that day the best I know how. Then I claim the God-given

<sup>1</sup> See Appendix, p. 11.

right to six days of labor. I have a wife and four children, and it takes my labor six days to make a living. I go about my work quietly, do not make any unnecessary noise, but do my work as quietly as possible. It has been proved by the testimony of Mr. Fitch and Mr. Cox, who live around me, that they were not disturbed. Here I am before the court to answer for this right that I claim as a Christian. I am a law-abiding citizen, believing that we should obey the laws of the State; but whenever they conflict with my religious convictions and the Bible, I stand and choose to serve the law of my God rather than the laws of the State. I do not desire to cast any reflections upon the State, nor the officers and authorities executing the law. I leave the case with you."

This simple, eloquent, and noble statement of a high-minded Christian gentleman would have made an impression on any mind not blinded by bigotry, and would have rendered just any heart not dwarfed and shriveled by religious fanaticism. But like the ill-fated Huguenots of the sixteenth century, these victims of religious prejudice lacked broad-minded, liberty-loving, and Constitution-revering patriots for judge and jurors. The prosecuting attorney struck the key-note of the true animus of the prosecution when, in closing his speech, he made use of the following significant expression:<sup>1</sup>—

"I cannot conceive that a man who claims to be a peaceable, law-abiding citizen can go on disregarding the day openly in the face of the law, openly in the face of the protections that are thrown around the holy Sabbath, *as we believe it and hold it*, and protected by the laws of this State; and this is a question that I presume you, gentlemen, will not have any difficulty in coming to a decision upon."<sup>2</sup>

<sup>1</sup> It is a pity that some one did not point out to this gentleman the impropriety of a lawyer seeking to disregard the Constitution of his State by arguing in behalf of a statute which essentially nullified a sacred guarantee; for it is clear that if these men were to save their families from starvation, they must disregard the State law in order to enjoy the religious freedom guaranteed by the State Constitution.

<sup>2</sup> In striking contrast, says the protest sent out by the National Religious Liberty Association in its appeal to thoughtful Americans, are the following words of President Fairchild, of Oberlin College: "It is often urged that the right of private judgment, as now maintained, in reference to obedience to the laws of the land, will subvert government, and introduce confusion and anarchy. . . . The danger, however, is greatly over-estimated. Government is never the gainer in the execution of a law that is manifestly unjust. . . . Conscientious men are not the enemies but the friends of any government but a tyranny. They are its strength, and not its weakness. Daniel, in Babylon, praying, contrary to the law, was the true friend and supporter of the government; while those who, in their pretended zeal for the law and the constitution, would strike down the good man, were its real enemies. It is only when government transcends its sphere that it comes in conflict with the consciences of men"—*Fairchild's Moral Philosophy*, pp. 184, 185

The accused were promptly found guilty by the jury, and on refusing to pay the unjust fine<sup>1</sup>, were remanded to jail on June 3, where they remained for over forty days.<sup>2</sup> The sheriff had a higher conception of justice than the judge. He remarked to the latter that the convicted were "sincere in their belief." "*Let them educate their consciences by the laws of Tennessee,*" exclaimed this judge, who had sworn to uphold that Constitution which declares that —

"No human authority can in any case whatever control or interfere with the rights of conscience," and that "no preference shall ever be given by law to any religious establishment or mode of worship."

After lying in jail for over forty days, three of these conscientious, upright citizens were taken out in the chain-gang with three negro criminals who had been sentenced for drunkenness, shooting in the street, and fighting the city marshal, and set to work on the public highway. What a humiliating spectacle to a justice and liberty-loving American! Three upright, noble-souled men, who, like the early Christians and the children of the Reformation, were loyal to the voice of conscience, were thus associated with depraved and brutalized criminals.

The outrage might not call for such extended notice, were it not for the fact that in recent years in Tennessee and Arkansas these conscientious, Christian people, known as Adventists, have been systematically persecuted. The case above noted is only one of a number of similar instances where pure-hearted, Christian people have been cruelly persecuted for conscience' sake; and it would seem evident, from the systematic prosecutions and the heartless ferocity with

<sup>1</sup>The reason for not paying these fines is given by one of the victims, in the following language: "We did not pay our fines and costs, which amounted to about twenty-five dollars each, because we considered them unjust; and besides if we had paid them and returned to our work, we would have been re-arrested, and thus compelled to spend all the little property we own in paying fines."

<sup>2</sup>While these men were in prison for conscience' sake, the following advertisement appeared in the official paper of Henry county, Tennessee: "On Sunday next there will be a basket picnic at Hollow Rock. The P. T. & A. Railway will give an excursion rate of fifty cents for the round trip from Paris. The train leaves Paris at 9.45 A. M., and returning, leaves Hollow Rock at 5.00 P. M." A further illustration of the real nature of this religious persecution will be found in the facts set forth in a letter written by one of the victims to a brother in Washington, D. C.: "While I am writing to you, it being Sunday, there is a train load of workmen passing in the streets not thirty feet from the jail, going out to work; and they have done so every Sunday since we have been here, and it apparently does not disturb any one. But if a poor Adventist takes his hoe out in his field and labors on Sunday, it disturbs the people for miles around."

which these just and upright persons have been pursued, that they are victims of an organized effort, which has for its ultimate aim the securing of series of judicial rulings calculated to further aid the determined effort being made to unite Church and State and abridge the rights of American citizens. Against the infamy of these persecutions I wish to raise my voice in indignant protest. My whole soul revolts at the barbarism and ferocious savagery which seeks by resurrecting obsolete laws to re-enact in a measure the tragedies of the past, and which through legal technicalities ignore the constitutional guarantee of Tennessee. It is a shame, a crying shame, that such insane fanaticism, such anti-Christian intolerance, should flourish at this late day; and doubly shameful is it that our sense of justice and love of liberty are so benumbed by conventional hypocrisy that we do not as a nation rise up against such liberty-destroying inhumanity. To me there is nothing so terrible as the spectacle of just and upright men suffering as criminals. Think of that sixty-five-year old, silver-haired father, who had harmed no one, who had committed no crime, who had striven to follow the Golden Rule as a line of conduct for life, being driven in a chain-gang with hardened, brutalized negro criminals simply because of his sublime loyalty to what he conceived to be right. Think of this high handed infamy, and remember that this crime against liberty, this crime against human rights, was perpetrated in the name of law, and instigated by persons who *impiously* claim to be Christians.

The persecution of Jesus by the Pharisees of his day finds its parallel in the persecution of the Seventh-day Adventists by those who masquerade under his name to-day. And yet these same sleuth-hounds of bigotry call themselves Christians! Let us see how their actions square by the Golden Rule, which Jesus gave as the great basic principle of moral government.

Let us suppose that in Louisiana, for example, the Catholics, being numerically in the majority, should enact a statute that on certain days made holy by their church, all men must abstain from work "other than acts of real necessity." Let us suppose that Protestants refuse to keep these days; first, because they denied the right of the Church to canonize men or make holy days; and, secondly, because the fierce struggle for bread made it imperative that they work. Now let us further suppose that a number of the most upright citizens openly disregarded this unjust statute, and for this violation were dragged to prison, doomed to lie in jail, and finally put to work in New Orleans in the chain-gang with morally debased criminals.

Would not there be a mighty uprising over the length and breadth of the land at such an un-American and iniquitous enactment, which so clearly trampled on the right of conscience and disregarded the spirit of free government? "Whatsoever ye would that men should do to you, do ye even so to them." Jesus taught this as a cardinal truth, the sum of laws and precepts. Are persecutors of these Seventh-day Adventists Christians?—No, a thousand times, no! They are essentially pagan. Apollo-loving *Constantine*, and not the tolerant and ever-compassionate *Jesus*, is their model. But let us pursue this thought one step farther. Suppose that in Michigan, where the Seventh-day Adventists have some strength, they should be able to combine with the Hebrews, and were so disposed, and that through such a combination they were enabled to enact a law compelling all citizens of Michigan to rest on the seventh day. Would our Protestant and Catholic citizens peaceably acquiesce in such a statute? Would not our people call upon the Constitution to nullify such a wrong? Would we not hear on every hand that to compel people to keep Saturday would be equal to forcing a large per cent of them to do violence to their consciences by breaking Sunday, as a comparatively few could rest one hundred days in the year and yet earn a livelihood? And yet such a case would be exactly analogous to the persecutions now being carried on by persons who insult Jesus by calling themselves Christians. No, Gentlemen, I grant you are the legitimate children of the holy (?) Inquisition, but your action will not square by the Golden Rule.

Poor Mr. King, of whom I have written before, was pursued with the relentless ferocity supposed to be characteristic of demons, until death came to his relief. He, and these new victims of religious intolerance belong to the chosen band of royal souls who in all ages have been persecuted for conscience' sake. Of that band Jesus was a conspicuous member. He broke the Sabbath as the Pharisees held it, and was pursued by the Sabbath Union in his day, even to the cross. The early Christians in the days of Nero followed the dictates of their consciences, and for this were burned and torn to pieces. The noble spirits, yea, the chosen souls, of the Dark Ages, likewise followed the dictates of conscience, and for their splendid and sublime loyalty to what they conceived to be the truth, were burned, racked, and destroyed in a thousand different ways. Roger Williams followed the same guiding star of conscience in matters of religion, and as a result was banished from the Massachusetts Colony. All of these persons are now popularly regarded as martyrs for truth,

liberty, and right. The spirit manifested by their persecutors is abhorrent to all broad-minded and intellectually developed men and women. These last victims to the age-long spirit of intolerance hold the same position as was formerly occupied by the martyrs and heroes for conscience' sake, whose privations and heroic deaths form luminous examples of high thinking and noble acting amid the gloom of the past.

The secular press of the land, with many notable exceptions,<sup>1</sup> has paid little heed to these persecutions.

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<sup>1</sup> Below I give some protests made editorially by leading papers. Few, however, of these papers have made the cause of the oppressed their own cause; while, on the other hand, the persecutors have relentlessly pursued their evil way.

There can be but one opinion upon this decision among all liberal-minded men. It is odious sophistry! unworthy of the age in which we live, and under it an American citizen has been condemned to spend the rest of his days in a dungeon, unless he shall stoop to deny the dictates of his own conscience, and dishonor his own manhood.—*New York Commercial Advertiser*.

The keeper of Saturday has an undoubted moral right to his convictions. More than this, his legal right to observe Saturday as a holy day and Sunday as a secular day ought not to be called in question in free America by any civil authority. It would not be in doubt for a moment were it not for the existence of legal anachronisms that should have gone out with the witchcraft laws or, at the latest, with George the Third.—*Boston Daily Globe*.

It seems absolutely incredible that in this age of enlightenment, in these free United States, men should suffer and families be plunged into sorrow because they have exercised a right of conscience guaranteed to them by the Constitution of their country.

The sooner a test is appealed to the highest tribunal in the land for adjudication, the better for the honor of Tennessee and every State ridden by bad laws, passed in violation of individual liberty.—*Chicago Daily Globe*.

Not being able to leave his crops unworked for two days in the week, Mr. King ploughed them on Sunday after having kept the Sabbath the day before. He was arrested under the Sunday law; and in order to make it effective against him, it was alleged that his work on his farm on Sunday created a public nuisance. On this entirely untenable ground he has been harassed from court to court. He was a poor man, but has been supported by the friends of religious liberty. Mr. King has been greatly wronged, but his only remedy at law is under the law and Constitution of Tennessee. It appears that for the present his remedy is denied him, and, this being the case, he has no better course than to submit to the oppression and go to prison — to the convict camp, if it suits the convenience of his persecutors to send him there.—*St. Louis Republic*.

The principle involved is simple, and its application plain. The State has nothing to do with religion, except to protect every citizen in his religious liberty. It has no more right to prescribe the religious observance of sabbaths and holy days than to order sacraments and to ordain creeds.—*New York World*.

So long as the labor of Adventists on Sunday does not interfere with the rights of the Mosaic and Puritanic people on the same day, the prosecution of them seems neither more nor less than persecution.—*Chicago Tribune*.

People are asking if we are returning to the days of Cotton Mather or the Spanish

Indeed, a general lethargy seems to have overtaken our people and this is the most disheartening symptom present in the body politic at the present time. The day seems to have gone by when the cry of the oppressed or the weak arouses the sense of justice in the hearts of our people. Especially is it sad to see the religious press, supposed to represent the spirit of the Reformation (which struggled against such fearful persecutions of other days), now so silent when fellow-men are being ground between the millstones for conscience' sake. It is true that one of the greatest religious papers, the *Independent*, has spoken grandly for freedom, as will be seen by the following extract :—

“ We have again and again, during the last few years, had occasion to express our profound indignation at the administration of Tennessee law as applied to some country farmers belonging to the Seventh-day Adventist body, who, after having carefully kept the Sabbath on the seventh day of the week, worked in their fields on the first day of the week. This prosecution has been renewed, and three men of families, one fifty-five and another sixty-two years of age, were convicted, and have, during the summer and autumn, been working out their fine, being set to work with criminals at shoveling on the common highway. They refused to pay their fine, declaring that it was unjust, and that they were liable to be arrested again as soon as they were released. We have said before, and we say again, that this is bad law, bad morals, and bad religion.”

Another religious organ, the Baptist *Church Bulletin*, gives these suggestive words of warning :—

Let us be careful how we let in the camel's nose of religious legislation, lest the brute crowd his bulky form in and occupy the whole shop. If the law by which these men were legally imprisoned be a righteous law, then may any State, nation, or country set up a religious creed and enforce it ; then France treated properly the Huguenots ; Russia, the Jews ; and early New England and Virginia, the Baptists and Quakers. Protestant America had better be careful how she lays foundations for other men to build upon. Rome has as good a right to build in her way as we have to build in our way.

As a rule, however, the religious press has been strangely silent.

A nation can sometimes afford to err on the side of mercy, but no nation can afford to be unjust to her lowliest citizen. I am one of those who believe most profoundly that every sin, whether committed by an individual, a State, or a nation, brings its own consequence as

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Inquisition, that faithful, law-abiding citizens must be fined or driven from the country when their only offense consists in quietly carrying out the convictions of conscience.— *Louisville Courier-Journal*.

inevitably as the violation of a physical law brings its evil results. I believe that nations commit suicide no less than individuals, and that wrong done by nations will result in evil consequences; and believing this, while loving the great republic, I cannot remain silent when she is unjust or when she wrongs, in the name of law, upright citizens because they do not believe as the majority believe. No State or nation can afford to allow a law not based on justice to remain upon the statute books. And when our republic so far forgets the high ideals of justice, liberty, and human rights, which made her the flower of the ages, as to permit unjust laws to be passed, or cruel, obsolete statutes to be resuscitated in the interests of any class, any sect, or any religion, she makes law-breaking citizens, and plants in her own breast the seeds of disintegration.<sup>1</sup> B. O. FLOWER.

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## APPENDIX.

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This statement as to *imprisonment*, is a mistake. The mistake is entirely pardonable, however; for as bad as the situation is, as seen by the author, it never occurred to him that the authorities of Tennessee could presume to inflict punishments without any authority of law whatever. Such, however, is the case. And this adds yet a deeper dye to the essential iniquity of the procedure throughout. The facts in the case are these: The Sunday law of Tennessee—the only Sunday law in the statutes of the State—provides only for prosecution before “any justice of the peace in the county” where the work is done: and then provides a penalty of “three dollars” only, “one half to the person who will sue for the same, the other half for the use of the county.” This is the punishment, and the only punishment provided in the statute forbidding the “doing or exercising any of the common avocations of life” “on Sunday.” Nor

<sup>1</sup>Since the occurrence of the shameful proceedings which called forth this justly merited condemnation, the grand jury of the same county (Henry county, Tennessee) has summoned a score of witnesses, most of them members of the Seventh-day Adventist church at Springville, to testify against their brethren; and as a result it is reported that ten or more are indicted for performing farm labor on their own premises on Sunday after observing the previous day as the sabbath.

Among the witnesses summoned were a number of children; so that children were compelled to testify against their parents and parents against their children. Inquiries were also made as to whether the women worked on Sunday, and what they did. Among those reported to be indicted is a feeble old man nearing his four-score years.

Their trials are set for the second week in January; and judging from the “due process of law” meted out to their brethren, there awaits them for their loyalty to conscience in this free land, the cell and the chain-gang.—*The National Religious Liberty Association.*

is there any statute there making Sunday work a public or any other kind of "nuisance."

Yet all this is ignored by the authorities of Tennessee, and their own will is set up and executed in place of any statute. Where the statute knows no such crime as "public nuisance" in connection with Sunday work, the authorities create such a crime, and prosecute these Seventh-day Adventists accordingly. Where the statute provides only for prosecution before any justice of the peace of the county, the authorities prosecute the Seventh-day Adventists before the circuit court of the State. Where the statute provides for a fine of three dollars only, the authorities lay upon the Seventh-day Adventists any fine they choose. Where the statute makes no mention of any imprisonment, the authorities inflict upon these Seventh-day Adventists whatever imprisonment they please, in lieu of the fine which they have levied, if the fine is not paid.

All this has been done, and is now being done again, without any statutory authority, but solely upon the authority of a statement of the Supreme Court of the State, that "Christianity is part of the common law of Tennessee." And this statement was made, and was adopted, and is thus enforced, in the face of the Constitution of that State, which declares "that no preference shall ever be given by law to any religious establishment or mode of worship;" and "no human authority can, in any case whatever, control or interfere with the rights of conscience." And the whole procedure, as it is there carried on, stands confirmed and specifically indorsed by the Circuit Court of the United States for the western district of Tennessee as "due process of law," and this too in spite of the statements by the same court in the same connection, that there is "not any foundation for the ruling" of the Supreme Court of Tennessee "that it is a common law nuisance to work in one's fields on Sunday;" that the man was "wrongfully convicted;" and that the State Supreme Court "wrongfully decided" when it confirmed his conviction by said ruling.

The truth, then, and the sum, of this whole Tennessee procedure is that the only authority for it is a "ruling" of the State Supreme Court, for which there is "not any foundation," in rendering a "wrongful decision," confirming the "wrongful conviction" of a man for doing that which "is harmless in itself," namely, working on Sunday.

And to cap the climax of the whole matter, the Supreme Court of the United States has unanimously sanctioned the doctrine that "Christianity is part of the common law" of the land, and has cited this statement as one of the organic utterances which prove that "this is a Christian nation."

Therefore, as *the courts*, from the lowest to the highest in the land, are on the side of the persecutors, as once more, and in this dear land, "on the side of the oppressors there is power," it is evident that the case richly deserves this withering condemnation and indignant denunciation by the editor of the *Arena*, and that this just judgment needs to be endorsed and emphasized by *the people* of the United States.— *The National Religious Liberty Association.*