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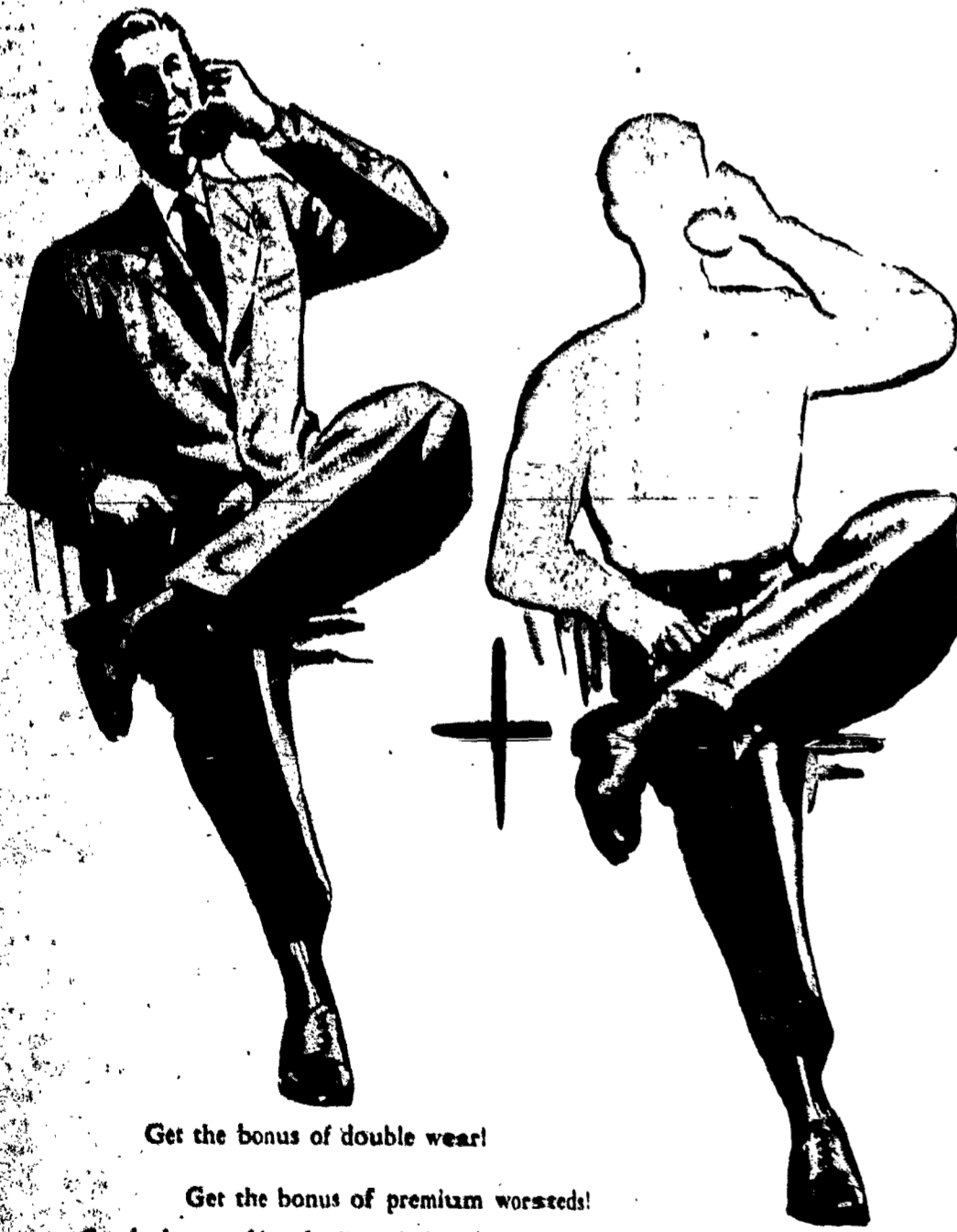
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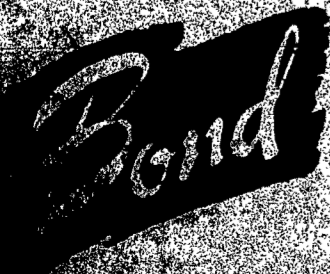
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Pontiff Warns Judges About Decisions in Divorce Cases

(Continued from Page 1)

ments, but the judge who applies them is a concurring cause, and is therefore responsible for their effects."

Secondly, the Holy Father pointed out that a "judge can never, with his decision, oblige anyone to commit an act intrinsically immoral, which is to say, contrary to its nature in the law of God and Church."

As his third point, the Pope said: "He can in no case expressly recognize and approve an unjust law, which would never constitute the foundation for a judgment, valid in conscience and before God. Therefore, he cannot pronounce a penal judgment which would be the equivalent of such an approval. His responsibility would be even more grave if the sentence causes public scandal."

In the fourth place, the Pope proceeded to clarify not only application of an unjust law is equivalent to its approval and recognition.

"In this case," said the Pope, "a judge can sometimes per chance must allow an unjust law to take its course whenever it is the only means of stopping

a much greater evil."

THE POPE reminded his listeners of the times of the persecutions when priests and laymen often allowed themselves to be condemned, even by Catholic judges and without resisting fines and the loss of personal liberty, when in no way it was possible to prevent an unjust magistrature and to aid off from the cause of a faithful and upright citizen.

The goal to be safeguarded in the present case, the Holy Father warned, must be proportionately related to the gravity of the consequences of judicial sentence and then states cases in which this principle would apply such as condemnation to death.

"In particular," continued His Holiness, "a Catholic judge cannot pronounce, except for grave reasons, a decree of civil divorce, where this is legal, in a marriage which is valid before God and Church." He went on to say that such a decree does not have only civil effects, but in reality condones the erroneous consideration of the actual bond as broken and of a new one as valid and binding.

Jurists in the United States Often Face Divorce Issue

(Continued from Page 1)

Judge in pronouncing a divorce is merely an official declaration that the state regards the civil effects of the marriage as no longer existing.

"Such a declaration is in itself a morally indifferent action, which can be permitted, at least in certain circumstances. The Catholic judge knows that the marriage itself cannot be dissolved by the state, and in granting a divorce he has no intention of exempting the parties from anything more than the legal recognition of the effects of their marriage.

"Nevertheless, when the judge foresees the probability or the certainty of an attempted remarriage, his act of granting the divorce is material cooperation toward this sin. Hence, according to the principles of cooperation, there must be a good reason for performing this act—a reason sufficiently weighty to justify the permitting of the evil effect.

"Such a reason would seem to be present if the judge were in danger of losing his office in the event that he refused to accept a divorce suit, or even if serious antagonism and loss of prestige ensued. But if, without any other inconvenience, he can avoid a divorce case which will probably be the occasion for an invalid remarriage, he is bound to do so. This holds true for non-Catholics, as well as for Catholic couples.

"The Catholic judge should

realize, too, that another difficulty is involved when he sits in judgment on a divorce suit of baptized persons. Matrimonial cases of the baptized belong properly and exclusively to the tribunal of the Catholic Church. The Third Council of Baltimore commanded Catholics, as a matter of grave obligation, not approach the civil court for the purpose of obtaining a separation "a thoro et mena" (from bed and board) without first consulting the ecclesiastical authority.

"The manifest neglect of this prescription by Catholics would make it necessary for the judge to have a very good reason for accepting their case, even when he can be sure there will be no attempt at remarriage."

Russians Keep Aviation Engineers

Berlin (AP)—German pilots and engineers who recently returned from the Soviet Union reported that aviation engineers and other specialists among the prisoners are not being released but gathered in special camps for assignment to Russian airplane factories.

Aviation pilots are released only in exceptional cases, according to the same source. Aviation engineers and experienced mechanics are being given special favors and are even allowed to have freely within certain areas returned prisoners state.

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NEW RETREAT HOUSE FOR MEN ANNOUNCED

(Continued from Page 1)

scribed the new building as "a very accessible center of religious life, whose doors will always be open, where a priest and the sacraments will always be available." Individuals may go there at any time, he added, for meditation or for counsel in their problems.

It also will be available for Carmel Conferences or Days of Recollection, he said, and will provide facilities for one-day retreats for high school boys.

Bishop Kearney, aided Father Aylward, his laymen priests and Laymen's Retreat League leaders for giving men a periodic opportunity "to be one with God and their consciences. Such rich spiritual experiences," he said, are worth preparation for standing before God at the last.

"MEDITATION is fast becoming a lost art in this modern world of so many sources of

recreation and enjoyment," he declared. "Many people cannot stand being alone with themselves. We must learn to turn our minds in on ourselves and sit alone with God."

Congratulations and best wishes on his anniversary were extended to the Bishop by Father Aylward and by Elmer J. Bloomer, Retreat League president. Both praised the Bishop's zeal for the retreat movement.

RESPONDING to the tribute Bishop Kearney said he has had a great deal of satisfaction working with the people of the diocese, who have very generously supported every project I have undertaken. He said he found on coming here "a fine tradition a loyal and aggressive faith and a fruitful ground on which to work."

At the speakers table were the Rev. Rev. William M. Hart,

P.A. V.G., Very Rev. Mgr. James C. McAniff, Rev. John E. Maney, Very Rev. John J. Prussner, C.S.S.R., Rev. John S. Whalen, Rev. Thomas J. Sanderson, C.S.S.R., Rev. Edward C. Murphy, C.S.S.R., Frank E. Wolfe, B. Edward Sheleager and Charles A. Tucker, past presidents of the Retreat League and George F. Schmidt, league secretary. Toastmaster was Clarence R. Pender.

Convent (Club Founded New Orleans, N.C.) A local unit of the St. Paul Guild, a club for convents, has been organized by the Rev. M. Mae Kiloughy, moderator of the Catholic Information Center. Purposes of the guild include the securing of converts and paying for conversions.

Advertisement for B. Forman Co. featuring a woman's face and the text: Sweet and simple in white imported velours! 16.95. This is just one from Forman's wonderful collection of stunning millinery creations for Winter witches! Exclusively at Forman's in Rochester, you'll find this and other confection velours in pure pink and ice blue, 16.95. CLINTON BAY SHOP, SECOND FLOOR.

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