

MOTOR TUNE-UP
SPECIAL
WALLMANS

Religious Study Seen Upheld by 1st Amendment

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(This is the third in a series of articles written by a former prominent official of American, national Catholic weekly, who also is a student on studies pertaining to Church-State relations.)

By REV. JOHN COCHRANE MURRAY, S.J.

The spirit of the First Amendment is a spirit of respect for religion by government; for "this is a religious people," and the spirit of a democratic State must reflect the spirit of its people.

What now, in the most recent of its acts? "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." Two general prohibitions are laid on Congress—first, no law, in the original intention of the States that demanded the Amendment, and the Congress that framed it?

The bride and her groom were given by James Madison during the House debate in August, 1789. He said that "he apprehended the meaning of the words to be that Congress should not establish a religion and enforce the legal observance of it by law, nor compel men to worship God in any manner contrary to their consciences." He added that some States considered the amendment to be necessary, but Congress should think itself never bound "to make laws of such a nature as might infringe the rights of conscience and establish a national religion."

CONGRESS THE words understood, and you will see the meaning of the two prohibitions laid on Congress: (1) no national establishment of religion, and (2) no governmental coercion of conscience in matters of religion. The principle on which the second prohibition rests is indisputably clear. No Catholic may

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Nation's Oldest Church Bells?

St. Peter's — (NYC) — The bell of St. Michael of the Most Holy Mother Church of that name here, based on the American Manufacturing Company records, is believed to be the oldest in the United States. According to an inventory on the bell book, it was cast on August 4, 1860, in Spain.

The bell was dedicated to St. Joseph by the Spanish mission in manufacturing for the celebration of the feast of St. Joseph in the year 1860. It was cast by the American Manufacturing Company in the town of San Miguel church in Santa Fe. When the tower was destroyed in a storm in 1872, the bell was placed for safe keeping under the stairway in the rear of the church, where it is on display today.

What the Amendment forbade in 1791 was a national church, national articles of faith, a national mode of worship; it forbade the kind of thing which was done in England and Norway and Sweden and Spain. In these countries, Episcopalianism or Lutheranism or Catholicism is singled out from other religious bodies, given a special status in law, and special preferences and privileges not accorded equally to other religious bodies, usually including salaries for the clergy, erection and maintenance of churches, and the like.

This is "establishment" as understood in the First Amendment. Pages of evidence could be given to prove the fact, no evidence exists to show that any wider meaning was intended.

For instance, the word occurs in seven State constitutions in force in 1791; in each occurrence it has the technical meaning of "legal preference for one particular church, sect or denomination," with consequent subordinate legal status for others.

THIS WAS the legal meaning of the term, this too, was its popular meaning; this is still its one legitimate grammatical meaning, as any dictionary will testify. Take the notion of "legal preference" out of the word, and one no longer has "establishment" in any genuine sense, as accepted in 1790 or in 1947. And if the 1790 Congress deliberately chose a technical word, and then deliberately, and without notice, used it in a large, untechnical, non-technical sense, they were guilty of deliberate ambiguity. But this is incredible. In a document where every word was weighed for its precision.

ON GUARD!

(Continued from page 1)
the public authority to supply for the insufficient forces of individual effort, particularly in a matter which is of such importance to the community, teaching as it does the maintenance of the family and married people. If families, particularly those in which there are small children, have not suitable dwellings, if the husband cannot find employment and means of livelihood, if the necessities of life cannot be purchased except at exorbitant prices; if even the mother of the family in the great hurry of the home, is compelled to go forth and seek a living by her own labor; if she, too, in the ordinary or even extraordinary labor of childbearing, is deprived of proper food, medicine, and the assistance of a skilled physician, it is patent to all to what an extent married people may be hurt. . . Indeed it is obvious how great a part can be taken in the public security and to the welfare and very life of civil society itself. . .

"Wherefore, those who have the care of the State and of the public good cannot neglect the needs of married people and their families, without bringing great harm upon the State and on the common welfare. Hence, in making the laws and in the giving of public funds they must be their utmost to relieve the needs of the poor, considering with a look to one of the most important of their responsibilities. . .

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