runs trains on Sunday one cheap train each way is to be provided (7 and 8 Vict. c. 85, s. 10). Most of the railway companies’ own Acts also provide for the running of Sunday trains.

*Commercial.—*At common law a contract made on Sunday is not void, nor is Sunday trading or labour unlawful. At an early period, however, the legislature began to impose restrictions, at first by making Sunday trade impossible by closing the places of ordinary business, later by declaring certain kinds of trade and labour illegal, still later by attempting to prohibit all trade and labour. 28 Edw. III. c. 14 (referred to above) closed the wool market on Sunday. 27 Hen. VI. c. 5 (the earliest Sunday Act still in force) prohibited fairs and markets on Sunday (necessary victual only excepted), unless on the four Sundays in harvest,—an exemption since repealed by 13 and 14 Vict. c. 23. 4 Edw. IV. c. 7 (now repealed) restrained the shoemakers of London from carrying on their business on Sun­day. 3 Car. I. c. 1 inflicted a penalty of 20s. on any carrier or drover travelling on the Lord’s day, and a penalty of 6s. 8d. on any butcher killing or selling on that day. Both this and the previous Act of 1625 were originally passed only for a limited period, but by subsequent legislation they have become perpetual. Next in order is the most comprehensive Act on the subject, 29 Car. II. c. 7, “An Act for the better observance of the Lord’s day, commonly called Sunday.” After an exhortation to the observation of the Lord’s day by exercises in the duties of piety and true religion, publicly and privately, the Act provides as follows :—No tradesman, artificer, workman, labourer, or other person whatsoever shall do or exercise any worldly labour, business, or work of their ordinary callings upon the Lord’s day or any part thereof (works of necessity and charity only excepted) ; and every person being of the age of fourteen years or upwards offending in the premises shall for every such offence forfeit the sum of 5s. ; and no person or persons whatsoever shall publicly cry, show forth, or expose to sale any wares, merchandises, fruit, herbs, goods, or chattels whatsoever upon the Lord’s day or any part thereof upon pain that every person so offending shall forfeit the same goods so cried, or showed forth, or exposed to sale (s. 1). No drover, horse-courser, waggoner, butcher, higgler, their or any of their servants, shall travel or come into his or their lodging upon the Lord’s day or any part thereof, upon pain that each and every such offender shall forfeit 20s. for every such offence ; and no person or persons shall use, employ, or travel upon the Lord’s day with any boat, wherry, lighter, or barge, except it be upon extraordinary occasion to be allowed by some justice of the peace, &c., upon pain that every person so offending shall forfeit and lose the sum of 5s. for every such offence. In default of distress or non-payment of forfeiture or penalty the offender may be set publicly in the stocks for two hours (s. 2). Nothing in the Act is to extend to the prohibiting of dressing of meat in families, or dressing or selling of meat in inns, cooks’ shops, or victualling houses for such as cannot be otherwise provided, nor to the crying or selling of milk before nine in the morning or after four in the afternoon (s. 3). Prosecutions must be within ten days after the offence (s. 4). The hundred is not responsible for robbery of persons travelling upon the Lord’s day (s. 5). Service of process on the Lord’s day is void ; see above (s. 6). This Act has frequently received judicial construction. The use of the word “ordinary” in section 1 has led to the establishment by a series of decisions of the principle that work done out of the course of the ordinary calling of the person doing it is not within the Act. Thus the sale of a horse on Sunday by a horse-dealer would not be enforcible by him and he would be liable to the penalty, but these results would not follow in the case of a sale by a person not a horse-dealer. Certain acts were held to fall within the exception as to works of necessity and charity, *e.g.,* baking

provisions for customers, running stage-coaches, hiring farm- labourers. The legislature also intervened to obviate some of the inconveniences caused by the Act. By 10 and 11 Will. III. c. 24 mackerel was allowed to be sold before and after service. By 11 and 12 Will. III. c. 21 forty watermen were allowed to ply on the Thames on Sunday. By 9 Anne c. 23 licensed coachmen or chair­men might be hired on Sunday. By 34 Geo. III. bakers were allowed to bake and sell bread at certain hours. These Acts are all repealed. Still law are 2 Geo. III. c. 15 s. 7, allowing fish carriages to travel on Sunday in London and Westminster ; 7 and 8 Geo. IV. c. 75, repealing section 2 of the Act of Charles II. as far as regards Thames boatmen ; and 6 and 7 Will. IV. c. 37, permitting bakers out of London to carry on their trade up to 1.30 p.m. The penalty of the stocks denounced by sect. 2 is practically obsolete (see Stocks). The prosecution of offences under the Act of Charles II. is now subject to 34 and 35 Vict. c. 87 (an Act which was passed for a year, but has since been annually continued by the Expiring Laws Continuance Act of each session), by which no prosecution or proceeding for penalties under that Act can be instituted except with the consent in writing of the chief officer of a police district or the consent of two justices or a stipendiary magistrate. This is surely a more reasonable means of providing against any hardship caused by the Act than the *ex post facto* power of remission of penalties incurred under 21 Geo. III. c. 49. Besides the general

Act of Charles II., there are various Acts dealing with special trades ; of these the Licensing Acts and the Factory and Workshop Act are the most important. By the Licensing Act, 1874, premises licensed for the sale of intoxicating liquors by retail are to be open on Sunday only at certain hours, varying according as the premises are situate in the metropolitan district, a town or populous place, or elsewhere. An exception is made in favour of a person lodging in the house or a *bona fide* traveller, who may be served with re­freshment during prohibited hours, unless in a house with a six- day licence. Attempts have often been made, but hitherto with­out success, to induce the legislature to adopt the principle of com­plete Sunday closing in England as a whole, or in particular counties.@@1 In the session of 1886 a Bill for Sunday closing in Durham was passed by the Commons, but rejected by the Lords. The advocates of Sunday closing in Ireland and Wales have been more successful. The Sale of Liquors on Sunday (Ireland) Act, 1878, prohibits the opening of licensed premises on Sunday, except in Dublin, Cork, Limerick, Waterford, and Belfast. In these towns such premises may be opened from 2 p.m. to 7 p.m. Exemptions are also made in favour of lodgers and travellers, of packet-boats and railway stations. The Sunday Closing (Wales) Act, 1881, contains no exceptions of towns, like the Irish Act, and the only exemption is the sale of intoxicating liquors at railway stations. The Factory and Workshop Act, 1878, forbids the employment of a child, young person, or woman on Sunday in a factory or workshop. But a young person or woman of the Jewish religion may be employed on Sunday by a Jewish manufacturer, provided that the factory or workshop be not open for traffic on Sunday. There are a few other legislative provisions of less importance which may be noticed. Fishing for salmon on Sunday by any means other than a rod and line is an offence under the Salmon Fishery Act, 1861. By the same Act a free passage for the salmon through all cribs, &c., used for fishery is to be left during the whole of Sunday. Carrying on the business of a pawnbroker on Sunday is an offence within the Pawnbrokers Act, 1872. Distilling and rectifying spirits on Sunday is forbidden by the Spirits Act, 1880. The effect of Sunday upon bills of exchange is declared by the Bills of Exchange Act, 1882. A bill is not invalid by reason only of its bearing date on a Sunday (s. 13). Where the last day of grace falls on a Sunday, the bill is payable on the preceding business day (s. 14). Sunday is a “non­business day” for the purposes of the Act (s. 92). This review of Sunday legislation pretty clearly shows that its tendency at present is opposed to extending facilities to trade on Sunday, but that as to recreation the tendency is rather in the other direction.@@2

*Scotland.—*The two earliest Acts dealing with Sunday are some­what out of harmony with the general legislation on the subject. 1457, c. 6, ordered the practice of archery on Sunday ; 1526, c. 3, allowed markets for the sale of flesh to be held on Sunday at Edin­burgh. Then came a long series of Acts forbidding the profanation of the day, especially by salmon-fishing, holding fairs and markets, and working in mills and salt-pans. 1579, c. 70, aud 1661, c. 18, prohibited all work and trading on the Sabbath. The later legis­lation introduced an exception in favour of duties of necessity and mercy, in accordance with ch. 21 of the Confession of Faith. In more modern times the exigencies of travelling have led to a still further extension of the exception. The Sabbath Observance Acts were frequently confirmed, the last time in 1696. These Acts were held by the High Court of Justiciary in 1870 to be still subsisting, as far as they declare the keeping open shop on Sunday to be an offence by the law of Scotland (Bute’s Case, 1 Couper’s *Reports,* 495). The forms of certificate in the schedule to the Public Houses Acts Amendment Act, 1862 (superseding those in the Forbes Mac­kenzie Act of 1853), provide for the closing on Sunday of public- houses and of premises licensed for the sale of excisable liquors, and of inns and hotels, except for the accommodation of lodgers and travellers. Scots law is stricter than English in the matter of Sunday fishing. By 55 Geo. III. c. 94 the setting or hauling of a herring-net on Sunday renders the net liable to forfeiture. By the Salmon Fisheries (Scotland) Act, 1862, fishing for salmon on Sunday, even with a rod and line, is an offence. As to contracts and legal process, the law is in general accordance with that of England. Contracts are not void, apart from statute, simply be­cause they are made on Sunday. Diligence cannot be executed, but a warrant of imprisonment or *meditatio fiugæ* is exercisable. It should be noticed that, contrary to the English custom, the term “Sabbath” was generally used in the legislation of the Scottish parliament.

*United States.—*Some of the early colonial ordinances enforced the obligation of attendance at church, as in England. In most States there is legislation on the subject of Sunday, following, as a general rule, the lines of the English Act of Charles II. In

@@@1 The Act 1 James I. c. 9 (now repealed) appears, however, to have pro­vided for closing ale-houses in most cases, except on usual working days.

@@@2 See, in addition to the authorities cited, Lyndewode, *Provincial Constitu­tions* bk. ii. chap. iii. ; Ayliffe, *Parergon,* p. 470 ; Gibson, *Codex,* tit. x. chap. i. ; Heylin, *History of the Sabbath,* part ii. ; the article “Lord’s Day” (by Bishop Barry) in the *Dictionary of Christian Antiquities* ; and Hessey, *Sunday,* (Bampton Lectures, 1860) ; also Robert Cox’s works on the Sabbath.