

bill shall not be returned by the President within ten days (*Sundays excepted*) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it." Congress never meets on Sunday, except of necessity, at the close of the short term, to complete legislation if the third of March happens to fall on a Sunday. The President is never inaugurated on a Sunday. The Supreme Court and the Federal courts are closed on that day. And if the Fourth of July falls on a Sunday, the great national festival is put off till Monday. The Revised Statutes of the United States sustain the observance of Sunday in four particulars: They exempt the cadets at West Point and the students of the Naval Academy from study on Sunday; they exclude Sunday, like the Fourth of July and Christmas Day, from the computation in certain bankruptcy proceedings, and provide that army chaplains shall hold religious services at least once on each Lord's Day.

The State Legislatures, State courts, and State elections follow the example of the general government, or rather preceded it. Most of the States protect Sunday by special statutes.\*

These Sunday laws are not positive and coercive, but negative, defensive and protective, and as such perfectly constitutional, whatever Sabbath-breaking infidels may say. The State, indeed, has no right to command the religious observance of Sunday, and to punish anybody for not going to church, as was done in some countries of Europe. The private observance and private non-observance is left perfectly free in our country. But the State is in duty bound to protect the religious community in their right to enjoy the rest of that day, and should forbid such *public* desecration as interferes with this right. The Supreme Court of the State of New York, April 17th, 1860, decided that the regulation of the Christian Sabbath "as a civil and political institution" is "within the just powers of the civil government," and that the prohibition of theatrical and dramatic performances on that day "rests on the same foundation as a multitude of other laws on our statutes—such as those against gambling, lotteries, keeping disorderly houses, polygamy, horse-racing, profane cursing and swearing, disturbances of religious meetings, selling of intoxicating liquors on election days within a given distance from the polls," etc.

The only class of American citizens who might with justice complain of our Sunday laws and ask protection of the last day of the week instead of the first, are the Jews and the Seventh Day Baptists. But they are a small minority, and must submit to the will of the majority, as the government cannot wisely appoint two weekly days of rest. The Revised Statutes of New York, however, provide that those who keep "the last day of the week, called Saturday, as holy time, and do not labor or work on that day," shall be exempted from the penalties of the

\* For a collection of the statutes on Sunday Legislation see document xlvii. of the New York Sabbath Committee.