

WHEREAS, The General Assembly of the State of Maryland, representing one of the thirteen original colonies, speaking as the voice of a legislative tradition which extends without a break back to the year 1635, and voicing the concern of millions upon millions of citizens of the United States, respectfully memorializes the Supreme Court of the United States, to construe and apply the religious precept contained in the First Amendment to the Constitution of the United States in the manner intended by those who framed the language of that amendment and understood at the time by the people who adopted it.

A series of basic decisions within recent years has completely changed the meaning and the application of this portion of the First Amendment to the Federal Constitution. Whether or not one agrees with the precepts now adopted and applied by the Supreme Court of the United States in the interpretation of the First Amendment, the people of this country should make no mistake in recognizing that in adopting these current interpretations of the First Amendment, the Supreme Court in actual effect has amended the Constitution of the United States.

The people of this great nation also should make no mistake in recognizing that in our system of self-government, the Supreme Court of the United States was not meant to exercise a power of amending the Constitution and that any such exercise of power is a serious derogation of our principles of government.

The series of cases concerning the exercise of religion and purporting to construe the First Amendment to the Constitution of the United States began a number of years ago when the Supreme Court held that public school children in the State of New York could not be allowed to recite a simple and non-sectarian prayer which did nothing more than recognize the existence of a Supreme Being.

That first decision was handed down in the year 1962. A year later, the Supreme Court overthrew rules requiring Bible reading and the recitation of the Lord's Prayer in classrooms.

Very recently, on December 13, 1965, the Supreme Court extended its ban on prayers in schools to include a voluntary recitation of a prayer by kindergarten children. This decision came in an indirect ruling involving a refusal to review such a ruling made by a lower court.

In this latter case, there was involved a prayer recited by kindergarten children before they were served milk and cookies during school hours. This prayer was the simple and universally known:

"God is great, God is good
"And we thank Him for our food."

School officials had refused to permit the continued recitation of this simple affirmation to the existence of Deity, and a group of parents in New York City brought suit in an effort to require that their children might continue to recite this prayer. The parents who sought to have these simple religious exercises continued included Protestants, Roman Catholics, Jews, Greek Orthodox, and Armenian Apostolics. They said that the principal of the kindergarten school had barred the free exercise of religion, but the court ruling, sub-