troversy," *Commonwealth of Virginia v. State of West Virginia* (1918) 246 U. S. 565; *Gordon v. U. S.* (1865) 117 U. S. 697. However, in *Interstate Commerce Commission v. Brimson* (1894) 154 U. S. 447, which was held to involve a judicial controversy, the only issue was the right of citizens to refuse testimony before the Commission.

The constitutionality of the Radio Act has not been passed upon by the Supreme Court, but the obvious need of regulation seems to assure its validity. Questions of due process have arisen, and an Illinois district court has held the rights of the owner of a station not superior to the regulatory power of Congress. *White v. Federal Radio Commission* (D. C. N. D. Ill. 1928) 29 F. (2d) 113. F. R. R., '31.

CONSTITUTIONAL LAW—FREEDOM OF RELIGION—BIBLE READING IN PUBLIC SCHOOLS.—The plaintiff's children, members of the Roman Catholic faith, were expelled from public school for failure to attend the opening exercises at which the King James version of the Bible was read and for refusing to sign a written apology agreeing to give respectful attention in the future to Scripture reading. *Held,* mandamus lies to compel the school board to readmit the pupils without an apology because its action violated the constitutional guaranty of religious freedom. *State v. Weedman* (S. D. 1929) 226 N. W. 348.

Although questioned, it has never been denied that the legislature has the power to regulate the course of study in public schools, provided, however, it does not infringe upon constitutional immunities. *Scopes v. State* (1926) 154 Tenn. 105, 289 S. W. 363. A number of courts hold that reading the Bible in school is contrary to state constitutional provisions guaranteeing the right of every person to worship according to the dictates of his conscience. *Herold v. Parish Board* (1915) 136 La. 1034, 68 So. 116; *State ex rel. v. Schere* (1902) 65 Neb. 853, 91 N. W. 846. Such reading has a tendency to inculcate sectarian ideas in the pupils. *People ex rel. v. Board of Education* (1910) 245 Ill. 334, 92 N. E. 251. The citizens of a state cannot be compelled to support a school in which the Bible is read, since it becomes a house of God. *State v. Edgerton* (1890) 76 Wis. 177, 44 N. W. 967.

Another line of authorities maintains that reading the King James version without comment does not make the school sectarian, nor does it make it a place of worship. *Witherson v. City of Rome* (1924) 152 Ga. 762, 110 S. E. 895. And it was held that no constitutional provision was infringed where the teacher was required to read, without note or comment, extracts from the Old Testament, but pupils who desired were allowed to retire. *Kaplan v. Independent School District* (1927) 171 Minn. 142, 214 N. W. 18. *Contra: State ex rel. v. District Board* (1890) 76 Wis. 177, 44 N. W. 967. Reading of the Scriptures in public schools does not make them religious institutions unsupportable by taxation. *Church v. Bullock* (1908) 104 Tex. 1, 109 S. W. 115. Where the reading is done chiefly with the aim of laying down a code of morals, such reading is held permissible. *Pfeiffer v. Board of Education* (1898) 118 Mich. 560, 77 N. W. 250. T. L., '32.