

Part 2. The Catholic Journal

Vol. X, No. 12.

Rochester, N. Y. Saturday, December 17, 1904.

CATHOLIC SOCIETIES.

What's Transpiring in the Different Fraternities - Current Calendars.

C. M. B. A.

Report of the Law Committee of the Supreme Council.

Its first meeting held since the Grand Rapids convention.

The committee on Laws of the Supreme Council, composed of John J. Hynes and Eugene Bertrand, of Buffalo, N. Y., and N. P. Whelan, of Cleveland, Ohio, met in the Supreme Recorder's office at Brooklyn, N. Y., November 26th and 27th, 1898, for the purpose of examining the various Branch by-laws, with proposed amendments thereto, which had been submitted to the committee since the issuing of the supreme president's circular of last December. There were many of these by-laws which related to subjects which might be far-reaching and involve the corporation in litigation unless care was taken in their consideration and approval by the supreme law committee. The three subjects which took up most of the time of the committee are what are known as the sick benefit clause in Branch by-laws; the so-called emergency or relief fund in Branches, for paying assessments of members, and the imposing and collecting of fines not provided for in the constitution, whereby the good standing of members might be effected.

The committee, after a thorough examination of the law and legal authorities, adopted unanimously the following report:

The Committee on Laws of the Supreme Council, to whom was submitted various Branch by-laws for examination and approval, as provided for by section 133 and 238 of the Constitution, report:

That it has carefully considered the questions of sick benefits, emergency or relief funds, and the imposing and collecting of fines, and submit the following as its determination as to these questions being in conflict with the Constitution:

We cannot approve a Branch by-law providing for sick benefits and thus give to it the official sanction of the corporation.

We find no authority, either in the act of incorporation or in the constitution giving us a right to approve any by-law relating to a relief or sick benefit fund.

The act of incorporation gives the supreme council authority to create, hold, manage and disburse a beneficiary fund to pay death losses and expenses, and for the relief of members and their families, of the Branches and Grand Councils under the jurisdiction of the Supreme Council.

See section 6, Act of Incorporation.

The Supreme Council has made provision in its Constitution to hold, manage and disburse a fund called a beneficiary fund to pay death losses. It has made provision, section 73 of the Constitution, that the funds and property of a Branch shall only be used for charitable purposes, and for the advancement and interest of the association.

As members of a committee of the Supreme Council we are of the opinion that we cannot approve any Branch by-law or rule, or Branch rule, relating to or concerning a fund not created by, or provided for, by the Supreme Council Constitution, or its acts of incorporation, as we have no such jurisdiction.

Branches have a right to manage and disburse their general fund, subject to the provisions of section 73 of the Constitution. What constitutes charitable purposes, or what tends to the advancement and interests of the association, so far as the general fund and personal property of a Branch are concerned, rests entirely with the Branch itself. We cannot approve any Branch by-law or Branch rule relating to, or concerning a fund, created by the Branch for the purpose of paying assessments of its members.

This would be rather a dangerous matter for the corporation to approve, as it might be alleged in an action brought by a beneficiary where a contest was made in the payment of a claim that the Branch had promised to pay the assessments of the member. That he had not attended to it himself, as he was informed (and thus misled into the belief) that the Branch would take care of him. There is no authority in the Constitution for the creation of such a fund. Section 10 of the Constitution provides how and when a member shall pay his assessment, and the penalty for failure to make such

payment. If Branches wish to pay member's assessments out of their general fund that is an individual matter resting with the members of the Branch, in which the Supreme Council has no responsibility. We cannot approve any Branch by-law or Branch rule relating to or concerning the imposition of fines and penalties for non-compliance with by-laws adopted by Branches, whereby an imposition of such fines and penalties will effect the good standing of members in the association, unless such fines or penalties are specifically provided for in the Constitution. As to the benefits to the association of the result from the approval of by-laws containing the foregoing provisions we do not determine. It is a matter entirely outside of our jurisdiction.

Our duty, as prescribed by the Constitution, is to examine Branch by-laws, to determine the legal significance of the sections and paragraphs in such by-laws, and to determine whether or not the same are in conflict with the Constitution of the Supreme Council. This is the only question we had to decide, and we deem it but proper to give our reasons to the membership at large for our disapproval of by-laws in Branches relating to the foregoing subjects.

Fraternally,
JOHN J. HYNES,
EUGENE BERTRAND,
N. P. WHELAN.

Com. on Laws Supreme Council.

The committee, also, in conjunction with Supreme Recorder Hickey, considered several changes in the Constitution, which they propose to submit to the next Supreme Council session. One was the question of disappearance of a member not to be considered a proof of death after a certain number of years. Another was that proof of death and claim be required to be filed within a certain period, say sixty days after death.

The committee was afforded every facility in its examination of records and papers bearing upon these questions that are on file in the Supreme Recorder's office, and desire to express their appreciation of the assistance rendered by Brother Hickey.

NEW YORK GRAND COUNCIL.

The report of the payment of assessments 14, 15 and 16, as reported from the Grand Secretary's office, states:

This report necessarily covers the collection of two months' assessments, viz: assessment 14 and 15 of October and No. 16 of November, for the reason that the penalty limit for the payment of the double, being forty days, running it to November 10th, the greater portion of the double and all of the single was collected during November.

The forty days' limit on assessment 14 and 15 expired November 10th, and the twenty days' limit on assessment No. 16 expired November 20th. The five days' notice was mailed to all branches that had not paid on these dates.

Two hundred and nineteen branches liable on both assessments. All have paid.

Total amount received, \$66,421.41.

Paid Supreme Recorder Beneficiary as follows: October 24, \$2,500; October 28, \$2,000; November 2, \$5,000; Nov. 5, \$6,000; Nov. 7, \$3,000; Nov. 9, \$5,500; Nov. 10, \$11,000; Nov. 11, \$7,500; Nov. 12, \$2,500; Nov. 14, \$2,500; Nov. 15, \$3,000; Nov. 17, \$4,500; Nov. 29, \$3,955.97. Total, \$68,955.97.

To reserve fund 10 per cent. of beneficiary fund, \$6,895.59. To reserve fund interest, \$667.33. To Grand Treasurer, general fund, \$248.50. Total, \$66,421.41.

Amount of reserve fund this Grand Council this date, \$223,989.87.

Hibernian Rifles.

The first Drill under the new divisions of the company was held at the armory on Tuesday evening, and from present indications there is little doubt but it will be a decided success. First, because it is an instructive and entertaining explanation of each and every movement, and, secondly, it becomes a practical benefit to both officers and men in both the practical and silent parts of the drill manual. The captain, as the promoter of the new scheme, is to be congratulated on the decided advantage it is over the old way in points of completeness and perfection.

Though it keeps both the lieutenants and men equally busy for some time to come, they are determined to have the usual recreation and good time. Judged from the action taken

at the last meeting, when they made arrangements to take advantage of the snow and moonlight before the new year by having a sleigh-ride party for the company and a few of their immediate friends, if permission can be obtained from the officers, and if the generalissimo assents to the plans as now made it is no mistake to say it will be a gala time for all the members and give vividness to the winter evening in filling out the annual celebration of the installation of officers, which formerly took place in January of each year, this year being an exception to the rule of former years on account of the new constitution coming into effect and preventing this taking place. The company will entertain through the civil officers by a sleigh-ride visit to Division No. 8, A. O. H., in Fairport, and to Brother Flynn, in Charlotte, in the near future.

The company was delighted to see comrade Morrison back to headquarters after an absence of three months on account of illness, and they hope comrade Maloney will soon be with them again, who is now confined to his home with a gripe.

The company is about to promote comrade Shattell to be musician for the company, and he is about to have a new trumpet given him to sound the calls.

Knights of Columbus.

The annual election of officers for the ensuing year was held Wednesday evening, when the following were chosen: Grand knight, Edward J. Ernst; deputy grand knight, Dr. Finnegan; financial secretary, M. D. Kavanaugh; chancellor, T. J. Neville; treasurer, J. M. Reddington; warden, Patrick Cauley; lecturer, Edward O'Grady; inside guard, W. H. McDonald; outside guard, W. H. Gragan; advocate, Fahy Galligan; trustee, T. B. Dempsey, John H. Leahan, Wm. E. Dugan, W. F. Shaffer, Wm. E. Dwyer; medical examiner, Dr. Cormier; alternate delegates to state council, Charles R. Barnes and J. Henry Howe. After election a lunch was served.



EDWARD J. ERNST.

A lecture on "The French Revolution," by the Rev. Thomas F. Hickey, was given in the Union club rooms on Friday evening, followed by the following programme: Polonaise, Chopin, Miss Alice Connors; "The Bird and the Rose," Horrocks; Miss Gertrude A. McNeerney; "The Asra," Rubin-stein; Mrs. Thomas Burns; "Dreams," Strelezki; Mrs. Anna Kernhaw Dolan; "The Roll Call," Pinotti, Mr. Charles M. Lane.

The meeting of Branch 139, Thursday evening, Dec. 13th, was the largest ever held in its history, and the interest manifested by all present showed very clearly that each member came prepared to stand for the best interests of the branch and the organization at large. The occasion for the great outpouring of the members was the annual election of officers for the coming year, and as early as 7:30 the candidates and their friends were in the assembly rooms ready to work. By 8 o'clock fully 800 members were present. Preceded at 8:15 President A. J. Young called the meeting to order. After the usual opening prayer by Chancellor William T. Connor and the regular order of business was transacted, under the head of new business the president announced the election of officers, and by authority of his official capacity appointed chancellors Henry Hebing, Jr., and Fred Tyles as tellers of the election, and the balloting for the various candidates began and resulted in the election of the following named brothers for the year 1899: President, F. G. Carberry; first vice-president, John W. L. Peasey; second vice-president, John Osborne; recording secretary, John Shurkey; financial secretary, H. B. Reynolds; treasurer, Edw. M. Peinan; marshal, George Rice; guard, Paul Elliott; delegates to Central council, D. J. Kennedy; James Keeler. The contests on president, delegates to the council were the closest of all, as the friends of the candidates for all offices worked very hard to have their particular candidates elected. After the election the newly elected officers received many congratulations from those present, and it is only fair to say that if the same interest displayed at the meeting is continued throughout the year Branch 139 will not be far behind any of the larger branches in membership at the close of 1899. The meeting throughout was one of good feeling, and each defeated candidate accepted the verdict of the ballot with a feeling that he had done the best he could. Under the head of good of the association Chancellor William

T. Connor spoke at some length on the large attendance at the meeting and of the good feeling that existed among the members on such occasions, and the good work that would result from just such a contest. The speaker, in closing his remarks, said he felt rapidly in the future as it had in the past, and that such number would try to build up the branch and the organization as large during the coming year. Brother Connor's remarks were received with applause. After the election the installation was conducted by Brother Cleary, and the meeting then adjourned in due form.

At a regular meeting of Council 43, C. B. A., held Dec. 12, the following officers were elected: President, John T. Heverson; first vice-president, Catherine McCullen; second vice-president, Patrick Claffey; treasurer, James M. Claffey; financial secretary, Mrs. M. E. Brennan; recording secretary, Mrs. M. E. Sharpe; assistant recording secretary, Edith M. Sharpe; guard, Mrs. M. B. Murray; marshal, Edward McManis; chancellor, James Clancy; trustees, Mrs. E. Meade, Miss Agnes Ryan, Miss Nora McMartin.

Council 18—President, M. D. Kavanaugh; 1st vice-president, Mrs. Catherine Rhine; and vice-president, Lawrence O'Brien; recording secretary, F. H. Heidele; financial secretary, Miss E. M. Kavanaugh; treasurer, John E. O'Neil; marshal, D. G. Kavanaugh; guard, Mrs. May A. Colby; chancellor, Mary Gagner; trustees, Mrs. Able Lynch, Miss Ida McManis.

Knights of St. Marcellus—Spiritual director, pastor of St. Joseph's church; president, Joseph Heisinger; first vice-president, Edward Miller; second vice-president, Joseph A. Otto; secretary, Frank H. Hauser; treasurer, Charles W. Ramsey; board of trustees, Joseph Stalknecht, Joseph A. Otto, George W. Zweigle, Thomas Fisher, J. Lewand; captain, Louis Fleck; first lieutenant, George Heisinger; second lieutenant, Frank H. Hauser.

Branch 44, C. M. B. A.—Spiritual advisor, Rev. M. J. Harpacher; chancellor, Louis W. Maier; president, George Diehl; first vice-president, August Hauser; second vice-president, Charles Magul; recording secretary, Louis Heidele; financial secretary, Charles Sphany; treasurer, James Sprang; guard, Joseph Zinsberger; J. Winkler; Henry Klinger; marshal, Kilius Kilian; watch, Sebastian Drey.

Branch No. 204, L. C. B. A.—President, Mrs. Mary Roth; first vice-president, Mrs. Anna Heidele; second vice-president, Mrs. Francis Wolkmann; recorder, Louis B. Klefer; assistant recorder, Anna Joseph; financial secretary, Mrs. Mary G. Stanz; treasurer, Elizabeth Hempel; marshal, Gertrude Sell; guard, Mrs. Mary Fust; not; trustees, Mrs. Klein, Mrs. Kleihaus, Mrs. Sattel, Mrs. Elberger and Mrs. Krahl.

Rochester Council, 207, C. B. L.—President, William P. Hanna; vice-president, W. E. Toole; chancellor, John M. Reddington; orator, Thomas J. Fitzgerald; secretary, William C. Mallon; treasurer, William C. Callahan; collector, D. F. McCarthy; marshal, Joseph Ochs; guard, R. H. Quinn; representative to state council, John M. Reddington; alternate representative to state council, Theodore Huber; board of trustees, John H. Foley, R. J. Lennon, Dr. James W. Casey.

Branch 86 L. C. B. A. of St. Francis Xavier church has elected the following officers: President, Odell Gager; 1st vice-president, Mary L. Kelschmatt; 2nd vice-president, Mary Drechsler; recorder, Mary Belkitch; assistant recorder, Elizabeth Bechtold; financial secretary, Lucinda Schma; treasurer, Pauline Uebel; marshal, Catherine Ermentrout; trustees, Emma Dorer, Caroline Bachman, Mary Effinger, Mary Wendelgass and Johanna Wagner; delegate, Mary Wendelgass.

At a meeting of Division No. 1, A. O. H., the following resolutions were adopted: Whereas, it has pleased Almighty God in His infinite wisdom to remove from our midst Brother Thomas Washington, Resolved, That while bowing to the Divine will, Division No. 1, A. O. H., mourns the loss of a worthy brother.

Resolved, That the members of this Division tender their sympathy to the relatives of our deceased brother.

Resolved, That these resolutions be spread on the minutes, that a copy of same be sent to relatives of deceased brother, and that they be published in the CATHOLIC JOURNAL.

M. Mulcahy, M. Claffey, Ed. Kelly, Committee.

On Monday evening Br. 185, L. C. B. A. Our Lady of Victory branch, was instituted by Supreme Deputy Mrs. Dowling. Rev. Father Nohel, the pastor, was present, as also Mrs. Logan, Miss Meyers, Miss McLaughlin and the entire corps of officers from Branch 27.

Hornellville.

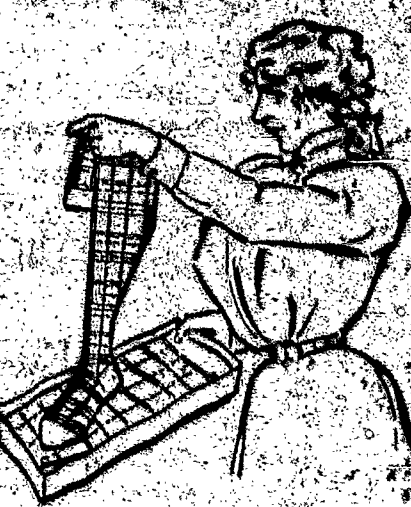
Clark Green of Alfred met with a horrible death by being run over by Erie train No. 37 at the Main street crossing Friday afternoon about 2 o'clock. It is supposed that while catching a ride home he caught on a Buffalo division train, and, noticing his mistake attempted to alight and was caught under the wheels. The victim was ground into numerous pieces, being strewn along the track for some distance, a part of an arm being found more than a mile from where the accident happened. Deceased leaves a wife and three children.

At the election of the Knights of Columbus Thursday evening the following were chosen: Grand knight, Dr. J. G. Kelly; deputy grand knight, John J. Channen; financial secretary, P. S. McManus; recording secretary, J. T. Colbert; warden, Wm. H. Murray; chancellor, W. K. Callen; advocate, John Griffin; lecturer, Joseph Cameron; inside guard, A. J. Letus; outside guard, C. P. Lyons.

Thomas Kelly died at the home of his parents on Mill street, Friday evening after a short illness, aged 23 years.

Charles Barton, of New York City, visited friends in this town during the past week. Rev. Father Butler of the diocese of Leavenworth, Kansas, visited Father Farrell during the week.

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There's something here to fit the season. The latest plaids, checks, cross and diamond patterns, some color combinations—plain spots, plain black—everything.

Ladies' Fancy Striped and Plain Tights—Hosiery—plain or drop stitches—cotton and lace threads—regular 800 grades—very special at 1.90 a pair or three pairs for \$5.

Ladies' Tan and Black Hosiery—Tights in Tartan checks—a half dozen different colorings—50c a pair.

Ladies' Striped and Plain Tights—Thread Hosiery—plain and drop stitches—showing new colors with white, red, blue, green, yellow, terra cotta, etc.—50c a pair.

Ladies' Striped Lisle Tights—Silk look stitched—blue, yellow, green, etc.—stripes—very desirable—50c a pair.

Ladies' Vertical Striped Thread Hosiery—Silk look and checker—extra—\$1.25 a pair.

Ladies' Silk Plated Tights—Hosiery—black or white—foot—double—50c a pair.

Ladies' Silk Plated Tights—fancy embroidered lace—special at 75c a pair.

Ladies' Spun Silk Tights—double sole heel and toe—French foot—every thread silk—\$1 a pair.

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ONE WEEK

Saturday, Dec. 17

The Great Atlantic and Pacific

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A beautiful picture of St. Anthony's church, an artistic aluminum model, subscribers of the Journal will in advance.