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 *(ejusdem generis)* 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). A barber was held in 1900 not to be a trades­man, artificer, &c. within the act, and to be free to shave customers on Sunday@@1; nor is a farmer. No drover, horse-courser, wagoner, butcher, higgler 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), a punishment now obsolete. Nothing in the act is to prohibit the dressing of meat in families, or the dressing or selling of meat in inns, cooks' shops—which in­clude fried fish shops *[Bullen* v. *Ward,* 1905, 74 L.J.K.B. 916)— or victualling houses for such as cannot be otherwise provided, nor the crying or selling of milk before nine in the morning or alter 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). 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 en­forceable 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 have been held to fall within the exception as to works of necessity and charity, *e.g.* baking provisions for customers (but not baking bread in the ordinary course of business), running stage-coaches, or hiring farm-labourers. The legislature also inter­vened to obviate some of the inconveniences caused by the act. By 10 Will. III. c. 13 (1698) mackerel was allowed to be sold before and after service. By 11 Will. III. c. 21 (1699), forty watermen were allowed to ply on the Thames on Sunday. By 9 Anne, c. 23 (1710), licensed coachmen or chairmen might be hired on Sunday. By an act of 1794 (34 Geo. Ill. c. 61), bakers were allowed to bake and sell bread at certain hours. These acts are all repelled. Still law are the acts of 1762 (2 Geo. 111. c. 15 s. 7), allowing fish carriages to travel on Sunday in London and Westminster; 1827 (8 Geo. IV. e. 75), repealing s. 2 of the act of 1677 as far as regards Thames boatmen. The Bread Acts of 1822 (3 Geo. IV. c. 106) allow bakers in London, and of 1836 (6 & 7 Will. IV. c. 37) allow bakers out of London, to carry on their trade up to 1.30 p.m. Since 1871, by an act annually continued (34 & 35 Vict. c. 87), no prosecution or proceeding for penalties under the act of 1677 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, which must be obtained before beginning the prosecution, *i.e.* before applying for a summons *[Thorpe* v. *Priestnail,* 1897, I, Q.B. 159).

The act of 1871 does not apply to breaches of the Bread Acts (*R*. v. *Mead,* 1902, 2 K.B. 212).

A good many bills have been introduced with respect to Sun­day trading. Most have been directed to the closing of public-houses on that day; but the Shop Hours Bill introduced in 1907 contained clauses for closing shops on Sundays, with the excep­tion of certain specified trades. The result of the act of 1871 in London has been in substance to make the Lord’s Day acts a dead letter as to Sunday trading. The commissioner of police rarely if ever allows a prosecution for Sunday trading. Sunday markets are usual in all the poorer districts, and shopkeepers and hawkers are allowed freely to ply their trades for the sale of eatables, temperance drinks and tobacco. But the conditions

of licences for the sale of intoxicants and for refreshment houses are strictly enforced with respect to Sunday. In districts where the town councils have control of the police, prosecutions for Sunday trading are not infrequent; but they seem to be instituted rather from objection to the annoyance caused by street traders than from religious scruples. The limitation of the time for prosecution to ten days, and the necessity of the previous consent of the chief constable, have a great effect in restricting prosecutions. In most districts there is a distinct disposition to refrain from enforcing the strict letter of the older law, and to permit the latitude of what is described as the “ Continental Sunday,” except in the case of businesses carried on so as to interfere with the public comfort. In most districts liberality in administration has progressed *pari passu* with a change in public opinion as to the uses to which Sunday may properly be put; it is becoming less of a holy day and more of a holiday.

There is great activity among those interested in different theories as to the proper use of Sundays. On the one side, Lord’s day observance societies and the organizations concerned in the promotion of “ temperance ” *[i.e.* of abstinence from alcoholic drinks) have been extremely anxious to enforce the existing law against Sunday trading and against the sale of intoxicants to persons other than bona fide travellers, and to obtain legislation against the sale of any alcohol on Sundays. On the other side, the Sunday League and other like organiza­tions have been active to organize lectures and concerts and excursions on Sundays, and to promote so far as possible every variety of recreation other than attendance at the exercises of any religious body. Travelling and boating on Sunday are now freely resorted to, regardless of any restrictions in the old acts, and railway companies run their trains at all hours, the power to run them being given by their special acts. Tram- cars and omnibuses run freely on Sundays, subject only to certain restrictions. Hackney carriages may in London ply for hire on Sundays (1 & 2 Will. IV. c. 22).

Besides the general act of 1677, there are various acts dealing with special trades; of these the Licensing Acts and the Factory and Workshop Acts are the most important. By the Licensing Acts, 1872 and 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. The hours may be varied to fit in with the hours of religious worship in the district. 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. In the case of six-day licences, no sale of liquor may be made except to persons lodging in the house. Attempts have often been made to induce the legislature to adopt the principle of complete Sunday closing in England as a whole, or in particular counties.@@2 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 Wales have been more successful. The Sunday Closing (Wales) Act 1881 contains no exceptions of towns and the only exemption is the sale of intoxicating liquors at railway stations. Public billiard tables may not be used on Sunday (8 & 9 Vict. c. 109). The Factory and Workshop Act (1901) forbids the employment of women, young persons or children on Sunday in a factory or work­shop (s. 34). But a woman or young person of the Jewish religion may be employed on Sunday by a Jewish manufacturer if he keeps his factory or workshop closed throughout Saturday, and does not open it for traffic on Sunday, and does not avail himself of the exceptions authorizing employment of women or young persons on Saturday evening or for an' additional hour on other weekdays (ss. 47, 48). There are a few other legislative provisions of less importance which may be noticed. 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 “ non-business day ” for the purposes of the act (s. 92).

*Scotland.—*The two earliest acts which dealt with Sunday are somewhat out of harmony with the general legislation on

@@@1 It is curious that by an order in council of Hen. VI. to regulate the sanctuary of St Martin-le-Grand it was provided that all artificers dwelling within the said sanctuary (as well barbers as others) keep holy the Sundays and other great festival days without breach or exercising their craft as do the citizens of London (Gomme, *Govern­ance of London,* 1907, p. 329).

@@@s 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.