

CONTROLLING LEGAL PRINCIPLES

Free Exercise Clause Decision – The “Contemplation of Justice”
Farrington v. Tokushige, 273 U.S. 284 (1927)



The due process clause of the Fifth Amendment affords the same protection to fundamental rights of private school owners, parents, and children against invasion by the Federal government and its agencies (such as a territorial legislature) as it has been held the Fourteenth Amendment afford against action by a state. P. 273 U. S. 299.

The general doctrine touching rights guaranteed by the Fourteenth Amendment to owners, parents, and children in respect of attendance upon schools has been announced

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in recent opinions. *Meyer v. Nebraska, 262 U. S. 390; Bartels v. Iowa, 262 U. S. 404; Pierce v. Society of Sisters, 268 U. S. 510.* While that amendment declares that no state shall "deprive any person of life, liberty, or property, without due process of law," the inhibition of the Fifth Amendment, "No person shall . . . be deprived of life, liberty, or property, without due process of law," applies to the federal government and agencies set up by Congress for the government of the territory. **Those fundamental rights of the individual which the cited cases declared were protected by the Fourteenth Amendment from infringement by the states are guaranteed by the Fifth Amendment against action by the territorial legislature or officers.**

Thoughts, Words and Actions for Plaintiff's Quintessential Rights of the First Amendment:
Truths that manifest Life, Liberty & Pursuit of Happiness pursuant to the Free Exercise Clause