

Copyright 2012 National Society Magna Charta Dames and Barons

# **The National Society Magna Charta Dames**

Instituted March 1, 1909



## ***Meetings in***

**NEW YORK  
GLENSIDE  
PHILADELPHIA  
LOUISVILLE  
BOSTON  
PHILADELPHIA  
HARTFORD**

## ***Addresses by***

**CLARENCE B. MITCHELL  
JOHN S. WURTS  
FRANCES LESTER WARNER  
JAMES A. EMERY  
LUCY LANE ERWIN  
HENNING W. PRENTIS  
WALTER P. HALL**

**January 1939**

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The Council of the National Society Magna Charta Dames

November 1, 1938, announces the election of

**Sarah Logan Wister Starr, LL. D.**

(Mrs. James Starr)

as President of the Society

Mrs. Starr has been a member of the Pennsylvania Society of Colonial Dames since 1901 and served as its President from 1915 to 1924. She is also a Vice President of the Sovereign Colonial Society Americans of Royal Descent.

When the decision was reached to celebrate in Philadelphia the Sesqui-Centennial of the founding of the nation, Mrs. Starr conceived and carried out the idea of reproducing Sulgrave Manor, the birthplace of George Washington's ancestors, as a patriotic and educational exhibit.

A group originally formed for the relief of sufferers from the Johnstown flood was reorganized by Mrs. Starr, the result being The Women's Permanent Emergency Association of Germantown, of which she became the President, and this organization has through the years continuously shown itself ready to contribute its utmost resources in response to emergency demands.

During the World War she organized in Germantown, and directed as President, the National League for Women's Service, which conducted a demonstration center for the help of women in their homes in the practical problems of food conservation. She also accepted the Chairmanship of the Third Federal District of the Third Liberty Loan, and the signal success which attended that movement in this locality was attributable in a marked degree to her tireless activities and leadership.

In 1919 she accepted membership on the Board of Corporators of the Woman's Medical College of Pennsylvania, the oldest school in the world organized for the education of women in medicine, and in the following year she became its President, which office she held from 1920 to 1935, when she became Chairman of the Board, which office she still holds. Under her leadership the program for a greater Woman's Medical College was instituted and accomplished, resulting in the removal of the institution from its narrow accommodations and environment to a more suitable location with a modern college and hospital building, designed and equipped to meet the needs of many years to come.

In 1937 Mrs. Starr was appointed a member of the Commission of the State of Pennsylvania to commemorate the 300th Anniversary of the landing of the Swedes, and she accompanied the official party to Sweden. She was co-Chairman of the Women's Committee in charge of the Swedish activities held in Pennsylvania in 1938.

Mrs. Starr has always taken an active part in events connected with Germantown and is at the present time occupied with the preservation of "Grumblethorpe," the Estate of John Wister who came to this country in 1728.

In 1931 Ursinus College conferred upon Mrs. Starr the degree of Doctor of Laws.

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# The National Society Magna Charta Dames

Instituted at the Capitol of the United States, in the City of Washington, on March 1st, 1909. An hereditary Order it is directed by a Council and composed of women who are lineal descendants of one or more of the Barons of England who in or before the year 1215 rendered actual service toward securing, and who, after many defeats, finally did secure the articles of constitutional liberty, properly called the Magna Charta, from their sovereign, John, King of England, which he ratified and delivered to them "in the meadow which is called Runnemede between Windsor and Staines," on the Thames, above London, on the 15th day of June, A. D., 1215.



## THE DAYS WE CELEBRATE:

Founders' Day, March 1st.

Magna Charta Day, June 12th.

The Barons' Day, November 5th.

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Philadelphia, Pa.

January 1939

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## Invocation

November 10, 1936

offered by

The Rev. Dr. George Paull T. Sargent



**ETERNAL GOD** through whose mighty power our forefathers won their liberties, grant that we, their children, and all the people of this land, in the spirit of the Barons of Runnymede, may have grace to maintain and ever preserve this heritage in its integrity.

Grant to us a deepening sense of gratitude for Thy goodness and for the blessings which we enjoy, beyond those of any other nation.

Help us to be loyal and true to Thee, our God; true to our Nation and the Christian ideals upon which it was founded, that through us it may be a beacon light and lead the world into the paths of goodness and truth, liberty and democracy, righteousness and peace, for thus alone may we be true to ourselves.

All of which we ask in the Name of and for the sake of Him who taught us when we come together to say,

Our Father which art in heaven, Hallowed be Thy Name. Thy kingdom come, Thy will be done in earth, as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil: For Thine is the kingdom, and the power, and the glory, for ever. Amen.

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The Reverend George Paull Torrence Sargent, D. D., rector since 1933 of St. Bartholomew's Church in New York City, was born in Cincinnati, Ohio, March 12, 1881.

He received the degree of A. B. at Yale University in 1905, and the degree of D. D. from Berkeley Divinity School, New Haven, Connecticut, in 1932, was ordained to the ministry of the Protestant Episcopal Church in 1908.

During the World War he was chaplain of the Naval Camp Logan, Great Lakes Training District. He has been many times delegate to the General Conventions, and is a member of the Huguenot Society, the Society of Colonial Wars, and the New Jersey Society Sons of the American Revolution.

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Clarence Blair Mitchell, A.B. Princeton '89; LL.B. Columbia '92

Member of the Law Firm of Choate, Larocque and Mitchell. Member of the Century, Union and other clubs and of the New York Society Sons of the Revolution.

## The Influence of Magna Charta in Our Times

an Address by

**Clarence Blair Mitchell**

delivered before

The National Society Magna Charta Dames

Meeting at "The Plaza", New York City

November 10, 1936

*Madam President, Magna Charta Dames,  
and Fellow Guests:*



IF King John had had to face the Dames of Magna Charta instead of the Barons, I am sure he would have surrendered at discretion, and I venture to say that when those Barons left their homes to meet him, their Dames gave them some sound advice.

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Now that a strenuous political campaign has come to an end, to the satisfaction of a majority of our citizens and the disappointment of a minority at least as intelligent, I think we can, without fear of being accused of electioneering, consider some of those issues which are ever present under all forms of government, and which have assumed special importance in our own times.

To a thoughtless onlooker, it might seem strange that we should have come here today to honor a document drawn in a foreign land over seven hundred years ago, but those of us who are even slightly acquainted with history know that the **spirit** which prompted and spoke through that great document is as vital and as necessary to human welfare today as it was then.

Some years since, I had a place in England not far from Runnymede, and I never passed that historic spot without a thrill. I could fancy that I saw drawn up on the pleasant little meadow, and facing King John, the group of Barons who there made history as imperishable as any due to the world's greatest battles. Although they were dressed in the trappings of the period, and although they little dreamed of gunpowder, steam, electricity and the conquest of the air, the hearts that beat under medieval armor sought the same ends and demanded the same assurances as those which are sought and demanded by us who are gathered here today. Hatred of tyranny is the same at all times and under all circumstances. Despotism may, indeed, take more subtle forms in our time than in the days of unrestricted royal power, but in its essence, the fight between freedom and arbitrary government is ever the same. It makes little difference to a man in jail whether the warrant for his arrest is stamped with a crown or with a blue eagle. It makes little difference to a citizen whether he is unjustly taxed by a king or by a democracy.

It is interesting to remember that it was no mob that

faced King John, but rather a group of the wealthiest and ablest men of their time, who pledged themselves to pass on to others the benefits which they themselves demanded from the Crown. The battle for true freedom has always been led by a thinking minority. Every one is eager for more liberty, but it seems that at times we are in danger of confusing the material benefits enjoyed in its name with that true freedom which demands from those seeking it, obligations as well as benefits, sacrifices as well as enjoyments.

Although the rights secured at Runnymede were later on largely disregarded by King John and his successors, the gesture there made, constituted a living mark in the history of the world—a gesture which has ever since disturbed the dreams of tyrants and shone like a beacon to the oppressed. Little by little the aspirations voiced in Magna Charta found their way into the common law of England, and little by little the Tudors, the Stuarts and the Hanoverians each in their own day and in their own way, had to yield to these aspirations. It was not the burnings and pillagings by London mobs that brought about this change, but the leadership of educated men in each generation, coming down to Pitt and Fox, and the great Whigs of the Eighteenth Century who, during the American Revolution, recognized that the colonists were fighting the same battle in the field which they themselves were waging in Parliament.

It has been well said that the Declaration of Independence was the soul of the Constitution, and that the latter incorporated in practical form the aspirations which inspired the Declaration. It is equally true that the men who signed the Declaration and who drafted the Constitution had ever in mind those rights which had their origin in Magna Charta, so that between Magna Charta and our Constitution there runs an unbroken and vital thread, by which the latter claims legitimate descent from the former. The men who drew the Constitution were for the most part well versed in his-



tory and well acquainted with the long struggle carried on in England to secure the freedom of the Courts and to curb a corrupt and powerful bureaucracy. No sooner had they adopted the seven original articles, which provided for the political framework of our government, than they hastened to add the first ten amendments, which incorporated in our fundamental law those imperishable safeguards of personal liberty, constituting what is generally known as the Bill of Rights, which in spirit, if not in form, trace their ancestry directly to that famous clause in Magna Charta reading as follows:

No freeman shall be arrested, or detained in prison, or deprived of his freehold, or banished, or in any way molested; and we will not set forth against him, nor send against him, unless by the lawful judgment of his peers and by the law of the land.

The guaranty of freedom in religion, speech and the press, the right to bear arms, the right to trial by jury, and the prohibitions against double jeopardy, unreasonable search, excessive bail and cruel and unusual punishments, are but practical applications of the broad principles found in Magna Charta.

The safeguards of freedom, however, are not self-enforcing. They are forever under attack. Just as King John and his successors sought on various pretexts of national necessity, temporary emergency, or foreign wars, to gradually undermine the provisions of Magna Charta, so in our day we are from time to time called upon to face similar attempts against our liberties. What would the men who drew the Constitution have thought if in their day a little tailor had been imprisoned for the crime of charging forty instead of fifty cents for pressing a suit of clothes, or if a small manufacturer had languished eighteen days in jail until his bail was furnished by a stranger, because he could only afford to pay, and his few hands were quite willing to accept, wages at the rate of forty cents instead of fifty cents

an hour? And what would the men who resisted the Stamp Act have thought of a government stamp on every bag of potatoes? Yet these instances, and many similar ones, actually occurred in our own country only a short time ago under a new theory of government which boasted that it was restoring to the humble citizen rights of which some ill-defined and nebulous plutocracy had robbed him; and where one man actually felt the heavy hand of an irresponsible bureaucracy, hundreds of others dreaded lest it fall on them.

Now what are some of the forms which modern assaults on our liberties have taken?

In the first place, there are the open attacks on the Constitution led in large part by men, many of them aliens, who secretly or openly have little love for our form of government. They tell us that the Constitution is out of date, that the men who made it were ignorant of modern conditions, and assume that any present day group of political leaders can produce a better one. There are some things, thank God, which never grow old. Truth, honor, courage and the love of liberty are the same at all times and in all places. Conditions change, but principles do not. Oppression and arbitrary power are as hateful under one form of government as under another. It makes little difference to a man who is unjustly imprisoned, or whose property is taken away, whether he lives under an autocracy, a monarchy or a republic. One would think, to hear these critics, that the makers of the Constitution had evolved it ready made from their own inner consciousness, but nothing could be further from the fact. The framers knew their history and had been taught by hard experience. The Constitution embodied to a large extent those principles for which English Whigs had long been contending. It was not by accident that the political party founded by Washington and his friends was called "Whig". It stood for liberty without license, for freedom without demagoguery. It is a truism that

history repeats itself, but is it not a strange spectacle to find our so-called liberals of today advocating methods of government which our forefathers discarded as reactionary one hundred and fifty years ago?

In line with the attacks on the Constitution are the criticisms of the Supreme Court. It is accused of arrogating to itself autocratic powers by claiming the right to interpret the Constitution. It is true that the Constitution does not in terms provide that the Court may interpret it, but as that great jurist, John Marshall, pointed out, such power was implicit in the instrument itself, and a necessary function of the judiciary if, with Congress and the executive, it was to form an equal and coordinate branch of the government. In all civilized countries the interpretation of a written instrument has been regarded a question of law for Courts to decide. Long before the Revolution, our Colonial Courts interpreted Crown charters and local laws. A court is not concerned with the wisdom of law, but only with the meaning and effect to be given to written words. Of what avail would be the Constitutional limitations on the powers of Congress and the President if these branches of our government could interpret the Constitution to suit themselves? To allow them this power would be as unreasonable as to permit a player to change the rules of the game. The Supreme Court stands not only to protect the humblest citizen from arbitrary acts of Congress or the executive, but to protect the executive and Congress from encroachments by each other.

Perhaps the most specious attack on the Supreme Court is the suggestion that nine old men should not be allowed to thwart the will of the people. But the real will of the people is found in their fundamental law, which is the Constitution, and which they can change by the methods provided therein, which insure discussion and deliberation. The voice of Congress is not necessarily the voice of the people. It is too often the voice of a temporary and partisan majority, or still

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worse, the echo of a powerful and well organized minority. Does anyone believe that all but fifty-nine members of the House of Representatives really thought that the recent bonus legislation was in the best interests of the country as a whole?

Another tendency of the times hostile to liberty is the undermining of local self-government. To the framers of the Constitution the doctrine of States rights was no mere academic formula. As practical men, they knew that a citizen can best protect his freedom in his own environment rather than by appeal to a central authority, often hundreds and sometimes thousands of miles distant. They had themselves suffered from the expense and difficulty of applying to England for relief from legislation of a character which never would have met the approval of a New England town meeting or a Colonial Assembly. They looked to the separate States, differing so widely in climate, population and character of industry, to protect their citizens from the powers which a centralized government ever increasingly draws to itself, and they realized the difficulty of framing Federal legislation for local interests which would operate fairly under such diverse conditions.

Perhaps more insidious than any direct attack on the Constitution is the increasing delegation by Congress of law-making powers to some commission or governmental department. In the attempt to reach and control business and personal activities previously exempt from Federal interference, Congress finds it impossible to pass general laws which will meet the problems which necessarily arise in that attempt. It therefore passes an act in broad terms, but provides that the Secretary of the Treasury, of Commerce, of Labor, or some one of the many Commissions it has created, may issue regulations to carry out the act. The employees of some Washington bureau then proceed to draft such regulations as they see fit, which, until disapproved by the

Courts, as they sometimes are, have all the force of law. They frequently place their own interpretation on the general law, and sometimes add to it. This results in a citizen being forced to the alternative of accepting the say-so of some bureaucrat or of going to the expense and trouble of fighting his government.

Still another danger to personal liberty is found in Congressional investigations.

No more disgraceful scenes have occurred under a supposedly free government than the manner in which some of these investigations have been conducted in recent times for partisan or punitive purposes. No one can object to investigations which are limited to the acquisition of information necessary to assist Congress in shaping legislation, but time and time again reputable citizens have been hailed before a partisan committee in Washington, denied representation of counsel, and put through inquisitorial examinations as to their private and business affairs by unfairly worded questions, for seemingly no other purpose than to discredit them in the eyes of their fellow-citizens and to secure newspaper publicity for the investigating committee. We all have in mind a notorious example of this abuse, where a leading citizen of this city, who, as the committee well knew from documentary evidence in their possession, had paid every cent of his just taxes, was held out to the country in the light of a tax-dodger and even allowed to be insulted in the presence of the committee by a piece of cheap buffoonery suitable only to a circus side show. Is it any less obnoxious to the spirit of Magna Charta to rob a man of his character and reputation than to deprive him of his property? In fact, his reputation and his financial solvency often go hand in hand. The unlawful seizure of private telegrams by a government commission has recently been scored by a Federal Court.

Now all of these examples of present day tendencies, if

carefully analyzed, will be found repugnant to the principles of Magna Charta. To a greater or less degree, they involve intrusion by the executive or the legislature upon the personal rights of the individual. Certain restrictions on personal liberty in the interest of the community are, of course, necessary, and can be provided under the police power inherent in all civilized governments; but a regulation which forbids a motorist to pass a red light is fundamentally different in nature and effect from one interfering with his freedom of contract, or despoiling him of his property through unequal or confiscatory taxation.

Strange to say, it is often our well-meaning citizens who are most ready to sacrifice their liberties. In their eagerness to reach some end desirable in itself, they do not count the cost. Prohibition was a striking illustration of this. The people who supported the Eighteenth Amendment were for the most part genuinely interested in removing from our country the curse of drunkenness, but they little realized that in attempting to accomplish this result by a law which could not be enforced because it affronted millions of sober and reputable citizens, they were opening the door to far more serious crimes than intoxication. Incidentally, it is interesting to note that of all the amendments to the Constitution, the Eighteenth was the only one which undertook to restrict personal freedom.

The same tendencies exist today. For example, those who talk glibly about "human rights" being superior to "property rights" seem to forget that the two are inseparably connected, and it is interesting to notice that they generally measure the advancement of what they call "human rights" in terms of property! Well meant laws for minimum wages, short working hours and forbidding so-called child labor, may produce results quite different from those hoped for.

As many of us see it, the outstanding danger which confronts this country today is the insidious demoralization

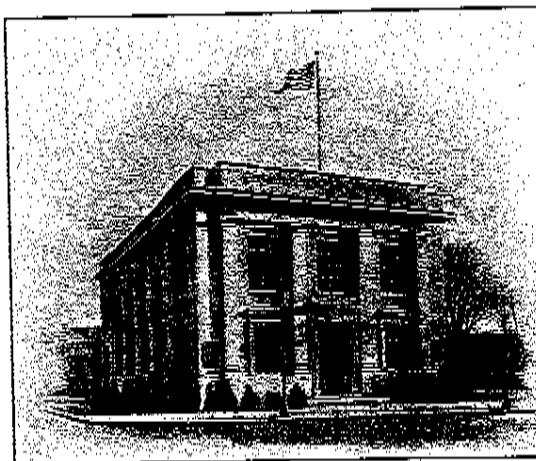
of our citizenry by tempting them to exchange the time-tested safeguards of personal liberty for the promise of material benefits. In the long run, this road leads to Fascism or Communism. True freedom, like everything else of value, has its price. The Barons at Runnymede, the signers of the Declaration, and the drafters of the Constitution, were not asking something for nothing. They were not seeking to be supported by government. As that great Democrat, Grover Cleveland, said—"It is the business of the people to support the government, and not of the government to support the people." Such men as Washington—who, incidentally, was the richest man in the colonies—and many other Colonials, willingly risked their lives and fortunes to secure for themselves and their posterity the rights of free men. In all history it has been a favorite device of tyranny to purchase the support of the masses by bestowing benefits on them at the expense of their self-respect—and self-respect is the very basis of true freedom. There is little difference in principle between a Roman Emperor throwing gold to a greedy populace and an executive or Congress distributing public monies to special groups politically powerful.

We are living in changing and uncertain times, and it is to an organization such as yours, and to the individuals who compose it—in whose veins runs the blood of generations of freemen—that the call comes with peculiar insistence to see that the flame of freedom lit at Runnymede is not quenched and that the spirit of true liberty does not perish from our land.



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**SOMERSET HALL**  
**The Home of the Magna Charta**  
**Library**  
**Easton Road and Wesley Avenue**  
**Glenside, Pennsylvania**



he enumerated as follows:

- (1) **Family documents:** Bibles, marriage certificates, etc., also inscriptions on monuments, as tomb-stones, tablets, memorial windows, fountains, and the like.
- (2) **Public office manuscripts:** Church or court records, in town, county, and nation.
- (3) **Manuscripts of reliable historians:** Those having a reputation for accuracy as a result of their painstaking perseverance.
- (4) **Standard reference works:** Histories, visitations, peerages, and the like.
- (5) **Heraldry:** By which substantial clues are frequently furnished.



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Mrs. William Satterthwaite Hallowell, née Anna Jenkins Ferris, a former Regent, now a Vice President of the Society and Chairman of the Library Committee; member of the Pennsylvania Society of Colonial Dames, the Order of Colonial Governors, the Colonial Order of the Crown, the Society of Descendants of Knights of the Garter, Americans of Royal Descent, the Order of Washington, and Presiding Regent of the Plantagenet Society.



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FRANCES LESTER WARNER HERSEY, Litt. D.

Formerly Assistant Professor of English at Mount Holyoke and later at Wellesley College, Mrs. Hersey was a member of the editorial staff of the Atlantic Monthly Magazine until her marriage in 1922. Her book, "Pilgrim Trails: A Plymouth-to-Provincetown Sketchbook," was a contribution of the Atlantic Monthly Press to the tercentenary celebration of the founding of Plymouth Colony.

Since that time, her writings have been about equally divided between historical sketches concerned with places and personalities of New England, and informal essays dealing with matters of household strategy and counter-strategy. Her books, published by Houghton Mifflin, include such titles as "Endicott and I Conduct An Orchestra", "The Unintentional Charm of Men", "Surprising the Family", "Groups and Couples", and (with her sister Gertrude Warner) "Pleasures and Palaces" and "Life's Minor Collisions."

Her most recent book, "On a New England Campus," was written under the auspices of the Alumnae Association of Mount Holyoke College as part of the observance of Mount Holyoke's hundredth anniversary.

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### CONSTITUTION YEAR

Many other societies as well are celebrating the completion, in Philadelphia, on September 17, 1787, of the drafting of the Constitution. At this meeting, in the absence in California of Mrs. D. Jansen Haines, President, the Vice-President of The Colonial Dames of America, Chapter II, Miss Emily Barclay, and Mrs. Stacy B. Lloyd, President of the Pennsylvania Society of Colonial Dames, made brief addresses, describing what their Societies were doing to celebrate this anniversary, and Col. Samuel Price Wetherill, Jr., delivered his address entitled "Magna Charta and the Constitution."

## Magna Charta in the Home

an Address by

**Frances Lester Warner**

delivered before

The National Society Magna Charta Dames

Meeting at The Barclay

Rittenhouse Square, Philadelphia

June 15, 1937

*Madam President, Members of the National Society  
Magna Charta Dames, and Guests:*



IN this pleasant luncheon occasion I have chosen Magna Charta in the Home as my topic for two reasons. In the first place, the original meeting of the ancestors of this society at Runnymede was quite a family gathering. Many of those barons were inter-related by marriages among the various branches of their families. Individually and in groups they had reasoned with King John before. One of the earlier commentators has given us a picturesque glimpse of King John's behavior on those occasions when his "dear cousins" came to protest against his high-handed methods in government.

He received them with a blithe countenance and thereby palliated the inward venom; and, swearing by God's feet, he assured them that he had no ill purpose, and bantered and laughed them out of their story.

It was not by any means a band of strangers who at last came together in full force to confront their king.

In the second place, the membership of this Society must necessarily represent a collection of homes with workable family traditions, or your lines would have run out long ago. If by some magic every member of your organization, both present and absent, could flash upon these walls for us a picture of some favorite home-scene, either remembered in the family or in actual existence now—(perhaps a group on the turn of a path to the house, or a loved figure in a doorway, or a group in a garden, or somebody talking to somebody else before a fireplace, or some well-remembered dinner-table with favorite persons and personages around it)—and if all these pictures could appear in full color all around us for our inspection, the effect would be like that of the moment in the Planetarium when all the stars come out and the audience quite involuntarily under its breath says, "Oh!"

For all these reasons I am going to give some stories from home life that illustrate four central points of Magna Charta—not so much instructively as reminiscently, in the hope that the points will bring to your minds certain pleasant memories of your own.

## I.

Throughout Magna Charta there is one term that constantly recurs: **the law of the land**. This-or-that must be done in accordance with the law of the land; or so-and-so must never be done except by the law of the land. Every family has its unwritten laws. If you look back upon your own, you may think your family lived as informally as a party of squirrels in a tree, with no particular code of family legislation. But let somebody in the most casual of homes marry into a line that represents utterly different traditions—and instantly the unwritten laws of the family become evident. There have been things from time immemorial that

have been done, or have not been done, under that roof. Families vary immensely in the definiteness with which such Laws of the Land are recognized and enforced.

In the recent autobiography of the artist, Elizabeth Finley Thomas, an account is given of certain very definite household laws, each law with teeth in it,—suitable penalties attached. Elizabeth Thomas at the age of seventy, looking back over a long life of showing her pictures in the galleries of the world, is still able to remember the picture of one morning when she broke one of her mother's most unbreakable laws.

She tells us that when she was five years old she was allowed to go out into the front garden of her New Haven home as far as the gate, but never an inch beyond. She knew exactly what would happen if she broke that rule. But one day when she was out in the yard alone, a hand-organ began to play on the street around the corner. She did not want to see the hand-organ itself sufficiently to risk the penalty of leaving home; but if there was a monkey with the organ grinder, it was going to be richly worth her while. How could she know whether there was a monkey unless she went to see? At this moment, down the street under the New Haven elms came the tall figure of President Woolsey of Yale. The President was dressed in the frock-coat and tall silk hat appropriate to a man of circumstance in that day. As he came by the gate, little Elizabeth called to him, "Oh, President Woolsey! When you get to the corner, if there is a monkey with that hand-organ, will you please turn around three times?"

President Woolsey, fond of children and not knowing why she wanted to find out, made an inspection as requested at the corner. Whereupon the ladies of polite New Haven, peering out through their lace curtains to watch the great man go by, were electrified to see him pick up his coat-

tails in both hands and pirouette three times to the music of the organ grinder, before he proceeded on his way.

## II.

Another important point in Magna Charta is the castle concept: no freeman shall be dispossessed of his freehold except by the law of the land and a fair trial before his peers. The really great thing about Magna Charta is its expression of the desire of all free men to know where they are. In the home this is as important as in the state. Each member of a household has a right to some sort of freehold, if only in a tiny corner of the estate. One sometimes sees a house so completely arranged by professional decorators that one can hardly imagine doing anything in it for fear of spoiling the picture. Each house should have some recognized spot where a man can, as the New Englanders say, "get out his traps and go to work." In too many households when a man wants really to spread out his "traps" he has to go to the garage.

Each individual in a family has a different sort of freehold important to him: that irreducible minimum without which he feels defrauded and deprived. Ben Jonson expresses the sensation in one of his plays where a hero has been offered something to drink that does not suit his taste, and exclaims, "It is against my freehold, my inheritance, my Magna Charta, to drink such balderdash, such bonny-clabber!"

Each member of a family has a "freehold" not only on some corner or desk of his own, some taste of his own, but some time of his own. Many a husband has provocation to war for his rights of an evening when he finds that his freehold on Time has been sold out by his wife who has accepted an invitation in his name but against his will.

## III.

Closely akin to the freehold of the free man is Magna

Charta's insistence on fair practice in its clause on weights and measures:

One measure of wine shall be used throughout the kingdom, and one measure of ale, and one measure of corn, to wit the London quart . . . and concerning weights it shall be in like manner as of measures.

For centuries England struggled to establish this fair practice in standard weights and measures. In these days when a standard measure and a standard weight is taken for granted and carefully looked out for by our National Bureau of Standards and similar institutions in all civilized lands, we forget that fair practice was won by so long and gradual a process of law and education. Even as late as 1680 we find a published note on Magna Charta by Lord Chief Justice Coke, in which he explains why that particular point in Magna Charta could never be enforced:

This, that there should be one Measure, and one Weight, through England . . . by Parliament hath often been Enacted, but could never be Effectuated, so forcive is Custom concerning Multitudes, once it hath gotten an Head.

Impartiality in a family circle is one of the most difficult of Magna Charta's principles to live up to. "There shall be one Measure"—but there are individuals who seem to be beyond measures. Favors and special allowances for privilege seem to gravitate toward them—not always because they are grasping either.

A certain mother of advanced ideas found herself with three little sons—triplets. Here was an opportunity for her to try her theories of community life. Those three little boys were never to hear the words, "This is mine. That is his. The other is yours." They were to think only, "This is something delightful. Let us all enjoy it together." The grandfather of the babies was visiting and asked how the theory worked. "Oh," wailed the young mother, "they are as bad as we were. If I did what they want me to, I'd have

to get an apothecary's scales to divide everything fairly into threes."

As these triplets grew to the age of seven they developed a system of their own. When there was to be cake for supper, they would visit the kitchen and ask the cook for the frosting bowl after the cake had been frosted. First they would divide the bowl by marking boundaries in the frosting, so that each boy had a third all his own. Then in unison they would start blissfully to scrape, each in his bailiwick undisturbed. But when one of the triplets saw that his part was disappearing, and that he would have more to gain than to lose by declaring a return to communistic ownership, he would shout, "DIB-DABS." This was an agreed-upon signal that called off all property rights, and a free-for-all scramble over the whole surface of the bowl would instantly ensue. Those boys are grown men now, but **Dib-Dabs** is still the signal for confiscation of property in their homes.

Sometimes it is not ownership but special consideration that is difficult to dispense fairly. Once in a composition class just before college vacation at Wellesley, I asked the students to write a few paragraphs about the thing they looked forward to most about their home vacation. One girl wrote that she was the youngest of her family, and that her brothers and her sister had all graduated from college before her. As long as she could remember, she had had to wait on them when they came home for college vacation. Tom must have his breakfast taken to him because he was so tired after the examinations. Or Mary must have nothing to disturb her because she "had only two more days at home." And things were always being done at vacation time "Especially for Robert," or "Especially for Mary," or "Especially for Tom," because they had so short a time to stay. "But this year," she concluded, "the tables will be turned—at least I hope so. I shall be the one who must

sleep late because I am so tired after examinations. I shall be the one who has only two more days to stay. And at least once in this vacation I do hope to hear my mother say those wonderful words, 'Especially for Peg.' "

(By the way, I almost wrote a secret letter to that mother asking her to be sure to say those words,—because I knew that in each family there is likely to be one child who is so near the mother that special favors seem as unnecessary as favors to oneself. But I found out later that the mother did say "Especially for Peg" of her own accord; so once more I was able to sleep o' nights.)

We remember that in the New Testament parable of the man who had two sons, the grievance of the son who stayed at home was not the fact that his brother had come into his inheritance and wasted it; no, the grievance of the faithful son was the fact that never had the father provided a feast for him wherewith he might make merry with his friends. Yet when the wayward son returned—the father declared a feast. The excuse, "Son, thou art ever with me and all that I have is thine" never quite makes up for unfairness in those little home-like amenities that count for so much in the soul.

#### IV.

This leads directly to Magna Charta's provision about what one of the old translators calls a man's "estimation." No human being shall be dispossessed of his "estimation" without fair trial in accordance with the law of the land. We know that the old use of the word "estimation" meant "reputation"; but it seems to me that "estimation" is a delightful term, because it suggests not only the world's estimation of a man but a man's estimation of himself. In this period of history today, people are finding their "estimations" suddenly sliced out from under them at the drop of a hat. One of the great works of women in such an era is to bulwark men's "estimation" in spite of calamity, and



help them build anew. At every time of hazard, women's service in this life-saving process has been appreciated. Loyalty at a pinch is remembered long after the trouble itself is forgotten. A certain man who had been worried about some crisis came out safely and remembered it no more. His wife said to him, "Do you mean to say you have actually forgotten about all that? And I simply broke my heart for you at the time."

"Yes," admitted the husband, "I have forgotten what I was worried about just then. But I shall never forget how nicely your heart broke!"

A home should be a place for restoring "estimations." Too often it is instead a place for having the estimation taken down a peg. The lady of the house, if she acts in the true spirit of a Magna Charta Dame, can do much to redress the balance when one child has been cast down below his just deserts. And when there is a child so sensitive that he has no self-estimation at all, it is the privilege of perceptive older relatives to help him up above the zero chill. And if some of you through the passage of time ever find yourselves grandparents, let me suggest one lovely thing to do for a shy grandchild,—the kindness that my own grandparents did for me. Once in two weeks, turn and turn about, each grandchild was entertained by himself at dinner. We might go up and see our grandparents between-meals in groups or in platoons; but for meals, my grandmother liked to entertain her grandchildren by ones. At that meal, we were the only guest; for our tastes and no other the menu was prepared. And if by any trick of fate we had to exchange turns with a brother or a cousin, it was well if we telephoned to our grandmother ahead of time, or we might find ourselves confronted by somebody else's favorite meal. It was quite a heavenly sensation of grandeur for a bashful child to walk out of his usual environment all by himself

into another climate, equally congenial, where the whole cosmos circulated serenely especially for him.

On one occasion, a small cousin of mine was substituted at the last minute for her brother—too late to telephone or do anything but run. When she arrived out of breath, our grandmother said, "Oh, we are very glad to see you, but I am afraid there isn't going to be a thing on the table that you particularly like." The little six-year-old clambered up into her chair and said, "When I go out for a dinner party, I don't care so much what's on the table as I care what's on the chairs!" Whereupon she bowed to my grandmother, and then bowed to my grandfather, so that there should be no doubt in anybody's mind as to **what** was "on the chairs."

At this luncheon in honor of Magna Charta, we have derived memorable sustenance from what was on the tables, and congenial inspiration from what was on the chairs. It is refreshing now and then to gather with kindred souls and be reminded of the traditions that you cherish.

Magna Charta never stays put. It is not automatically self-sustaining. In every age it needs its guarantors. Whenever men and women of influence are too indifferent to trouble to defend it, that old code of what Lord Bryce calls "the primordial or natural rights of man" becomes a dead letter. Your ancestors at Runnymede were willing to risk something more than their personal peace of mind to stand as its sureties. In our own day we must still risk something to protect these four crucial points of Magna Charta: respect for the law of the land; a freeman's right to his freehold under that law; fair dealing in all sorts of weights and measures; and every man's right to his "estimation"—his reputation—not to be assailed "except by due process of law."

Sponsors of Magna Charta must use their influence to see that these four points are honored; and a very good place to begin it, is the home.



## LOUISVILLE NOVEMBER, 1937

In keeping with the spirit of Southern hospitality for which this city is famous, the visiting members were heartily received, and with the constant round of entertaining, could hardly have crowded more into their time, which was full from the moment of arrival until departure. Miss Trabue and her Committee on Arrangements were untiring in their preparations. Mrs. Mason Brown Barret, President of the Colonial Dames in Kentucky, met some of the officers upon their arrival, and took them for a drive around the Southern Park, and then to Miss Trabue's home for a cup of tea. At one of the dinners given for the members, Mrs. Arthur Allen, also a Regent, among other things for the entertainment of the visitors, provided a negro quartette, which was a touch of local color that added much interest and pleasure.

Mrs. John Williamson Price, Jr., Regent of the Colonial Order of the Crown, who, with Mr. Price, is owner of "Prestwold," the historic Skipwith mansion in Virginia, entertained the Magna Charta Dames and their friends at a reception and tea at her charming home, "Pelham," on Upper River Road, on the day preceding the formal luncheon.

The Pendennis Club was the scene, and Tuesday, November 9th, was the day set for this luncheon meeting. Mrs. Houston, in her usual gracious manner, presided, and welcomed the guests. She called upon the Reverend Dr. Charles Whitefield Welch, for twenty-one years pastor of the Fourth Avenue Presbyterian Church, of Louisville, who offered the invocation. The Society was fortunate in securing, as speaker on this occasion, the Honorable James A. Emery, of Washington, D. C., who was introduced by the Honorable William B. Harrison, a former Mayor of Louisville.

Round tables, set for ten, were decorated with the Society's colors red and yellow, in ribbon and flowers, roses and chrysanthemums. Seated at the President's table, from left to right, were Dr. Welch, Mrs. Price, Mrs. Wurts, Mrs. Barret, Mrs. Allen, Mr. Harrison, Mrs. Houston, Mr. Emery, Miss Trabue, Mrs. Hallowell, Mr. Hoge, Mrs. Emery, Mrs. Atherton, and Mr. Wurts.

Not since its founding, twenty-eight years ago, has the Society enjoyed more festive occasions than these Louisville meetings.

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MISS ALICE ELIZABETH TRABUE

Since 1929 one of the Regents residing in Kentucky, is a native of that state, having been born at "Weehawkin" near Frankfort, a descendant of the Barons through Lawrence Washington, and other distinguished colonials. She has, on a number of occasions, entertained at Tea the Magna Charta Dames residing in Louisville. She is also a member of the Colonial Dames of America in Kentucky, Vice President of the Kentucky Historical Society, a member of the Filson Club (and Chairman of its Historic Sites Committee), of the Huguenot Society of South Carolina, National Society of American Pen Women, Historian of the Taylor Family Association, author of "A Corner in Celebrities" and other historical works, and resides at the Puritan Apartments in Louisville.

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## The Cornerstone of the Constitution

an Address by

Honorable James A. Emery

delivered before

The National Society Magna Charta Dames  
Meeting at The Pendennis Club, Louisville, Kentucky

November 9, 1937

*Madam President, Ladies and Gentlemen:*



OU represent devotion to a great tradition. Yours is justifiable pride in descent from those who gave it life. You maintain a bond between the great dead, the living and the unborn.

For you there is a call to arms today as commanding as that which assembled your ancestors in that little meadow

between Staines and Windsor. It is not the bugle call to physical combat but that nobler note that rallies the armies of the mind to the defense of the principles of an endangered civilization. Two great movements shape themselves in battle array. One, the advance of collectivism upon the individualism which underlies the surviving parliamentary states. The other, the bold challenge within our own nation that questions the very fundamentals of our own institutions, asserting they no longer afford the means of adequately protecting and developing our own society.

Every principle of government established in the long struggle of our people and which we had thought finally accepted, from the experience of 150 years of the oldest wholly written Constitution in existence, is now exposed to scrutiny and rejection as though it were a contemporary suggestion. Perhaps that is well for, if the foundations of our state will not stand the test of time and re-examination, if they rest upon some essential error, then this is the hour of correction and reform. But if they stand upon the eternal verities of morals and experience in the lives of men, if we adhere to them with something of the understanding and devotion of those who pledged their "lives, their fortunes and their sacred honor," the winds of criticism will blow against them, as the storms of the desert beating upon the Pyramids but do more firmly pack its sands about their massive foundations.

The American system did not spring full grown like Minerva from the brain of Jove. It seeded in English soil and flowered through centuries of cultivation. The conquered Saxon overcame in turn the conquering Normans. His weapon was not the sword but habits of mind and thought, more overwhelming than steel. With these, slowly but surely he effaced the Roman theories of a dominant state and gradually substituted a picture of government, not as the source and master of life and liberty, but an in-

strument to protect and perpetuate natural and inalienable rights of free men. These thoughts find developing, fragmentary expression and written recognition even from the crown, in the century and a half between Hastings and Runnymede. But it is within a little English meadow our constitutional system rests its foundation in a single sublime declaration:

No free man shall be taken, or imprisoned, or be disseized of his freehold, or his liberties, or his free customs, or be outlawed, or exiled, or otherwise destroyed but by the lawful judgment of his peers, or by the law of the land.

Some commentators have sought to weaken the force and original authority of that great declaration. But Blackstone found in it the beginnings of every practical limitation upon the Crown and the first enforceable guarantee of the right of the common man against even the very nobles who forced the hand of King John. Edmund Burke saw in it the birth of the parliamentary system. Lord Chatham characterized it as "the Bible of English liberty."

Here are the essentials of our American plan; for it identifies the individual, separates him from the mass and makes his security its primary purpose. It does not petition for a grant of rights from the King. It demands their recognition. They were facts before he ruled. That is fundamental from Runnymede to Philadelphia. The Great Charter is a written limitation upon those who govern, by those who are governed. It is definite and intended to be enforced, by putting some rights forever beyond trespass by arbitrary rulers or majorities.

All the elaborate political reaffirmations which follow Magna Charta are amplifications of its essential thought. The Petition and the Bill of Rights which curbed the Stuart Kings and confronted William and Mary, the Massachusetts Body of Liberties, the Virginia Bill of Rights, the immortal Declaration of Independence, and, finally, the first ten

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amendments of our Constitution, without which that instrument could not have been adopted, expand and develop but always sound the same commanding note for the inalienable right of individual manhood. They establish a definite domain of immunity from government, under government, if you please, but against government if necessary to assure life and liberty.

On this foundation rests the cornerstone of the American system. For the dominant creed of those who shaped it was profound faith in the moral worth, capacity and dignity of the individual. They saw in the release of his powers, stimulated by opportunity and desire for betterment and guaranteed security in the fruit of his effort, the energizing force of personal progress and national development. Heirs of the Great Charter, familiar with the history and experience of human governments, saturated with the tradition of the British struggle for parliamentary liberty, they wrote in their practical wisdom an instrument of restraint. To seventy-nine express grants of power they attached a hundred and fifteen prohibitions upon their exercise. To nineteen enumerations of legislative authority they attached seventy denials.

It must be plain these were not the inventions of contemporary political ingenuity. They flowed from knowledge and immediate experience. The Fathers of the Constitution had suffered the arbitrary trespass of a royal autocrat. They had lived through fourteen years of omnipotent Colonial legislatures and an ineffective central government. All were notable students of men and events. Every constitutional restraint, every specific prohibition, every check and balance, spoke their fear of unlimited power and their shrewd appraisal of human nature and political action. They wrote into our "Fundamental Law" and reinforced with the Bill of Rights everything the race had learned from Runnymede to Philadelphia. Here spoke a thousand years of practical



experience with every circumstance of government. Here they forbade the things that men of their blood had learned from death and persecution, on the battlefield, on the scaffold, by prison and confiscation, destroyed liberty and denied a square deal to the common man. Each inhibition barricaded some avenue through which kings or parliaments, dictators or protectors, executives or lawmakers, masters of the purse or the sword, had customarily invaded personal right. "Every one," said Elihu Root, "stops a way through which the overwhelming power of government has oppressed the weak individual and may do so again if the way is opened." They are, indeed, but rules which may be repealed or modified, but understanding of them and adherence to them is the continuing test of our devotion to and capacity for self-government. They frankly reveal the loss or continuing possession of that necessary self-restraint through which a free people can alone "subject their own conduct to control of declared principles of action."

But fine statements are not enough. The archives of history are filled with splendid political declarations that are now but the memorials of a noble purpose. No principle of government endures and is effective unless it is made enforceable through clear and permanent rules, by an instrumentality operating in the everyday life of a people. Magna Charta limited the power of King John that the liberty of the subject might be preserved. The swords of the barons and then the firmly established courts, made those limitations effective. Our Declaration of Independence enumerated our wrongs. Our Bill of Rights prescribed limitations upon the power of our own public servants that we might not again be the victims of those invasions of liberty which characterized government under the Crown. For us an independent judiciary is the ultimate instrument of their interpretation and enforcement.

Note, then, the fundamentals of this American system.

It recognizes and undertakes to secure the liberty, the opportunity and the property of the individual, distinguished from the mass, in specific terms and by definite, written enforceable limitations upon the authority of our political servants. It creates representative government. One hundred and thirty million people cannot govern themselves through a mob. They choose agents to speak and act for them, but these are presumed neither to become mere delegates under instruction, or to reflect without investigation and deliberation the opinion of a constituency. They owe their judgment, but not their conscience, to their principals. If such representatives surrender without inquiry or debate to temporary opinion or become the mere spokesmen or agents of any group or class, or the subordinate voice of any other department or official, representative government passes and is succeeded by political cuckoos. The American system distributes political authority into coordinate, but independent departments. It separates but relates the Executive, Legislative and Judicial authority and forbids each to trespass upon or exercise the powers of the other. Furthermore, our system creates a national government with express powers which, within the limitations of its exclusive authority, operates not only upon the States but upon each citizen. It recognizes the exclusive control of local government over its own internal affairs but writes the rule of intercourse between the States. In external affairs the central government speaks for the nation. Above all, stands the most striking contribution of our people to political science. A supreme tribunal, the agent of all the people, the final means through which their permanent will expressed in the Constitution is interpreted and the limitations which they have prescribed in their own interest, made effective against the trespass of their own officials and the powers which they have distributed, confined within their boundaries.

These are the essentials of the American plan. It rests upon great moral and economic truths. For it recognizes the dignity and nobility of the human individual and the practical fact that he alone is the dynamo of personal and social progress. Its theories are workable only in a commonwealth of private, competitive enterprise. Our history is the story of the influence of that fundamental creed upon the lives of men responding to the most powerful impulse for human progress, the inborn desire of the individual to better himself and those dependent upon him.

No system of government ever offered so quickly and effectively a demonstration of its practical utility, for no people had so humble an industrial beginning as our own. None confronted a more difficult economic task nor greater discouragement in the business of life than the Colonists from the very hour of Yorktown. At the moment of achieving political freedom, they faced economic chaos and dependence. Without industry save a narrow and crude agriculture, with no manufactures but the limited handicrafts of village and household, their centers of population were few and comparatively small. Their Confederation was bankrupt, their currency so valueless that "not worth a Continental" became a proverb. Flooded with British imports between the end of the Revolution and the adoption of the Constitution, they were drained of their better currency and their nascent commerce overwhelmed by a destructive competition. The jealousies of the individual Colonies and their economic strife obstructed the highways of Inter-Colonial trade with regulations and tariff barriers which bred increasing bitterness and reprisals. The little nation born in the hour of the great Industrial Revolution, possessed none of its fruits nor were they immediately obtainable. When England laid the foundation of her manufacturing supremacy, America possessed little or none of the new applications of mechanical power. Nor was this the

result of accident. It was by design. Chatham had said the Colonies shall not make "a hobnail or a horseshoe for themselves." By act of Parliament, it was forbidden to export from England not only the new machinery but its blueprints or artisans in contact with its operation. It was in this moment that Washington wrote: "We are fast verging to anarchy and confusion."

But in that dubious hour, the adoption of the Constitution reorganized the life of the people. It laid the foundations not only of political but economic stability. It gave a new direction to human purpose, a new inspiration to the human heart, a new security to the endeavors of men. Nor is this a rhetorical declaration. Within a few years from the adoption of the Constitution, the very leaders who had been filled with gloom recognized the truth of that extraordinary declaration of the grave and cautious Washington, that "The United States enjoys a scene of prosperity and tranquility under the new government that could hardly have been hoped for." Yet the makers of the new government fashioned no Utopia. They were practical men. They released human energy to play freely upon the resources of a new Continent. They guaranteed the individual nothing except freedom from unreasonable restraint by his fellows or his Government. They did not even promise him "happiness." They merely offered him a chance to pursue it. Whether he caught it or not was to be determined by his own speed and his own conception of the objects of his pursuit.

Through a century and a half our system has demonstrated its durability in war and peace. It lived through a civil struggle without precedent in duration and intensity. It has been tested in adversity and prosperity. Its success made the twilight of kings and shaped a new world of parliamentary institutions. Now, it faces the challenge of the impatient and sincere as well as the sinister, the ambitious

and the designing. The one seeking short-cuts to worthy ends by means prohibited for invincible reasons, the other, the avoidance or destruction of resented limitations upon official power.

All intelligent persons recognize the changes accompanying transformation of our social life from a group of independent self-supporting, agricultural colonists, into a highly complex inter-dependent industrial state. But our problem is not what kind of government ought we to substitute for what we have, or what fundamental change shall we make in a time tested structure. Our problem is to adapt ourselves to the changing conditions of American society without sacrificing those great essentials which have, so far, successfully reconciled individual life and social progress, liberty and authority and secured the largest measure of ordered freedom possessed by any people in our day.

There are many now to sneer at individualism, to term it the creed of the hopeless reactionary. The true liberal recognizes the necessary limitations which reason places upon liberty. He knows also from the life of the race that all progress originates in the individual. Even the Divinity gave him free will. Every gain, material and spiritual, arises from the act of some person. The authoritarian and the planner of other men's lives reposes his ultimate faith in the controls of super men. By a supreme paradox, he would substitute the overwhelming authority of someone or a group, for the everyone who is wiser in his valid contribution to living, than anyone who can shape it for him.

It makes little difference by what name we describe the effort to make one or many the all powerful master of the individual. It makes little difference whether the machinery of the state passes into the supreme control of one or many with unlimited power. The Dictator, the Fascist, the Communist, all seek the same end, the subordination of

individual right, opportunity and possessions, to an all powerful state, the source of all rights, the measure of all liberty. Whatever its name, whatever its pretense, it is to be the individual's master. If it succeeds, he is no longer a free citizen. He is a subject or a serf.

The most subversive of revolutions are not always wrought in violence and blood. They may be the product of radical innovation in political authority unperceived at the time of its occurrence. Only a people intelligently jealous of their own rights and sympathetically jealous of the rights of others are the vigilant and successful guardians of free institutions. We have possessed them so long that we think of them as automatic and assured, like the beat of our heart, or the breath of our body. So the great laws of restraint have seemed an immortal and invincible shield, so long unquestioned that we forget the reasons for their existence and the consequence of their loss. It is liberty secured by law which preserves republican institutions from the dominating control of the ambitious and popular official, from omnipotent parliaments or the temporary passions of overwhelming majorities. Constitutional limitation faces its greatest dangers when confronted with the plausible appeals of popular leaders. For any system which permits the sincere and the well-intended to avoid the restrictions of their office, affords an equal opportunity for the sinister and the designing to expand authority in their own interest. Free institutions are impaired and destroyed when the restraints that guard liberty are abandoned or indifference permits the most adroit and ambitious office holder to concentrate in himself the powers of other officers and departments or control their action in the pursuance of his own purposes.

I could recall to you a catalog of recent experience to illustrate the point, the almost absolute concentration of discretionary power over every form of activity represented in the NIRA, the absorption of local government within a

centralized bureaucracy, the systematic subordination of the legislative authority under the whip of patronage and relief, the proposal to place the administrative agencies of Congressional policy under the coloring brush of executive control, the yielding of the purse, the last weapon of parliamentary defense to executive discretion, the attempt to reduce the supreme and independent judiciary to subservient expositors of policy. Do all these things suggest the need of less restraint? Do they indicate that we may now safely surrender the determination of their own limitations to our political servants? Or do they suggest that the agent is on his way to become the principal, the servant, the master, and government not the defender, but the asserted source of liberty and the arbitrary determinant of how much is good for any man.

Around us wages the world wide struggle between individualism and collectivism. Daily within our own boundaries we witness a determined endeavor to substitute laws of equalization for equal laws. Powerful highly organized minorities demand, through blocs and groups, and receive in exchange for political support, class privilege translated into statutory advantage. The new philosophy would make the power of the state the chief instrument of social adjustment and progress. It threatens to build upon the weakness rather than the strength of human nature. It saps the characteristic initiative and self-reliance of the American spirit. It substitutes for it a growing sense of dependence until ever increasing numbers embrace the seductive suggestion that it is the business of government to support the citizen, not that of the citizen to support the government. It urges government to interfere in the affairs of men, not whenever it must, but wherever it can.

We have believed until now that governments were made for men, not men for government. We shaped our state to give the greatest play to individual freedom com-

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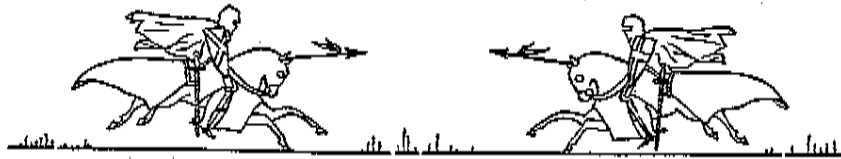
patible with the assurance of like liberty for others. To that end we limited official power and enforced our limitations. Under the dominating impulse of the desire for betterment for ourselves and others, we found the spur of progress, as each in the endeavor to improve himself contributed to the forward movement of the whole. We can change and adapt our temporary controls to the shifting circumstances of changing social conditions, but we ought now to know from centuries of hard won experience that if we weaken those permanent limitations essential to the protection and perpetuation of ordered liberty, all is lost; for self-restraint is among the most difficult and desirable of all habits. It is hard to acquire, easy to lose. It makes superior character in the lives of men and nations. It is more necessary for popular government than any other, for numbers are easily swayed by temporary passion. Our founders knew and understood that human weakness. Under their leadership the people of the Constitution put Philip drunk under control of Philip sober. They placed themselves and their rulers under written limitation, and by the requirements of a solemn oath and the establishment of a supreme judiciary, provided for the enforcement of self-imposed restraint.

That is the never to be forgotten lesson. If the ruler may pass the boundaries of his rule, he moves toward a dictatorship. If the people cast off their self-made restrictions, they destroy in others all they hope to keep for themselves. Then comes the shadow of that "Dies Irae," when the magnificent monuments of present power will be to some future race the melancholy memorials of our ruin.





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Mrs. Houston thanked Mr. Emery for his forceful and timely address, and said: It is a source of great happiness to us to be here today among so many dear friends. You have welcomed us so royally, and have entertained us so beautifully, that this visit will always remain a memorable one to us. I am so frequently asked about the history of our Society that I will take time for a brief account of it.

The Society was instituted at Washington, D. C., on March 1, 1909, the objects of the Society being to perpetuate the memory of the men who compelled King John to grant the Magna Charta, and to promote good fellowship among their descendants, to keep fresh in our minds the events connected with this most celebrated episode in the history of the English race, and to inspire the members of this Society and others with admiration and respect for the principles of Constitutional Government.

By 1928, many of the original members being no longer active or available, the remaining members realized that the Society needed a complete reorganization. Mr. John S. Wurts, our Counsellor, was asked to prepare a plan to accomplish this aim. He did this, and a complete reorganization was effected. New officers were installed. The choice of Mrs. James Large as President was a most fortunate one, and under her guidance and with the cooperation of Mr. Wurts, the regents and other officers of the Society, the membership grew rapidly. From a mere handful in 1928, the list has grown to seven hundred and twenty-five members at the present time. We have members in practically every state in the Union, and in eight foreign countries.

Often I am asked if we are engaged in the marking of historical graves or in the restoration of old landmarks. Our Magna Charta ancestors are too deeply buried in the past, and we are too far away, for this to be possible, but we have undertaken a memorial to Mrs. James Large, our former President. The Society has restored in her memory a beautiful mantel in the dining room of the colonial residence of Samuel Powel, the first Mayor of Philadelphia after the Revolution. We have also begun the collection of what we hope will prove to be the finest genealogical library in this country. Through the kindness of Mr. Wurts we have obtained the free use of a beautiful building near Philadelphia. There is comfortable space available to our members for reading or working, and besides ample shelf-room there are fire-proof vaults for our valuable books and manuscripts. The library committee, of which Mrs. Hollowell is Chairman, has been most fortunate in securing a large collection of fine books; so that we already have made a splendid start toward assembling our library.

We had planned to have our June Meeting next year in Boston, but realized that we could have it in no other city than Philadelphia, the birthplace of the Constitution, on its 150th anniversary.

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## A Three-Fold Anniversary

was celebrated at the Barclay, on Rittenhouse Square, Philadelphia, on Monday and Tuesday, June 20 and 21, 1938.

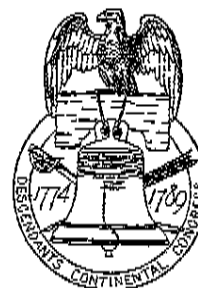
I. The 300th anniversary of the landing of the Swedes in Pennsylvania in 1638, and the establishment of the first law courts, schools and churches in Pennsylvania. The blue and yellow flag of Sweden gave its colors to the flags of our colonies, our City and our State.

II. The 150th anniversary of the birthday of the Constitution in Philadelphia, its birthplace. By the ratification by New Hampshire, the ninth or enabling State at one o'clock, on June 21st, 1788, the Constitution of the United States became the law of the land.

III. The 723rd Anniversary of the granting of the Magna Charta, the forerunner of all constitutions.

On Monday, the Magna Charta Dames and the Order of Washington were the guests of the Descendants of the Continental Congress, of which John S. Wurts is President, Hon. John Morin Scott and Col. Churchill Williams are Vice Presidents and Thomas L. Hodge is Secretary. This is an hereditary order, the result of a meeting of descendants in Independence Hall, September 17, 1920, and is composed of men and women descendants of one or more of those colonial personages who were elected to this Congress by the several colonies. Fifteen sessions of the Continental Congress were held within fifteen years, 1774 to 1789. These are the men who gave us, among other things, our four great State papers,

The Declaration of Rights  
The Articles of Confederation  
The Declaration of Independence  
The Constitution of the United States



The Order of Washington, founded in 1895, is believed to be the only Order in existence named for the illustrious General George Washington. It was for many years presided over by the late Dr. Joseph G. B. Bulloch, of Washington, D. C., who we recall entertained the Magna Charta Dames there on November 5, 1930.

On the second day of this three-fold celebration, the Magna Charta Dames met at luncheon, President Houston presiding. At two o'clock Day-light Saving Time (one o'clock Standard Time, a century and a half after, to the hour and minute) Admiral Wat Tyler Cluverius, Commandant at the Philadelphia Navy Yard, called attention to the significance of the occasion. His brief, inspiring address was enthusiastically received and heartily applauded. Dr. Prentiss, the speaker of the day, was happily introduced by his friend, Mr. George H. Houston.




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## Invocation

June 21, 1938

offered by

The Rev. Carl McIntire

LMIGHTY GOD, Thou who art infinite and eternal, righteous and holy, we come to Thee in that name which Thou hast given unto us, Jesus Christ.

We thank Thee that Thou art the living and the true God, the Author of all life, light, and liberty. We thank Thee for all the blessings of Thy providence in preserving and guiding us.

We invoke Thy blessing and Thy favor. We give Thee praise for the land in which we dwell, for freedom of thought, speech, of assembly, of worship, and for the glorious liberties which are ours purchased at such a tremendous price. In these days of distress, turmoil, and revolution we ask that Thou wilt spare America.

Wilt Thou take charge of this occasion and by Thy Holy Spirit direct and use it to the glory of Jesus Christ, whom Thou didst offer up as a sacrifice for our sins and declare to be Thy Son with power by the resurrection from the dead; to whom be all glory, honor, and dominion, and power. Amen.

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REV. CARL MCINTIRE

The Reverend Carl McIntire, pastor of the Bible Presbyterian Church of Collingswood, N. J., was born in Ypsilanti, Michigan, May 17, 1906. He was brought up in Oklahoma, and in 1927 received the degree of A. B. from Park College, Parkville, Mo. In the autumn of 1928 he entered Princeton Theological Seminary, but upon its reorganization by the General Assembly of the Presbyterian Church in the U. S. A. in May 1929, did not return to Princeton, but entered Westminster Theological Seminary to study under the Rev. Dr. J. Gresham Machen and the Rev. Dr. Robert Dick Wilson. Upon graduation he became pastor of the Chelsea Presbyterian Church, Atlantic City, from where, in 1933, he went to Collingswood to be the pastor of the Collingswood Presbyterian Church. Interested in the Fundamentalist-Modernist controversy in the Presbyterian Church, he became a member of the Independent Board for Presbyterian Foreign Missions. In 1934 the General Assembly of the Presbyterian Church in the U. S. A. directed the members of that Board who were members of the Presbyterian Church to resign immediately. Mr. McIntire, with others, refused to resign, maintaining that the order was contrary to the constitution of the Presbyterian Church and to the Word of God. The Presbytery of West Jersey brought him to trial and suspended him from the ministry and the Communion of the Church. This action was upheld by the General Assembly of the Presbyterian Church in the U. S. A. in 1936. The congregation of the Collingswood Church on June 15, 1936, renounced the Presbyterian Church in the U. S. A. as having violated its constitution and officially departed from the authority of the Word of God. A legal battle ensued over the possession of the building valued at \$250,000. Five members of the congregation, backed by the Presbytery and the General Assembly, asked for an injunction restraining Mr. McIntire and the congregation from worshiping in the building, which the congregation had paid for. On March 18, 1938, the judge ruled against the congregation, and on March 27, at the close of the evening service, the congregation of 1200 persons fled out of the building. The following Friday they worshiped in a large Chautauqua tent on a vacant lot. The following Sunday 1293 persons partook of Communion from paper cups, in the tent, which was used as a place of worship eight weeks, during which a tabernacle seating 1500 people was constructed. The cost of erecting, furnishing, and completing the tabernacle has been \$41,000.

Mr. McIntire's theological position is that of the Reformed Faith, set forth in the historic Westminster Confession of Faith and Catechisms. He is president of the Board of Directors of Faith Theological Seminary, Wilmington, Delaware; secretary of the Independent Board for Presbyterian Foreign Missions; editor of the *Christian Beacon*; and author of "A Cloud of Witnesses."



DR. HENNING W. PRENTIS, JR.

Henning Webb Prentis, Jr., LL. D., president of the Armstrong Cork Company, Lancaster, Pennsylvania, was born in St. Louis, Missouri, on July 11, 1884, educated in the public schools of that state, and graduated from the University of Missouri with the degree of A. B. in 1903. In 1907 he took a Master of Arts degree in economics at the University of Cincinnati. From 1903 to 1905 he was secretary to the President of the University of Missouri, and from 1905 to 1907 was Secretary of the University of Cincinnati in charge of that institution's relations with secondary schools and colleges in that section of the country.

In March 1907 he became Assistant to the Manager of the Insulation Division of the Armstrong Cork Company in Pittsburgh, Pennsylvania, and ever since has been connected with the Armstrong organization. In 1911 the Company organized an Advertising Department and he was made its first Manager. He continued in that capacity until January 1920, when he was transferred to Lancaster, Pennsylvania, and appointed General Sales Manager of the Floor Division of the Company. In May 1926 he was elected a member of the Board of Directors and also one of its Vice Presidents. In 1929 he was promoted to the First Vice Presidency and in March 1934 he was elected President of the Armstrong Cork Company—an organization comprising at the present time some 11,000 persons at home and abroad. In June 1932, the honorary degree of Doctor of Laws was conferred upon him by Hampden-Sydney College, Virginia. Mr. Prentis was on two occasions President of the Pittsburgh Advertising Club; he is a member (and past Chairman) of the American Society of Sales Executives; of the Industrial Advisory Committee of the Federal Reserve Bank of Philadelphia; of the American Academy of Political and Social Science; of the Newcomen Society for the Study of the History of Engineering and Technology; of the Pennsylvania Society of Sons of the Revolution; of the Society of Colonial Wars in the State of Virginia; of the Sigma Alpha Epsilon, Phi Beta Kappa, Omicron Delta Kappa, and Alpha Delta Sigma Fraternities; of the University Club, New York City; Bankers Club, New York City; University Club, Washington, D. C.; the Art Club, Philadelphia; the Rolling Rock Club, Ligonier, Pennsylvania; Ross Mountain Club, New Florence, Pennsylvania; Lancaster Country Club, Hamilton Club, Fortnightly Club and the Clioaphic Society of Lancaster. He is a Trustee of the First Presbyterian Church of Lancaster, of the Young Women's Christian Association, of Lincoln Memorial University and of Wilson College, a Director of the National Industrial Conference Board, of the Lancaster Chamber of Commerce, and of the Chamber of Commerce of the United States; a Director and Vice President of the Pennsylvania State Chamber of Commerce and of the National Association of Manufacturers.

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# The Tripod of Freedom

an Address by

Henning Webb Prentis, Jr., LL. D.

delivered before

The National Society Magna Charta Dames

meeting at The Barclay

Rittenhouse Square, Philadelphia

June 21, 1938

*Madam President, Members of the National Society  
Magna Charta Dames, and Fellow Guests:*

**M**Y job in life is helping to run an industrial corporation. Delivering addresses of this sort is out of my line. However, everybody enjoys departing from his accustomed role occasionally and, while there is some peril in so doing, the additional danger a business man runs is really not so very great. For, like Tennyson's "Immortal Six Hundred," the executive of any corporation these days is quite accustomed to have the cannon of competitors volleying in front of him, the guns of labor unions firing on him from the left, stockholders' artillery enfilading his right, occasional pot-shots from dissatisfied customers in his rear, plus a steady rain of poison gas bombs of the Jackson-Lckes' variety from the air. The very ground he treads is mined with political propaganda. Hence, it is pleasant to venture for an hour into a meeting of an organization such as this, whose members are sincerely seeking to serve the communities of which they are a part, and thus leave the world a bit more beautiful and better because they have been in it.

I responded to your president's invitation to address you for one reason only, and that is because I am deeply concerned over the future of this nation of ours. To it I, at least, owe everything I have had in life and all that I hope to enjoy to my dying day. I was educated in the public schools—from the kindergarten through a state university—at public expense. Our system of representative democratic government has provided me the opportunity to be free as a human being—physically, mentally, and spiritually.

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Our system of free enterprise has given me the opportunity to attain physical comfort and well-being. The guarantee of religious freedom, written into the Bill of Rights, has given me the opportunity to worship God as I see fit. All that I have or hope to be has come to me—and to you—because of those same three factors, for which your forefathers and mine fought and bled through the centuries. Together they constitute "The Tripod of Freedom" (1) Representative democracy, (2) Free private enterprise, and (3) Religious liberty. Destroy any one of the three legs of this tripod and the whole structure will crash to earth. The history of past generations, the events of the last two decades, and the happenings of this very year, all bear incontrovertible testimony to the truth of that assertion.

I. Far too long have the American people, its business and professional men, its intelligent farmers and wage earners, taken for granted the ineffable blessings of our political, economic, and religious liberty. For a hundred years or more we have been so busy exploiting our natural resources, inventing new machines, contriving new organization procedures, piling up physical conveniences, comforts, and luxuries that only the acquisition of wealth could provide, that we have failed lamentably to pay much attention to the maintenance of those liberties that we have so smugly assumed were ours by inalienable right, and would therefore automatically continue indefinitely. Meanwhile, a tempest of propaganda has piled the flood waters of ignorance and class hatred against the dikes of freedom, built at such sore travail by the founding fathers of the republic, until today those waters bid fair to engulf us, as they have other nations that until recently professed democratic ideas. The American people may turn their backs on the lesson of history; they may close their ears to the warnings of those whose words carry far greater weight than mine, but I say to you today that, if you and I and millions of other American citizens do not awake from our lethargy and devote time and energy to the maintenance and strengthening of our political, economic, and religious system, most of us

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here present will live to see the direful day when dictatorship will be hailed as the only way out of the mire of social and financial chaos. Mark Sullivan wrote on April 10, 1938: "The stark fact is that the United States has gone some 40 or 50 per cent of the distance toward a changed form of government and society. We are still on the way with accelerated speed. . . . Unless we reverse the course, there can be no doubt about our destination. The destination we are going toward is the authoritarian type of government." Dr. Alexander Meiklejohn, former President of Amherst College, writing in the June issue of Harper's Magazine, says:

No one who studies our situation can fail to see that, in many different forms, the issue between Individualism and Social Control (Socialism) is now rushing toward its crisis in America. Within the lifetime of the young people now in our schools and colleges that issue must, in all probability, be decided. Very soon America will make a choice. She will turn "left" or "right."

I am just as eager as anyone to help create conditions under which every American citizen, regardless of his situation in life, who is willing to work, may enjoy a high standard of living, both in a material and in a spiritual sense; but the means employed to attain that objective must not be such as to imperil the tripod of human freedom. As the great Frenchman, Gustave LeBon, remarks in his famous book, "The Crowd": "Nothing is more fatal to a people than to acquire a sudden mania for reforms, however excellent these reforms may appear theoretically. Time and patience and the slow process of elevating human character—all are required." So if the methods presently proposed for the improvement of the economic status of the less fortunate segments of our population involve the weakening of any one of the three legs of the tripod of freedom, then I assert that that is too heavy a price to pay in view of the age-long struggle of the English-speaking peoples for the priceless privilege of personal liberty; that other methods, slower, perhaps, but more in accord with sound principles of human behavior, must be sought and found.

In my judgment, nothing would profit us more today than careful contemplation of the long fight on the part of our ancestors that led finally to the winning of political



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freedom for all men in the United States. The history of that struggle is an epic of the Anglo-Saxon race which goes back more than one thousand years. Personal freedom expressed in a representative constitutional democracy is distinctly a product of the western European peoples as distinguished from the oriental concept of despotism. From the time that Charles Martel in 732 turned back the Saracens in bloody battle at Tours in France, to 1683, when the tyrannical Turks were defeated under the walls of Vienna, there was struggle after struggle to establish the idea that ordinary men had an inalienable right to personal freedom. For the English-speaking people the first fruits of that age-long effort were evidenced by the Great Charter that was wrung from King John at Runnymede in 1215. It guaranteed that the personal liberty, property, and rights of no man were to be taken away except according to law or by the judgment of his peers.

To protect these hard-won rights and fortify them with a properly designed system of government, many political philosophers contributed their theories. In 1690, John Locke developed the axiom that the legislative body under no circumstances must transfer its power to enact laws to any other body or persons. A Frenchman, Baron de Montesquieu, did his part in 1748 when he promulgated the doctrine that the powers of the executive, legislative, and judicial branches of government must be kept carefully separated—if freedom is to be permanent.

In our own country your ancestors and mine fought the Revolutionary War and, after it had been won, the best minds among them sat down to write a document that would guarantee freedom to their children and children's children. Thus, "They brought forth on this continent a new nation conceived in liberty and dedicated to the proposition that all men are created equal." Regarding that nation, a radical professor in one of our leading eastern universities said recently:

Whatever the deficiencies of democracy as a going political system which we have to acknowledge, I should like to say that, even in its present immature, imperfect form, democracy—exactly

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democracy as practiced in the United States—is one of the most precious things that has evolved in the long course of human history. . . . Election day in the United States, with all its limitations, is one of the supremely fine spiritual products of a million years of human evolution.

We celebrate today not merely the 723d year of Magna Charta, but also by a happy coincidence the 150th anniversary of the birthday of the Constitution. For on June 21, 1788, at one o'clock, Standard Time, New Hampshire, the ninth or enabling state, voted ratification, and the Constitution of the United States thereupon became the law of the land. Now a century and a half later, representative democracy, the first leg of the tripod of freedom, which the Constitution sought to make permanent, is threatened by the lethargy of its citizens. This apathy is due first to the fact that for several generations we have not had to fight for freedom, and second, to sheer failure to grasp the sinister influences that are now eating away its foundations, like termites, working silently and insidiously, leaving the surface unscarred, but destroying its inner strength and substance. Look at the manner in which power is steadily being concentrated in the Federal government and remember Woodrow Wilson's prophetic words: "The history of liberty is a history of the limitation of governmental power, not the increase of it." Consider the fashion in which the lines that were so carefully drawn between the legislative, the executive and the judicial departments of government are now being obliterated. Behold how the national government is steadily absorbing the prerogatives of the individual states in the face of Wilson's warning: "It would be fatal to our political vitality really to strip the states of their powers."

Concomitantly, we have witnessed the growth of huge Federal bureaucracies which, if not soon uprooted, will eventually strangle the processes of representative democracy. As Herbert Spencer said:

A comparatively small body of officials, coherent, having common interests, and acting under a central authority, has an immense advantage over an incoherent public, which has no settled policy and can be brought to act unitedly only under strong provocation. Hence an organization of officials, once passing a certain stage of growth, becomes less and less resistible.

Today, according to Frank Kent, the Federal Government outside of Washington leases and occupies office space equivalent to fifty-two Empire State Buildings!

Sir William Petrie, the great historian, who studied many dead and buried civilizations, asserts that they all ran the same cycle. Despotism bore down on the people until they turned on the autocrat and destroyed him and set up a democracy. They hedged their democracy about with various safeguards, but in the end democracy consumed itself through the waste of public money until financial collapse and social disintegration ensued. Then to bring order out of chaos, men submitted themselves once more to autocratic rule and the cycle began again.

We have had continuing deficits in this country now for seven years. The Federal debt, including guaranteed obligations, is over forty billions of dollars. If you add thereto the debts of the states, counties, and municipalities, the total exceeds sixty billion dollars, and that is just about half of the total assessed valuation of all real estate in America. Our Federal expenditures since March 4, 1933, have totalled almost thirty-seven billion dollars—"enough," as one writer put it the other day, "to make 1142 strings of \$1 bills reaching all the way from New York to San Francisco." The tax policies employed in the raising of these funds are throttling the flow of capital into private enterprise; yet spending continues at a rate unprecedented in the peacetime history of the nation. We are even using for current expenses the so-called "reserve" for old age pensions. Nevertheless, the deficit for the current fiscal year ending on June 30th will be at least 1.4 billion dollars, and some Senators are already predicting that the deficit for the fiscal year 1939 will be not less than five billions. This process must stop somewhere, and relatively soon, if this nation is not to tread the primrose path of real inflation.

In a public address four years ago, I made the statement that "the war of classes in America now being fostered . . . has more ominous possibilities not only for industry, but for our political institutions, than any cloud that has ap-

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peared on the horizon in years." Today that cloud has mounted from horizon to zenith, and its dark thunder heads of class hatred threaten the permanence of our democratic system. Never before in our history has there been such a direct attempt to create a split between the electorate along horizontal instead of vertical lines. Whatever else may be said about our American form of government, certainly it was never contemplated that it should be transformed into "the disorderly clash of organized economic groups, or the wielding of absolute political power by those whose rallying cry has been the sowing of a deep distrust of all but the smallest holders of private property." Those are the words of Dr. Raymond Moley. Tides of human passion cannot be turned on and off at will, as can an electric light. Class hatred leads to class warfare. Class warfare is the death warrant of democracy. Dictatorship follows.

The attitude of the government, as shown in this connection, has naturally lent encouragement to leagues and societies of all sorts and descriptions which have for their ultimate objective, no matter how innocent their names may sound, the substitution of some "ism" or other for the political and economic system under which America has grown great. The degree to which subversive organizations now worm their way into public confidence through our schools, colleges, semi-religious organizations and churches is well-nigh unbelievable. They are able to do this only because patriotic Americans who believe in the American system of representative democracy, private enterprise, and religious freedom, do not bestir themselves to action in behalf of these principles to the same degree as the disbelievers who would destroy them. Do not misunderstand me. I am a thorough believer in freedom of speech. I will fight publicly and privately for the right of any organization, no matter how much I may be opposed to its principles, to present its case to the American people under its own name and banner. I will do this even though I know, as I do, that such groups once entrenched in power would immediately deny me that same right. But in the same breath I will oppose

with all my strength the use by such organizations of the schools, the churches, and semi-religious institutions as sounding boards for their subversive doctrines. I know of no greater service that the members of the Society of Magna Charta Dames could render than to see to it that such organizations are forced to stand before the public for what they actually are and are not permitted to veil their true objectives by appearing under the apparent sponsorship of those institutions in which the American people have long been accustomed to place implicit faith and confidence.

In this connection I was interested to run across, the other day, an excerpt from the official publication of the "Secret Order of the Illuminati," founded by Adam Weishaupt in 1776. The purpose of this order was to "govern the world" through a program of planned destruction of government and society. The program of the Illuminati was the abolition of monarchy and all ordered government; the abolition of private property; the abolition of inheritance; the abolition of patriotism; the abolition of the family, and the abolition of all religion. The Communist Manifesto by Karl Marx in 1848, which is the basis of present-day communism and socialism, contains this identical program.

To effectuate their purpose, the Illuminati recommended the following methods of propaganda, and here I am quoting from their official records:

We must acquire the direction of education—of church management—of the professorial chair, and of the pulpit. We must bring our opinions into fashion by every art—spread them among the people by the help of young writers. We must preach the warmest concern for humanity, and make people indifferent to all other relations. We must take care that our writers be well puffed, and that the reviewers do not depreciate them; therefore we must endeavor by every means to gain over the reviewers and journalists; and we must also try to gain the booksellers, who in time will see that it is to their interest to side with us.

In view of the avowed purpose of this subversive organization to get the booksellers on their side 150 years ago, it will interest you, I am sure, to learn that the Vanguard Press of New York—the publishers of the misleading radical book, "America's 60 Families," which Mr. Ickes quoted recently in his address, was established and financed by the "American Fund for Public Service," ordinarily

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called the Red Garland Fund. Garland, a wealthy, eccentric young man, set up a trust on his death for the spread of communist and socialist doctrines. So we can see how the fundamental ideas promulgated by Weishaupt and his Illuminati a hundred and fifty years ago are still at work in modern America.

II. Let us consider now the second leg on our tripod, the American system of **free private enterprise**. Of course, I believe, just as any sensible American does, in the reasonable regulation of business, particularly the so-called natural monopolies, public utilities, railroads, etc. However, that regulation should be kept at the minimum necessary to prevent dishonesty and imposition on the public.

Certainly there is no denying that the American system has produced results in respect to physical comfort and convenience for the masses, the like of which has never been witnessed in any other country in the world's history. Yet we find people who enjoy all the comforts and opportunities that it has brought into being, asserting that our whole economic system is wrong in conception and an utter failure in practice. Only a few weeks ago one Willis J. Ballinger, an employee of the Federal Trade Commission, testified before the State Judiciary Sub-committee to the effect that "capitalism has failed and is dead." That type of sincere individual, along with self-seeking politicians and genuine radicals, go on spreading reams of misleading information about the concentration of economic power, monopolies, child labor, and the allegedly nefarious practices of so-called "big business." Almost all, when pressed for what they would substitute for the present system, suggest the socialistic concept of "production for use and not for profit," or the same general idea under the more innocuous designation of "national economic planning."

A strong case, it seems to me, can be made out for a considerable degree of national planning for the so-called natural resource industries, such as oil, coal, and water power, but the economic planning now being advocated goes far beyond that conception. Mr. John L. Lewis re-

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cently urged frankly that "legislative or other provisions be made for economic planning and for price, production, and profit controls." Under economic planning, in other words, the government—composed of men and women, no better, no more intelligent than the average run of citizen—would have to tell us individually what we could buy, when we could buy it, and at what price, where we should work, when we should work, and at what wages. To carry out such a plan would require men of superhuman intelligence and men of that kind are simply not available. The loss of efficiency resulting from the dilution of individual initiative and personal responsibility would be staggering. In fact, national economic planning would be impossible unless we are willing to sacrifice not merely our American system of private enterprise, but representative democratic government—and ultimately, spiritual freedom as well. For economic planning means state socialism; and as Stalin said in 1934, "Without getting rid of capitalism and abandoning the system of private ownership in the means of production, you cannot create planned economy."

Obviously, if groups of men calling themselves government are really to plan our economic activity, they must of necessity dominate all individual thinking and action. The individual would exist for the state; not the state for the individual. Since government in such case would be planning, in its opinion at least, for the greatest good of the greatest number of citizens, it could brook no interference from any opinion-forming agency—whether school, press, or church. If it did, its own well-laid plans would soon be brought to naught by what the government would consider misguided, even though well-intentioned, individuals. Thus in the end, the tripod of human freedom would lose the leg of religious liberty. In Russia we all know how religious freedom has disappeared, along with economic freedom and political freedom as well.

Theoretically, state socialism and the Christian religion are not incompatible. But in actual practice a socialistic government would have to curb both freedom of

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speech and religious liberty—at least so far as any doctrine preached was at variance with the set program of the state. This fact has been clearly recognized by all the great socialists; by Marx, who said that “Religion is the opiate of the people,” by Engels as well as more recent exponents of socialism, such as Lenin and Stalin.

Advocates of the gradual extension of socialism by peaceable means have always advanced a simple formula which, boiled down, amounts to this: Select a period of great economic distress and political unrest, discredit in every possible fashion the leadership of the preceding era of prosperity; blame the ensuing depression on such leadership; then, having destroyed confidence in the previous regime and its leaders, adopt legislative measures under guise of emergency that will hinder such confidence from reviving; and, finally, having thus undermined the only basis on which private enterprise can prosper, explain to the unthinking public that, since private individuals will not do their part in restoring prosperity, the state, greatly to its regret, must step in and do so through governmental intervention in industry, agriculture, banking, and commerce.

In this connection, note these remarks by Mr. John W. Hanes, a member of the Securities and Exchange Commission, before the Central States group of the Investment Bankers' Association only a few weeks ago:

Somebody must take risks as part of our mechanism of financing industry. If you decide to “let George do it,” you may find that George, and perhaps his Uncle Sam, may be forced to do it by default. Inaction may mean that you will write investment banking off the books.

Mr. Hanes is indeed frank and candid. He recognizes that under the private enterprise system the maintenance of employment depends on the continued flow of private capital into new enterprise. If that flow is interfered with by confiscatory estate and income taxes, by capital gains and undistributed earnings taxes and by a general lack of confidence in governmental policies, the stability of the tripod of freedom will be endangered through the weakening of its second vital supporting factor, economic liberty. For the obstacles obstructing the flow of private capital



into new enterprise placed there by government itself, if not soon removed, will certainly provide the excuse for government to step in and supply such capital itself. Then state socialism will become a fact. George Soule says in the June number of *Harper's*: "If the breakdown lasts long enough, the pressure of unemployment and unsatisfied wants will force government to take over more and more of the functions that private investment is neglecting." Thus the free private enterprise system will collapse, the tripod of freedom will fall, and along with it will go representative democracy and spiritual freedom in common ruin.

The various forms of taxation I have already alluded to are not of course the only adverse influences that are at work. The threat of government competition, unduly restrictive regulations regarding security issues, unbalanced budgets, labor legislation that has failed to place relatively equal responsibility on both parties concerned, rabble rousing speeches from government officials—all have added to the general uncertainty in respect to the future.

III. Coming now to the third leg on the tripod, **religious liberty**, it seems clear to me that social righteousness, which is the true glory of any nation, arises not from the compulsion of laws, but from the spirit in the hearts and souls of men. In other words, the sole solution of our social ills lies not in more government, but in the embodiment in our daily lives as American citizens of the ethical principles of the Sermon on the Mount, the Parable of the Good Samaritan, and the precepts of the Golden Rule. This country was settled in large measure by men and women who came here so that they might worship God as they saw fit. They risked untold dangers that they might enjoy that privilege. Religious conviction was to them a driving force not only in regard to the affairs of their daily existence, but also in respect to their theory of government. The glory of Christianity is that it exalts the individual. It encourages men to know the truth. Knowing the truth makes men free. In their search for truth, our American forefathers discovered

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the fundamental fact that only under political democracy can that individual freedom be secured which insures religious liberty. They had had experience with authoritarian forms of government. They recognized what recent events in Russia and Germany have proved once more; namely, that the totalitarian state—whether fascistic or socialistic in character—and the Christian religion do not get along well together. All-powerful governments and Christianity are as oil and water; they do not mix. The omnipotent state to attain its chosen objectives can brook no interference from any source, religious or otherwise. To do so would endanger its very existence.

Conversely, religious intolerance and bigotry lead to persecution, to the creation of class and sectarian hatreds, to social disorder and, ultimately, to political despotism. History shows clearly that the more abundant life in a religious sense is a concomitant of political democracy. Perhaps the more abundant life in a purely economic sense might be temporarily achieved under the iron hand of a benevolent dictator, but only at the fearful sacrifice of everything that the phrase connotes from a political and spiritual viewpoint.

As citizens of the greatest republic the world has ever known, we should set our minds and hearts like flint against the whole philosophy of the totalitarian state. Studying carefully the critical situation that the country faces and the lessons that history teaches, we should never cease our efforts to strengthen every factor that goes to support the tripod of freedom. In so doing we must be crusaders both in word and deed. Words alone will not suffice, for freedom involves grave personal responsibilities along with its high privileges. So what we actually do in our business and professions day by day must affirm our acknowledgment of that fundamental principle. Only thus can American business and professional men provide the intelligent, far-seeing stewardship that will sterilize economic and political radicalism and provide the necessary time in which we may adjust our complicated economic structure to the amazing technological advances of the past twenty-five years. Thus we may yet

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evolve a sufficiently increased sense of social responsibility throughout the republic to enable us to achieve gradually a genuinely higher standard of living—a truly abundant life from both a material and a spiritual viewpoint.

In a book by Owen Wister, giving the story of his long friendship with Theodore Roosevelt, the author recounts the following incident which took place in 1895:

"How long do you give the government at Washington to last?" I asked Roosevelt and (Henry Cabot) Lodge as we sat lunching. Those two students and writers and makers of history, well versed in the causes which have led to the downfall of the empires, kingdoms, and republics that have had their day and gone into the night, were both silent for a moment, then one of them said: "About fifty years." Which of the two set this limit, I do not recall. I remember only that the other did not contradict him.

Forty-three of those fifty years have elapsed. What do the next seven hold?

In common with many of you, I have had the stirring privilege of visiting the great temple of Karnak in upper Egypt and looking across the Nile at the scattered ruins of the proud capital city of Thebes, which flourished 3500 years ago. I have stood also at the east portal of the Parthenon and gazed down from the Acropolis on the remains of the theatres, the market places, and the temples of ancient Athens. I have sat for hours in the Forum at Rome. In all three places I have tried to re-create in my mind's eye the throngs of well-dressed, intelligent business and professional men, educators and politicians who lived among what were then the pulsing centers of those great civilizations. As I did so, I wondered what they were thinking about in the days when, as we know now, their governmental and economic systems were being slowly but surely undermined. Had they realized sooner the subtle processes of decay that eventually brought disaster, might not their actions have changed the course of history? There is no sure answer. The German philosopher, Spengler, asserts that democracy leads inevitably to liberalism, socialism and bolshevism. Accustomed as we are to overcoming obstacles, do we Americans intend to bow to the inevitable without struggling to the limit to preserve our tripod of freedom?

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On September 6, 1938, Miss Margaret A. Lennig, Sovereign of the Colonial Order of the Crown, entertained the Magna Charta Dames at a Boston Tea Party and Supper at the College Club. After welcoming her guests, and speaking of the significance of the occasion, Miss Lennig called upon Mrs. Hallowell, Mr. Wurts, and others, who spoke briefly, and then upon Mrs. William Whitehead Erwin, delegate of the Magna Charta Dames at the unveiling of the Memorial shields, who reported as follows:

The large placques, some of which our Society had prepared and placed in the Parish Church of Egham, near the field of Runnymede, bearing the coats of arms of our ancestor barons, were unveiled on June 19th.

A beautiful and most impressive ceremony was held. These handsomely executed replicas, which had been generously presented by descendants of the Sureties, were fittingly placed around the gallery, with an inscription beneath each, bearing the name of the donor.

This quaint and historic church was filled with distinguished men and women, who had come to pay tribute to the courage of the Barons of 1215.

The Rev. Mr. Tranter conducted the services, and read a telegram he had sent to the King and Queen, expressing sincere loyalty and devotion. He also read their Majesties' gracious reply of thanks and appreciation. After prayer and reading of the Scriptures, Col. Sir Louis Newton read the four main clauses of the Great Charter.

The Right Hon. Lord Alness, in a most inspiring address, outlined the spirit of the times, the dramatic scene on the meadow of Runnymede, the barons arrayed against the King, the discontent, and the King unwillingly affixing his seal. Lord Alness continued by saying:

In an age of speed and noise and strife, we have stepped aside to this quaint place to spend an hour of memory and thanksgiving together, and to draw renewed courage and strength from the contemplation of the unforgettable past. I hope the hour has not been misspent. Sure I am that when you and I lie beneath the sod, when all the little things that we have said and done are clear forgotten, future generations will tell and retell the story of the Barons of Runnymede—who wrung from an unwilling king the priceless heritage of which you and I today, are not only the heirs but also the trustees.

The solemn, yet thrilling moment came when Lord Alness, in pulling the golden cord, said—"I dedicate these shields to the glory of God, and in undying memory of the Barons of Runnymede." After prayers of thanksgiving and songs of praise, the Benediction followed.

The Chairman and members of the Urban Council of Egham entertained the guests at a reception and tea at Great Fosters, one of Queen Elizabeth's former hunting lodges. Its ancient gardens and hedges made a perfect setting for the occasion.

The Rev. Mr. Tranter is to be commended for his untiring efforts in planning and completing the arrangements for this ceremony, at which your representative was most cordially greeted and honored; upon hearing of her arrival he came immediately to greet her, and expressed his pleasure in having present a member of The National Society Magna Charta Dames, and before the unveiling he personally pointed out the shields which were your gifts. He said:

On your return, please give your society my best greetings and thank them for their generous cooperation. I can assure them that we welcome their gifts as a lasting token of that very friendly relationship existing between the mother country and her daughter over-seas. Whenever your members visit these parts, I shall be delighted to conduct them around this lovely and very historic bit of old England."

## HARTFORD

At "Balbrae," her beautiful country estate, on a superb elevation some eight miles northwest of Hartford, Mrs. George Jackson Mead, a Regent of the Magna Charta Dames, entertained at a reception and tea on October 31, 1938, in honor of Mrs. George Harrison Houston, President of the Society, the guests having been invited to meet the President, the Regents and other Officers. Mrs. Mead's charming hospitality will long be remembered.

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## Invocation

November 1, 1938

The Very Rev. Walter H. Gray, B.D.

Dean, Christ Church Cathedral  
Hartford, Connecticut



**GOD**, the Almighty Lord of Heaven and earth,  
grant us the vision to hold ever dear that freedom  
which is our shining heritage from our storied past,  
and to defend it against the heavy hand of the oppressor  
in any age in which he shall appear.

Make us vigilant, diligent, and courageous in preserv-  
ing the liberty which is ours, that we may transmit it un-  
shorn to the generations to come.

Stir our hearts to see the needs of our day; guide our  
minds to choose wisely in all troublous times; and fire our  
wills to make the kingdoms of this world become the King-  
dom of the Lord of Life.

Bless us in this fellowship today and make us always  
mindful that our noblest privilege is that of serving Thee  
and our fellowmen.

All which we ask through our Mediator and Redeemer,  
Jesus Christ. Amen.

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**The Very Rev. Walter H. Gray, B.D.**

Born Richmond, Virginia, in 1898. Served in 29th Division, A. E. F. After the war, studied business administration and law at several colleges, becoming a member of the Virginia Bar. Was graduated from Virginia Episcopal Theological Seminary in 1928. Served as Assistant Rector, St. John's Church, Hartford, Connecticut, and Dean, Nativity Pro-Cathedral, Bethlehem, Pennsylvania, before becoming Dean, Christ Church Cathedral, Hartford, Connecticut, on January 1, 1937.



Tea at "Great Fosters" following the Magna Charta service at Egham Parish Church on Sunday, 19th June, 1938.

Lord Alness is seated at right. Rev. A. C. Tranter, Vicar of Egham, wearing the chain of office as Chairman of Egham Urban Council, is standing behind our delegate. Mrs. William Whitehead Erwin. See page 61.

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DR. WALTER PHELPS HALL

Professor of History at Princeton University, was born at Newburgh, New York, 5 May, 1884.

Member: Phi Beta Kappa; Sigma Alpha Epsilon; Princeton Club.

He received the degree of A.B. at Yale University in 1906, and that of Ph.D. at Columbia in 1912.

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# The Magna Charta and Liberty

an Address by

Walter Phelps Hall, Ph. D.

delivered before

The National Society Magna Charta Dames  
Meeting at The Town and County Club

Hartford, Connecticut

November 1, 1938

*Madam President, Magna Charta Dames,  
and Fellow Guests:*



ERY appropriate indeed is the holding of this meeting in the city of Hartford. Here, as you all know, was hidden in the Charter Oak one of those priceless guarantees of individual liberty against arbitrary despotic rule; here in early colonial days precedents were set which happily have not yet been forgotten, of the supremacy of law against tyranny.

The Norman barons who wrested Magna Charta from King John set such a precedent. The document in which they did so makes difficult reading today. It is very long and very complicated; it lays down no general principles: on the contrary its sixty-three articles are confined to very specific subjects haphazardly arranged, most of which seem to have no bearing on contemporary affairs. The barons, your ancestors who forced John to sign on the dotted line, seemed far more interested in such obscure matters as scutage, purveyance, and *mala tota* than in freedom.

The history of this celebrated document has been a checkered one. A century after it was written it was well-nigh forgotten. Then in the early seventeenth century



Magna Charta lived again, and during all the exciting controversies of that time which culminated with the death of King Charles and did not subside until the accession of William and Mary to the throne, Magna Charta assumed tremendous importance. During the next century its reputation continued to grow and it played an important role in drawing up the indictment of our revolutionary forbears against King George III. Afterwards came reaction. Scholars minutely investigated Magna Charta clause by clause. They came to think of it as a selfish feudal document not concerned with the rights of man but with the maintenance of outworn baronial privilege, the celebrated clause for instance in regard to *libri homines*, free men, applying not to Englishmen as such but to a narrow restricted feudal class.

What is the truth in regard to Magna Charta? We may in justice place it somewhere between the two extremes. It was something less than a guarantee of freedom to all Englishmen; it was something more than a mere insistence on class interests. Without reading too much into its ancient bill of particulars we may justly regard Magna Charta as the triumphant vindication of two principles: first, certain customs and laws have more authority than the king; second, if the king does not enforce these customs, then the people have the right to compel him to do so by force.

Historically speaking it has been observed that the British constitution is founded primarily on three documents. The first is Magna Charta with its two aforementioned principles. The second is the Petition of Rights drawn up by Parliament and forced upon Charles I, and the third is the Bill of Rights, agreed to by William III in 1688. Like Magna Charta these two later documents leave glittering generalities to one side. The Petition of Rights limits the authority of the sovereign in four specific ways; the Declaration of Rights did the same thing in regard to a

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great many more, among them being free elections to Parliament, freedom of debate, the independence of the judiciary from arbitrary executive power. All three documents are at one in their insistence on individual rights as opposed to centralized authority.

What meaning have these three documents today? In my opinion they are in a genuine sense of the word extremely important. The liberties of the individual everywhere throughout the world are being sharply curtailed. Throughout central and eastern Europe they have faded away almost completely. The victorious Japanese have as little use for them as Trotsky, Stalin, Mussolini, or Hitler. In England, in France and in America they rest, I am afraid, upon a rather shaky foundation. The finger of scorn is pointed at the democracies by German and Italian fascists alike, a finger of scorn not primarily directed against lack of material power which the democracies still possess but against the weakness and confusion of belief and thought, the lack of confidence and a firmly rooted political faith among the so-called democratic peoples.

We in America have no difficulty at all in demonstrating to ourselves what is wrong with Russia. The dictatorship of the Communist Party is thoroughly obnoxious to us; we do not believe that the Christian religion is the opiate of the people; we regard the theory that all past history is the history of past struggle as an absurdity; we react violently against the totalitarian regimentation of Russian life, the crushing uniformities imposed by Stalin upon the Russian peoples. With Rudyard Kipling and John Bunyan we are agreed,

No dealing with Diabolus  
As long as Mansoul stands.

We also are quite sure that contemporary Germany is, to put it mildly, on the wrong path. The fact that today even life itself is not safe for any Jew between the Rhine

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and the Russian border we attribute, and attribute rightly to the Nazi nightmare of Aryan supremacy. Christianity can no more thrive in Nazi Germany than in Russia, nor can individual enterprise whether it be intellectual or economic. German biology and anthropology is as absurd a contradiction in terms as Marxian mathematics. The cruel and bloody despotism of that unholy trinity, Goebbels, Goehring and Hitler is as obnoxious in the sight of God and man, as that dismal creed which emanates from Karl Marx and is personified by Nicolai Lenin and Joseph Stalin.

Italy I leave out of the picture. In the last analysis Mussolini is but the personification of a Renaissance condottieri chief. But the German fascists and the Russian communists have western civilization by the throat and by the hair. They have not only destroyed political liberty, the right to participate in government, but they have wiped out civil liberty as well, including those guarantees of personal freedom which we associate with the writ of habeas corpus, with free speech, with religious tolerance, with private property, rights painfully and slowly wrested from arbitrary authority throughout the centuries, precedents slowly builded upon precedents, constantly reaffirmed, strengthened and crystallized into accepted custom.

These doctrines which come to us from Moscow and Berlin, so alien to American precedent, are infiltrating within our country. They are poisonous influences adversely affecting us today; but they are not the only ones. Why is it we may well ask that the western democracies are so supine before the threats of fascism and communism? The answer in part may be found, I think, in our own uncertainty in regard to our own ideals; and to an analysis of that uncertainty I would like to devote the remainder of this address.

Liberty, in the true sense of the word, lies in keeping an ever watchful eye on governmental authority lest it

merge into tyranny. As at the time of Magna Charta, so now, these must be rights which no sovereign, whether King, Parliament, President, German Fuhrer, the Secretary of the Russian Communist party, or even democratic majorities can destroy. The old idea that there are natural rights, such as private property and the privileges and responsibilities associated with parenthood, antecedent to all government and superior to all government, is now unfortunately regarded as a myth. So much the worse for us. To preserve liberty we must protect ourselves from the omnipotence of the state, whether it be a democratic state or an oligarchic one.

These natural rights have been laughed out of court in Eastern Europe and now unfortunately to no inconsiderable degree they are being disregarded in our country. It is easy enough to discover the mote in the fascist eye and in the eye of the communist, but how about our own? Is there a mote growing there? Is it possible to have a democratic despotism (spelled with a small d to escape charges of partisan politics) just as tyrannical, just as dangerous to liberty as any emanating from fascist or communist sources?

In my opinion there is such a danger. We in America have tended to drift away from representative government, toward a kind of delegate government whereby our representatives and senators cease to be free and independent and sink to the role of mere agents, puppets who do what they are told. We forget that magnificent letter of Edmund Burke to the electors of Bristol in which he informed his constituents that he was not in Parliament to do their bidding but to follow the dictates of his own conscience.

Furthermore, the sage warning of Thomas Jefferson that a free democracy rests on widely diffused property rights is heard less and less from our public platforms. Millions of people whose daily bread depends upon the will of

politicians will tend to vote as those politicians decree. The corrupt influence of larger and ever larger largesses bestowed upon a restless and propertyless class of men and women, undermines the whole concept of historic democracy as a force making for individual freedom.

Not long ago we thrived, or suffered, under what was called the N.R.A., since declared unconstitutional by the courts. A little N.R.A. passed by the sovereign legislature of my home state of New Jersey made it illegal for a barber to cut hair at a price under fifty cents; upon which I harbored thoughts of putting a chair in the middle of the Princeton campus and advertising that I would serve all comers at ten cents a hair cut. Not long ago we thrived, or suffered, under what was called the A.A.A., whereby farmers to all intent and purpose were inhibited from sowing their own land with their own wheat, and although the A.A.A. also was declared unconstitutional the present agricultural act virtually establishes the same control.

Now I am aware that laws similar to the above take place in the name of democracy, and that under the present agricultural act cheques from Washington to farmers who withdraw land from cultivation are only sent after a favorable majority vote. I am not denying that such action may be democratic. But it also, none the less, is an attack on liberty. Democracy carried to an extreme will end liberty. This is not a question of economics or of social welfare but of fact, and therefore it seems to me not only silly but a trifle hypocritical to bemoan the loss of liberty in Germany while condoning it in America.

The advance toward a totalitarian state of affairs in the United States is retarded, fortunately enough, by a number of factors. The separation of powers which our Constitution provides for, the popularity of the Supreme Court in the minds of most people, the individualistic tradition of the frontier, all still survive. We still believe in pri-

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vate property; we still believe that parents are the best judges as to the welfare of their children; and I am confident that a majority of the skilled workmen believe that they individually should determine for themselves whether or not they should become members of trade unions.

But how long will these beliefs persist? They are now under fire and threatened with extinction not only from the anti-democratic tidal waves flowing in on us from Russia and Germany but also from a no less dangerous wave of ultra democracy which is of domestic origin. Communism with its sacred writings and implacable dogma is a kind of religion served by its own high priests. German fascism similarly is a religion with millions of devotees, having **Mein Kampf** for Bible and Adolf Hitler for prophet. It is Christianity in reverse. Not blessed are the meek, the gentle and the peacemakers, but cursed are the meek and the gentle, and blessed are the bold and the valiant and the warriors for they shall inherit the earth. Does democracy, one ponders, inherit this same fatal tendency to become a religion?

I am afraid that it does. Too many unthinking Americans tend to make democracy coincide with Christianity, and to attribute to it the sum of all virtues. This seems to me to be a fatal error. We drifted into the last World War with an ideological watch word on our lips, "Make the world safe for democracy." I hope we do not do the same with the next war. It is so long since the French Revolution that we have forgotten that democracy offers just as good opportunities for tyranny as contemporary ideologies imported from Europe.

The future welfare of the American people will, it seems to me, be determined quite as much by keeping one glance backward on the historic path over which it has travelled, as by turning its eyes exclusively on the thorny path ahead. To be sure we must study carefully the thorny

path ahead and realize that we can never return to the era of the founding fathers. We cannot build America on Magna Charta alone. At the same time America may become a sorry place in which to live if we forget Magna Charta. The equipoise, the balance, between true liberty and authority is hard to find, and even if found it is hard to keep. The one thing we may be sure about concerning authority is that it must not become too predominant, too overwhelming, too highly esteemed. Lust of power is almost an instinct with some, and frequently those who have the best intentions in the world will end by using their authority to kill liberty.

Please do not misunderstand me in regard to democracy. If by democracy one means that all men are equal before the law it has a genuinely spiritual significance. If by it, however, you mean that majorities should rule then I maintain that rights must be reserved to the individual which are beyond the reach of a mere majority. If they are not so reserved and stoutly defended then a democratic tyranny will follow as inevitably as it did in the days of the French Revolution.

The right way, in my opinion, to combat fascism and communism in this country is not to hurl against these two heretical and impassioned faiths an equally impassioned religion called democracy, but rather to improve and strengthen our democratic form of government by limiting arbitrary power and by endeavoring to restore self-respect and independence of thought and action to the many millions of persons unemployed and receiving state relief. If the twelve million unemployed in this country had jobs and if two thirds of them owned their own homes then I would have little fear for democracy.

The Society of Magna Charta Dames is a patriotic organization which finds its inspiration in ancestors who in the dim past forced an arbitrary king to his knees. It is

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now being addressed by a teacher of history who also constantly looks back into bygone records for patriotic inspiration. I have found it in many places but in none more sharply or more poignantly put than in the sermon of a certain Mr. Cappe of York, England, in the eighteenth century, who got in trouble with the authorities of his day for voicing these hopes about America:

"It may be," he said, "in the purposes of Providence, on your western shores, to raise the bulwark of a purer reformation than ever Britain patronized; to found a less burthensome, more auspicious, stable, and incorruptible government than ever Britain has enjoyed; and to establish there a system of law more just and simple in its principles, less intricate, dubious, and dilatory in its proceedings, more mild and equitable in its sanctions, more easy and more certain in its execution; wherein no man can err through ignorance of what concerns him, or want justice through poverty or weakness, or escape it by legal artifice, or civil privileges of interposing power; wherein the rule of conduct shall not be hidden or disguised in the language of principles and customs that died with the barbarism which gave them birth; wherein hasty formulas shall not dissipate the reverence that is due to the tribunals and transactions of justice; wherein obsolete prescripts shall not pervert, nor entangle, nor impede, the administration of it, nor in any instance expose it to derision or to disregard; wherein misrepresentation shall have no share in deciding upon rights and truth; and under which no man shall grow great by the wages of chicanery, or thrive by the quarrels that are ruinous to his employers."

Ladies and gentlemen, a fairer or a more just goal was never set for any country. We have some distance yet to go before we attain it. May you and I do all that lies within our power to bring it nearer. In just six weeks we shall look back not to Runnymede, but to Bethlehem, for the answer to these questions which so greatly disturb us today.





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Mrs. Houston warmly thanked Dr. Hall for his address, and expressed the earnest wish that he might again address us. She concluded by saying:

Our Society is in a flourishing condition, with members in every state but Nevada. However, I wouldn't recommend that some of you go to Reno in order to remedy that omission!

I have often been asked the purpose of our Society. What is it for which the Magna Charta Society stands? And I might liken our heritage to a charter oak, which has its roots



deep in history and tradition, and its branches strong, reaching up toward the sky and spreading wide across land and sea, to shelter us in America as well as our cousins in England. Let us, then, constitute ourselves a guard of honor, to see that no vandal strikes off any of these branches, and that no parasite fastens upon our great oak to drain its life and vitality.

Mrs. Wurts then made the following announcement:

Very reluctantly the Council has to announce to the Society the fact that Mrs. George Harrison Houston, who has so ably and graciously filled the office of President for the past three years, has felt that it is necessary, with this meeting, to relinquish her office as President. These three years have been very important ones for our Society; they have been years when more and more in the world about us equitable principles, the foundation of the Constitution and laws of all Christendom, have been too far disregarded.

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There are those who seek to cast aside all past institutions and to press feverishly on in search of something new which they hope might solve the problems of today, and they would question the value of such a Society as this. It is for us to call them back to solid foundations.

Throughout her term of office, Mrs. Houston, with the help of her able husband, has broadened the spirit and purpose of this Society, and has made it increasingly an instrument through which its members and friends might be aroused to a sense of individual responsibility.

We have only to recall the messages of the speakers secured by them to appreciate the tremendous service which Mr. and Mrs. Houston have rendered. In June 1936, Mr. Houston made his own magnificent contribution in his address, "The American System." Every time I read these addresses in our publications, I am impressed anew with their power, and we are grateful that in printed form they are reaching a far greater number than our own membership.

In addition to these publications, we have other visible reminders of Mrs. Houston's efforts.

First, in the steady increase in membership, which has registered the growing interest of the American people in that from which their privileges have come,

Second, in the restoration of a beautiful mantel in the Powel House in Philadelphia as a memorial to our late President, Mrs. James Large, and

Third, in the founding of a superb genealogical library which gives promise of being the finest of its kind in the United States.

Those of us who have been intimately associated with Mrs. Houston in the affairs of the Society have appreciated her quiet, kindly dignity and her wise counsel, and on behalf of the Society I speak these sincere words of appreciation of her as a gracious hostess and presiding officer.

Although there is for all of us a sense of deep regret

that she relinquishes her office, is it not more fitting that we emphasize to her our profound gratitude for the service which she has rendered to our Society, knowing that even though she relinquishes to another her present office, she as Honorary President will continue to be a devoted counselor, ready to support our every effort.

Mrs. Houston: With this meeting I say good-bye to you as President of the Society. The office is too distinguished for one person to hold for too long a time. There has been elected as President one who is descended from very distinguished families, a person widely noted in patriotic and philanthropic work: Mrs. James Starr. Just ten years ago she was nominated for President, but she declined the nomination, because she felt compelled to do so by other duties which claimed her time. Now we have chosen her again, she is especially fitted to lead us, and I take great pleasure in introducing our new president.

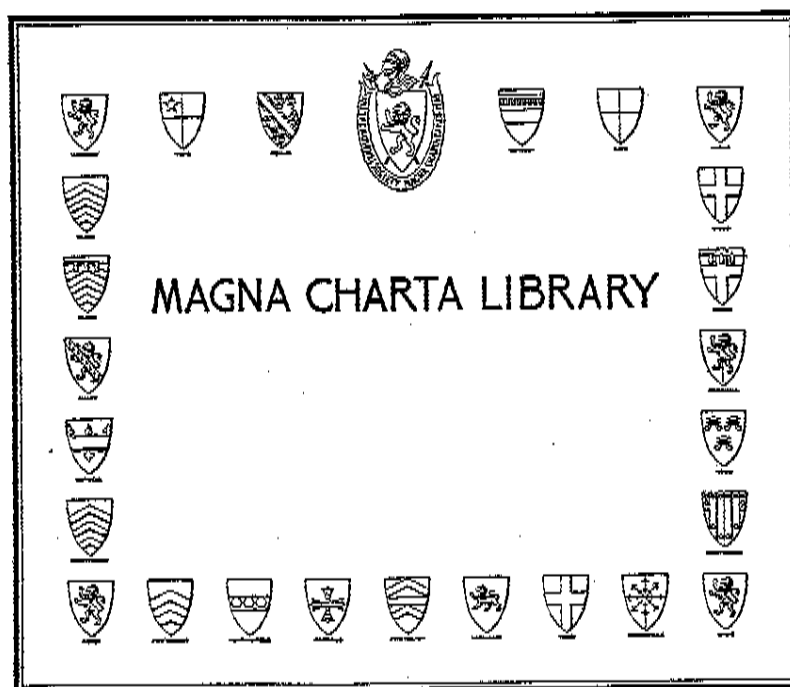
Mrs. Starr: I do not recognize myself at all in this wonderful introduction. It is with the deepest regret that we were unable to induce Mrs. Houston to continue in office, and only because she would not, would I accept this honor.

It seems to me that the world is now witnessing the same problems as did the Barons of England in 1215. Would that we, their descendants, might have such courage as theirs when, at Runnemede, they won for us the liberties we now enjoy. We must be worthy of the great sacrifices they made, and be alert to maintain these rights. With discontent and open violence at home and abroad, it is our responsibility, as well as our privilege, to express our convictions. We must not be apathetic. Every one of us should vote, knowing the reasons for supporting our candidates for office, our Government, and our constitution, and we should fearlessly assume the responsibility of deciding for ourselves what is right, and openly condemn what is wrong.

In accepting the office of President, I do so feeling my

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own inadequacy to fill it as our Retiring President has so ably done. I need the grace which she has in such abundance, and I need the help of each and every one of my fellow members. Together let us carry forward the banners of the Barons which we have inherited.



THE ABOVE BOOKPLATE  
with name of the donor written in the blank space  
is being pasted in the books  
as they are received for the library.

Any books not needed by members and friends for their own shelves will be gladly received, especially books, magazines, or pamphlets containing history, biography or genealogy, also year books issued by other Societies and Libraries.

## In Loving Remembrance

MISS LILLA ESTELLE APPLETON.....	May 5, 1937
MRS. JOHN BAIRD (Edith Lewis Wain).....	September 11, 1936
MRS. ALFRED THORNTON BAKER (Laura Page Butcher).....	June 18, 1937
MISS SARA STONE BAYLIES.....	November 28, 1937
MRS. SAMUEL DWIGHT BREWSTER (Isabel Erskine Parks).....	October 7, 1936
MRS. EDWARD L. BUCHEY (Mary Mendenhall Webster).....	November 3, 1936
MRS. WILLIAM WALLACE CHAPPERTON (Helen Webb).....	November 12, 1938
MRS. JAMES CLARK COURTENAY (Louise Katherine Johnson).....	August 27, 1938
MRS. MCKENDREE W. COUTRAP (Mary Ball).....	February 11, 1936
MRS. HENRY DASPIT (Elizabeth Winslow Kennon).....	February 24, 1938
MRS. SEYMOUR DAVIS (Clara Virginia Biddle).....	February 7, 1938
MISS MARION FITZRANDOLPH .....	March 31, 1938
MRS. JOSEPH MICHEL FOX (Jean Beverley Chichester).....	October 29, 1936
MRS. WINSTON FEARN GARTH (Lena Garth).....	January 30, 1938
MISS GRACE RAYMOND HEBARD.....	October 11, 1936
MRS. FREDERICK HUSSEY (Eleanor Butler Kempton).....	September 26, 1937
MRS. MICHEL MORACIN LABRON (Maria Olivia Stedie).....	February 11, 1937
MRS. JOSEPH LINDSAY (Julia Willist Wingate).....	August 8, 1936
MRS. EDMUND G. MCGILTON (Lina Williams).....	April 22, 1936
MRS. JOHN MAHAN (Lella Maud Ivins).....	February 12, 1938
MISS SUSAN BILLINGS MITCHELL.....	October 15, 1938
MRS. CALKB JONES MILNE (Lenore Bonwill).....	April 21, 1937
MRS. JOHN B. MINOR (Mary Ellen Scott).....	July 4, 1938
MRS. WARNER MOORE (Maria Ariadne Dunlop).....	November 3, 1937
MRS. FRED ARTHUR POOR (Nettie Baylies).....	June 3, 1933
MRS. GEORGE FREDERICK RALPH (Cornelia Marion Barnes).....	November 13, 1936
MRS. HENRY SAMPSON (Sarah Spotswood Fontaine).....	August 1938
MRS. FINLEY JOHNSON SHEPARD (Helen Miller Gould).....	December 21, 1938
MRS. ROLAND L. TAYLOR (Anita Marjory Steinmetz).....	February 21, 1938
MRS. BONNER HAYES WALKINSON (Lucy Lane).....	February 27, 1938
MISS ELLEN PERSTE WOOD.....	November 22, 1936

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*Vice-President:* Mrs. GEORGE DALLAS DIXON (Mary Quincy Allen)  
*Vice-President:* Miss EUNICE LATROPE  
*Vice-President:* Mrs. CHARLES M. LEA (Charlotte Augusta Brown)  
*Vice-President:* Mrs. WILLIAM HOWARD TAFT (Helen Herron)  
*Vice-President:* Mrs. DAVID DIXON PORTER (Winifred Metcalf Mattingly)  
*Vice-President:* Mrs. WILLIAM S. HALLOWELL (Anna Jenkins Ferris)  
*Herald General:* Mrs. JULIEN ORTIZ (Alice Eugénie duPont)  
*Herald:* Mrs. WILLIAM E. LOCKWOOD, JR. (Helen Harriet Hodge)  
*Herald:* Mrs. EDWARD O. TROTTER (Celeste Heckscher)  
*Counsellor:* Mr. JOHN S. WURTS  
*Regent General:* Miss ELIZABETH FISHER WASHINGTON

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Mrs. James Blythe Anderson (Alice Simms)	Kentucky
Mrs. Peter Arrington (Katherine Clark Pendleton)	North Carolina
Mrs. Edwin LeRoy Bowen (Ellen Brooke Culver)	California
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Miss Elizabeth Craig	Mississippi
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Mrs. Chichester duPont (Mary Richard Chichester)	Delaware
Mrs. William Owen Goodman (Erna Malvina Sawyer)	Chicago
Mrs. Alexander Gordon (Elizabeth Southall Clarke)	Baltimore
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