

The Birmingham Eccentric

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 THURSDAY, FEBRUARY 11, 1937

There Is No Death In The Realm Of The Eternal Good

An average person might be willing to concede that there is nothing of himself worthy of being continued throughout eternity. But when a great soul of true goodness and worth like Ernestine Schumann-Heink finds her body no longer fit to contain her self, then we find it hard to withhold the materialist's denial that she may persist independent of physical expression.

No physical substance can be put out of existence. Can human personality, the highest form of creation, for which all physical things exist, be put out of existence? Schumann-Heink's voice lives in the air independent of physical support, unimpeded by heat or cold. Is she who commanded the voice less than it? No one knows either way, but we find ourselves lining up more firmly each year with the great and good who hold that all the centuries of effort and sacrifice necessary to produce a Schumann-Heink are not now forever dissipated—in the divine economy.

Schumann-Heink became great through suffering. To the end she retained the gaiety and spontaneous generosity of youth. Life brushed her roughly, yet what a polished gem of personality was the result! Is Schumann-Heink no more? She lives in countless lives better by her example, and faith says she lives in spirit in influence and bless those who may still tune her in.

Sheppard Remains Dry

Senator Mark Sheppard, of Texas, author of the Eighteenth amendment, is what one would call consistent and an example of perseverance in the pursuit of an ideal.

Every year, on the 16th of January, he makes an anniversary speech on the ratification of the amendment, since repealed, and the return of the prohibition. Now sixty-one years of age, with thirty-seven years of congressional service to his credit, the Texas dot not bite his tongue in flaying repudiated promises contrived and perished results.

He calls the distilled and fermented liquors stored in government warehouses, "Mystery in storage! Crime on deposit! Murder in reserve!" and "Hell warehoused for the future destruction of mankind!" Again he has introduced a resolution for the reenactment of the prohibition amendment which he predicts he will live to see successful.

Whether one agrees with the veteran legislator's views or not and regardless of what one may think of his prophetic insight, it is permitted to all to make a bow in the direction of the advocate of prohibition. He at least sticks to his guns and sets an example to all fair-weather politicians.

Smokeless Cities Profitable

Sooner or later in the growth of every community there comes a time to consider the pollution of the air through the discharge of belching chimneys, the evidence of business activity, and from the discharge of gas and smoke from automobiles and other agencies of modern progress.

It will be easy to eliminate soot, dust and fumes when it becomes profitable for owners to do so and from what chemical engineers recently discussed at Columbia University a new process may make it a paying proposition to do so. Engineers have long worried over the loss of potential wealth along with the smoke that spouts out of chimneys and have studied ways to retrieve valuable ingredients, such as sulphur.

The word is that a new process recovers sulphur, removes nitrous and hydrochloric acid fumes, and the two other gases most responsible for air pollution. More important, the value of the recovered sulphur goes far toward making the "scrubbing" of the air financially practicable.

Big Drought In 1975

The next very severe drought in the Northwest should occur in the decade from 1975 to 1985, according to those who believe that our weather can be based upon the cycle theory, with every twenty-three years showing marked depression in rainfall and every forty-five years showing a great drought. Dr. Charles G. Abbot, secretary of the Smithsonian Institution, reports progress in the development of the cycle theory. He says that the first decade of the five twenty-three year cycle since 1817 showed depression in rainfall, with notable depressions in the first, third and fifth cycles.

The One Big Church Idea

An idea that seems to have played in the minds of religious leaders for centuries revolves around the reunion of all the Christian churches into one, great, big church.

It is, apparently, taken for granted that if we can get all Christians into one church we will really have Christianity.

We presume to doubt it. The only universal church that will ever do this world, or any other, any good is the church that grows in the hearts of men and women. Faith, ceremony, and organization are insignificant unless they develop Christianity in the character and lives of people.

Great Men and Women Have

"Come Up From the Farm"

No matter where you turn for information about Horace Greeley you will find early in the account—"he was raised on a farm." For that matter, turn about you almost anywhere among the great, and good in any large city and you will bump into a farmer's son.

Just take a good look at this man Greeley. Forget for the moment that he is a great journalist heading one of the most influential newspapers of his day. Forget that he became a politician who had a way of putting his mark on human destiny.

See him bringing home the cows, plowing the fields, or dropping corn for his father. He started life February 3, 1811, at Amherst, N. H., and completed his earthly journey near New York, November 29, 1872.

His life is a monument to the effectiveness of the intimate teacher-pupil contact of the old fashioned district school, for that is all the formal education he received. He was an omnivorous reader, having borrowed every book in the neighborhood by the time he was ten.

Like the ideal he admired, Benjamin Franklin, he got into the newspaper business early in life. At the age of 15, he began this valuable form of mind and character training in the Northern Spectator office at East Poultry, Vermont.

He worked at the printing trade in New York for a year and a half, from August 1831, before going into business. When he was connected with the New York Tribune, bringing it out regularly when he did not own a press. It later paid him a salary of \$10,000 a year. He could have become a millionaire if he was not for his impatience with the thought of devoting one's best self to making money. He had as great a passion for influencing his age for good as some had for amassing fortunes. Both types of people are needed so long as they are just and do not tread on too many toes.

With what money he had, he was very generous. He spent considerable of it founding Greeley, Colorado, and inaugurating its irrigation system. In this—as in his agricultural department of the Weekly Tribune, he did not forget his debt to the soil. Moreover, he proved that he meant business when he said, "Go west, young man, go west."

He was opposed to slavery, but did not believe that war was the way to end it. In fact after the war was started he advocated compromise—much to his hurt. He later urged the prosecution of the war.

The New International Encyclopedia says that he "came to wield an influence unprecedented in the history of American journalism. He was quick to discern and point out the evils and abuses of existing institutions, but he was neither a revolutionist nor an iconoclast."

He served for a time in Congress, but was defeated when he ran for the Presidency against Grant. The Liberal-Republicans and Democrats had nominated him.

The entire campaign was such a strain upon his nervous energy that when it closed he had to sit by and watch his wife die, he broke down, and he died, dying November 29, 1872.

First Americans

Scientists have long pondered the origin of man on the American continents and even average Americans, once in a while, find the mystery interesting.

Dr. Alex Hrdlicka, expert anthropologist, is convinced that the first settlers on these hemispheres came from northeastern Asia, crossing the Bering Sea years ago in successive waves. The American Indian thus appears to have been a development of Asiatic origin.

Later on, the Europeans came along and took the country from the Indians. Many Americans think they have done something remarkable when they trace their ancestry to the early white settlers of the United States. Luckily, however, most Americans today are not as much concerned with ancestry as they are with present-day citizens.

Between 20 and 45

Army experts pay attention to such statistics as the number of boys reaching the age of twenty years every year and like to know the male population of Germany, during 1917, will have 113,700 youths reaching twenty years, which gives it an advantage over Great Britain's 296,900 and France's 171,000. Moreover, according to the German Army Year Book for 1937, in 1910 Germany will have at the disposal 1,294,000 men of military age, while Great Britain will have only 8,221,000 and France 6,790,000.

Education In Music

Other states may be doing the same thing but it is worth noting that Luther A. Richmond, State Supervisor of Music, has set up a five-year plan in Virginia, designed to give pupils in every graded school personal experience with music in the hope that this will develop a feeling for music and make the pupils ready for more extensive training.

The reason we call attention to the Virginia plan is that there are communities in the United States which are of the opinion that any music in the public schools involves a needless and foolish expense.

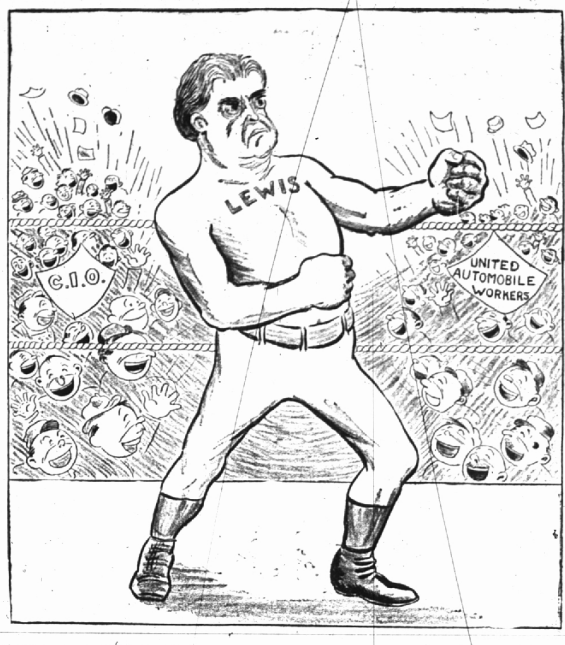
NEXT SPRING ROYAL OAK will put on a tree beautification program; thousands of trees will be planted; in a few years Royal Oak will, indeed, be glad it engaged in this program. Why can't Birmingham have been the prettiest of communities with floral beautification? We have a fine tree here; here there's a real opportunity for beautifying the front yards and spaces between curb and sidewalk with flowers.

SOVIET RUSSIA's "select rulers" recently executed 13 men who were guilty of treason against Stalin's "inner circle." How nice these modern dictators operate! They find that bullets cost less than balloons.

AN ALASKA COUPLE went to California for warmth, but have not returned because of the cold, damp weather. Which reminds us that one of the coldest nights we ever endured was in Florida.

AMERICANISM: Educational institutions suffer a halt, but a champion prize-fighter can draw a half million dollars for a single scrap.

THE LATEST "JOHN L."



PEOPLE'S COLUMN

The Eccentric is pleased to receive communications for this column. All communications must be signed, but signatures will be kept confidential upon request. Letters must be limited to 500 words, and must be in the office by Tuesday noon for publication the following Thursday.

Birm. Eccentric

Dear Sir:

The questions presented by you are as follows:

1. May the president or the

Court with regard to the manner

or mode in which its decisions

shall be given or shall be

effective?

2. What would be the effect of

changing the wording of the

present Constitution from "due

process of law" to "fair process

of law"?

A short definition of the Constitu-

tion may be helpful in answering

the first question.

The Constitution is a written docu-

ment which establishes three separate

and independent branches of the

Government—the Legislative, the

Executive and the Judicial depart-

ments. Each of these departments

has its own separate functions and

each, under the theory of the

Constitution, operates separate

and distinct from the other, and

as a check upon the other de-

partments. The Supreme Court

does not acquire its power and

authority from the Legislative nor

from the Executive branch of the

Government. Its power is derived

from the people as expressed in

Article III of the Constitution. It

should be borne in mind that the

Supreme Court alone is created

by the Constitution and the power

to ordain and establish inferior

courts is conferred upon the Con-

gress. Inferior Federal courts

might be entirely abolished by the

Congress, but the Supreme Court

can be limited only by the will of

the people as expressed in a

Constitutional amendment.

The Supreme Court, being

created by the people through the

Constitution, is and should be

answerable only to the people.

Any attempt to provide the

President with the power to

regulate the Supreme Court

is an attempt to destroy the

very purpose of the Constitu-

tion in providing three separate

branches of the Government, and

to make the Supreme Court a mere

tool of the Executive branch of

the Government. The function

of the Supreme Court, while

it may seem to have been clearly

defined by the Constitution, has

been the restraining influence

on the other departments of

Government. The Constitution

does not permit the President

to regulate the Supreme Court

and any attempt to

bring about such a change is an

attempt to destroy the

referred to that law of the land in each state which derives its authority from the inherent and reserved powers of the state except within the limits of those fundamental principles of liberty and justice which are the basis of all our civil and political institutions."

In Re Kemmler.

109 U. S. 436

Holmes, J. concurring.

109 U. S. 365

These definitions of "due process of law" show that the meaning of the words is not the same as that which has been given by the courts in the past.

The words "due process of law" are not an independent requisite and it has been said that the term means such an exercise of the powers of Government as the settled maxims of the law permit and sanction and under such safeguards for the protection of individual rights as these maxims prescribe for the class of cases to which the one in question belongs.

The words "due process of law" as used in the Fifth Amendment to the Constitution of the United States is an equivalent of the phrase "the law of the land" in Magna Charta, and the words "the law of the land" as used in the English Bill of Rights, 1689, as amended by Parliament. The gradual process of judicial inclusion and exclusion, as cases involving a particular subject matter come before the courts, has been the method by which the words "due process of law" have been defined.

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