

# Nun Garb Case Heads For U. S. Supreme Court

Louisville, Ky.—(NC)—The Franklin County Circuit Court ruling that there is nothing illegal about Catholic nuns wearing religious garb while serving as public school teachers apparently is headed for the U. S. Supreme Court.

Eugene Siler, moderator of the General Association of Baptists in Kentucky, who served as counsel on the losing side, expressed disappointment over the decision. He said he will appeal the ruling to the Appellate Court of Kentucky and carry it on to the nation's highest tribunal, if necessary.

STATE ATTORNEY General J. D. Buckman, Jr., who defended the nuns' right to serve as public school teachers, said that he, too, wants the decision appealed "to settle the question once and for all."

The decision was rendered in a case tried on an agreed statement of facts by Circuit Court Judge William B. Ardrey. His ruling was brief and the gist of it was: "The only question here is, may Sisters of the Catholic Church, while garbed in the habits of nuns, teach in the public schools? On this question we find nothing in the Constitution, the statutes or the Kentucky recorded court cases that prevents such teaching."

The action against the nuns was instituted by Rev. James W. Rawlings, 30, retired Methodist minister of Bradfordsville, Ky., as chairman of the Kentucky Free Public School Committee. The committee is an affiliate of FOAU (Protestants and Other Americans United for Separation of Church and State).

THE STATEMENT of facts in the case agreed that some 33 nuns were teaching in Kentucky public schools and wearing religious garb at all times while serving as employees of six county school boards. The FOAU affiliated committee contended this violated the Constitutional privilege of separation of church and state.

In defense of the nuns, Attorney General Buckman took the position that to restrict the nuns from serving as public school teachers because of their religious garb was an infringement on the rights enjoyed by all citizens and guaranteed by the Constitution. He contended that no one had the right to deprive anyone from holding public office be-

cause of religious beliefs and practices.

TACKLED ONTO the case by the FOAU committee was a petition for the court to restrain a fiscal court in Nelson County from using public funds to transport students to parochial schools. Judge Ardrey threw this complaint out of court. He ruled: "We may not determine . . . the constitutionality of the appropriation of the Nelson fiscal court which provides bus service to Church-owned schools for the reason that the Fiscal Court of Nelson County is not a party to this action."

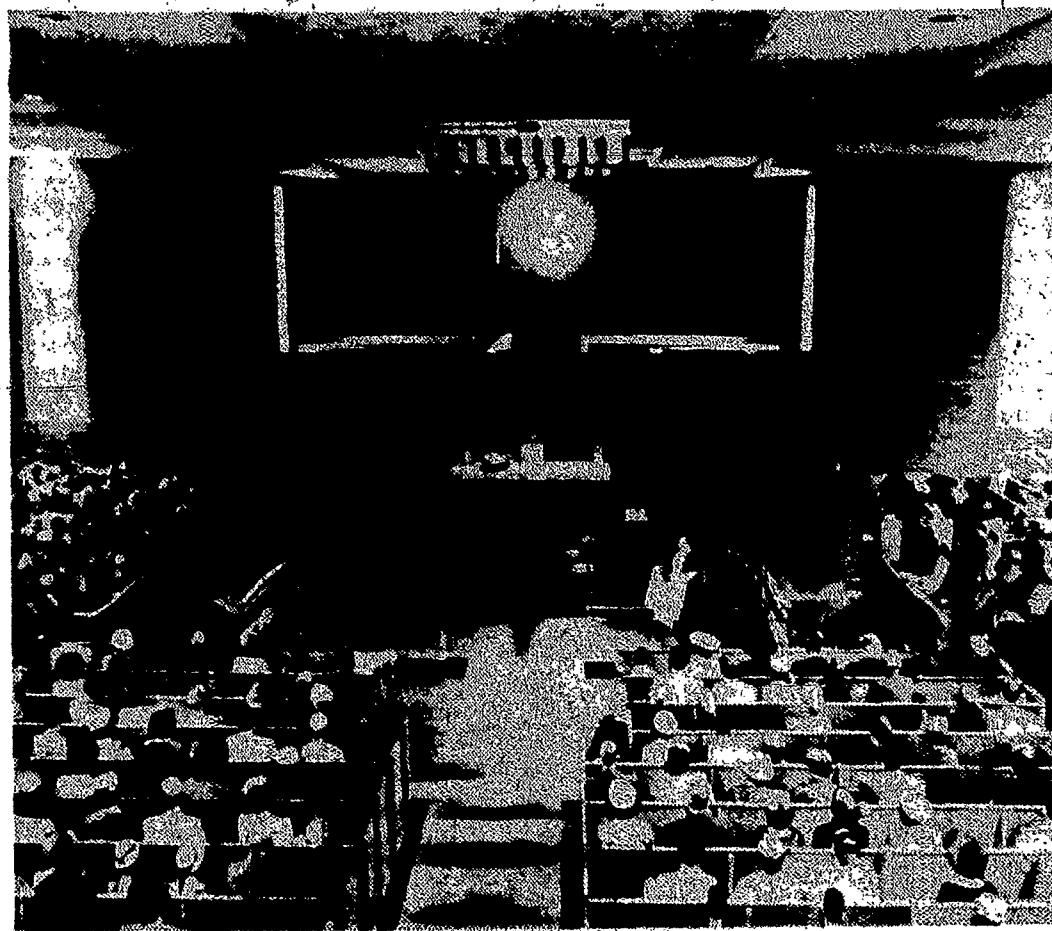
Still another suit is pending in Franklin County Circuit Court which seeks to bar nuns as public school teachers. The principal petition in this case seeks the reopening of the Bradfordsville High School and charges that its closing was brought about by public school officials seeking to promote the policies and purposes of the Catholic Church.

## Amvets Appoint South Pole Priest

Dubuque, Ia.—(NC)—Father William J. Menster, director of Catholic Charities in the Dubuque archdiocese, has been appointed national chaplain of AmVets (American Veterans of World War II). It was announced by National Commander Rufus H. Wilson. Father Menster served as national chaplain in 1951-52.

Father Menster is the first known clergyman to offer a religious service on the Antarctic continent. He was assigned as chaplain to the South Pole expedition of Admiral Richard E. Byrd in 1946-47. He cared for the religious needs of 2,000 men of all faiths in five ships over a period of five months. Father Menster joined the U. S. Navy as a chaplain in 1942. For five years he was on active duty, including 20 months with Navy bombers in the South Pacific.

## Parishioners In Unusual Church



Fitchfield, Mass.—Parishioners wait for services to begin in the new church of St. Teresa here, which was officially dedicated by Bishop Christopher J. Wilson of Springfield, Mass. The cross-shaped structure of unusual architectural design has a main altar surrounded on three sides by pews, with no family required to sit more than 10 pews from the altar itself. Noiseless reversible seats face either the main altar or the Holy Family Chapel in the church's front left. Confessionals are equipped with special lights to show occupancy. Dominating the church's interior is a large crucifix suspended from a ceiling canopy over the main altar. (RNS Photo)

## Pope Warns Nations On Atomic War

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tion is empowered to make use of it, and even that only within the limits which have been fixed for him," is one of the ultimate and most universal norms of action.

SPEAKING OF the removal of parts of dead bodies, the Holy Father said:

"The doctor cannot be permitted to treat the body according to his pleasure. It befalls the public authority to establish opportune regulations." Declaring that even the public authority cannot proceed in this matter arbitrarily, he said: "The requirements of natural morality must be respected, which forbids considering or treating the body of a man simply as a thing, or as that of an animal."

Turning to efforts of the World Medical Association to establish an international code of

medical morality Pope Pius said its was encouraging that the 42 countries represented at the congress were in agreement generally, although relatively few principles "are accepted everywhere."

THE PONTIFF himself suggested three basic ideas which, he said, should underlie a code of medical morality. These were: (1) Medical morality must base itself on Being and Nature, since all moral norms, including those of medicine, "proceed necessarily from corresponding ontological principles. From this derives the maxim, 'Be that which you are.'"

(2) Medical morality must conform to reason and purpose, and be oriented according to a scale of values. Medical morality lives, not in things, but in men, persons, doctors, their decisions, personalities, concepts and the realization of values. The doctor must ask himself: What does this action involve? What is its justification? What is the value in itself, in personal relations, in society, etc?

(3) Medical morality must be rooted in the transcendental. Man may dispose of or suppress what has been established by man, but not so with nature. "Moral duty does not depend upon the pleasure of man."

"The doctor," the Pope concluded, "has a need, within the realm of society, of a vast juridical support, and also of a particular assurance for his person and his medical activity. On the other hand, society wants a guarantee regarding the capacity and competence of those who offer themselves and act in the garb of doctors. All this serves to demonstrate the necessity of a national, and, if possible, of an international medical law."

## U. S. Cardinal Hits UN For Ignoring God

Dublin.—(RNS)—Criticism of the United Nations for ignoring God in its deliberations was voiced by James Francis Cardinal McIntyre, Archbishop of Los Angeles, in an address to the monks of the Cistercian Abbey of Mount Melary.

The cardinal, who was touring Irish seminaries which provide missionaries for his diocese, said: "The different nations of the world are supposed to be gathered together in unity, but, as you know, they leave out God and leave out the celestial nation, Heaven, the main guide of life, and consequently we have no peace. No matter how united we may be, if we leave out God we are isolated."

Cardinal McIntyre said the world was "leading a life of folly" by seeking satisfaction only in material things.

## Parochial Schools To Get Milk Aid

Washington, D.C.—(RNS)—Parochial and other non-public schools will receive about \$5,000,000 in direct federal grants during the current academic year under a new government program designed to increase milk consumption among school-age children.

Secretary of Agriculture Ezra Taft Benson, announcing the program, said it would be administered nationally by the Agricultural Marketing Service and within the states by educational agencies.

THE PROGRAM aims at having school children drink more milk as an aid to health. It also is designed to move some of the milk surplus which otherwise might come into government storage under the price support program.

Secretary Benson said parochial school pupils would be eligible for milk on the same basis as public school students.

"In those states where the state educational agency cannot legally disburse funds to private schools," he said, "an equitable share will be withheld and programs in such schools will be administered by the U. S. Department of Agriculture."

Similar arrangements have been in effect in past years to permit parochial schools to take part in the federal school lunch program, which subsidizes the nation's schools in providing lunches for pupils.

ALLOCATION OF funds to states for the milk program will be determined by a formula based on the total number of children between the ages of 5 and 17 in each state, and the state's per capita income.

Students in non-public schools constitute about 12 per cent of the nation's total enrollment. Their total allotment is expected to amount to about \$5,000,000.

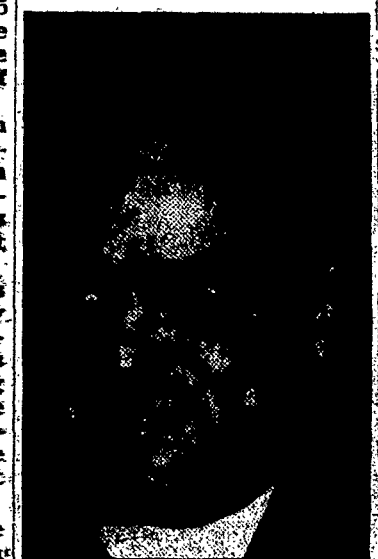
### 100,000 Attend

New Orleans.—(RNS)—Some 100,000 persons jammed Tulane University stadium here for a Marian Year Evening Mass celebrated by Archbishop Joseph F. Rummel of New Orleans.

### Time, Missions Work Wonders

Santa Maria, Brazil.—(NC)—Time and the missions work wonders. Twenty years ago, a priest saying Mass here in the Amazon forests found no one who knew even the Hall Mary. Recently the priest returned to the same spot where a mission had been established in the meantime. He saw a long procession making its way toward a tiny chapel which had become a popular pilgrimage spot during the Marian Year. The people recited the rosary and sang hymns as they walked.

The priest who saw the change that 20 years of missionary work can accomplish is Father Anthony Gols, superior of the Salesian Mission Center at Jaurarete.



FATHER O'CALLAHAN to cool hot, armed bombs rolling around the deck.

He "inspired the gallant officers and men of the Franklin to fight heroically and with profound faith in the face of almost certain death and to return their stricken ship to port," the citation reads.

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