

War Legality Suit Rejected

Washington, D.C. — (RNS) — The U.S. Supreme Court, by a vote of 6 to 3, refused to hear a case in which Massachusetts was questioning the legality of U.S. action in the Vietnam war.

Voting against hearing the state's action were Chief Justice Burger and Justices Blackmun, Black, Brennan, White and Marshall. Voting to hear the Massachusetts case were Justices Douglas, Harlan and Stewart.

Court Sidesteps Abortion Case

Washington, D.C. — (RNS) — In a unanimous action, the U.S. Supreme Court refused, without comment, to prohibit the trial of a Minnesota doctor for performing an abortion.

Dr. Jane E. Hodgson of St. Paul is facing trial for performing an abortion on a married woman who had German measles. Her lawyers said that the woman's life was not in danger, but that the child would have been born with eye, heart, liver, or brain damage. Minnesota prohibits abortions unless the patient's life is at stake. If convicted, Dr. Hodgson will lose her license automatically.

'Minority' Doubled at NDU

Notre Dame, Ind. — (RNS) — The University of Notre Dame has 69 minority students in the 1970 freshmen class of 1,737. There were 34 in the 1969 entering class of 1,650.

In the freshman group this year are 58 black students, double the number in 1969, 10 Mexican-Americans and one American Indian.

A total of \$101,104 in student aid funds was given to minority group freshmen. This included \$40,600 of a special \$160,000 "Cotton Bowl" fund — made possible when the university broke a long ban on post-season football appearances with the understanding that net receipts would go to minority student aid.

'Non-believers' Can't Adopt

East Orange, N.J. — (RNS) — A New Jersey judge has told a couple they cannot adopt a child because they do not believe in God.

At a hearing on their application to adopt a 17-month-old girl they have cared for since shortly after her birth, Mr. and Mrs. John Burke said they had no religious affiliation. Essex County Superior Court Judge William J. Camarata ordered them to return the girl to the Children's Aid and Adoption Society here.

The Burkes formerly taught at the Catholic Seton Hall University in South Orange. Burke now is a speech pathologist at the University of Southern Illinois.

Judge Camarata cited a provision of the New Jersey constitution that says, "No person shall be deprived of the inestimable privilege of worshipping almighty God in a manner agreeable to the dictates of his own conscience." He said the child should not be "influenced by prospective parents who do not believe in a Supreme Being."

Mr. and Mrs. Burke said they would appeal the judge's decision with the support of the adoption agency and the American Civil Liberties Union. The couple, who have no children of their own, won a similar fight in 1968, when they adopted a baby boy after a dispute over their acknowledged lack of religious affiliation.

Some Catholic Schools To Close in Michigan

Lansing, Mich. — (RNS) — A Michigan Catholic Conference official warned here that some of the state's 550 parochial schools would definitely be forced to close as a result of the amendment to the state constitution, voted by the people, which bans parochial aid.

The comprehensive amendment affects some 20 services.

In a formal opinion, Att. Gen. Frank Kelly ruled that the new bill will prohibit public schools from offering auxiliary services or shared time classes to non-public school students.

Some state educational officials, however, expressed doubt that the attorney general's opinion would stand.

"You will see a situation where the public school people will sue to be permitted to provide auxiliary services to non-public school students," one official stated. "I am certain that courts will resolve this in a way everyone will be able to accept."

Francis J. Coomes, executive director of the Michigan Catholic Conference, noted that the full implications of the complex bill have not yet been determined by conference attorneys — who are now studying legal alternatives.

At the same time, he said, they are trying to assess the possible impact of the bill on the parochial school budget in order to determine how many schools have to be closed—and how soon. Some schools may close at the end of this semester and others at the end of the academic year, Coomes predicted.

He explained that there is a "very intricate relationship" between the private and public schools, with "shared time classes" an extremely vital part of the parochial school system.

Under the new amendment, students attending parochial schools will be prohibited from receiving specialized training at public schools. Among these are drivers' training, vocational education, mathematics and science for some parochial students.

The amendment also bans auxiliary services such as street crossing guards, health and nursing services, physical examinations and remedial reading instruction which were authorized by the Legislature in 1965.

The bill is scheduled to become a part of the Michigan constitution on Dec. 18. Until then, the state's 800 non-public schools are apparently able to receive services.



New Bishop

Auxiliary Bishop Daniel A. Cronin of Boston, 43, has been named the new Bishop of Fall River, Mass. He succeeds Bishop James L. Connolly, 76, who retired for reasons of age and health. Bishop Cronin, a native of Newton, Mass., has served in the Vatican Secretariat of State and has been an auxiliary bishop of Boston since 1968. (RNS)

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