'We, The People' Win In Appeals Court Decision

New York's top tribunal, the Court of Appeals last week demolished the restrictions and excuses which have delayed construction of a parish church and school on the 14 acre Drescher estate at 2615 East Avenue in the Town of Brighton.

At the same time, the Court also opened the way for a Jewish synagogue at Sands Point, Long Island, to develop an estate known there as "The Chimneys." The Sands Point Jewish community acquired the exclusive property as the site for a synagogue and social center. Local authorities there banned construction of the proposed buildings.

The Court of Appeals has directed officials at both Brighton and Sands Point to grant permits for the development of the disputed property for religious uses.

In the Sands Point decision, Chief Judge Albert Conway said, "We think that we should accept the fact that we are the successors of 'We, the people,' of the Preamble to the United States Constitution, and that we may not permit a municipal ordinance to be so construed that it would appear in any manner to interfere with the 'free exercise and enjoyment of religious profession and worship.'"

That simply states that the personal dislikes of a few nearby residents are not sufficient reason to exclude other people from having their church or school in that area.

Brighton property owners had alleged that a church and school would lower property values and cause loss of tax revenue.

Judge Charles W. Froessel replied to that objection, "This state has a declared policy that churches and schools are more important than local taxes."

The Appeals Court termed the Brighton zoning restrictions against church and school construction as an "unauthorized standard."

The top court decision climaxes two years of trying to provide church and school facilities for 1,500 Catholics in the East Avenue section of Brighton.

The simultaneous decision in favor of the Jewish community at Sands Point also reverses similar construction bans there.

These two decisions should now clear the legal air for the entire state for the future. No longer will there be need to waste time and court costs in defending the right of people to have a church and school of their choice in their own neighborhood.

'Batter Up—' If Your Nose Is Right

Louisiana's State Senate has voted to outlaw all sports events in which negroes and whites take part.

Spring baseball training camps and the nationally famous Sugar Bowl football game will be hit if Governor Earl K. Long approves the bill. He has a record already of favoring racial segregation.

It is a striking anomaly that the Louisiana bill was approved by the State Senate on July 5, the day after our nation paid its annual tribute to the Declaration of Independence which states "all men are created equal."

The proposed law also requires separate seating facilities for negroes and whites attending any public event. Even water has to be segregated with separate drinking fonts for each race.

The bill did not go so far, however, as to require colored ping pong balls for negro players.

This Louisiana legislation is evidence of the power of prejudice. Catholic legislators in that state had earlier sought to impose segregation in Catholic schools. New Orleans' Archbishop Rummel threatened them with excommunication for their attempt to enforce the "sin" of segregation.

Catholics with a Klan complex are not restricted to southern states. Some northern nominal Catholics have ideas that Christ somehow died just for white men or built His Church with a color line.

Cardinal Spellman has abolished separate racial parishes in New York on the Christian and American principle that a man is to worship God regardless of where his ancestors came from.

Not long ago, a Detroit scout troop took a hike to a suburban park. One boy, it turned out later he was an adopted child, fell and broke his nose. While the other scouts fixed a camp-site, scoutmaster and victim went to a nearby doctor. The doctor adjusted the nose quickly enough but motioned the scoutmaster to an adjoining room. There he was told that the little fellow was a negro. "You can always tell a nigger by the nose structure," the doctor said.

The boy overheard and though his broken nose would heal he had now a broken heart which could never be mended.

The Detroit doctor like Louisiana's legislators have forgotten that people are people whether they are white, or farmers, or teachers, or black, or anything.

After twenty centuries of Christian faith and nearly three centuries of American democracy it is difficult to explain why a bone in his nose should affect a boy's chances to lead a normal happy life. It is time we all realized that every man has his own personal (and sometimes peculiar) nose and somehow should try to see beyond it.

Strange But True

The Bell Tower

Tragic End

A Salesman was trying to sell a hill-billy a bathtub but he answered "Nope. We tried one; that's what killed Grandpa."

"Killed him! What happened?"

"Well, after we got it in the house I plugged her up and filled her full with water. Then the whole family, from the youngest to the oldest, took turns. The youngest hopped in, then out, then the next youngest—all the way up to grandpa, who was the last. And that's what killed him."

"How?"

"He died in the quicksand."

Special Rates

Two rather overbearing travellers arrived at the hotel and were shown a somewhat dingy room.

"What," asked one, "does this pigsty cost?"

"For one pig, five dollars; for two pigs, eight dollars," the proprietess replied.

Than drinking and driving
There's nothing worse;
It's puting the quart
Before the hearse.

Daily Mass Calendar

Sunday, July 22 — Ninth Sunday after Pentecost (green), Gloria, 2nd prayer* of St. Mary Magdalene, Creed, Trinity Preface.

Monday, July 23 — St. Apollinaris, martyr (red), Gloria, 2nd prayer* of St. Liborius.

Tuesday, July 24 — (1) Mass as Sunday except no Gloria, 2nd prayer* of St. Christina, no Creed, Common Preface; (2) St. Christina, martyr (red), Gloria, 2nd prayer* of Ninth Sunday; VR.

Wednesday, July 25 — St. James, apostle (red), Gloria, 2nd prayer* of St. Christopher, Creed, Preface of Apostles.

Thursday, July 26 — St. Anne, Mother of the Blessed Virgin Mary (white), Gloria.

Friday, July 27 — (1) Mass as Sunday except no Gloria, 2nd prayer* of St. Pantaleon, no Creed, Common Preface; (2) St. Pantaleon, martyr (red), Gloria, 2nd prayer* of Ninth Sunday; VR.

Saturday, July 28 — Saturday Mass of our Lady (white), Gloria, 2nd prayer of the Martyrs, Preface of our Lady; VR.

* — omitted at H. h Mass.
VR — Votive or Requiem permitted.

St. Anne Feast July 26 Draws Throngs To Shrine

Most popular of summer feast days occurs next Thursday, July 26. That date marks the feast of St. Anne, mother of the Blessed Virgin Mary.

Although Scripture makes no mention of St. Anne, tradition confirmed by the devotion and miracles of centuries informs us about her.

Anne and her saintly husband Joachim were prosperous and elderly. They divided their riches into three parts, one for the poor, a second for the temple, and the third they kept for their own support.

Despite their mutual love and the comforts of prosperity they had one life-long sorrow. They were childless.

On one occasion when Joachim and Anne went to the temple to make their sacrifice, Joachim is reported to have heard the voice of an angel speak to him.

"Thy prayer is heard, Joachim," said the angel. "A daughter will be born to you and you are to call her name Mary. She will belong to God from her childhood and the Holy Spirit will be in her."

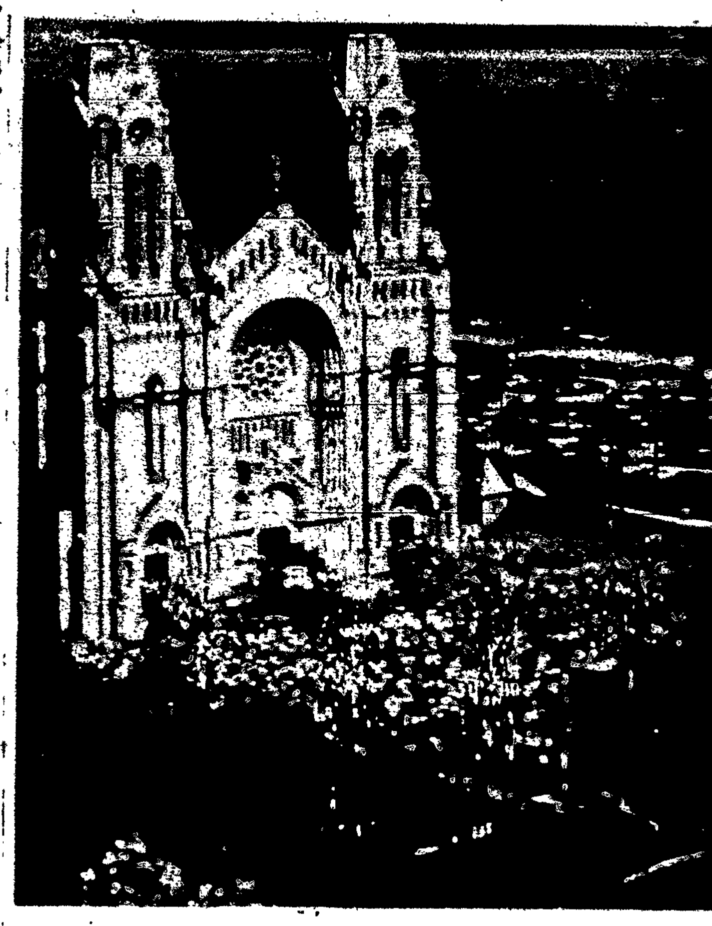
Their prayer was at last answered and Joachim and Anne rejoiced at the birth of their child, the virgin destined to be the Mother of God.

DEVOTION to St. Anne can be traced back as early as the year 150 to Greek and Syrian Christians. Her relics were brought to Constantinople in 710 and other relics were brought to Brittany in 1664. During the middle ages, St. Anne was one of the most widely venerated of saints and had countless parish churches dedicated to her honor.

Most famous American shrine to St. Anne is at the three centuries old village of St. Anne de Beaupre in Quebec, Canada. Breton settlers built a shrine chapel to honor the saint in 1658 and construction was marked by the miraculous cure of a cripple, the first of an endless series of supernatural wonders.

St. Anne is the principal patron of the entire province of Quebec and the shrine there annually draws thousands of pilgrims.

St. Anne is also patroness of expectant mothers and as grandmother of our Lord is especially honored by all devout grandmothers.



Thousands pray in front of famed Beaupre shrine to St. Anne as Quebec Cardinal carries Blessed Sacrament to bless sick in feast day (July 26) rites. Striking cures are reported to have occured at time of blessing with the Blessed Sacrament.

Main altar of vast basilica at St. Anne de Beaupre shrine in Quebec.

PROPONENTS of calendar reform usually lean to arrangements which would prevent the occurence of mid-week holidays. Yet there is something to be said in favor of the off-beat holiday; fewer people are killed in highway accidents. For too many, the long week-end is the last week-end. But, for long trips or short, millions of motorists will be taking to the roads during these summer months. For them, Most Reverened Charles Francis Buddy, Bishop of San Diego, has a suggestion: that they make the Sign of the Cross before starting their motors and then recite this prayer:

Prayer For Motorists

"**O HEAVENLY FATHER,** Who knoweth well our limitations, send forth Thy Spirit to stress the tremendous responsibility of the steering wheel in our hands. Remind us, before starting the motor, too often an engine of sudden death, to make the Sign of the Cross so that the trip may begin with Thy blessing and by it be happily ended.

"Sharpen our wits to keep our eyes on the road; ever mindful that the safety of human lives—so very precious in Thy sight—depends on our alertness and sobriety. Enlighten us to drive with patience, vigilance, and consideration for others in cars and on foot.

"**O DEAREST VIRGIN MOTHER,** ask St. Christopher, patron of travel, to see us safely on our way through thy Divine Son, Our Lord, Jesus Christ. Amen."

Kids' Comics Cleaned Up, Adults Still Buy Smut

Children's comic books have had a remarkable moral bath during the past two years. Two years ago, comic book publishers were being condemned on all sides for the violence and immorality then prevalent in the popular cartoon magazines.

Judge Charles F. Murphy was invited by twenty-four publishers to administer a new "Comics Code Authority" which would weed out the objectionable elements.

This month the National Organization for Decent Literature did not find any comic book in violation of basic moral principles. The comic book industry has cleaned itself up and parents can be grateful that their children will not be exposed to the dangerous reading prevalent two years ago.

Adults however continue to purchase and read tons of smut. Police and municipal courts are often helpless because publishers and distributors scream their "constitutional right of free speech" and drag cases through courts while meantime printing and selling their books and magazines.

Recently a New York publisher Samuel Roth was fined $5,000 and sentenced to five years' imprisonment. He was convicted for sending 10,000,000 (ten million) obscene circulars through the mails.

Federal laws make it possible to prosecute those who use the mails for hawking printed filth but state and local laws are often ineffectual when it comes to control of newsstands, magazine and book racks in drug stores or supermarkets.

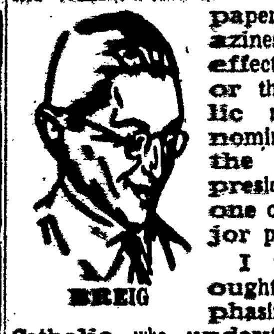
These publications are also readily available to adolescents. A New York City Judge Samuel S. Leibowitz stated that he would like to see publishers and distributors of such books tried before a jury of fathers and mothers whose children had been victims of this vicious literature.

There will always be people whose moral life is twisted. They will want immoral publications either as a stimulus or a substitute for their own immoral cravings.

For the public to bury its head ostrich-like in the sands of apathy and shrug off responsibility with a "what can I do about it?" attitude is simply to condone a continuing threat to the young readers who haven't learned yet to distinguish the trash from legitimate leisure reading material.

Those who regularly shop in stores where objectionable publications are sold are cooperating in the perversion of our nation's moral life.

JOSEPH BREIG ● About Catholic Candidates



BREIG

The urge to make some important distinctions comes upon me when I read stories in newspapers or magazines to the effect that this or that Catholic might be nominated for the U.S. vice presidency by one of the major parties.

I think we ought to emphasize that no Catholic who understands his religion wants to see anybody nominated for anything merely because he or she is a Catholic.

On the other hand, the Catholic — both as a Catholic and as an American — does devoutly desire that nobody be denied a nomination or an election to which he is entitled, merely because he is a Catholic.

NATURALLY we all welcome the news that more and more people who are not Catholics are telling the pollsters that they would have no objections to voting for a Catholic, if he were qualified for the office he sought. The lessening of religious prejudice is always something to be enthusiastically welcomed.

But I serve notice here and now that I will not vote for any man for no other reason than that he is a Catholic; and offhand I can think of at least a couple of prominent Catholics who have no chance at all of getting my vote for anything.

All this is not to deny that a man's religion can make a difference, as can his fidelity to the duties it imposes on him. We should not utterly ignore a candidate's record in this department.

IF WE DEFINE religion broadly as a man's attitude toward the relationship between God and man, then communism is a religion. In that sense, I will vote against a man because of his religion. I will vote against a communist every time.

I will do so because the communist religion or philosophy teaches that there is no God, that human beings are nothing more than animals and may be treated as such, that any crime is moral if it serves to advance communism, that it is nonsense to hold that all men are endowed by their Creator with certain inalienable rights, and so on.

That kind of religion, if it be a religion, makes a man utterly unfit to be trusted with any public office. Indeed, it makes him unfit to be trusted in any capacity. A communist bank teller, if ordered by the Communist Party to rifle the safe, would rifle it.

WITHIN THE AREA of that broad agreement, I will not vote for or against any man because of his religious confession.

As I said, however, fidelity to duty does count in a political candidate. I would be influenced in favor of a man if he had lived up to the faith he professed; and I would be influenced against him if he hadn't.

I think it only reasonable to hold that I cannot feel specially confident about the performance in public office of a man who says he is of this or that faith, but does not discharge the obligations of it. If his church can't depend upon him, can we be blamed for doubting that his constituents can?

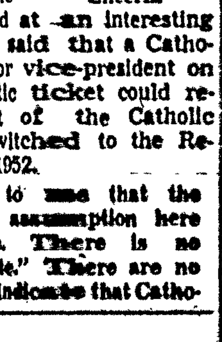
Robert Briscoe, the Irish Jew who was elected Lord Mayor of Dublin after 30 years of public life in the Dublin city government and the Irish parliament, put the essence of this matter rather well. He said:

"The lesson or example that my election should hold for other cities and countries is that merit and service should be the criteria by which a man should be measured."

The Catholic who understands his faith is in agreement on that. The people of Ireland clearly do understand, and do agree. If they didn't, they wouldn't have gone on voting for Mr. Briscoe for 30 years.

FATHER SHEERIN ● 'Catholic Vote' A Phantom?

Is there a "Catholic vote"? According to Arthur Krock of the New York Times (July 5), a survey of the "Catholic vote" has just been completed. Operating under the assumption that Catholics vote as Catholics, not as farmers or union members or old people, the survey arrived at an interesting conclusion. It said that a Catholic running for vice-president on the Democratic ticket could recapture most of the Catholic votes that switched to the Republicans in 1952.



Father Sheerin

It seems to me that the fundamental assumption here is nonsense. There is no "Catholic vote." There are no statistics to indicate that Catholics vote as a bloc. The whole idea is based on political gossip, hearsay and public-opinion polls. The actual ballots never reveal the religion of the voter.

TODAY THE Catholic farmer votes along with other farmers, the Catholic union member votes along with Labor. They do not vote as Catholics. The Church is independent of party politics and the charge that Catholics vote as a bloc is a ripe old egg left over from the days of the Know-Nothings and A.P.A.

It seems to me that a candidate's religion is something like his wife. She may be a source of great inspiration to him. She may be his guide and wise counsellor. But you don't vote for her. Nor do you vote for the husband-and-wife team. You vote for the man. Likewise you vote for a candidate, not for his religion.

But there is one point about this so-called "Catholic switch vote in 1952" that irks me. I recently read a book by certain sociologists who claimed that there was something pathological about this change. These authors gave the impression that Catholics who voted Republican in 1952 were suffering from anti-Communist hysteria.

Now I don't care whether certain Catholics voted Democratic or Republican in 1952, or how many 'Catholics will vote Democratic in 1956. Party politics is not my department. But I do strenuously object to the idea that Catholics had no right to be excited about Communism in 1952. A Catholic who was not excited about it that year would be a pathological case.

The Holy Father had for years been carrying on a campaign against atheistic Communism. He had been crying out to the world his protests against the imprisonment, exile or murder of hundreds of thousands of Catholic clergy and laity. If the Jews were morally indignant about the wholesale murder of Jews by the Nazis, is it strange that Catholics should be indignant over the injustices perpetrated by the Reds?

It was not sectarianism or hysteria that prompted Catholics to stress the anti-Communist issue in 1952. They were honestly concerned about national security. Extreme liberals said the amount of Red infiltration here was so slight that it didn't warrant the limitation of civil rights of Communists.

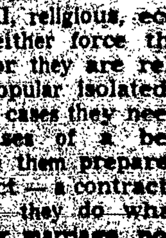
Rev. Thomas T. McAvoy, in "Where is the Catholic Vote?" (Ave Maria, June 16) denies there is any Catholic vote, but insists there should be one in the sense that a Catholic should seek justice and public honesty in government. No one can object to that.

Making Marriage Click

Solemn Engagements, A Timely Tool

By MSGR. IRVING A. DeBLANC
(Director, Family Life Bureau, N. C. W. C.)

Jokesters say that love is blind and that marriage is therefore an institution for the blind! Not that we agree, but of this we are sure: a solemn engagement should help vision, act as a serious novitiate for marriage, and hasten maturity.



Monsignor DeBlanc

A failure to face up to Christian marital responsibilities and duties lies at the root of the problem of the present breakdown. The mere announcement of an engagement today is sufficient for couples to be plagued with undesirable literature telling them how to frustrate the purpose of their union. In addition they receive advertisements inviting them to become entangled in purchases on the installment plan.

The social, religious, economic pressures either force them to surrender or they are relegated to an unpopular isolated existence. In all cases they need help. The promises of a betrothal should help them prepare for a holy contract — a contract which insists that they do what God ordained for marriage, not what they desire or what society teaches.

Many have questions concerning this "Solemn Engagement." This betrothal is a promise to marry put in writing, signed by both parties and the parish priest of the place of contract, or at least two witnesses. For validity the day, month, year and place should be inserted in the document.

This promise is a guarantee of the will to marry. The couple then probably begins to see each other more as they really are. They begin more seriously to learn more of each other's family and friends. Each has been busy, principally putting the best foot forward. Now they are themselves. Know that they solemnly pledge matrimony, each will learn to assume more responsibility, to acquire more altruism, to develop a "we" psychology and depend less on the perpendicular pronoun.

The young man may, even in little things like the clothes he should wear, depend more on his fiancee's judgment than on asking his mother.

THE GIRL learns to trust more and more in her fiance instead of regarding him with a slight distrust or even fear.

The more time an engaged couple spend in dangerous emotions, the less they will learn about the real meaning of their relationship.

The Solemn Engagement is not a convenient cover for intimacies. These are just as sinful after as before this engagement, and in this instance would prevent instead of promoting maturity. Cheating on a Commencement becomes a selfish, suicidal tragic sensation. Admiration, pride, love, respect are lost.

In the solemn engagement ceremony frequent reception of the sacrements is stressed. The virtues of purity, self-discipline, Christian love are taught. The fiance is reminded that the bride must have the right to wear a white dress for her nuptial Mass.

Though the solemn engagement is a grave promise, it can be broken for as many as nine reasons — for example, mutual agreement, constant quarrelling, the decision to become a priest or nun, the change of conditions not foreseen, the unlikelihood of a successful marriage, and so on. The Church does not wish to use any force that might make marriage unhappy.

Whatever promotes the sanctity, solemnity, and indissolubility of marriage is good. We submit that this bethrothal should do that.

Courier Journal
OFFICIAL NEWSPAPER OF THE ROCHESTER DIOCESE

Vol. 67 No. 43, Fri., July 20, 1956

MOST REV. JAMES E. KEARNEY, D.D., President.

Member of the Audit Bureau of Circulations and the Catholic Press Association. Subscriber to National Catholic Welfare Conference News Service, Religious News Service.

Published every Friday by the Rochester Catholic Press Association.

MAIN OFFICE 35 Scio — BAker 5216 — Rochester 4, N. Y.

AUBURN OFFICE — 41 Grant Ave. Auburn 3-3515

ELMIRA OFFICE — 311 Realty Bldg. Phone 2-4466 or 2-3423

Entered as second class matter in the Post Office at Rochester, N. Y., as required under the Act of Congress of March 3, 1879.

Single copy 10c; 1 year subscription in U. S. $4.50; Canada, $5.00; Foreign Countries $6.25