times.@@1 Among the indications of the nature and univer­sality of its observance during this period may be men­tioned the precept in the (recently discovered) *Teaching of the Apostles* (c. 14) : “And on the Lord’s day of the Lord (*κατὰ κvριακήν κυρίov)* come together and break bread and give thanks after confessing your transgressions, that your sacrifice may be pure.” Ignatius *(Ad Magn.,* c. 9) speaks of those whom he addresses as “no longer Sab- batizing, but living in the observance of the Lord’s day (*κατὰ κvριακήν ζωvτες*), on which also our life sprang up again.”@@2 Eusebius *(H.E.,* iv. 23) has preserved a letter of Dionysius of Corinth (175 a.d.) to Soter, bishop of Rome, in which he says : “ To-day we have passed the Lord’s holy day, in which we have read your epistle ” ; and the same historian *(H.E.,* iv. 26) mentions that Melito of Sardis (170 a.d.) had written a treatise on the Lord’s day. Pliny’s letter to Trajan in which he speaks of the meetings of the Christians “ on a stated day ” need only be alluded to. The first writer who mentions the name of Sunday as applicable to the Lord’s day is Justin Martyr; this designation of the first day of the week, which is of heathen origin (see Sabbath, vol. xxi. p. 126), had come into general use in the Roman world shortly before Justin wrote. The passage is too well known to need quotation *(Apol.* i., 67) in which he describes how “ on the day called Sunday ” town and country Christians alike gathered to­gether in one place for instruction and prayer and charitable offerings and the distribution of bread and wine ; they thus meet together on that day, he says, because it is the first day in which God made the world, and because Jesus Christ on the same day rose from the dead.

As long as the Jewish Christian element continued to have any prominence or influence in the church, a tendency more or less strong to observe Sabbath as well as Sunday would of course persist. Eusebius *(H.E.,* iii. 27) men­tions that the Ebionites continued to keep both days, and there is abundant evidence from Tertullian onwards that so far as public worship and abstention from fasting are concerned the practice was widely spread among the Gentile churches. Thus we learn from Socrates *(H.E.,* vi. c. 8) that in his time public worship was held in the churches of Constantinople on both days ; the *Apostolic Canons* (can. 66 [65]) sternly prohibit fasting on Sunday or Saturday (ex­cept Holy Saturday) ; and the injunction of the *Apostolic Constitutions (*v. 20 ; cp. ii. 59, vii. 23) is to “ hold your solemn assemblies and rejoice every Sabbath day (except­ing one), and every Lord’s day.” In the primitive church the social conditions were such as hardly to admit of the question being raised, in Gentile circles at any rate, as to the manner in which either the Lord’s day or the Sabbath ought further to be kept after the duty of congregational worship (usually early in the morning or late in the even­ing) had been discharged ; but the whole matter was placed on an entirely new footing when the civil power, by the constitution of Constantine mentioned below, began to legislate as to the Sunday rest. The fourth command­ment, holding as it does a conspicuous place in the decalogue, the precepts of which could not for the most part be re­garded as of merely transitory obligation, had never of course escaped the attention of the fathers of the church ; but, remembering the liberty given in the Pauline writings

“ in respect of a feast day or a new moon or a Sabbath ” (Col. ii. 16 ; cf. Rom. xiv. 5, Gal. iv. 10, 11), they usually explained the “ Sabbath day ” of the commandment as meaning the new era that had been introduced by the advent of Christ, and interpreted the rest enjoined as mean­ing cessation from sin.@@3 But, when a series of imperial decrees had enjoined with increasing stringency an ab­stinence from labour on Sunday, it was inevitable that the Christian conscience should be roused on the subject of the Sabbath rest also, and in many minds the tendency would be such as finds expression in the *Apostolic Constitutions* (viii. 33) : “ Let the slaves work five days ; but on the Sabbath day and the Lord’s day let them have leisure to go to church for instruction in piety.” There is evidence of the same tendency in the opposite canon (29) of the council of Laodicea (363), which forbids Christians from Judaizing and resting on the Sabbath day, and actu­ally enjoins them to work on that day, preferring the Lord’s day and so far as possible resting as Christians. About this time accordingly we find traces of a disposi­tion in Christian thinkers to try to distinguish between a temporary and a permanent element in the Sabbath day precept; thus Chrysostom (10th homily on Genesis) dis­cerns the fundamental principle of that precept to be that we should dedicate one whole day in the circle of the week and set it apart for exercise in spiritual things. The view that the Christian Lord’s day or Sunday is but the Chris­tian Sabbath deliberately transferred from the seventh to the first day of the week does not indeed find categorical expression till a much later period, Alcuin being apparently the first to allege of the Jewish Sabbath that “ejus ob­servationem mos Christianus ad diem dominicam compe­tentius transtulit” (compare Decalogue, vol. vii. p. 17). But the subjoined sketch will incidentally show how soon and to how large an extent this idea has influenced the course of civil legislation on the subject.

*Law relating to Sunday.*

The earliest recognition of the observance of Sunday as a legal duty is a constitution of Constantine in 321 A.D., enacting that all courts of justice, inhabitants of towns, and workshops were to be at rest on Sunday *(venerabili die Solis'),* with an exception in favour of those engaged in agricultural labour. This was the first of a long series of imperial constitutions, most of which are incor­porated in the Code of Justinian, bk. iii. tit. 12 *(De Feriis).* The constitutions comprised in this title of the code begin with that of Constantine, and further provide that emancipation and manumis­sion were the only legal proceedings permissible on the Lord’s day *(die dominico),* though contracts and compromises might be made between the parties where no intervention of the court was necessary. Pleasure was forbidden as well as business. No spectacle was to be exhibited in a theatre or circus. If the emperor’s birthday fell on a Sunday, its celebration was to be postponed. The seven days before and after Easter were to be kept as Sundays. In Cod. i. 4, 9, appears the humane regulation that prisoners were to be brought up for examination and interrogation on Sunday. On the other hand, Cod. iii. 12, 10, distinctly directs the torture of robbers and pirates, even on Easter Sunday, the divine pardon (says the law) being hoped for where the safety of society was thus assured. After the time of Justinian the observance of Sunday appears to have become stricter. In the West Charlemagne forbade labour of any kind. A century later in the Eastern empire No. liv. of the Leonine constitutions abolished the exemption of agricultural labour con­tained in the constitution of Constantine. It is worthy of notice that this exemption was specially preserved in England by a con­stitution of Archbishop Meopham. The canon law followed the lines of Roman law. The decrees of ecclesiastical councils on the subject have been very numerous. Much of the law is contained in the Decretals of Gregory, bk. ii. tit. 9 *(De Feriis),* c. 1 of which (translated) runs thus : “We decree that all Sundays be observed from vespers to vespers *(a vespera ad vesperam),* and that all unlaw-

@@@1 In the Epistle of Barnabas already referred to (c. 15) it is called “the eighth day” : “We keep the eighth day with joyfulness, the day also in which Jesus rose again from the dead.” Comp. Justin Martyr, *Dial. c. Τryρh.,* c. 138.

@@@2 The longer recension runs : “ But let every one of you keep the Sabbath after a spiritual manner. . . . And after the observance of the Sabbath let every friend of Christ keep the Lord’s day as a festival, the resurrection day, the queen and chief of all the days.” The writer finds a reference to the Lord’s day in the titles to Pss. vi. and xii., which are “set to the eighth.”

@@@3 See Ignat., *Ad Μagn., ut supra,* and Ep. of Barnabas (c. 15): “Your present Sabbaths are not acceptable unto me, but that is which I have made when, giving rest to all things, I shall make a beginning of the eighth day.” So practically Tertullian *(Resp. ad Jud.,* c. 4) and Clement of Alexandria. According to Augustine also *(De Sp. et Lit.,* 14), the observance of the Sabbath is to be taken in a spiritual sense.