

## IOWA SCHOOL CASE IN SUPREME COURT

Teaching of German on Appeal in Washington.

### LANGUAGE STUDY ARGUED

Learning of Foreign Tongues Not Dangerous, Says Attorney for Plaintiff.

WASHINGTON, D. C., Nov. 28.—Iowa's foreign language act of 1919, prohibiting the use of any languages except English in all secular schools below the eighth grade, was attacked in the supreme court today in a case brought by August Bartels. The court presented many contentions recently raised before the court in two cases from Ohio, which the court now has under advisement, and is to be followed by other cases from Nebraska, in which broadly similar questions are raised under the law.

Admitting that Iowa could validly prohibit the instruction of children in any except public schools, Charles E. Pickett, counsel for Bartels, insisted that private and parochial schools which complied with all the requirements of the compulsory education law of the state could not properly stop teaching additional subjects, provided the standard required under the compulsory education law was maintained. Bartels taught German in a Lutheran parochial school for religious purposes, to enable the children, Mr. Pickett asserted, to join their parents "at communion, at worship, with them in a common language." Contending that a child may be taught in a private or parochial school with the consent of its parents any harmless subject, he insisted that the state could not prohibit Bartels teaching reading in German.

**State Rulings Denied.**  
He denied that the state courts had correctly held in Ohio, Iowa and Nebraska that those who are taught in parochial schools and in children of foreign parents who are taught in parochial schools, and that ignorance of English on the part of citizens of foreign extraction had retarded the functioning of the melting pot. The laws, no foundations he said, for the charge that private and parochial schools in which foreign languages are taught are likely to be disloyal, or impart instructions inimical to the best interests of the country.

Replying to an inquiry from Justice McReynolds as to whether the state could not require all children to attend public schools, Mr. Pickett insisted that such a regulation would not prevent such children from attending private or parochial schools at the close of their classes each day in the public schools.

The teaching of foreign languages is not harmful, he asserted, either to public morals or public safety. When Mr. Pickett suggested that the occupation of teaching was legitimate, Justice McReynolds interposed, "but not to teach anatomy." When asked if the teaching of text books, Mr. Pickett replied, it cannot be classed as anarchy, because the text books meet the requirements of the state.

**Language Study Defended.**  
Knowledge of a foreign language has long been considered desirable by most civilized people, Mr. Pickett declared. It had been encouraged by government from ancient times, he said, and the Iowa statute does not discourage it, he added, after the eighth grade, although it does prohibit it below that grade.

This brought from Justice Sutherland the question whether a state had not the right to restrain subjects in the teaching of languages in foreign schools. Justice Holmes asked whether a state, taking notice of a large foreign immigration, might not take steps that might reasonably be expected to assist them to acquire English. Justice Sutherland also asked if states could restrict the teaching of languages where state jurisdiction in such matters ended. If private and parochial schools maintained in all branches of study the standard prescribed in the compulsory education law, Mr. Pickett replied, additional study in other branches which are in no wise harmful cannot be limited.

**State Attorney Present.**  
Challenging the constitutionality of studying foreign languages in private and parochial schools, like those in public schools, were free, he said, to study languages under private tutors.

Assistant Attorney-General Flick of Iowa represented the state, but did not present an argument, stating that the state was willing to submit the case to the court in briefs and in arguments which were presented in the Ohio cases.

**RESCUE FRANCE, IS PLEA**

(Continued From First Page.)  
pleaded for the purpose of convincing us. They have not paid us and we have been unable to pay our own obligations. Go through the schools of Germany and you will find that they are teaching hatred of the French. Go through the schools of college and universities and you will not find one man who would not consider it something undignified and not to the interest of his own people to preach hatred toward Germany."

**Alliance Declared Made.**  
He reiterated his assertion that Germany had as allies in her designs for war the Russians and the Turks.

"I am not saying that this is coming tomorrow or when it is coming," he continued. "But I am simply giving you warning. I see that your government does not seem to be afraid of the direction and does not know that way. But in time we do. And I think that when we show you—when we catch in the act Germans hiding arms and secretly violating the treaty by securing artillery and guns in Russia, you will understand what feelings they are to be used have. Who amongst us. There cannot be anybody else."

"Also we come to this point: That the war was waged to obtain a certain kind of peace; that peace was obtained, but it was not put into execution, and nobody can tell whether it will remain so. All those who are interested in not bringing about the execution of that peace—the Russians, who made the treaty of Brest-Litovsk, which was treason against France; and the Turks, who prolonged this war by at least two years, who were, with the Germans, the ones who were preparing for—it lets us not call it war, if you do not want to, but let us call it interference in middle Europe."

"Now, my friends," he concluded, "I am going to leave you. But not

without returning to the words with which I began. My message is peace. I have not, although I give you some of the highlights of my life, but I am ever in favor of peace."

"France does not wish for war. I wish you could see the French peasant. What does the French peasant on his farm, want with war?"

"Talk to him about dominating the world and he would not know what you are talking about. Why, in my village, when a young man wanted to marry a young woman who lived in the next village, whose steeples you could see, she would be called a hussy. On the farm, when they want to work, they don't want to fight. We all want to attend to our business. We do not teach hatred of Germany or of anyone. We are not concealing guns and cannons in the soil."

"The French people are a good people. We do not fear to fight. That is quite different, but we do not fight for the pleasure of dominating."

The Tiger was introduced by Brigadier-General Charles G. Dawes, formerly director of the budget, as "one of those great figures whose memory will span the centuries and live through the ages."

**Speakers Not Muzzled.**  
General Dawes, introducing General Dawes drew a laugh when he referred to the storm in the session over M. Clemenceau's outspoken utterances.

"We have never muzzled our speakers—we are not senators weighed down with official dignity and responsibilities," General Dickinson remarked.

He was interrupted by a burst of cheers when he added a moment later that no one objected to the Tiger's scream when he strode dauntlessly up and down the battlefield encouraging the soldiers of France.

General Dickinson received round after round of applause when he pleaded the cause of France and urged the setting up of an alliance by United States and Great Britain to defend her against unprovoked aggression.

He expressed the hope that the Tiger would be able to "melt this cold oblivion" and bring America into alliance.

General Dawes, introducing M. Clemenceau, reflected that the speaker was a man who had been a factor in the world war exceeded the total mobilized strength of the United States army in France and at home, and turning to the Tiger assured him America would never forget the sacrifices France made.

**Campaign to Be Organized.**

The proposed amendment has been drafted by the executive board of the Bible fellowship. R. L. Edmiston of Spokane, president of the fellowship, has announced that a campaign will be started to bring Protestant church leaders to form the plan of campaign at Olympia. A two-thirds vote of the membership of both houses of the legislature would be required to get submission of the amendment, which then would go to the people for election in the election of 1924.

The amendment is proposed to section II, article I of the constitution, which, as it now stands, provides the usual guarantees of "absolute freedom of conscience in all matters of religion, to be left alone," and provides specifically that "no public money or property shall be appropriated for or applied to any religious worship or exercise or instruction."

**Text of Proposed Amendment.**

The proposed amendment reads: "Provided, further, that, whereas the common rules of life and liberty of the people of the state and of the United States are founded upon knowledge of the Bible, not less than 10 verses shall be read or caused to be read by the teacher without sectarian comment, each school day from the Bible, and all the schools and educational institutions of this state. Teachers and school boards of this state, and the county agent, shall encourage each student to read the Bible as part of his regular passing reading course. The Bible shall not be deemed a sectarian book. The legislature shall provide for enforcement of this provision, and in preparing Bibles for use of teacher and student in all schools, no further provision shall never be held to be in conflict with this constitution or its operation, or otherwise."

Other announcements by Mr. Edmiston indicate that the movement already has been well considered.

Religious denominations for the Bible fellowship will be established in the First Presbyterian church of Olympia with Rev. Thomas H. Simpson in charge. Rev. W. S. Prichard, executive secretary, is at the head of what a political organization would call a speakers' bureau. It is left to him to provide speakers to fill all engagements throughout the state.

**Unitarian Oppose Measure.**

Closely following these announcements and also coming from Spokane is the declaration of Dr. Eugene Milne Cosgrove of the Unitarian society that "the question of having the Bible in the public schools is simply another attempt of dogmatic orthodoxy to throw dust in the eyes of the people."

"Hands off," cried Dr. Cosgrove.

"Under the illusion of having the Bible introduced in the schools because it is a part of world literature, these people hope to bring the dogmas of their neo-Christianity before the people."

With somewhat less belligerence Rev. Harry P. Olson also takes an opposing stand.

"It would not be fair to many people, Jews and Christians alike, to require them to read the Bible in

## FIGHT TO GET BIBLE IN SCHOOLS STARTS

Amendment to Constitution of Washington Planned.

### CHURCHES SPLIT ON PLAN

Movement Well Considered and Intensive Campaign Proposed to Put Measure Through.

PUGET SOUND BUREAU, Seattle, Wash., Nov. 28. (Special)—An amendment to the state constitution to require reading of the Bible in the public schools and other state educational institutions will be submitted to the 1923 legislature. The plan originates with the Bible fellowship of Washington, an organization consisting of ministers of the gospel and Bible students.

Immediately opposition to the plan has been developed by Unitarians, not identified with the organization. Almost from its inception the proposed amendment is imperiled by the split sentiment within the churches and religious societies. Unbelievers will have time to hold their fire.

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