

December 9, 1961

**Court To Hear Case
On Prayer In School**

WASHINGTON (BP)--Are daily prayers in public schools constitutional?

The U. S. Supreme Court here has agreed to decide this question in a case presented by five parents who object to the daily recitation of a non-sectarian prayer in the public schools of New Hyde Park, N. Y. The case centers in a prayer approved by the New York Board of Regents in 1951 for use in the public schools of the state. Its words are:

"Almighty God, we acknowledge our dependance upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country."

The practice is to repeat the prayer in each class right after pledging allegiance to the flag. The teacher or one of the class leads the rest of the students.

The parents, two Jewish, one Unitarian, one a member of the Society for Ethical Culture and one an agnostic, have told the Supreme Court in their appeal the prayer "favors religious belief over non-belief." They state it violates their own beliefs and that of their children. They ask an injunction to prohibit the school board from directing the recitation of the prayer during opening exercises in the public school classrooms.

Judge Bernard S. Myer of Nassau County, N. Y., heard the original petition and denied it. He was assured that the children were not compelled to participate in the prayer. He commented that in 17 state court decisions he could find involving religious practices in public schools, 10 upheld the schools and seven struck down the practices, leaving the precedents unclear.

The New York State Supreme Court of Appeals upheld Judge Myer and voted 5 to 2 to deny the injunction. The dissenting justices argued that the prayer is a "form of state-sponsored religious education" which they felt should be declared unconstitutional.

The U. S. Supreme Court is expected to hear oral arguments in the case sometime in February or March.

Never before in the cunning dispute on the proper boundary between church and state has the court agreed to look at the practices in many public schools of pening each day's classes with Bible reading and a prayer.

The justices have previously dealt with such problems as the teaching of religious classes on school time and in public classrooms, the transportation of students to parochial schools and the purchase of books and supplies for students in parochial schools.

The New York Board of Regents entered the case as a friend of the court, opposing a review by the Supreme Court. Counsel for the board said that the prayer was recommended because the board was "aware of the dire need, in these days of concentrated attacks by an atheistic way of life upon our world...of finding ways to pass on America's moral and spiritual heritage to our youth through the public school system."

Kentucky Denounces
Parochial D mands

MIDDLETOWN, Ky. (BP)--The Executive Board of Kentucky Baptist Convention here has written letters to state legislators denouncing a "citizen-led" campaign for tax funds to parochial schools.

In a resolution, the board called the demand for state aid to these schools "a clear violation" of church-state separation which would, if enacted, "tend to destroy the public school system."

The proposals, reportedly going to the state General Assembly early in 1962, come from an organization calling itself "Citizens for Educational Freedom."

Press reports indicate the General Assembly will be asked to appropriate \$18 million for 90,000 parochial school pupils at the rate of \$200 each for tuition. The request is also for free bus transportation to sectarian schools.

Editor C. R. Daley of the convention newspaper, Western Recorder, is one of three men on a committee to confer with state officials about state sales tax applying to churches and church-related agencies. Other members are John C. Huffman, Mayfield, chairman, and Franklin Owen, Lexington.

The state convention in November took a stand for church exemption to the state sales tax.

Executive Secretary Harold G. Sanders of Middletown told the Executive Board "every piece of literature which goes out from the state Baptist office will be Co-operative Program-centered." The Cooperative Program is a plan through which churches support state missions and national and world missions as carried out by Southern Baptists.

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Fleming Gives \$65,000
To Arizona College

(12-9-61)

PHOENIX, Ariz. (BP)--William Fleming, Baptist millionaire oil producer in Fort Worth, Tex., has given another \$65,000 to Grand Canyon College (Baptist) here.

President E. N. Patterson reported Fleming gave \$50,000 outright for endowment. He proposed another \$15,000 for current expenses if the college raised a like amount, which it did.

Fleming also is giving \$20,000 a year for three years for college operations.

Patterson announced another gift which will come to the college over a period of years. He did not announce details but said the final total will be \$250,000. The donor is Mrs. Anna T. Ethington, a member of Trinity Baptist Church at Casa Grande, Ariz.

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South Carolina Student
Group Asks Race Study

(12-9-61)

GREENVILLE, S. C. (BP)--Baptist Student Union State Convention delegates voted 117 to 25 here to ask South Carolina Baptist institutions to study the question of racial desegregation.

A resolution introduced by a Virginia girl studying at the state normal college for women--Winthrop College at Rock Hill--said Christian institutions have an "incapable responsibility...to give courageous leadership in times of social change."

The resolution suggested trustees of state Baptist institutions "give careful study to their responsibilities and opportunity to open doors of knowledge and service to qualified students regardless of race or creed."

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Two weeks earlier the state convention here voted down a motion that trustees of state Baptist institutions be instructed to receive applications from worthy students regardless of race or creed.

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Oklahomans Running
Into Space Problem

(12-9-61)

OKLAHOMA CITY (BP)--Directors of the Baptist General Convention of Oklahoma have tackled a space problem in the Baptist Building here.

All space in the building, originally thought to be constructed for 50 years without expansion, is filled with Baptist staffers and their offices. The Baptist Building went up in 1951.

Directors asked their executive committee to study office housing requirements, considering space needed for all departments and any problems which might exist.

The Baptist Messenger (state paper) Committee recommended a study of the needs in the Messenger pressroom. This led to the wider study.

In other business, the convention's Insurance and Auditing Committee was instructed to study the desirability of a group insurance plan for pastors.

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