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"I would make any sacrifice, even to the pausing of my ring, pectoral cross and soutane, in order to support a Catholic newspaper."—Pope Pius X.

With prudent counsel from men of good judgment and of experience in business affairs, and with the approval of the Diocesan Board of Censors, we have constituted The Catholic Courier & Journal as the official Catholic newspaper for the Diocese of Rochester. We ask God's blessing on the undertaking, that it may serve to bring to our people timely information on religious topics, instruction in the doctrines of the Catholic faith, messages of an official nature from the authorities of the Diocese, and we would urge all to be numbered among its subscribers. MOST REV. JOHN FRANCIS O'HERN, D.D., Bishop of Rochester, March 15, 1929.

Editorials

PAGAN ROCK DEDICATED TO THE SPIRITS OF DEAD ANCESTORS. The Church has ever since the days of Constantine, consecrated buildings and localities, long dear to the hearts of heathens, to the one and true God, or in other instances to the Mother of God, or those Saints whose attributes, as in the case of St. Michael or St. Martin of Tours, possessed special attraction for the neophytes. Many a hilltop in France and Germany was dedicated to St. Michael because since time immemorial Gaius or Germans had worshipped their Wotan or Odin. St. Boniface having, in one instance, submitted a case of this nature to Rome, was assured it would be well and proper to dedicate to divine service a temple of pagan origin located in the wilds of Germany. The Pope wrote the Apostle of the Germans the people would be all the more likely to be drawn there because it had been so dear to them in centuries past. And that they would now worship and honor the true God whose for so long a time they had offered sacrifices to false gods. There are but comparatively few Caribs left in the West Indies and although, therefore, the erection of a shrine to the Blessed Virgin on a former Carib altar has not the same significance as the dedication of a church or chapel on ground where Druids or other priests of pagan times had performed their rites during the memory of the very people witnessing the ceremony, the event is nevertheless significantly interesting. According to the "Catholic News," published at Port-of-Spain, Trinidad, there are found on the island of Saint Vincent, a British possession in the West Indies, enormous boulders, covered with pagan figures chiseled into the stone; upon these boulders human sacrifices were offered in pre-Columbian days. "The Yambou Valley is especially rich in such altars," the account, written in the island of Saint Vincent, declares; "this Valley is really but a deep and narrow gorge, surrounded by high mountains. Its nature is such that only those well acquainted with the topography of the place can find its mouth. It is therefore not surprising that it was a chosen haunt of the Caribs, and that different sacrificial stones were erected by them, upon which many a human being was sacrificed." One of these ancient altars, said to be the most beautiful of all, is attached to a chain of rocks, situated at the very mouth of the valley, and upon this altar, bearing a number of pictographs, a shrine has now been erected to Our Lady of Lourdes. The rock, donated to the Catholic Church by the proprietor of the estate upon which it is situated, was blessed on Sunday, October 23, amidst a concourse of people who had come from all over the island, and who marched to the new shrine singing hymns. Rev. Father Radbod van der Plas, O.S.B., delivered a sermon and blessed the shrine and the statue, after which he offered in the open the Sacrifice of the Holy Mass. The account says further that "among the crowd were conspicuous several Caribs come from their settlements in the northern part of the island." The shrine is, as are so many spots hallowed in a similar manner, surrounded by a most significant setting. It is dominated on the South by the Petit Bonhomme, a mountain, "while from the East the roaring of the sea is carried upon the wings of the blowing breeze," to quote the witness of the interesting event.

THE WORK OF CHILD WELFARE. Of the many social forces that enter integrally into a soundly regulated community none is more inextricably bound up with the general well-being than child welfare. The Michigan Catholic states in an article describing the work of the Catholic Study Club in Detroit which has made child welfare an important if not a major branch of action. The glossary paper of Detroit states that it has been said aptly that "the city which most cares for its children will be the greatest city." In fact, more than other avenues of civic activity can be had more direct guarantee for the future of civilization itself. A few years ago, as it is predicted in various quarters, and different and better conditions are to prevail, then in great measure this change will be due to the fruitful work during recent years of im-

adequate development of body, mind and spirit. In 1914 the child welfare department of the Detroit Catholic Study Club had its inception. Since that time a long list of accomplishments has been credited to these workers. First a scholarship in perpetuity was established at the University of Detroit. A sum of \$1,200 was raised for this. Then \$1,600 was raised to furnish a room in the clubhouse erected by the League of Catholic Women. Later the department provided a mid-morning lunch to pupils needing it in the parochial schools. So successful was this project that in 1921 Bishop Gallagher requested the club to take over all the philanthropic activities pertaining to the parochial school system. The department co-operates with other private organizations. As an extension of their worthy work, the club decided to give the teaching sisters of the diocese the privilege of taking a definite course in health education at Marygrove College. Cultural advantages are also provided for the children. Such work as this is being done in this diocese, we know, from reports received from Parent-Teacher bodies and Catholic Women's organizations. It is well worth while and coupled with the suggestions, offered by the Rev. Dr. Joseph J. Baerli to inculcate religious principles into the minds of our children at an early age, the work becomes the most laudable form of Catholic action.

Current Comment

The "World-Telegram," daily newspaper published in New York LAUDS LEADERS City, in a recent editorial, lauds the "courageous candor" of Catholic leaders on economic problems as a means if put into practice also by the heads of other churches and other nations, of finding ways to bring the world "more rapidly out of its distress."

The editorial is as follows: "Thinkers in the Catholic Church are taking an unusually advanced position on social justice and the present economic depression."

"Led by Pope Pius himself, and harking back to the labor encyclical of Pope Leo XIII in 1891, Catholic economic scholars held regional conferences at three cities in the nation on Sunday. The conference at Fordham University was attended by several hundred representatives of forty-seven Catholic college or university alumni groups."

"The movement represented in the conferences was designated a crusade, intended to reach beyond the Catholic Church and having as its aim to educate industrialists and workmen to the realization that in its present form capitalism 'has failed and must continue to fail.'"

"Father James M. Gilts, editor of 'The Catholic World,' suggesting the slogan of 'Blessed are the poor,' predicted that social upheaval 'is necessary and bound to come.' Father Wilfred Parsons, editor of 'America,' said that 'unlimited opportunity' had produced nothing but unlimited competition and opportunity for greed."

Dr. John A. Ryan, professor of sociology at the Catholic University, denied that the present collapse is due to a "business cycle," which phrase, he said, was coined as a substitute for thought. He said, "I don't say we should abolish capitalism entirely. First we should know pretty clearly what we would put in its place." Supreme Court Justice Edward S. Dore proposed a resolution, which was adopted, providing for a national conference of Catholic economists to prepare a program to be placed before the nation.

"These men are all foremost thinkers in the Catholic Church and are not ardent radicals belonging to a limited group. What they do and say is backed by the inspiration and authority of Pope Pius, whose encyclical of May, 1931, contained the following far-reaching statement:

"Free and often unbridled competition has been succeeded by the exaggerated concentration in the hands of a few of the whole economic power, not only of single nations but of the entire world, and this concentration and this power degenerate into a tyrannical despotism. And, 'It is therefore absolutely necessary to reconstruct the whole economic system by bringing it back to the requirements of social justice so as to insure a more equitable distribution of the united proceeds of capital and labor.'"

"If the entire leadership of this and other Churches and of the nations spoke with such courageous candor the world would find ways to rise more rapidly out of its distress."

THE DOCTOR. There is probably no secular profession which does more consistent charity than the medical. The doctor, while as a rule moderately prosperous, is called upon to give more uncompensated service and free material aid than any other class of men serving the public. He goes on uncomplaining through the years ministering to the ill of his fellowman. But the coming of hard times has increased the demands upon him so substantially that the burden is becoming almost unbearable. True he may not be headed immediately for the bread line but like the rest of us he is confronted with the problem of carrying on in the face of insurmountable odds.

Although people have no money, they still become sick; very often because they have none. They must be cared for. The doctor must do the caring. Thank God, the ethics of the profession are of such excellent standard, that the doctor is rare who will refuse to answer a call because the patient is penniless. Extraordinary as may be the doctor's skill, however, he knows no magic to supply the means of meeting his own bills, other than through the medium of money.

Here is a problem that merits consideration in reckoning the cost of public relief. Other costs are budgeted—the butcher, the grocer, the coal-dealer. Why not the cost of becoming ill? The doctor's bill is equally valid. Provision for his services in awarding relief would prevent an injustice to an unselfish public servant and save the patient the embarrassment of requiring a personal charity.—The Evangelist (Albany).

"Public education is the largest single 'industry' in the United States. One person in every four gives full (or part) time to the schools either as pupil or teacher. The school budget is the largest single item Times.

As for the country as a whole, the Catholic schools in practically all communities," says the New York Times, "save the taxpayers one-tenth of that budget, although in some cities the saving runs as high as 25 per cent."—The Catholic Citizen.

If a matter is altogether in the hand of God, there is no cause for fear or doubt.

Diocesan Recordings

Interesting to those who read last week in this newspaper of the work being done by the Rev. Daniel D. Higgins, C. SS. R., Redemptorist-missionary for the deaf and dumb, in Missouri will be knowledge of the fact that in Rochester, similar work is being done by another Redemptorist, the Rev. Charles Burger, C. SS. R., who has his own little chapel of St. Francis de Sales in St. Joseph's school hall on Franklin Street.

No lengthy eulogy appears following the recent death of Mrs. Louisa Hoesel, but her ten children, one of whom is a priest, are monument enough. Bringing into the world and raising such an excellent family is an achievement that stands out as a sterling example of true Catholic motherhood.

In the Managing Editor's column of the Brooklyn Tablet, we read of an event held in one of the parishes in New York at which five hundred married couples renewed their wedding pledges at a religious celebration. A social gathering followed. With the surfeit of divorce and indolently news in the papers these days it is refreshing to read of happily married couples. There are happily married couples in the majority and matrimony is a success in communities throughout the land, but the failures get all the publicity. More events should be held to bring to the attention of all that happiness does not come from divorce and lossy made marriages, but rather comes to those faithful to their marriage vows.

Perhaps in glancing through this newspaper you have seen the word "Sodalitalk" and gave it no thought. This heading is over the breezy news of the Sodalities of Mary active in the diocese. Mothers and daughters especially will find much to interest them in "Sodalitalk."

Members of the Catholic Men's Federation attended solemn high Mass last Sunday in Holy Redeemer Church in honor of the patronal feast of the Immaculate Conception. These two organizations, quietly but effectively and efficiently carry on their work during the year and never fail to turn out in large numbers at specified religious observances. The memory of their champion, the late Father Staub is always refreshed when the two organizations attend Holy Mass in the church over which he presided as pastor. His successor, Father Stauder welcomed the societies on last Sunday.

The many who attend the Catholic Summer School at Cliff Haven will be glad to know that Monsignor Shny, rector of St. Patrick's Cathedral, has been elected to the Board of Directors of the School to succeed the late Rt. Rev. Msgr. Arthur A. Hughes. The Summer School is unique in that it provides not only wholesome recreation but ample opportunities for educational and religious activities and is the meeting place in the summertime for many of the outstanding members of the Church, clerical and lay.

Sanctify every bit of your work every hour of your leisure, every book you read, every letter you write, and every conversation in which you take part by at least one breath of ejaculatory prayer.

Legal Effects of Ante-Nuptial Promises In Mixed Marriages

A Series of Articles Prepared by the Rev. Robert J. White of the Faculty of Law of the Catholic University of America

This is the second of a series of three articles giving in condensed form the contents of a recent study made by the Rev. Robert J. White, of the Faculty of the Catholic University of America, on "The Legal Effect of Ante-Nuptial Promises in Mixed Marriages." The Catholic bar of the country has hailed Father White's work as being of the utmost importance since it establishes a firm foundation for the Church's contention that the ante-nuptial agreement is a contract which should be enforceable in the courts of law.

Several cases have been given decisions in recent years, recognizing the value to a Catholic of his religious status. In New York, an orphaned child of Catholic parents was placed under the care of a Protestant by an elderly married sister. A Catholic brother sought to be appointed guardian. The Protestant was financially able to care for the child and the brother was not. The court ordered the child to remain in the custody of the Protestant that she be educated in a Catholic institution, saying:

"To Catholics, in particular, the education of an infant, leading as it does to their indissoluble marriage law, and their family relations founded on a subordination and respect to elders, the education of their infants in their own way is regarded by them as of paramount importance."

In a very recent case, poor Catholic parents executed a contract relinquishing custody of two minor sons to a Protestant on the condition that the Protestant would divide the earnings of the children as violinists and assume responsibility for their maintenance and musical education. When the respondent removed the children to another state, the father sought to recover custody of the children. The court permitted the children to remain with the Protestant but appointed a Catholic priest as co-guardian. The court said:

"It is conceded that the wishes of parents to have children brought up in the religion of their ancestors must be respected. This is the view which the law takes. It does so, not as a matter of sentiment or out of deference to narrow, sectarian views, but as a matter of sound public policy. The family is the institutional unit in which infants can best be prepared as members of society and as good citizens. Even though the infant be physically separate from the family, it is still constructively a part of it, and entitled to be brought up in the religious faith professed by its parents. These principles are entirely consistent with the American view of religious liberty. Such cases give weight to the claim that the right acquired by Catholics to have children baptized and brought up as Catholics is so intimately connected with the parents' existence, religious conviction and individual contentment that it may be properly described as an interest in personality. The ante-nuptial agreement is always made with the non-Catholic party fully aware of the religious belief of the Catholic. Free to accept or reject the agreement, he or she has chosen to accept and, upon the strength of

the promises contained in it, the Catholic has changed his or her status irrevocably.

Since, as is easily seen, the ante-nuptial agreement results in a contract and gives an added right of personality to the Catholic party, the further question remains whether such an interest of personality should be given protection of specific performances of equity. An examination of a few of the leading cases will show the development of the commendable doctrine that equity is not restricted by any artificial limitation as to jurisdiction based upon substantial or technical property rights. On the contrary, it has ample inherent jurisdiction to proceed to the protection of rights of personality through the issuance of affirmative orders and negative injunctions.

The opinion rendered, not so long ago, by Justice Dill is worth quoting: "If it appeared in this case that only the complainant's status and personal rights were thus threatened or thus invaded by the action of the defendants and by the filing of the false certificate, we should hold, and without hesitation, that an individual has rights, other than property rights, which he can enforce in a court of equity and which a court of equity will enforce against invasion, and we should declare that the complainant was entitled to relief."

In conclusion, it is submitted that the promises of the ante-nuptial agreement, fulfilling as they do all the formal requirements of a civil contract, and giving an added right of personality to the Catholic party, should be and will be enforced by courts of equity, which are drawing away from historical, artificial limitations of jurisdiction and progressing with a sound legal appreciation of the inherent capacity of the law to develop with the needs of the present.

One weeps for the death of children, but perhaps the change of them into callous men and women is a sadder change to feel, after all.

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