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"I would make any sacrifice, even to the passing of my ring, becalm cross and crosier, 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 Consultors, 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, 1932.

Editorials

THE NEEDY CASE News stories being received in this office indicate that Catholic organizations are doing their utmost and co-operating with other agencies to provide a joyful Christmas for the unfortunate. Various activities to raise money are being entered into and appeals are going forth to swell the Christmas fund.

All the workers in this great cause should be encouraged and aided to the best of our abilities. It will mean sacrifice, even more than ever. In addition to giving of money, it is urged that personal services be offered to assist the workers in the progress of dispensing food, clothing and toys at Christmas time.

Then there are the cases, perhaps, in one's own neighborhood. The organizations may not reach these cases. Assistance may be rendered there with proper discretion and in cases where the giver may hesitate to act directly, a sum of money given to the pastor will make it possible to pass along a bit of help swiftly and smoothly.

At a recent meeting of Rochester Council, Knights of Columbus, the Rev. William P. Ryan of St. Bernard's Seminary, pointed out that it is not necessary to delve into dirt to produce a "best seller" and cited Abbe Dimmet's "The Art of Thinking." Frequently we read of John Golden's success with plays consisting entirely of clean lines.

Now we find the widely-known O. O. McIntyre, columnist, commenting with some vigor on those who write the off-color lines. He says:

"Almost anyone can be a nine-day wonder in writing by ignoring all decent rules of the game and becoming a boomer. Braun did it but was shot to death. The reading world is easily shocked into what sometimes passes for admiration but soon curdles.

"Enduring writers of every age are those who have been clean in their written thought. No one cares about their private lives. A notable exception to the general rule is Balzac, but his brand of salaciousness hurt no one save perhaps himself."

We cannot agree with the latter part of his statement, but we do endorse the statement that writers endure who write with clean thoughts, whether they compose books, musical scores or dramatic hits.

OUR JAZZ AGE Sunday, December 18, the pastor and parishioners of St. Salome's Church, Sea Breeze, will be observing with fitting ceremony the silver jubilee of the parish. It will be a time of rejoicing over the completion of the past twenty-five years growth and one for planning for continued progress in the future.

A parish such as this beginning as it did as a little summer resort chapel had many obstacles in the beginning to overcome. At first it could minister to the people only during the summer months. Growth of the community as a permanent residential section developed the prospect for a permanent parish. When the present pastor went there in 1925 he had the task of building a permanent parish out of the combined summer residents and all year around parishioners.

The parish has built besides the church, a school now taking care of 255 children and a rectory and has become a definite unit in the diocese. We congratulate pastor and people and wish for them continued success in the coming years.

It is reported from Paris that Premier Herriot has had a change of heart. In a recent interview with Francisque Gay for publication in the Catholic daily, "L'Aube," the head of the French Government said among other things:

"The spiritual forces first! I am an idealist. One must have an ideal and respect it when one is proud of the destiny of a great country. To serve the best interests of the country, that is my sole pre-occupation. At my age a statement can have no other effect."

Statesmen should not have any other ambitions. The material desires and ambitions of statesmen has led the world in a sorry plight and the wisdom of age

has evidently brought this fact home to M. Herriot. He not only sees the spiritual forces first but has given evidences of a change of position towards the Catholic Church.

It was but eight years ago that M. Herriot advocated certain measures resulting in great indignation among Catholics and the defeat by them of his measures. Recently he rendered homage to the person of Monsignor Maglione, whom he terms an excellent diplomat fulfilling his delicate functions with tact and absolute correctness. The head of the French Government now believes that "a man should respect all the spiritual forces even more than the material forces of the country."

With Spain and Mexico exhibiting the actions and influences which once disturbed France, it is consoling to know that the head of the great French government takes such a stand and may be the means of pointing out to others in the dark the procedure that leads to harmony and peace at home and abroad.

Current Comment

SPINOZA BALLYHOO

Suppose one of the cold-blooded bandit killers of whom we read in the daily press maintained at his trial that he was innocent, that he could do no wrong and was accountable to no human authority.

He would be laughed to scorn. Yet he could justify his crack-brained theory by posing as a pantheist, one who followed to its logical conclusion the philosophy of Baruch Spinoza (1632-1677). According to Spinoza substance exists in itself, God is the only substance and the material world is merely an emanation of the Divinity.

This philosophy does not accept the existence of a personal God, separate from the world. This doctrine makes all men to be God and, therefore, incapable of doing wrong. If followed through, this philosophy destroys all morality, all law, all duty.

Fortunately, Spinoza himself did not live up to his philosophy. Will Durant, speaking at the dedication of a River Rouge park roadway to Spinoza in Detroit the other day, praised the philosopher for his kindness, charity and other virtues. Which proves that Spinoza directed his life according to the nobler portion of his philosophy of skepticism and pantheism. It disproves Durant's assertion that Spinoza "lived his philosophy."

Detroit daily newspapers, in announcements of the roadway dedication, described Spinoza as one of the world's foremost philosophers. Unfortunately he did not greatly influence modern thought. But this does not imply that he was a sound philosopher. Popularity is not synonymous with logic or solid progress. The Spinoza celebration here furnished a sidelight on the confusion of so-called modern thought. The fact that he was excommunicated by the synagogues speaks volumes on the character of Spinoza's writings—The Michigan Catholic (Detroit).

CHRISTMAS CARDS

A new angle to the Christmas card trade has been revealed by John S. Sumner, secretary of the Society for the Suppression of Vice. Writing to The New York Herald Tribune, Mr. Sumner calls attention to the reappearance of "a line of filthy and disgusting cards purporting to be Christmas greeting cards." Last year, he writes, "the same thing occurred, and three retailers were convicted in Special Sessions Court on the charge that said cards were largely indecent."

Up to now, in the hodge-podge of so-called Christmas cards that have come under our observation we have not noticed any that would answer to Mr. Sumner's description. What has been chiefly striking about the cards is their innocuous character. Innocuous to the point of total vacuity. The designers, evidently intending to say nothing, have succeeded admirably unless the projection of a vague and, in fact, meaningless sentiment can be called intelligent expression.

This is unfortunate for many reasons, not the least of which is that Christmas affords a unique occasion for the exchange of truly sublime thoughts. Whatever may be said in connection with the birth of Christ, it can never be said that His coming into the world was without purpose or meaning. Any intelligent atheist will agree with that.—The Providence Visitor.

OUR JAZZ AGE

The director of the Philharmonic Symphony Orchestra of Charleston, S. C., sees an increased interest in classical music and a slackening in jazz. We do not think that Professor Wichmann means that people in general will turn from jazz to symphonies. Most music loving people satisfy themselves with simple melodies, emotional songs and tuneful operas, not unusually included in classical music.

As for jazz, most musicians deny to it the right to be termed music. Jazz is a symptom. People take to jazz because they are jazz minded and live in what is more or less a jazz age. It is not easy to understand jazz for the simple reason that there is nothing about it to understand. It is neither purposeful nor expressive, and neither excites nor soothes any understandable emotions. The mind attuned to jazz does not know where it is going and arrives nowhere. The jazz minded who make up so much of our age are restless but do not know why. Their feet move, in time with the saxophone but their minds remain stationary. They are all for speed. They do not wish to get anything done quickly but just want to be speedy. Thinking is too slow a process for the jazz mind. Leap first and think afterwards, if you are still alive. The speed maniac whose automobile flashes by us is seldom going anywhere in particular. His jazzy brain is not functioning and he makes a perfect jazz stop when he crashes into another automobile. When a jazzy stock market dance starts everybody joins in and it all ends with a big slump. To reason with a jazz minded person is to bore him. To ask him to think is an insult. He is never guided by experience for that would not be up to date. Jazz excuses everything in pleasure if only "a good time" can be had. Jazz honesty, in business justifies anything that can be got by with. Preachers bring jazz into their pulpits and their sermons are published in the morning papers.

One of the chief sources of our present day troubles is that we have put jazz into so much of our lives. We have been thinking too much in jazz time. We hope that Professor Wichmann is right when he sees a slackening of jazz. We trust that it means the symptom is abating and the disease from which the world suffers is being cured.—The Southwest Courier.

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Diocesan Recordings

A major problem facing the social planning forces of the community is the plight of older boys and girls, young men and young women, through school but unable to find jobs. Father Poery, pastor of Holy Rosary Church and diocesan director, Rochester Catholic Charities, said at a recent meeting of the Citizens' Social Planning Committee.

Father Poery believes that churches, schools and social agencies must endeavor to meet this problem by offering to these young people a chance to participate in activities that keep them, so far as possible, from discouragement and discontent. He urged that the Planning Committee focus its attention immediately on the task of formulating a program that will more adequately serve this group.

The following exchange of correspondence between Miss Isabel Kelly, 67 High Street, Geneva, N. Y., and the editor of "Ave Maria," is reminiscent of the correspondence between a little girl, age eight, and the editor of the New York Sun, some years ago in which the child wrote to the editor asking if there was a Santa Claus.

In the latter instance the editor of the great N.Y. York daily published the little girl's letter and answered it with an editorial which at once became famous. The exchange of letters from "Ave Maria" was reprinted by the Catholic Sun the editor of which said readers will enjoy this especially those who know "Patch" and Michaelen in Father Carroll's delightful stories.

Quoting from Ave Maria: "Here is some grave correspondence received from Miss Isabel Kelly, 67 High Street, Geneva, N. Y., the day after election.

"I am a little girl, eight years old, in Fourth Grade, St. Stephen's School. For two years we have been reading 'Patch' stories in the Ave Maria. At first mamma would read them aloud and afterwards I would read them myself. But after a while I read without waiting for mamma. Please write more 'Patch' stories, and tell us what became of Michaelen. Here are some drawings of fairies as I see them in my mind. Do the fairies in Ireland look at all like these? Thanks and good-bye—Isabel Kelly."

The editor's reply was: "At present, Miss Isabel, 'Patch' feels the depression, like the rest of the world, and has to get along with smaller shares of hot bread and jam. Michaelen is all right and will appear in Father Carroll's new story, which begins after Christmas. Only he is a man now, whereas 'Patch' has not grown up at all. The fairies you sent us, which you saw in your mind, are just like the fairies in Ireland—only yours are smaller. Feed them on dew drops and they'll grow to be as large as yourself."

The pastor of the recently dedicated new church of Our Lady of Perpetual Help, Minetto, N. Y., is the Rev. Francis J. May who made his preliminary studies for the Holy Priesthood at St. Andrew's Seminary, Rochester. The sermon at the dedication was preached by the Rev. James F. Collins of Utica, former state chaplain of the Knights of Columbus.

When things go seriously wrong with us we cry out to God. When they go well, we do not think of Him.

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 last 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 Law 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 courts of law. In this article, some of the present statutes are reviewed and possible future ones are considered. A recommended form of ante-nuptial contract is also presented.

Father White is one of the outstanding Catholic lawyers of the country. Before deciding to enter the Catholic priesthood, he practiced successfully for many years in Boston. He is a member of the Bars of the United States Supreme Court, The Supreme Court of the District of Columbia, The United States Circuit Court of Appeals for the First District The United States District Court of Massachusetts, and the Supreme Judicial Court of Massachusetts, and was formerly Assistant District Attorney of Middlesex County, Massachusetts.

While all courts have admitted the existence of some right in the parents to control the religious upbringing of their children, these same courts have been at complete variance as to the extent of that right. Many states have attempted to protect this right of the parents, and to bring some uniformity and order out of confusion, by the enactment of statutes. An examination of the statutes of various states reveals no uniformity in provisions or even of purpose.

Some states deal with the problem directly by express statutes, while others attempt to achieve the same end indirectly through regulations of departments such as child welfare division. Some statutes are merely negative, prohibiting distinctions in the care of children because of religion others are positive, requiring respect for the particular religious belief.

The laws again differ in regard to the consideration to be given the religious preference. One type of statute requires "respect"; another gives "preference" to prospective guardians of the same faith. The court is, in some states, to follow the statutory provision "when practicable"; and in all cases.

The confusion is apparent. Parents' rights are violated, courses are unnecessarily burdened and worried. Many states are at present working up revisions and consolidations of their statutes. All states in the near future probably will undertake such complications. It is hereby submitted that the enactment of a statute such as the following would simplify and clarify the situation:

Courts in any proceeding involving custody of children shall so far as practicable place said children under the control of persons of the same religious belief, or in accordance with any hitherto existing agreement if said parents are of different religious beliefs.

In this connection, it does not seem out of place to suggest the following form of ante-nuptial agreement as a clear direct statement, incorporating the promises required by Canon Law, and fulfilling the requirements of the civil law of contracts. All agreements should be in writing upon a single form signed by both parties. The recommended form is as follows:

We, _____ of _____ in the county of _____ and state of _____ hereby mutually promise each other that all the children of our marriage shall be brought up solely in the Roman Catholic religion.

is void, as being against public policy.

The question may be met squarely. There is no need of evasion on the part of Catholics. The objections against the legal enforcement of ante-nuptial promises on the ground of public policy are vague and flimsy. The protection of the courts for this contract is neither state aid nor protection of a church as such. It is the request of a fundamental right of a citizen: The law's protection of a legal contract. This protection may be the more reasonably demanded because this is a contract in regard to the Christian religion.

Some people may regard it as rash to undertake to make an accurate investigation of the legal considerations determining the present legal effect of ante-nuptial promises. The hazard is well ventured, however, if I succeed in exposing the weak foundations of an apparent legal barrier built upon a foundation of historical prejudice and mistaken precedents uncritically accepted in some of our English and American courts.

The ante-nuptial agreement should find a proper judicial appraisal in American courts which proceed beyond out-moded historical misinterpretations and which advance with the needs of the present and future and are alive to the spirit of progress in law.

The analysis of the legal effect of ante-nuptial promises in mixed marriages is submitted with the confidence that a court or legislature which aims to see through merely artificial or apparent barriers will perceive the true legal nature of the ante-nuptial agreement. Such courts and legislatures, recognizing the light of personality which accrues to the Catholic party and conscious of inherent power to protect such claim, will proceed to make the legal enforceability of ante-nuptial promises a reality in accordance with the demands of plain justice and the spirit of American tradition.

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