

THE UNHOLY EXPERIMENT— PROFESSIONAL BASEBALL'S STRUGGLE AGAINST PENNSYLVANIA SUNDAY BLUE LAWS 1926-1934

BY JOHN A. LUCAS*

ON September 12, 1926, the Rev. Dr. William L. McCormick addressed a sober audience from his Bethlehem Presbyterian Church, Broad and Diamond Streets, Philadelphia. Dr. McCormick, whose subject was "Our Imperiled Church," declared the situation of the church was alarming, as much of Philadelphia citizenry continued to desecrate the American Sabbath and make a mockery of Christian spiritual life. He compared the church to a ship at sea. "Neither gold in the coffers nor men on the bridge can save her," concluded Dr. McCormick. "The only thing that can be done is to get the world out of the hold and get Christ at the helm."¹ Reverend McCormick was somewhat out of tune with the times as he saw more and more people turning from the catechism to material pleasures—including the threat of commercial baseball on the Lord's day.

Philadelphia was celebrating the nation's one hundred and fiftieth birthday. The Sesquicentennial Exposition, after considerable opposition from Lord's Day Alliance groups, was allowed to be opened for commercial ventures on Sundays. John B. Shibe, Vice-President of the Philadelphia Athletics baseball team, stated that he felt a deep sense of discrimination that his team was not allowed the innocent pleasure of playing baseball on that same day. Galvanized into action by this sense of righteous indignation, Charles G. Gartling, attorney for the Philadelphia American League club, hinted ominously that all legal aspects had been considered and a test game on the Sabbath was quite possible in two or three weeks. The debate and confrontation between the ancient Pennsylvania statutes and a growing desire for temporal Sabbath

*The author is an Associate Professor of Physical Education at Pennsylvania State University.

¹ *Philadelphia Ledger*, September 13, 1926, 1.

sporting amusements was about to reach an interesting and, for the baseball hierarchy, important climax.

The Sabbatarianism of William Penn's Colony was the result of a deep belief in the mystical and altruistic Quaker faith. The Inner Light or the Christ Immanuel was called by Penn the most eminent article of his faith; this power within brings men into experiential unity with God and through unity with God a unity with fellow-Christians. This spirit of God within man is his hope of glory and is not dependent upon dogma nor even deep Bible study, but on the quality of the life he leads.

The Friends were puritanical in the matter of popular amusements, not so rigid as the New Englanders, but still finding it necessary to maintain a moral and godly Commonwealth. Despite assertions that Pennsylvania Sabbath legislation was aimed at the influx of atheists rather than strict protection of the Sabbath,² there is strong evidence to the contrary. The Pennsylvania bill against "riotous Sports, Plays, and Games," was passed in 1705 and disallowed by the Queen in 1709; but the *Laws of Pennsylvania* as well as the *Statutes at Large of Pennsylvania*, disclose the passage of other acts against sporting amusements.³ In 1716, the Friends voiced strong opposition to plays, games, lotteries, music, foot-racing and "needless and vain sports and pastimes."⁴ By 1760, a great number of people had won a measure of leisure and were spending at least a portion of it in various sports and amusements such as horse racing, and "a very poor second, cock-fighting."⁵ Sunday sports increased. The social ethic of the Quakers persisted in the patterns of the middle class.

Long after the Quakers had relinquished control of the province, the Assembly, alarmed at mounting Sabbath diversions, passed a law on March 30, 1779, forbidding all such evils on the Lord's Day.⁶ Thoroughly aroused again in 1794, legislators passed "an Act for the prevention of vice and immorality, and of unlawful

² Phyllis L. Ayers, "The History of Pennsylvania Sunday Blue Laws," unpublished M.A. thesis, University of Pittsburgh, 1952, 15.

³ *Pennsylvania Archives*, 8th Sers., II, pp. 943-944; *Laws of Pennsylvania*, 1810, I, 47; *Statutes at Large of Pennsylvania*, II, 360.

⁴ John F. Watson, *Annals of Philadelphia and Pennsylvania, in the Olden Times*, Ed. by Willis P. Hazard (Philadelphia, 1891), III, 155.

⁵ Whitfield Bell, "Some Aspects of the Social History of Pennsylvania 1760-1790," *The Pennsylvania Magazine of History and Biography*, LXII (July, 1938), 295.

⁶ *Statutes at Large of Pennsylvania*, IX, 333, 335.

gaming, and to restrain disorderly sports and dissipation." This powerful edict was to strongly influence Pennsylvanians well into the twentieth century. It warned that:

if any person shall do or perform, any worldly employment or business whatsoever on the Lord's day, commonly called Sunday, works of necessity and charity only excepted, or shall use or practice any unlawful game, hunting, shooting, sport or diversion whatsoever, on the same day, and be convicted thereof, every such person, so offending, shall, for every such offence, forfeit and pay four dollars [or] suffer six days' imprisonment in the house of correction of the proper county.⁷

Horse-racing and cock-fighting were main targets of Pennsylvania general laws during the nineteenth century.⁸ Sentiment in Pennsylvania by 1830 was so strong against betting on cock-fighting that severe legislative action was considered.⁹ Beginning near mid-century a series of Sunday observance laws, not necessarily referring to sports, but which tended to make the laws of the state more strict, were passed by the Pennsylvania Assembly. Driving an omnibus as a public conveyance on Sunday broke an 1855 ordinance, while on March 22, 1867, prize-fighting was declared unlawful throughout Pennsylvania on any day of the week. A severely restrictive law passed on June 3, 1878, decreed that "there shall be no hunting or shooting or fishing on the first day of the week, called Sunday." An encompassing umbrella statute as late as 1889 attempted to suppress "tippling shops," houses of prostitution, gambling, gaming cock, or dog fighting, "and other disorderly or unlawful establishments or practices, desecration of the Sabbath day."¹⁰

However, urbanization and the influx of immigrants belonging to religious sects which did not so strictly adhere to Sabbath laws made violations inevitable.¹¹ The profound changes in American society during the latter decades of the nineteenth century, the

⁷ *Ibid.*, XV, 110.

⁸ See *Brightly's Purdon's Digest of the Statutes of the State of Pennsylvania, 1700-1894* (Philadelphia, 1894), I, March 22, 1817, 989; March, 1830, 950; *Laws of Pennsylvania*, February 17, 1820, 282.

⁹ Jennie Holliman, *American Sports (1785-1835)* (Durham, 1931), 129.

¹⁰ *Pennsylvania State Reports* for 1853, 102; *Brightly's Purdon's Digest*, II, 1952, I, 530, 946, II, 1547.

¹¹ Merle Curti, *Growth of American Thought* (New York, 1964), 539.

result, in part, of industrialization and Darwinian controversy, saw a gradual change regarding the Sabbath—the development of a more humanitarian and less religious view. Work on Sunday was condemned not so much as an offense against God as against man. Thus, a rational regard for a secular day of rest and recreation was supplanting the old ideas of a day exclusively for religious worship. Despite this “New Sunday” with its so-called healthier and more persuasive Christianity, the voice of the zealous Sabbatarian extremists was not lessened. On the contrary, greater Sunday secularism—a Continental Sabbath—resulted in a twentieth century confrontation that was to profoundly change this day.

On all fronts, fundamentalism was continuing a reluctant retreat. John Roach Stratton epitomized the hellfire fundamentalist preacher of the post World War I period who fought in vain to shore up the vestiges of Sabbatarianism and withstand the mounting pressure for Sunday baseball. Heywood Broun captured both moods in an imaginative essay in which Dr. Stratton journeyed to heaven on a hot July Sunday afternoon in 1920 to implore the Lord for a tidal wave to engulf the Polo Grounds. It was the ninth inning, the score tied, runners on first and second, and Babe Ruth at bat. “The time has not come,” said the King of Heaven and waited till the end of the inning.¹²

Immigrants continued to flood America, bringing with them a new Sabbath concept of recreation and games. The frenetic reaction to war helped bring about the greatest sporting decade in the history of the country. Much of America attempted to shake off the last restraints of extreme puritanism. The Fundamentalist Controversy in the 1920's epitomized the clash over evolution—between liberal modernists and those who cherished an absolute and literal interpretation of the Protestant Bible. “The Bible states it. It must be so,” shouted the brilliant but beleaguered William Jennings Bryan in the hot Tennessee summer of 1925. The Scopes trial became the legal “cause celebre” of the decade. On a smaller scale, at the same time, the Commonwealth of Pennsylvania blue laws faced their severest test. Ever since 1920, when Christy Mathewson, baseball's greatest pitcher, called for support of the Sunday big league games, Pennsylvania had become in-

¹² Heywood Broun, “A Bolt From the Blue,” *The Nation*, CXI (July 31, 1920), 128.

creasingly polarized on the subject. By mid-decade, the question of Pennsylvania commercial baseball on the Lord's Day reached a crisis.

The Philadelphia Athletics were in deep financial trouble in the middle 1920's. The expense of building Shibe Park and operating the costliest team in organized baseball made it imperative for the management to seek new income. Connie Mack, veteran leader of the team, complained bitterly after borrowing \$700,000 from the bank. In response the owners of the club stated their intention of playing one Sunday game to test the legality of the Sunday closing law of 1794. However, Philadelphia Mayor W. Freeland Kendrick, supported by City Solicitor Joseph P. Gaffney, rebuked baseball attorney Charles G. Gartling, and announced categorically that there would be no Sunday baseball in his city.

Nonetheless the game was planned for Sunday, August 22. The vice-president of the Athletics, John B. Shibe, envisioned the fresh flow of \$20,000, for the day. Connie Mack made frequent trips to Harrisburg, consulted with key legislators, and succeeded in convincing Judge Frank Smith of the Common Pleas Court to issue an injunction preventing city police from making any arrests on the day of the test game. Mayor Kendrick immediately replied that he would use the full force of his administration to prevent the game. Although Sabbatarians were busy, too, and announced that seventy-two property owners near Shibe Park had signed a petition against Philadelphia Sunday baseball, Judge Smith allowed the test game to be played between the Athletics and Chicago White Sox. The Judge pointed out that the ruling merely prevented the city from interfering in the "playing or conduct" of the contest;¹³ it did not place any restraint on the Mayor or police officials, after the game, in enforcing the Sunday law of 1794.

Thomas D. Taylor, Chairman of the Methodists' Men's Committee of 100, and vigorous opponent of Sunday sin at the Philadelphia Sesquicentennial Exposition, also planned to check the new threat. Neither he nor inclement weather failed to stop the game, and on a drizzly Sunday afternoon, August 22, 1926, some 12,000 fans plus 12 members of the Sabbath Association looking for any breach of peace, saw the Athletics beat the White Sox, 3-2. The great Lefty Grove held the Chicagoans hitless till the

¹³ *Philadelphia Public Ledger*, August 22, 1926, 1.

seventh inning. Although the game proved a financial failure, Mack was heard to say, "I wish all those who oppose Sunday baseball could have been here today. They would see that we are not causing a lessening in church attendance."¹⁴

No further games were played on Sunday under the temporary injunction, and the court case was scheduled for September 13 in the Dauphin County Court of Judge William M. Hargest. Attorney General George W. Woodruff called upon the Philadelphia baseball club to show by what authority the recent game was played, contending that the club violated its charter. The Athletics, in turn, claimed that the sport was unknown more than a century ago, and that the Sunday blue laws of 1794, therefore, could not apply to baseball. The constitutionality of the old laws was also attacked. On September 17, 1926, the state filled a demurrer in the Dauphin County Court to counter the Athletics' attack on the constitutionality of the 1794 Sunday blue law.

Litigation continued into the fall, and the 1794 blue law remained in force. In Pittsburgh, James M. Clark, Director of Public Safety, reinforced the suppression of Sunday sport. W. C. Fownes of the United States Golf Association snorted prophetically that such injustice would not last long; Sunday, he said, is the only time the working man has to play and he would not have this privilege taken away.

On October 28, 1926, the Dauphin County Court held Sunday ball to be an unlawful "worldly employment." The Athletics baseball club announced it would appeal to the State Supreme Court after hearing the lower court say that parts of the country had settled beyond question that this was a Christian nation. The liberal *New York Times* editorialized on the decision and felt that Benjamin Franklin himself would doubtless have looked kindly upon Sunday baseball. "He might even regard with benign tolerance some of those minor obstacles which occasionally arise to hamper the execution of a law that has long remained a dead letter."¹⁵

It was not until the summer of 1927 that the Pennsylvania Supreme Court finally rendered its decision to ban Sunday commercialized baseball as "unholy" and a blatant form of "worldly

¹⁴ *New York Times*, August 23, 1926, 10.

¹⁵ *Ibid.*, October 27, 1926, 22.

employment." The court, by a vote of 7 to 2, restrained the Athletics from playing Sunday ball, and held that continued offense would cause the club's corporation franchise to be revoked. Mr. Justice William I. Schaffer, who read the majority opinion, stated that: "We cannot imagine in this sense anything more worldly or unreligious in the way of employment than the playing of professional baseball. . . . It is not only worldly employment which is forbidden, but business."¹⁶ A Christian and holy Sunday is a tradition among Pennsylvanians, continued Justice Schaffer. "No one, we think, would contend that professional baseball partakes in any way of the nature of holiness," he concluded. Mr. Chief Justice Robert von Moschzisker disagreed with the majority decision, although he admitted baseball to be a business. Vigorous dissent was filed by Justice John William Kephart, who wrote that the game of baseball was a sport rather than a business, that it was neither wicked nor criminal, and that it was not an indictable offense, except by the archaic Act of 1794.

"We shall resort to every legal privilege before we drop the fight," including the United States Supreme Court, was the brave reply of Athletics' attorney Gartling.¹⁷ Clarence Darrow and his staff offered their aid in getting the case to the highest court. Nothing seemed to help. Several months later Gartling had pitched his tune in a very much lower key and announced it was useless; the Philadelphia Athletics had decided to drop the appeal altogether.

Literally hundreds of articles regarding Sunday sport and Sunday amusement appeared in popular periodical literature of the period 1928-1932. A blizzard of words on the blue laws highlighted the larger story of a growing materialism and secularism. The churches concerned themselves with whiskey, cigarettes, rising skirts, plunging necklines—and Sunday baseball. They seemed to lose power by setting themselves over too wide an offensive. The depression had decreased tax income, and many saw that there was money to be made from Sunday amusement. Some Protestant clergy fought back at the growing permissiveness. The Rev. Dr. H. L. Bowlby, leader of the powerful and evangelical Lord's Day Alliance, defended the old-time Sunday concept and pointed a finger at the many Christians who "haven't

¹⁶ *Pennsylvania State Reports*, CCXC, 141.

¹⁷ *Literary Digest*, XCIV (July 30, 1927), 28.

backbone enough to keep from supporting the Sabbath breakers.”¹⁸ *The Christian Century* asked the people to reflect on a quiet Sunday, a day for worship, social intercourse, and “for such recreation as really recreates.”¹⁹

Sunday baseball was, however, becoming common throughout the country. As early as 1902, Chicago, St. Louis, and Cincinnati, unencumbered by the mores of a strong Puritan ethic, permitted Sunday baseball. Baseball men even sought help from liberal religious groups to cut through repressive laws regarding the Sabbath, by appealing to advocates of the “Social Gospel” who believed that industrial man had a right to recreational leisure. “By 1918 this secular activity helped bring Sunday baseball to Cleveland, Detroit, and Washington.”²⁰ New York City fell the next year as Al Smith and Jimmie Walker used the red-hot issue of Sunday baseball to great political advantage, opening the Sunday gates in Brooklyn and Manhattan. The near-fanatical devotion for spectator sports of large portions of the American public in the decade of the 1920’s was a factor in a gradual sympathy for Sunday commercial amusement. Boston capitulated in 1929 and allowed professional baseball on Sunday. Hard times and modern times were beginning to break down the ancient blue laws. Even American Protestantism swung slightly to the left in the depression years. In 1932, the city of Baltimore released itself from its own 209-year-old blue law, and allowed fifteen sports to be played on Sunday afternoon. “Nearly everything that was forbidden is permissible now,” stated *The Literary Digest*.²¹ Not quite, for the last bastion against Sunday commercial sport remained—the Commonwealth of Pennsylvania—and it prepared for the final confrontation.

The new Philadelphia political leader in 1930 was Mayor Harry A. Mackey. It was rumored that the mayor, contrary to his predecessor, encouraged a more open Sunday as a possible source of city income, because he mounted a vigorous campaign to put an end to “Closed Sunday.” The especially aggressive “blue laws” committee, headed by Councilman William W. Roper, Princeton

¹⁸ *New York Times*, August 25, 1927, 44.

¹⁹ *The Christian Century*, XLVI (March 7, 1929), 321.

²⁰ David Q. Voigt, *American Baseball*, Vol. II (Norman, Oklahoma, 1970), 87.

²¹ *The Literary Digest*, CXII (May 21, 1932), 19.

University's football coach, obtained 300,000 signatures opposing the ancient restrictive Sabbath legislation. Despite this mounting anti-blue law feeling, the *New York Times* writer Lawrence Davies correctly pointed out that "Philadelphia is not composed of a population which is willing to throw the blue laws overboard without careful consideration."²² The ubiquitous baseball attorney, Charles G. Gartling, discussed plans to build a 50,000-seating-capacity stadium in Camden, New Jersey—ten minutes from Philadelphia's City Hall—if Pennsylvania citizens and lawmakers failed to cooperate in the elimination of the 1794 law. However, Mr. Shibe said that the idea was visionary and not even in the embryonic stages. It was obvious that change, if it came, would be slow and difficult.

In the spring of 1931, a well-organized plan unfolded to modify the Sunday blue law of 1794. A proposal for Sunday baseball was attached as a rider to a request moving the time of latest Sunday milk delivery from 9 A.M. to 10:00 A.M. It almost worked; the Pennsylvania House voted on April 21, 1931, defeating the measure by 101 to 99—"the first time since the Blue Laws were enacted that any attempt to liberalize them had reached a roll call."²³ On all previous occasions, opponents of changes to the Blue Laws had been successful in killing bills in committee. A week later, six members of the House had shifted support, and local option on Sunday baseball passed by 103-99; the amendment of Representative Clinton A. Sowers, Philadelphia, to the milk bill of Representative Louis Schwartz, also of Philadelphia, had passed the first of several difficult steps. Representative Benjamin Jones of Wilkes-Barre called it "a battle between the city slicker and the country rube." The entire Philadelphia delegation in the House again voted solidly for the Sunday baseball amendment. Prior to the vote, William F. Stadlander of Allegheny County urged all to be courageous, to vote for Sunday baseball and not be afraid of what the people back home would say. Michael A. Musmanno, also an Allegheny member, decried Spanish bull fights, Russian vodka orgies, Oriental opium pipe smoking, but encouraged wholesome American Sunday baseball. "Accept this amendment," he implored, "and let the municipalities determine

²² *New York Times*, July 20, 1930, Sec. III, 5.

²³ *Harrisburg Patriot*, April 22, 1931, 19.

for themselves.”²⁴ Final action in the House took place on May 12; by a vote of 106-98, legalized baseball between 2 and 6 P.M. on Sunday was approved, except where the voters by ballot ruled against the sport. The bill was now ready for the Senate, where its changes were generally believed to be slim. A week later it was made clear that there would be no legalized Sunday baseball in Pennsylvania for another two years at least. The Senate overwhelmingly defeated the motion of Senator Samuel W. Salus of Philadelphia that would make Sunday baseball legal. No record of the vote was taken, so loud was the chorus of noes on the motion to report the bill for passage.

In spite of the 1931 failure to pass liberal legislation, interest in modification of the blue laws in Pennsylvania continued to mount in the next two years. Some felt that the Protestant Church ought to avoid the suspicion of using the law to ban rival attractions; most supported legitimate games on Sunday as long as they were noncommercial. Yet, the money-making possibilities of Sunday sports, especially baseball, were ever-present. Councilman W. W. Roper discussed an ordinance to permit paid Sunday sports and amusements in Philadelphia with a twenty-three percent “cut” for the city. He estimated the city could obtain \$1,250,000 a year for unemployment relief. Spokesmen for Philadelphia theatres and baseball teams saw a \$3,000,000 windfall and a way to extricate the city from \$30,000,000 of debt.

Gifford Pinchot, Governor of Pennsylvania and one of the most progressive politicians of his time, served his second term in office between 1931 and 1935. Despite great efforts to dull the edge of the depression, Pennsylvania was deep in unemployment and financial difficulties. There were stirrings among legislators for a reevaluation of the much maligned Schwartz Bill seeking amendment of the 1794 law which prohibited commercial sports on Sunday. Nevertheless, it was surprising that on February 2, 1933, the bill passed first reading in the House “in a perfunctory manner.” The bill passed the House by a vote of 127 to 75, but was defeated in the Senate by two votes, 26 to 24. Connie Mack and his Philadelphia Athletics were at Fort Myers, Florida, when informed of the bad news. Without Sunday baseball the club was desperate. “We cannot meet our payrolls,” declared Mr. Mack,

²⁴ *Philadelphia Inquirer*, April 29, 1931, 1.

“playing on seventy-seven weekdays at home.” It had already been necessary to sell stars Al Simmons, Jimmie Dykes, and George Haas to meet salary obligations.²⁵

Republican Senator John J. McClure of Delaware County favored two referenda, one state-wide, one local, to determine the wishes of the people regarding Sunday baseball. The proposal was rejected without a dissenting voice. The Schwartz Bill, now burdened with so many amendments that “it resembled a jig-saw puzzle,” was referred to a special conference committee. They recommended local vote only for the determination of blue law liberalization. This time the bill passed both houses of the legislature²⁶ and was sent to Governor Pinchot. Over-zealous baseball fans were reminded that even with the passage of the bill by both houses and with the Governor’s signature, Sunday baseball during the coming 1933 season was impossible, as a community referendum in November must first pass approval. After visits from Connie Mack, Louis Schwartz, and a huge amount of mail opposing blue laws, the Governor signed the bill despite his known personal sympathy for restrictive Sabbath regulation.

Pinchot had thus been placed in an embarrassing position, and immediately drafted a radio broadcast for April 25, 1933, explaining his action. After the Governor had affirmed his emphatic opposition to the commercialization of the Sabbath:

he piously explained that he had reached his decision only after “long, anxious, and prayerful consideration.” Thinking perhaps of the tennis that he himself frequently played at home in Milford during the restful weekends, he reasoned that Sunday baseball would “not seriously change” conditions in a state which already had Sunday trains, concerts, golf, and tennis. One of his strongest reasons for signing, he announced, was that the tolerance of “golf with caddies” during church services was an unjust discrimination in favor of the rich against the poor.²⁷

The Governor further stated that if the November voting was favorable, ten percent of Sunday admission monies would go to unemployment relief.

²⁵ *New York Times*, March 15, 1933, 22.

²⁶ *Purdon's Pennsylvania Statutes. 1936 Compact Edition*, April 25, 1933, 804.

²⁷ M. Nelson McGeary, *Gifford Pinchot: Forester, Politician* (Princeton, 1960), 325.

Local referenda were held in every community in the State during the November, 1933 election, to determine if each community wished Sunday baseball and football. The printed ballots asked: "Do you favor the conduct, staging and playing of baseball and football games . . . between the hours of two and six P.M. on Sunday?"²⁸ The election results showed that most of the larger cities and towns in Pennsylvania voted to permit Sunday sports, while the rural communities, in many cases, stood by the 139-year-old act. Baseball men hailed the end of this repressive legislation and anticipated financial relief after the worst year in modern organized baseball. Immediately, Sunday professional football became a reality. Philadelphians swarmed into a score of parks and stadiums; 17,850 football fans saw the Chicago Bears tie the Philadelphia Eagles, 3-3. "Bye, Bye, Blue Laws," exclaimed William C. White, a native Pennsylvanian. "Of all the many personal-conduct laws, the Sabbath laws have been carried to the greatest extreme," was White's terse comment.²⁹ Apparently, the majority of Pennsylvania voters agreed with him. It was "a clear indication," said the *Philadelphia Record*, "to any one but a blockhead politician that it was time for a change."³⁰

The city of Philadelphia's first legal baseball game between major league teams on a Sunday took place on April 8, 1934—and, of course, only between two and six P.M. Connie Mack, manager of the Athletics, vigorous and long-time proponent of Sunday baseball, looked forward to the home-town exhibition with the Phillies. Shibe Park, home grounds of the Athletics at 21st and Lehigh Avenue, was the scene of the festivities, and 15,000 saw the Phillies win 8-1. George M. Mawhinney of the *Inquirer*, noted that "the day, the crowd, the gate, the game and the law that last fall legalized Sunday sports, were all declared a most signal success by no less a personage than the lank Cornelius McGillicuddy [Connie Mack]"—this in spite of his club's defeat.³¹ April of 1934 also saw the first Sunday baseball in Pittsburgh history. A crowd of 20,000, the largest attending a game in that city since 1932, showed their appreciation of the new Sunday sports law.

²⁸ *Purdon's Pennsylvania Statutes, 1936 Compact Edition*, 804.

²⁹ William C. White, "Bye Bye, Blue Laws," *Scribner's Magazine*, XCIV (August, 1933), 107.

³⁰ *Philadelphia Record* quoted in *The Literary Digest*, CXVI (November 25, 1933), 18.

³¹ *Philadelphia Inquirer*, April 9, 1934, 1.

A year earlier, the *Theatre Arts Monthly*, desperately seeking legal Sunday theatre, could find "no sound argument, aesthetic, industrial, or spiritual," against reasonable Sabbath amusements.³² Better late than never, most Pennsylvanians were at last able to indulge in Sunday baseball.

Since the 1930's the voice of the evangelist and fundamentalist, firm in a stand for their own brand of moral strength and orderliness, has been heard less and less in the land. Their attitudes toward strict interpretation of Sunday blue laws were out of date. "Nothing is ever gained by trying to enforce laws that have become unenforceable through the changed attitudes of public opinion," editorialized a contemporary news weekly.³³ The decade, 1925-1934, witnessed expanding liberalism regarding national attitudes toward blue laws which was in part a reflection of the political "revolution" of those years. Pennsylvania had been last in embracing professionalized athletics on Sunday. Her caution was a manifestation of the will of the people as well as an ancient echo. The change that took place during the decade—the modification of Pennsylvania blue laws, was a response not only to vested economic interests of business but, more importantly, to the shifting attitudes of the majority of the state's citizens.

³² *Theatre Arts Monthly*, XVII (April, 1933), 253.

³³ *The Literary Digest*, XCIX (December 1, 1928), 30.