

# Federal Education Plan 'Hostile' To Private Schools, Says Keating

Washington — (NC) — Sen. Kenneth B. Keating of New York told the Senate the administration's recent brief on Federal aid to church schools aims at isolation of non-public education.

The legislator said that "both the premises and conclusion reveal a basically hostile attitude towards non-discriminatory Federal grant-in-aid programs."

Mr. Keating's comments came in an analysis he prepared of the administration's recent (March 28) legal brief to Congress which held that across-the-board, or unrestricted, aid of any type of church-related schools would be unconstitutional.



Sen. Keating

**THE BRIEF**, prepared by the Department of Health, Education and Welfare and the Justice Department, said that the only possible constitutional Federal aid to church schools would be for "special purposes not closely related to religious instruction."

Sen. Keating said that, despite the brief's interpretation of relevant Supreme Court decisions, he concluded that these same cases "strongly suggest that exclusion of private and parochial schools from general Federal aid may raise serious constitutional questions."

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The Supreme Court, he contended, "has been at pains to point out" that the dual educational system of the United States is a result of the

## Church Too Small? Knock Down Wall

Gorsefield, Wales — (NC) — When an overflow crowd came to this predominantly Methodist town's tiny Catholic church for a mission, the pastor simply knocked down the rear wall so that all could hear.

Father Gerald Hiscoe, the pastor, said the tumbledown church needed rebuilding anyway.

## African Chief Given Baptism

Rumbek, The Sudan — (NC) — The first chief of the large Azande tribal group to become a Catholic while still in office has been baptized here.

**HE IS CHIEF** Matthew Diko, who heads the Azande tribesmen of the Ezo region in southern Sudan. Baptized along with the 70-year-old chief were several other tribesmen, including two former witch doctors. Chief Diko's children have been educated in Catholic schools.

Some 230,000 of the 750,000 members of the Azande tribal group live in the Sudan. About 500,000 inhabit the neighboring Congo and the rest live in the Central African Republic.

## Daylight Time Begins Sunday

Daylight Saving Time in areas of the Diocese of Rochester, where voted, will begin Sunday, April 30 at 2 a.m. Clocks should be set ahead an hour the night before. Church services will be scheduled on Daylight Saving Time, Sunday, April 30.

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States "is constitutionally protected against government action which would destroy church-supported elementary schools."

The Senator reaffirmed his belief that the solution to aid-

## Perspective

# Conditional School Aid

By RAYMOND MOLEY  
(Reprinted from Newsweek Magazine)

Since the position of the prelates of the Catholic Church agree in principle but vary somewhat in specifics on Federal aid limited to the public schools it will clarify the issue to present the views of Francis Cardinal Spellman as an example. The cardinal's views are most important since his school system is one of the largest in the United States.

In his archdiocese of New York, which includes Manhattan, Staten Island, the Bronx, and seven counties to the North (exclusive of Brooklyn, Queens, and the rest of Long Island), 216,013 elementary and secondary school children are enrolled. The annual cost of conducting or operating these schools is \$106,612,440.

Far from being unfriendly to the public schools, the cardinal, as a citizen of the community, has used his influence for their improvement. He, himself, attended and graduated from public elementary and high schools. I have discussed the subject with him and these are his views on the President's announced plan:

The Catholic schools are equal partners in the great task of educating and training Americans to live in a free society.

Therefore, the cardinal is asking for equitable treatment, under the laws, for all children, regardless of the schools they attend.

The parents of these children are and have been paying taxes for public schools and at the same time have supported their own parochial schools. They would, under this Federal aid Plan, pay still another tax to the Federal government. There are plenty of precedents for most discriminatory Federal aid in Federal legislation such as in the National Defense Education Act, in providing school lunches and in aid to college students. The cardinal questions whether there is an essential difference between putting a roof over a pupil's head and giving him a lunch or medical attention.

The President's announced reason for limiting aid to public schools is that aid to private schools would be unconstitutional. The cardinal notes that there is a marked difference in authoritative opinion on that subject.

Prof. Arthur E. Sutherland of the Harvard Law School states that non-discriminatory Federal aid would be constitutional. Sutherland says that the First Amendment to the Constitution, cited by opponents of Federal aid to church schools, was aimed against the establishment of a state church, but not specifically against any particular aid to a church or the members thereof.

The cardinal points to the enrollment of more than 5 million children in the elementary and secondary schools in the United States. The support of these schools is at an annual cost of \$13 billion. This represents a major contribution by members of the church to the costly task of education, and a major relief to the generosity of American taxpayers.

The foregoing are the cardinal's views. A fine statement of the Catholic position

ing parents of children in non-public schools is a tax rebate.

He said a bill (S. 792) that he had introduced would permit individuals filing Federal income tax returns to deduct from their gross income fees and tuition up to \$300.

"Such a program could serve as a supplement to direct Federal assistance to public schools, and the two programs together would be well designed to foster our dual systems of education," he claimed.

SEN. KEATING opposed President Kennedy's proposal that bills to give Federal help to private and parochial schools be treated apart from legislation to aid public schools.

"What separation really does," he charged, "is initially to determine the constitutional issue adversely to the position of the church-supported schools, for it implies a rejection of the principle that both systems of education should be treated in a non-discriminatory manner by the Federal government."

A separate bill, he continued, would appear to favor parochial schools "solely as religious institutions" and thus "would serve to buttress arguments against their support."

"This would raise regrettable, practical consequences and it would be inconsistent with the sanction the Supreme Court has given to reasonably non-discriminatory treatment of all educational institutions," he said.

is a recent article by Dr. Mark J. Hurley, a notable educator in the archdiocese of San Francisco:

"In a democratic society all citizens must share equally under the law in both the burdens and benefits within the community. The government in distributing its burdens such as the income tax and military service does so without distinction of race, color, creed, national origins, or of what kind of school a citizen attended. Similarly it distributes its benefits, considering all equal before the law without arbitrary or artificial exclusion. This is distributive justice . . .

To deny benefits on the grounds that a student attends a public school or is taking a different curriculum, or is studying religion in addition to the common branches, while at the same time imposing all the burdens of a compulsory education law violates distributive justice. The principle of distributive justice would seem to require that a proportionately just share of public support should be made available to schools that serve the public interest. What is a proportionate share, how such should be determined, what needs are in question are matters for solution but the principle remains intact."

There is nothing in early Church tradition or records relating to any martyr named Philomena. But remains discovered in a Roman catacomb in 1802 were popularly acclaimed as those of St. Philomena, virgin and martyr. Historians, however, have long doubted that the remains found in 1802 were those of anybody named Philomena.

The spokesman for the Congregation of Rites, who declined to be identified, noted



## Ground Broken For New School

GROUND was broken for the new St. Philip Neri School on Clifford Ave. last Sunday by the Rev. George J. Weinmann, pastor, center. With Father Weinmann are the Rev. Edward E. Steinkirchner, assistant pastor of Holy Apostles Church, and the Rev. William M. Roche, Diocesan Superintendent of Schools.

# Fisher Lists Cardinal For Degree, Address

## Basilians, State Honor Dean

The Rev. Robert M. Fischette, C.S.B., Ed. D., Dean of St. John Fisher College since 1959, was appointed Director of Studies of the entire Order of Basilian Fathers, it was announced this week.

Father Fischette, a native Rochesterian, will plan the undergraduate and graduate programs of study for the seminarians who will staff high schools and colleges directed by the Basilians in Canada and the United States.

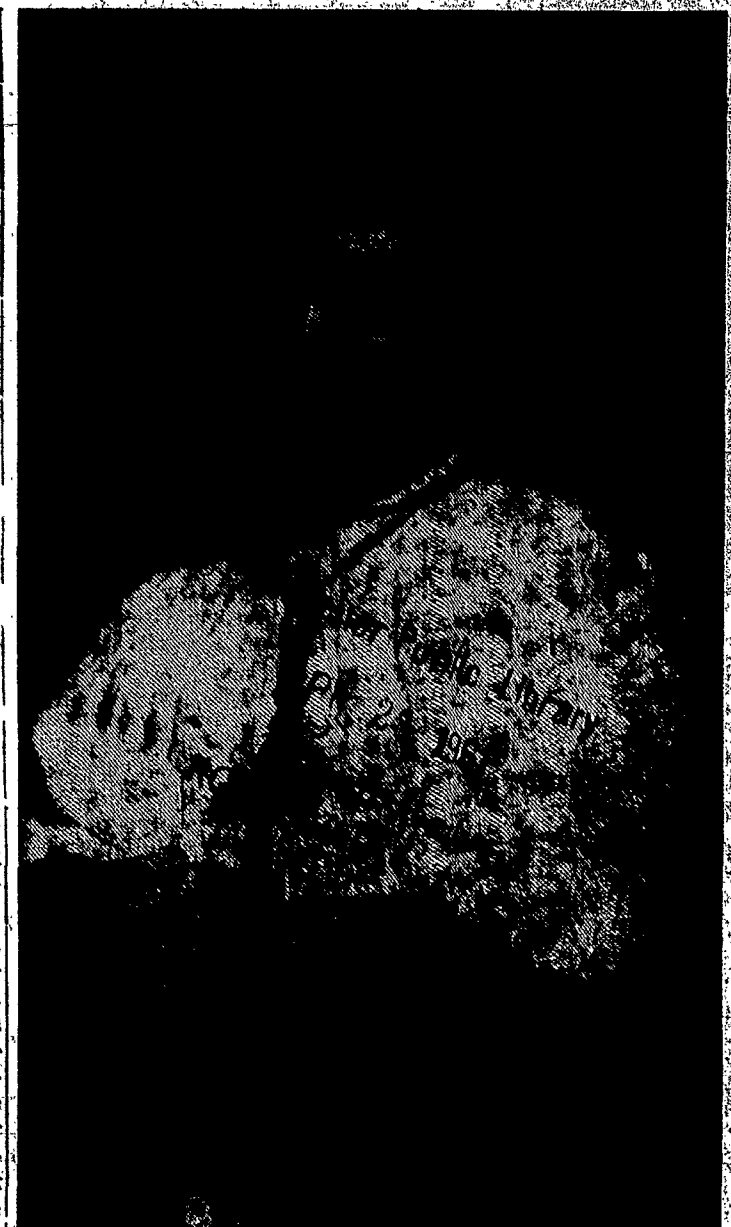
IN ADDITION to his duties as Dean of the local men's college, Father Fischette has been directing the teacher certification programs for the Basilian scholastics.

For the present, Father Fischette will continue as Dean of St. John Fisher.

This week Father Fischette was also named registrar for all research work in the philosophy of education by the New York State Educational Research Association.

In making the announcement, St. John Fisher College president, the Very Rev. Charles J. Lavery said: "The recognition of Father Fischette's outstanding ability in the field of teacher education in New York State and his appointment as Director of Studies for the Basilian Order are evidence of the debt which St. John Fisher College owes him for the contribution to the development of its educational program."

FATHER FISCHETTE



Cardinal Spellman

Cardinal Spellman, Archbishop of New York, will deliver the major address at the Commencement of St. John Fisher College on June 4, according to an announcement made yesterday by the Very Rev. Charles J. Lavery, C.S.B., president.

"CARDINAL Spellman will come to Rochester to help us mark the tenth anniversary of the founding of St. John Fisher College," Father Lavery said. "In addition to making the Commencement address, he will receive an honorary L.L.D. degree, the first honorary degree ever awarded by the College."

The degree will be awarded to the Cardinal for his outstanding services as a churchman, an educator and for his interest in helping to establish the College in 1954. During World War II, he served as an attaché to the Papal-Secretary of State.

Before being named Archbishop of New York in 1959, Cardinal Spellman had a distinguished career at the Vatican and as an auxiliary bishop in the Boston Archdiocese. He was the first American priest to serve as an attaché to the Papal-Secretary of State.

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## Final Rites Offered For Father Hynes

Auxiliary Bishop Casey celebrated a Pontifical Mass of Requiem for the Rev. Michael L. Hynes on Wednesday, April 26 at 10:30 a.m. in St. Peter and Paul's Church, Elmira.

Father Hynes, 70, died on April 23, 1961.

Chaplain to the Monastery of the Dominican Nuns of the Perpetual Rosary since 1953, Father Hynes was a former procurator at St. Bernard's Seminary.

SERMON AT the funeral Mass was preached by the Rev. Joseph F. Hogan, chaplain of Notre Dame High School, Elmira.

(Sermon on page 2)

Assisting Bishop Casey were: the Rt. Rev. Msgr. Leo Schwab, V.F., assistant priest; the Rev. George J. Weinmann, deacon; the Rev. Francis C. Waterstraat, subdeacon; the Very Rev. Msgr. Edward J. McAniff, 1st master of ceremonies; the Rev. Gerald Connor, 2nd master of ceremonies; the Rev. Philip McLaren, thurifer; the Rev. Thomas C. Lambert, Donald Gerry Langworthy, acolytes. Minor offices were filled by priests of the Rochester Diocese.

Office of the Dead was chanted on Tuesday evening, April 25 in St. Peter and Paul's Church.

In his sermon, Father Hogan said of Father Hynes: "If I were to single out his characteristics, I would place his zeal at the top. He was his all for his Master—his body and his soul, his hands and his heart. He never thought of himself, but of the dignity of the priest to indulge in manual labor."

"For him to work was to pray," Father Hogan continued, "therefore his prayers were many."

Present at the Funeral Mass

Monuments and Markers for Holy Sepulchre. The better way to choose a monument is to see our indoor display. You will appreciate our new plan. TROTTER, 110 Mt. Hope. GE 5-3711-Adv.

Father Hynes is survived by two sisters, Miss Mary Hynes of Rochester and Mrs. Anna Hynes of Grinnon Hills, Calif., and niece and nephew.



FATHER HYNES

GIVE THEM COURAGE. Send flowers from BLANK CHAIRS. Flowers arranged in good taste and dignity. Call Baker 5-8482. Open daily 11 a.m. to 6 p.m.—Adv.

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