

# Italian Court Fines Bishop

(Continued from Page 1)  
more people gathered in front of his residence and demanded to see him. The Bishop appeared and said:

"Pray and forgive."  
He asked the crowd to "pray for our diocese and for the Church in general and let us offer our sorrows for the salvation of souls. I am serene in everything which happens on earth because God has willed it so and the designs of the Lord are infinite."

DURING HIS sermon at the cathedral the day after his conviction, the Bishop noted that although he would prefer to retire "in silence and in prayer," his priests had asked him to speak.

"The independent sentiment in my heart is one of complete forgiveness. Beloved brothers, this evening your Bishop feels the need of telling you, the whole diocese and, if it is legal, the whole of Italy and the world that with fatherly sentiment I forgive completely all those people who because of misfortune and without wishing to have done me wrong."

He also asked the congregation to forgive, since "neither I nor you are competent to declare sacrilegious or sinful an act which brought your Bishop to trial."

He counseled his hearers to remember Christ's forgiveness, declaring "I consider myself most unworthy and am deeply moved that God has deigned to associate me in His cross."

THE BISHOP, however, went on to say:

It is "my duty to express, in all humility that if anyone could think that as a result of the recent regrettable event your Bishop will remain silent, that person is mistaken."

"I was consecrated a Bishop," he continued, "and I pledged myself to teach the Gospel of Christ to my people. I was admonished by the consecrating Bishop not to call light shadow nor to call shadow light. Not to call good evil nor evil good. With God's help and until I die I will respect these principles. I will never betray the Holy Gospel for human advantage."

"I do not make this statement in the way of an argument or challenge, but with feelings of great love, with that great love I have for all my sons of whom I must give an account not to human beings but the Divine Judge."

THE BISHOP said that he would never call "atheist and inhuman Marxism" or the "immorality of youths and adults" good.

He said that he would never recognize as good "that unfortunate laicism, based on hatred, which is the ruin of Italy."

Speaking of his pastoral letter which led to the first civil trial of a bishop in modern Italy, he called it "a defense of the Christian family."

He ended his sermon with the following appeal:

"Do not give way to sentiments of hatred or revenge. There must only be love."

In Rome L'Osservatore Romano carried a front-page editorial on the trial and noted that "our attention has been called to Canon 2341 of Canon Law which states that whoever dares to bring before a lay judge... one's own Ordinary... automatically incurs excommunication reserved in a special manner to the Holy See."

At the Bishop's trial in Florence the Public Prosecutor, who under Italian law represents the state in certain civil cases, called for an acquittal. He told the court that Bishop Floridelli was not guilty of a crime because he acted under the erroneous but excusable conviction that he was fulfilling a duty.

THE PROSECUTOR'S call for acquittal is an action rare in the proceedings of Italian courts. In so doing, Prosecutor Mazzanti gave four reasons as his opinion in the case:

● The words contained in Bishop Floridelli's letter could be considered injurious to the Bellandi couple. But the Bishop was within his rights in having the letter read in church.

● The Bishop's letter must be considered in the light of the "public order and the concord" between Italy and the Holy See and not, as demanded by Mr. Bellandi's attorneys, solely in the light of the civil penal code. To do so would be anti-constitutional and against the concordat.

● The Bishop exceeded the limits of his powers in the light of Canon law in referring to civil marriage as being "sacred, licit marriage," but was with

in his rights in charging the couple with being "public sinners" for refusing religious marriage.

● The Bishop in exceeding the limits of his powers may have been guilty of culpable excess, but he lacked the "wilful intent" which would make it a crime of defamation or constitute an injury to Mr. Bellandi.

THE PROSECUTOR concluded that Bishop Floridelli's action lacked the subjective element which would make it a crime because the Bishop believed he was acting in accordance with his spiritual powers and because of the circumstances and publicity which accompanied the civil marriage. Mr. Mazzanti also cited the fact that the Pope and the Church have been severe in reference to civil marriages.

At the beginning of the trial, Bishop Floridelli had sent a letter to the presiding judge of the Florence court defending his own right to exercise "the spiritual government of the faithful" and declining to appear in court.

Concerning his refusal to appear, Prosecutor Mazzanti said that "without censuring the reasons which motivated" the Bishop's refusal, the Italian court has the right to try the case in the Bishop's absence. He noted that Italian law provides personal immunity from public penal action only in cases involving the Pope, diplomats, cardinals in episcopal orders, government ministers and bishops in council.

"I therefore vindicate the full complete and absolute sovereignty of the jurisdiction of Italian justice in this matter..." he said. "No one can be exempt from the laws of the State."

DEFENSE ATTORNEY Ugo Fortini echoed the prosecutor's call for acquittal. He asserted that "no one could be mistaken concerning the religious nature" of the Bishop's letter.

Defending the use of the word "concupiscence," Mr. Fortini alluded to a sentence passed in the Italian Supreme Court in the case of a couple who had contracted only civil marriage and in which the woman was referred to as a "concupiscence." Mr. Fortini added that no one had thought to sue the judges for using such a word.

The defense ended by demanding full acquittal, asserting that "the fact of the letter prompting the suit does not constitute a crime."

## GOD LOVE YOU!

By MOST REV. FULTON J. SHEEN

We received a letter this week from a Missionary Diocese in Korea, in which the Bishop noted the number of priests in the Diocese and also the number of converts.

Conversions are due to four factors:

- 1) The zeal of the clergy.
- 2) The zeal of the faithful in bringing truth to others.
- 3) Responsiveness to grace on the part of the convert.
- 4) Most important of all, the illumination of the soul by grace.

Here is a list of conversions in four of the largest Dioceses in the United States:

Diocese	Converts	Number of Priests per Year	Converts per Priest
Chicago	14,000	2,547	5.49
New York	3,060	2,344	2.15
Boston	1,855	2,077	.90
Philadelphia	4,325	1,576	2.70

In a certain Diocese of Korea, there were 10,000 converts a year, with a total number of 44 priests. The instructions last eight months and the convert is examined in his faith every year after conversion. Conversions in that Diocese per priest per year number 361.

Each reader can decide himself the reason why there are so few conversions in the United States in comparison with Korea. But regardless of the reason he decides, this fact remains: if any reader wants to participate directly and immediately in the salvation of a soul, let him aid the Missions. That is why the Holy Father said: "Charity to the Society for the Propagation of the Faith surpasses all other charities as heaven surpasses earth and eternity, time."

GOD-LOVE YOU to Mr. and Mrs. J. S. "We are sending this \$10. to the Missions because we are blessed with so much and they with so little." 2 to M. A. M. "I am nine years old. Two weeks ago I started to get fifty cents a week. Now I have one dollar and fifty cents to send someone who needs it more than I do... here's \$1.50." 2 to T. R. "One for the first week of Lent and two dollars from keeping the pennies out of my purse \$3 in all."

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## Deanery Unit Hears Educator

MACEDEON'S St. Anne Society was host for Wayne Deane's First Saturday luncheon March 1 held in St. Patrick's parish hall. Mrs. Joseph Gravino (left) and Mrs. Richard Garney welcomed Monsignor Charles V. Boyle, guest speaker.

COURIER-JOURNAL  
Friday, March 7, 1938

## Nazareth Junior Chosen For Board

Geneva—Elda Clasing, daughter of Mr. and Mrs. Hans Clasing, Melvin Hill Rd., was chosen a member of Mademoiselle's 1938 National College Board. Miss Clasing is a junior at Nazareth College.

As a college board member, she will represent her campus and report to Mademoiselle on college life and the college scene. She will complete two assignments that will help her explore her interests and abilities in writing, editing, fashion, advertising or art, in competition for one of 20 Guest Editorships to be awarded by the magazine at the end of May.

Guest editors will be brought to New York for four weeks next June to help write, edit and illustrate Mademoiselle's 1938 College Issue. Their transportation will be paid to and from New York and they will receive a regular salary for their work.

## Requiem Rites Held For Nuns

Funeral services for two Sisters of Mercy and a Sister of St. Joseph were conducted during the past week in the Diocese of Rochester.

### SISTER M. FIRMINA

Solemn Requiem Mass for Sister M. Firmina Wall of the Sisters of St. Joseph, a teacher in the diocesan schools for more than 30 years, was celebrated Tuesday morning at Nazareth convent, Pittsford.

Rev. William Messner, S.J., was celebrant of the Mass. He was assisted by Rev. Anthony Pohl, S.S.C., deacon, Rev. John Coughlin, subdeacon, and Rev. Albert H. Schneck, master of ceremonies. Also present were Right Reverend Monsignor Louis Edelman and George V. Preslinov and Rev. Donald J. Murphy.

At the grave the last blessing was given by Father Schneck, assisted by Monsignor Joseph H. Getoff.

SISTER FIRMINA entered the Sisters of St. Joseph in 1894 from Immaculate Conception parish, Rochester. She was a teacher for long periods in St. Mary's School, Elmira and in St. Francis de Sales School, Geneva. She had also taught in St. Bridget's, Corpus Christi, and St. Augustine's Schools in Rochester. Five years ago she retired from active duty and was assigned to immaculate convent, Pittsford.

Parental Duties  
Valleau City — (RNS) — The Vatican Radio inaugurated a series of lectures on the duties of Catholic parents.

Heart of Mary Convent, where her death occurred.

Surviving are two cousins, Della McGuire and Alden McGuire of Rochester.

### SISTER MARY ALACOQUE

Hornell — Funeral services for Sister Mary Alacoque Herchack of the Sisters of Mercy and assigned to St. James Mercy Hospital, Hornell, were held Feb. 28 at the hospital chapel and in St. Ignace's Church.

Solemn Requiem Mass was celebrated by the Rev. William H. Hervey, chaplain, assisted by the Rev. Joseph Haffey, deacon and the Rev. Joseph Smith, subdeacon.

Also in the Sanctuary were Monsignor Lawrence Gannon, V.E., and the Reverend Fathers James F. Slattery, John S. Hayes and Norbert L. Nolan.

Sister Mary Alacoque died Sunday, Feb. 23, 1938 at the hospital.

After graduating from Georgetown School of Nursing at Washington, D.C., she entered the Sisters of Mercy in 1925. She was assigned to St. James Mercy Hospital in 1928 after serving her novitiate.

During Sister's service, she was department supervisor for a number of years and celebrated her Silver Jubilee July 19, 1933.

Surviving are her sisters, Mrs. Catherine Schwab of Lebanon, Pa., and Rose Herchack of New York City; one niece and one nephew.

Funeral arrangements were handled by Killeen Funeral Home and burial was in St. Ann Cemetery, Hornell.

### SISTER MARY CLAVER

Requiem High Mass for Sister Mary Claver McLaughlin was offered in the Sisters of Mercy Mother House, Wednesday, Feb.

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