

School Prayer Wins Court OK

BROOKLYN — (NC) — Voluntary recitation in public schools of a 22-word prayer recommended by the State Board of Regents has been upheld by the Appellate Division of the State Supreme Court.

The five justices of the state's second highest court upheld (Oct. 17) an August, 1962, ruling by Justice Bernard S. Meyer in Mineola, N.Y., which said the prayer's recitation does not violate constitutional provisions regarding separation of Church and State.

THE PRAYER recommended by the Regents in 1961 reads: "Almighty God we acknowledge our dependence upon Thee and we beg Thy blessings upon us, our parents, our teachers and our country."

Use of the prayer in public schools was challenged by the New York Civil Liberties Union in a suit brought in behalf of five residents of the Herricks School District of Nassau County.

The plaintiffs charged that publicly-supported facilities, such as public schools, may not be used for prayers and other religious devotions. They cited the First Amendment's separation of Church and State.

The Appellate Division noted that the prayer was recited on a noncompulsory basis so as to eliminate any element of coercion.

Four of the Justices expressed their opinions in four paragraphs. One, Justice J. Baldwin, issued lengthy additional remarks.

JUSTICE BALDOCK disagreed with the plaintiffs' demands for upholding the prayer's recitation as expressed by the lower court. That court held that recitation was unconstitutional because it was the acceptable practice at the time of the adoption of the two pertinent constitutional provisions, the First and the 14th Amendments.

He argued that the prayer must wait until the lower court's decision.

Justice Baldeck disagreed with the lower court's insistence that recitation of the prayer be on a voluntary basis, the Justice disagreed with the lower court's suggestion on how to best deal with pupils who refuse to say the prayer.

In an effort to indicate how public school boards can avoid recitation by a teacher or student "subtly pressure" upon pupils and other students to invite them to say their prayer, he suggested that the teacher not insist that they say their prayer, to do so by repeating it aloud, or

by having them recite it in a soft voice or by silent meditation.

"In other words, even though

No Debate at Al Smith Dinner

NEW YORK — (RNS) — Francis Cardinal Spellman, Archbishop of New York, introduced Vice President Nixon and Sen. John F. Kennedy (D-Mass.) at the 16th annual Alfred E. Smith Memorial Dinner in New York. Both Presidential candidates agreed that the religious issue would not be as strong a factor in this year's election as it was in 1952. The \$100-a-plate dinner supports extensive charity programs.

the lower court judges suggested in a soft voice or by silent meditation.

Justice Baldeck disagreed, saying he sees in both recommendations "a potential problem" on unwilling students which "may rise to the level of compulsion."

He said his preference is that the prayer be conducted in a way similar to the invocations in public or private functions.

The prayer, he said, could be said in an effort to indicate how

public school boards can avoid recitation by a teacher or student "subtly pressure" upon pupils and other students to invite them to say their prayer, to do so by repeating it aloud, or

by having them recite it in a soft voice or by silent meditation.

Despite these precautions, however, he admitted, there may be "some vestige" of compulsion due to embarrassment.

"Such embarrassment, however, is the inevitable consequence of dissent; it is the price which every nonconformist must pay," he said.

Clothing Drive

Blacks Kearney announced this week that the parishes of the Rochester Diocese will take part in the Bishop's Thanksgiving Clothing Collection, to be held during the week of Nov. 20.

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public school boards can avoid recitation by a teacher or student "subtly pressure" upon pupils and other students to invite them to say their prayer, to do so by repeating it aloud, or

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FBI Head Warns Of Red Gains

Miami (NC) — The teachings of God and the stabilizing force of religion are needed urgently today to rekindle a spirit of patriotism which will combat communism, FBI Director J. Edgar Hoover declared here.

In an address before the 42nd annual American Legion convention, Hoover counseled: "We must be real champions of America if we are to defeat our enemies within and without."

THE FBI DIRECTOR called that at a legion convention three years ago when he mentioned a Soviet leader named Nikita Khrushchev, many throughout the world were still trying to learn to spell his name.

"But the American Legion and the FBI both knew what to expect from him," he said. "Front man for communism, who piously professes friendship one moment and then so pompously pronounces that your grandchildren will live under the heel of communism."

"Hoover continued. "The FBI director disclosed that last June the State Department estimated there are some 300,000 trained spies in the world, and that communism is carrying throughout the world. He said there never had been a government in history which placed heavier emphasis on espionage than present-day Russia."

He added that "America must adhere to the laws of God and man" to combat the encroachment of communism and Red espionage.

"Standing side by side with these specialists in internal intrigue," Mr. Hoover said, "are those home-grown traitors who call themselves members of the Communist Party, USA, and readily admit that their purpose is to destroy our country."

"Such embarrassment, however, is the inevitable consequence of dissent; it is the price which every nonconformist must pay," he said.

Find Phase Of Fund Drive

(Continued from Page 1)

The huge War Memorial auditorium was a sea of color for the hour-long spectacle.

Uniformed Fourth Degree Knights of Columbus and crack drill units of the Knights of St. John and Auxiliary groups escorted the Bishop's procession to the stage.

Auxiliary Bishop Lawrence B. Casey and thirty monsignors major educational institutions have been duped, under the Bishop Kearney at his throne.

Laymen, members of the campaign executive committee, were also seated on the stage.

The Aquinas band and a massed choir of students from Rochester's three girls' high schools furnished the musical program.

PARNISH GROUPS, many with signs, posters and banners, filled the horseshoe seating area to near capacity.

A report meeting is scheduled to be held at the Memorial next Wednesday and the final "Victory" rally on Nov. 30.

"We have failed in our educational process to inculcate in our children the basic elements of American history, our philosophy of government and our moral and spiritual foundations," the FBI director said. "It is time to make our history and traditions registration of 3200 pupils, boys and girls, taught in separate classrooms by separate teaching staffs."

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