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Friday June 6, 1924.

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Liberty vs. License

What was known as "The Clean Books Bill" has been before the New York State Legislature for the last two years, presented by a committee headed by Justice John Ford of the Supreme Court.

Objection has been raised that the bill violates the personal liberty and free speech sections of the United States and New York State Constitutions.

Justice Ford points out that because the Clean Books Bill adds "disgusting," to present prohibitions against publication of "obscene, lewd, lascivious, filthy or indecent prints or objects," the constitutional limitations are not contravened.

Justice Ford goes on: "In case of Robertson against Baldwin, decided in 1936, the United States Supreme Court declared:

"The law is perfectly well settled that the first ten amendments to the Constitution, commonly known as the Bill of Rights, were not intended to lay down any novel principles of government, but simply to embody certain guarantees and immunities which we had inherited from our English ancestors, and which had from time immemorial been subject to certain well recognized exceptions arising from the necessities of the case. In incorporating these principles into the fundamental law, there was no intention of disregarding the exceptions, which continued to be recognized as if they had been formally expressed. Thus, the freedom of speech and of the press does not permit the publication of libels, blasphemous and indecent articles, or other publications injurious to public morals and private reputation."

The constitution of New York provides in article one, section 8:

"Every citizen may freely speak, write or publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press."

But our highest court, like the highest Federal Court, has held that this provision protects immoral publications no more than the Federal Constitution protects them. In People v. Most, decided in 1922, the Court of Appeals construed this provision of the state constitution as follows:

"While the right to publish is thus sanctioned and secured, the abuse of that right is excepted from the protection of the Constitution, and authority to provide for and punish such abuse is left to the legislature. The punishment of those who publish articles which tend to corrupt morals, induce crime and destroy organized society, is essential to the security of freedom and the stability of the state. While all the agencies of government, executive, legislative and judicial, cannot abridge the freedom of the press, the legislature may control and the courts may punish the licentiousness of the press. The 'liberty of the press,' as Chancellor Kent declared in a celebrated case, consists in the right to publish, with impunity, truth, with good motives, and for justifiable ends, whether it respects governments, magistracy or individuals. (People v. Cronwell, 8 Johns. Cas. 336, 343.)"

Senator Alfred E. Smith proposed to his friends make a vigorous effort to compass his nomination for Governor. He said: "I am certain that the people will do the right thing."

Salesmen—Prosperity

His friends say that while Herbert W. Bramley, of the Sibley-Lindsay Curr Co., modestly disclaims any ability as a salesman, he possesses that ability in a considerable degree and this is borne out by a recent address given before the Salesmen's Club, of the Rochester Chamber of Commerce of which Mr. Bramley is first vice-president.

In the course of this talk, Mr. Bramley gave some practical suggestions which could be profitably followed by salesmen. For instance, he said that a salesman would be farther along in his profession if he were able at all times to reach a conclusion as to whether or not his prospect is a possible customer. Many salesmen, he said, miss out by hanging on too long, thus losing the confidence and good will of the man he is calling on. Also, he said, some salesmen lose out by not having thoroughly analyzed the article he is trying to sell and knowing whether or not it is suitable to the prospect. Salesmen should know also, he said, just how far to press the sale. Some salesmen fall short of completing the sale where if they would be a little more persistent they would bring the prospect over.

Salesmen should talk optimistically, he said. There is no greater purveyor of prosperity than the salesman. Good business, he said, depends to a great extent on the spirit and the outlook of salesmen who travel throughout the country, spreading the contagion of their optimism. This is caught up by the people it comes in contact with and is passed along. "Our state of mind has much to do with our prosperity," he said. "It pays to be cheerful."

State Finances

A few days ago, Hon. Simon L. Adler of Monroe, who has been a majority leader in the New York State Assembly gave an interesting address on "State Finances" before the Commercial Travelers Association.

The total amount appropriated by the Legislature for all purposes, he said, was \$154,600,000, about the same as last year. The largest single appropriation, he said, was for education—\$49,600,000, or 32 per cent of the whole amount. The next highest amount appropriated was \$29,547,000, or about 19 1/2 per cent of the whole, for highways and bridges. The third largest appropriation was for institutions for the insane, feeble-minded, crippled, deaf, and so on, amounting to \$15,153,000, or 9 1/2 per cent of the whole.

An appropriation of \$3,500,000 was made for the New York and New Jersey tunnel, connecting New York and New Jersey through the North River. This tunnel was built by agreement of the two states and to effect the lessons the past has taught us. All about us sleep those who have different beliefs, and many of them are of different actions. But America is breaking all its records in conferring degrees this year, there being 436 members of the senior class now eligible for degrees. The Marquette college of dentistry leads in graduates, with 162. The law school is next, with 149. Others are Medicine, 49; nursing, 22; engineering, 47; business administration, 39; journalism, 31; arts and science, 17; graduate school, 5; music, 5; and dental hygiene, 17.

The commencement program calls for three days of festivities, starting swingout Monday, June 9. Alumni will reign Tuesday, with the members of ten classes back for reunion. Announcement that Marquette is contemplating the opening of a School of Nursing was made by the Rev. Albert C. Fox, president of the university, in the course of an address to the nurses' graduating class at St. Mary's hospital here. The new development of schools of nursing connected with universities is proving a boon to hospitals, said Father Fox, and the advance in the education required of nurses makes such a school a distinct need. That apprentice system is gradually giving way everywhere to university schools, he added.

"Any girl who seeks in nursing merely amusement, a good time, an easy way of making money, or entrance to the marriage market, makes a grievous mistake," said Father Fox. Diplomas in nursing were conferred by Father Fox on twenty-four girls.

Baseball magnates hope for better things during the rest of the season of 1924. The body of the team will be closed the vault, Cardinal Touchet appeared and asked the workmen if he might not go down in it. "Certainly," said the surprised workmen.

The cardinal then went down and knelt for a few minutes in prayer, turning to the workmen, "Now," he said, "I am certain that at least one De Profundis will have been said on my tomb."

Paris, May 23.—"L'Opinion" reports that a short time ago, while the workmen who have been working in Orleans Cathedral on the tomb which will receive many years hence, it is hoped—the body of the Marquis de Profundis was closed the vault, Cardinal Touchet appeared and asked the workmen if he might not go down in it. "Certainly," said the surprised workmen.

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Church's Power

Our own "Dr. Hanna", Archbishop of San Francisco, is now in Rome presenting his reports to the Holy Father.

A few days ago the Archbishop preached a powerful sermon in the Eternal City on the power and influence of Holy Mother Church. He took the permanence of the Catholic Church as the theme of his sermon. As one looks at the ruins of Rome he said, one realizes that kings come and go, but the church remains immutable through the centuries. After the war, when the whole world seemed tumbling, the people began looking for something stable and their thoughts turned to the church.

"Men need authority," he continued, "they need to forget petty quarrels and individual ambitions; men must have a standard in which to put their faith. If the standard is money, creed and selfishness, instead of love, charity and piety, the world will surely decline; but there is the church, which glories and always has gloried in supplying the latter attributes."

One Nation

President Coolidge has not, in recent years, shown himself more of a student of American traditions and ideals than in the address delivered Sunday, May 24, at the Confederate Memorial Day exercises in the national cemetery at Arlington.

In closing his address, the President said and said well—"The bitterness of conflict is passed. Time has softened, discretion has changed. Your country respects you for cherishing the memory of those who wore the gray. You respect others who cherish the memory of those who wore the blue. In that mutual respect may there be a firmer friendship, a stronger and more glorious Union."

"When I delivered the address dedicating the great monument to General Grant in the city of Washington, General Carr was present with others of his comrades and responded for the Confederacy with a most appropriate tribute. He has since the lately passed away, one of the most talented and gallant corps of officers. To the memory of him whom I had seen, and heard, and knew, as the representative of that now silent throng, whom I did not know, I offer now my tribute. We know that it is providence that would have it so. We see and obey. A mightier force than ever followed Grant or Lee has leveled both their hosts, on amounting to \$15,153,000, or 9 1/2 per cent of the whole.

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WEEKLY CALENDAR OF FEAST DAYS

(By N. C. W. C. News Service)

Sunday, June 8.—St. Medard, Bishop, was one of the most illustrious prelates of the Church in France. He was consecrated by St. Remigius who had baptized King Clovis. After a life noted for devotion to the poor, he died at Noyon in 546.

Monday, June 9.—Sts. Primus and Felicianus, martyrs, were brothers who lived in Rome toward the latter part of the third century. Because they professed the Faith they were cruelly tortured and finally beheaded.

Tuesday, June 10.—St. Margaret of Scotland, the daughter of an English king, became the bride of Malcolm of Scotland and reigned as Queen until her death in 1093. She built many churches and monasteries and would not rest until she brought about the observance of the law of God throughout the Kingdom. She spared no pains in the education of her eight children and their sanctity was the result of her prudence and zeal. On her death bed she received word that her husband and eldest son had been slain in battle and she thanked God for this last affliction.

Wednesday, June 11.—St. Barnabas, Apostle, was chosen to preach the Faith in Antioch and in this capacity he enlisted the aid of St. Paul. Later St. Barnabas went to Cyprus and there he won his martyr's crown.

Thursday, June 12.—St. John of Fozzanduz was a hermit of the Augustine Order in Salamanca after he had resigned a number of benefices in the diocese of Burgos. A lady of noble birth but evil life, whose companion in sin St. John had converted, contrived to administer a fatal poison to the Saint and after months of terrible suffering he died in 1479.

Friday, June 13.—St. Anthony of Padua, known as the "Hammer of the Heretics" preached in France, Italy, and Sicily, working many miracles and converting thousands to Faith. He died in 1231.

Saturday, June 14.—St. Basil the Great was born in Asia Minor. Two of his brothers became Bishops and, together with his mother and sister, are honored Saints. He was known as the father of monastic life in the East and later was chosen Bishop of Caesarea in which capacity he courageously combated the Arian heresy. He died in 379 and is venerated as a Doctor of the Church.

36 On Marquette List For Degrees; Plan Nurse School Milwaukee, Wis., May 20.—Commencement exercises for Marquette University's largest graduating class will be held in the Milwaukee auditorium June 11, with Rev. William H. Robinson, S. J., president of St. Louis University, as the commencement speaker.

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