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Governor Smith, Man.

Governor Smith's courteous, concise, vigorous answer to the queries of Mr. Charles Marshall, agent of the moot question - in the minds of certain men and women - as to whether a man can be a loyal Catholic and likewise a loyal American citizen, was printed in full in last Saturday's Catholic Journal. We trust our readers perused it.

Governor Smith has been noted for his ability to express himself in understandable language. He surpassed himself in the Marshall letter. Even the school boy had no trouble in finding out just what the Governor meant.

In effect, Governor Smith said what Christ told His tormentors: "To Caesar belong the things that are Caesar's to God the things that are God's."

But he went further: He challenged the good faith of any one who would dare to insinuate that there was any inconsistency between a Catholic owing spiritual allegiance to his Church but taking his political life from his own conscience and the United States Constitution.

How They Feel.

While papers all over the country are praising Governor Smith's splendid rejoinder to Attorney Marshall, the significant feature of the symposium is the fine editorial response of the Southern papers - the section of the country where the personal wet but politically-dry prevails largely and their praise of New York Governor.

"The Richmond Times Dispatch" remarks:

"Governor Smith's long-awaited reply to the questions propounded to him by Charles C. Marshall in his article in the Atlantic Monthly is a complete answer and a powerful statement in so far as a statement by one man can settle a much-trodden problem of American life, especially American public life. Governor Smith's statement has settled the problem which has existed in millions of minds as to the alleged primary allegiance of American Roman Catholics to the Roman Catholic Church and their subordinate allegiance to the United States itself."

"He has not only absolved himself from the imputations contained in the letter of Mr. Marshall, but has given the widest possible publicity to what might loosely be called a lay American encyclical on the subject of the involvement of church and state as understood by modern Roman Catholicism."

"As a reply and an argument addressed to reason, it is one of the most impressive documents of the day or even of the generation."

And from the Klan hotbed, comes this editorial from the Mobile, Alabama, "Register":

"Intolerance is now touching and coloring almost every shade of American opinion on all the issues of the day. We have intolerance in religion, we have it in morals, we have it in our schools, we have it in the drama, we have it in literature, we have it in sports, we have it in every sphere of activity in the life of America and it is not surprising that it should be found in our politics, to color and poison public opinion with respect to public men and public measures."

"It is unfortunate that Governor Smith should have been forced to answer an attack upon his qualifications because of his faith as a Catholic but he is to be commended for the frankness and fairness with which he has met this issue. It is a noble public document of these times and is likely to become a factor of large influence in the presidential campaign of 1928, but whether it will hurt or help him in the present state of the American mind cannot be determined at this time."

The tennis devotees are shouting for more courses in the Rochester parks.

The Ford Mistrial.

Commenting on the mistrial in the famous slander suit of Sapiro vs. Henry Ford, the Rochester "Democrat and Chronicle" says:

An action for libel alleging damages to the amount of a million dollars has had publicity, press advertising, of late, which that great sum of money would not have bought at regular column space rates. Characters cannot be injured even by unjust accusations; but reputations and earning capacity may be impaired by untruthful aspersions; yet there is room for two opinions if any reputation is an asset of so great value that it would be possible to damage it so such an extraordinary extent. But that was the question which this jury was impaneled to pass on; and the facts that half the jurors were women, the prominence of the parties and the magnitude of the sum asked for, combined to give nation-wide notoriety to the case.

Now the trial has been halted on evidence satisfactory to the presiding judge that one of the jury women talked too much and listened to so much talk outside of the jurybox as to indicate that she had not that detachment from extraneous influences which the law expects of citizens selected to hold the scales of justice with even hands. A mistrial having been granted, the action, unless settled in the meantime, will presumably begin all over again with a new and less loquacious jury at some later date. The problem then will be to unearth a panel of twelve whose lives have been passed in such a seclusion as to have heard little of the matter at issue and to have formed no opinion thereon. It is becoming so difficult, however, to find such juries, and often when finally secured they, or some of them, are of such a mediocre level of intelligence, that the growing tendency as appears, is to fill the box with the best minds obtainable who have no personal prejudices or preconceived opinions which would prevent them, as they believe, from reaching a verdict on the facts as presented and the law as expounded by the judge. Perhaps that may be the nearest we can get to impartial evenhanded, intelligent and just determinations under our jury system in cases of unusual, general public interest and celebrity.

Is not our contemporary rather hard on the judge? What else could he do? A woman juror had told intimate friends that she hoped she would get on the jury because she'd make Henry Ford's millions fly because she never had liked him or his ways. She made no mention of this bias when called to the stand for examination as to her neutrality as a juror.

Cry Stop Wolf.

Whenever a jury renders a verdict that does not meet the approval of a minority, whenever several jury panels are exhausted before twelve jurors are secured forthwith the cry goes up "Abolish the jury system!" etc.

A case in point is the selection of a jury in the Long Island "Double-murder" trial. The Rochester "Times-Union" takes a hand in the discussion as follows:

Our system of judicial procedure in criminal cases is fumbling and stumbling along in New York's latest "sensational" murder trial. In three days 160 prospective talesmen have been examined, and out of them four jurors were found. At that rate nearly 500 possible jurors will be rejected before 12 men can be found to hear the case and six more days will be necessary to complete the panel.

This could not possibly happen in England or in Canada, and it ought not to be allowed to happen in this country. Jury service in a case like this is not a popular duty. Naturally most talesmen will attempt to escape serving on the ground that they have formed convictions of the guilt or innocence of the accused, that they do not believe in capital punishment, etc. Also under the numerous peremptory challenges granted to both sides a good many jurors are disqualified. The whole performance is like a game, and the widest latitude is given the lawyers who are the principal players.

It is high time that something was done to expedite the selection of juries. In England and Canada the trial judge would have much more to say about choosing the jury than he has or apparently cares to have in America. We can learn a lot from the English.

The jury system has been in operation here for many years. On the whole it has functioned well.

By the way: Did not the judge in the Ford-Sapiro mistrial take the major role in selection of jurors? And did not one biased juror slip by him?

The German Government has voted to return to Kaiser Wilhelm several castles in Germany but has not invited him to return from Holland to live in them.

Great men must be great to survive their biographies.

"Americanism" is defined as "taking up golf to keep fit."

Changing?

With the United States Supreme Court ruling that strikes that conflict with inter-state commerce are punishable and enjoined under the Clayton act and the English Parliament announcing governmental support of legislation to outlaw all sympathetic strikes, without exception or limitation and forbidding absolutely picketing, is it to be understood the tide is setting against labor unions again?

A secular contemporary gives this discussion on the proposed British legislation:

"Mr. Baldwin, the British prime minister, has introduced into Parliament of late legislation of tremendous importance from the viewpoint of British labor. The gist of this legislation is that sympathetic strikes are, without exception or limitation, made illegal and that picketing is absolutely forbidden."

"In taking this step the premier is undoubtedly acting at the instance of the so-called diehard members of the cabinet. His own temper and disposition is conciliatory, and would lead him to let the issues raised by the general strike of a year ago remain unsettled. But, as in his Chamber policy, he is being pushed forward by a powerful and influential section of his own party."

"It is clear, of course, that the legislation which he now proposes will be sharply challenged by the Labor party. It seems to be the case that it will be challenged by the Liberals also. Mr. Baldwin has a very large majority, however, in the present Parliament. Despite the opposition with which his plan may meet, the Conservative party, unless it suffers from serious defections, will probably be able to enact its views into law."

"It is not so clear, however, that it will be able to keep such a law upon the statute books. The drift of the by-elections in Great Britain has been against the government. The issue raised by this new legislation will perhaps accentuate the already marked tendency toward a Liberal-Labor coalition of course nothing can happen for some time, for new elections will not normally take place till the fall of 1929. Yet it is to be remembered that despite its great majority in Parliament, the Conservative party does not represent a majority of the nation, and that the British electorate, unlike the American, has a way of swinging back and forth from left to right and right to left with something like regularity."

"Britons, too, have a way of distrustful the legislative enactment as the solution of a complex social problem. It may be that in this case they will refer one of the major problems of the day to the operation of public opinion rather than to the fiat of government."

Ohio Justice.

That justice is not always done is argued by the Buffalo "Courier-Express" in the following editorial:

For the open spaces of the West where the habit appears to grow of speaking despitely of the East as an attic region, the day's reading lesson should include the story from Lodi, Ohio, of the sheriff's posse that went after their four men and got them.

Of course, Ohio is scarcely part of the old East. But it is far beyond Ohio that the West now begins, so the Buckeye state may be considered eastern for present purposes.

It was at Lodi, then, on a spring afternoon, that four gunmen, representing New York, Cleveland and Chicago's latest lines of handiery entered a jewelry store. When they left, carrying with them to their automobile \$5,000 worth of jewelry and a small amount of cash, the proprietor was helpless against the adhesive tape with which he had been bound. But two women customers, who had simply been driven into a corner and held there under cover of a gun, ran to the street and gave the alarm. The sheriff gathered a posse of twenty in automobiles and started in pursuit. Ten miles away, just across the line in Ashland county, whose sheriff had joined the chase, they got their men, two dead, the other three wounded, two of them seriously.

For a state so near the effete East as Ohio is, that sounds like quick justice, openly arrived at.

So Mr. Stallings and Hapgood retain the Rochester ball club!

Why do such vandals exist as those who wrecked the monuments in the Pittsford cemetery?

So there has been illegal bootlegging of aliens into Rochester, eh?

Those who hunt or fish or hike should be careful to put out all fires before leaving where they camp out as this is a very dry spring and forest fires are dangerous and expensive.

If two of Rochester's broadcasting stations locate their main plant outside Rochester the radio fans will be able to tune in their favorite local and distance stations at will.

Possibly, the Chinese revolution will not diminish the supply of Chinese firecrackers but it may increase the price.

Weekly Calendar Of Feast Days

Sunday, May 1.—Sts. Philip and James Apostles., Philip was one of the first chosen disciples of Christ. St. James, author of an inspired epistle, was also one of the Twelve. On the dispersion of the Apostles, St. James was left as Bishop of Jerusalem. His piety and purity were so renowned that the Jews, it is said, touched the hem of his garment out of respect.

Monday, May 2.—St. Athanasius, Bishop, was born in Egypt toward the end of the third century. Though only a deacon, he attracted great attention by his learning and ability at the Council of Niceva in 325. He later became Patriarch of Alexandria and for 46 years bore the brunt of the Arian assault, which heaped every insult, calumny and wrong upon him. He stood unmoved against four Roman emperors and was banished five times. He is honored as one of the greatest Doctors of the Church.

Tuesday, May 3.—The Discovery of the Holy Cross. The traditions, out of aversion to Christianity, sought to cover up the places of Christ's burial by heaping rubbish and stones upon it and building on the site a temple to Venus. St. Helena, mother of Emperor Constantine the Great, caused these impious structures and statues to be torn down and digging into the earth found the three crosses of the Crucifixion, in 326. The True Cross was distinguished when the tree was placed upon a sick woman and one of them caused her immediate and complete recovery.

Wednesday, May 4.—St. Monica, mother of St. Augustine, was born in 332. Her life of piety and forbearance effected the conversion of her husband, Patritius, a pagan, one year before his death. When her son Augustine, who was at once able and headstrong, went astray in faith and manners, she fairly pursued him with fervent prayers and he was marvelously converted.

Thursday, May 5.—St. Pius V. A Dominican friar from his fifteenth year, Michael Ghisleri, was famous for his intrepid defense of the faith and his spotless life. His first care as Pope was the reformation of the Roman court and capital. He supported the cause of Mary Queen of Scots against the usurper Elizabeth; backed the Catholic king of France against the Huguenot rebels and crushed the Ottoman forces at Lepanto in October 1571. He was wont to kiss the feet of the crucifix upon entering and leaving the room. One day the feet withdrew from his lips. He made an act of contrition thinking some deflection of his was the cause. It was later found that an enemy had put poison upon the feet of the figure.

Friday, May 6.—St. John before the Latin Gate. In the year 95 St. John was the only surviving Apostle and governor of all the churches in Asia. Seized and brought to Rome by Emperor Domitian, he was cast into a caldron of boiling oil. The oil became as a refreshing bath to him, however, and he came out of the caldron in even better triumph over persecution occurred without the gate of Rome called Latina.

Saturday, May 7.—St. Stanislaus, Bishop and Martyr, as Bishop of Cracow, alone rebuked Boleslas II, King of Poland, for his excesses and cruelty. When tried falsely by a cruel prayer, raised to life a dead man whose nephew accused him of withholding money from their uncle, to serve as a degrading witness. He finally pronounced the sentence of excommunication upon the king for his excesses and was slain by the ruler while saying Mass. Previously three companies of soldiers, sent to the chapel to dispatch the Bishop, were driven out by a light from Heaven.

D. F. Kelly, Chicago, Becomes First Life Member Of C. P. A.

Chicago, April 18.—Simon Baldus, president of the Catholic Press Association announces that the distinction of being the association's first life member belongs to D. F. Kelly, one of Chicago's most prominent citizens. This announcement is of importance at this time for the reason that at the seventeenth annual convention of the Catholic Press Association, which will be held at Savannah, Ga., May 19, 20, 21, a nationwide drive for life members will be launched.

The life membership fee is one hundred dollars, Mr. Baldus announces. A carefully worked out plan, which will provide for the enrollment of 500 life members in the United States, will be presented to the convention. Its adoption will create a permanent fund of \$50,000 to be invested in interest bearing securities, the yearly yield from which will be distributed as awards among Catholic authors and writers generally. The fund will be known as the Catholic Literary Awards Foundation of the Catholic Press Association, and will make possible the annual distribution of \$2,000 in awards. Great interest has been aroused by the announcement.

Mr. Kelly, the association's first life member, is president of The Fairlane of Chicago's biggest department stores. He is prominent in civic and social affairs. He was one

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Governor Al. Smith shows good sense in closing the Marshall discussion with his first reply.