

Bingo, Religion and Adoption Laws, Motion Picture Censorship, Lottery Charges Against Sisters Dismissed, Comic Books

Follow this and additional works at: <https://scholarship.law.stjohns.edu/tcl>



Part of the [Catholic Studies Commons](#), and the [Religion Law Commons](#)

This Postscript is brought to you for free and open access by the Journals at St. John's Law Scholarship Repository. It has been accepted for inclusion in The Catholic Lawyer by an authorized editor of St. John's Law Scholarship Repository. For more information, please contact selbyc@stjohns.edu.

POSTSCRIPTS

Bingo

The New York State Legislature, in the past session, rejected several bills which would remove the penal sanctions against gambling when bingo games are conducted by religious, charitable, or non-profit organizations. However, both the Assembly and the Senate passed a bill which would amend the New York State Constitution to exclude bingo and similar games from the prohibition against gambling. The bill provides that any city, village or town may authorize the conduct of such games, subject to state supervision and control, if the games are conducted only by religious, charitable or non-profit organizations of veterans or volunteer firemen, and if a majority of electors of such city, village or town approve.

Under the New York State Constitution, the bill must pass both houses of the next elected legislature, which will convene in 1957, and then be approved by the electorate before it becomes effective.

See *Bingo, Morality, and the Criminal Law*, 1 CATHOLIC LAWYER 8 (1955).

Religion and Adoption Laws

The Supreme Court of the United States denied certiorari to review the Pennsylvania decision which awarded custody of a Roman Catholic child to an aunt who stated she would raise the child in the Presbyterian faith. [Commonwealth *ex rel.* Kuntz v. Stackhouse, 23 U. S. Law Week 3242 (1955)]. For a report of this case, see 1 CATHOLIC LAWYER 65 (1955).

On February 14, 1955, the United States Supreme Court denied certiorari to review *Petitions of Goldman*, 121 N.E. 2d 843 (Mass. 1954), *sub nom Goldman v. Fogarty*, 75 S. Ct. 363 (1955). In that case, discussed in 1 CATHOLIC LAWYER 66 (1955), the Supreme Judicial Court of Massachusetts held the adoption statute requiring that, where practical, the adopting parents be of the same religious faith as the child did not violate the First Amendment. Since that decision, the Massachusetts Court has been twice called upon to consider that statute. For a discussion of these cases see Recent Decisions, *supra* page 158.

Motion Picture Censorship

Laws governing the censorship of motion pictures have been limited by recent Supreme Court decisions [see 1 CATHOLIC LAWYER 58 (1955)]. In April, Kansas repealed its censorship law while the decision concerning its constitutionality was pending before the state Supreme Court.

Among the few remaining states which now have a film censorship board are Louisiana [La. Rev. Stat. §§ 4-301-4-307], Maryland [Md. Code. Art. 66A], New York [N. Y. Education Law §§ 120-132], Ohio [Ohio Rev. Code c. 3305], Pennsylvania [Pa. Stat. Ann. Tit. 4, §§ 41-52] and Virginia [Va. Code §§ 2-98-2-116]. A Massachusetts law permits only the censoring of shows that are exhibited on Sundays [Mass. Law Ann. c. 136, § 4]. While there is legislative authorization for a censorship board in Florida [Fla. Stat. Ann. c. 521], it is not presently functioning.

Lottery Charges Against Sisters Dismissed

MERCED, CALIF. — District Attorney Steve Galvin requested and was granted dismissal of lottery charges against Sister Mary Peter, principal of Our Lady of Mercy School, and Sister Mary Edwards, a former instructor there.

Mr. Galvin said he took the action after a full study of the facts since he took office Jan. 3.

The charges were filed against the nuns by former District Attorney Don C. Mayes when a 12-year-old student of the school attempted to sell him an alleged raffle ticket on an automobile drawing last October.

Judge Lobo dismissed additional charges of contributing to the delinquency of a minor brought against Sister Mary Edwards and Sister Mary Peter in November. Mr. Mayes then served notice of an intention to appeal the dismissal to the Superior Court. Mr. Galvin said he will seek dismissal of this appeal.

For a report of the charges against the Sisters, see 1 CATHOLIC LAWYER 74 (1955).

Comic Books

The Code of the Comics Magazine Association of America, Inc., reprinted in 1 CATHOLIC LAWYER 60 (1955), has been subjected to attack on the ground that it is ineffective in removing objectionable material from the magazines. The Chairman of the State Board of Control of Nebraska, which operates the state's penal and mental institutions, speaking before the Omaha

Civic Club last January, indicated that despite the Code and industry seal of approval, the comics have not improved much. The same opinion was expressed by a member of the Committee on Evaluation of Comic Books, a civic committee in Cincinnati, Ohio.

In addition, the legislatures of several states, including Colorado, Ohio, Indiana, New York and Rhode Island, are considering bills containing penal sanctions punishing those who sell publications containing objectionable matter. In New York, for example, the Joint Legislative Committee to Study the Publication of Comics, in its annual report, commended the aims of the Comic Book Code Authority, but suggested that it had not been thorough enough in screening the comic magazines. The Committee also noted that the voluntary character of the association made it impossible to insure that no indecent publications reach the newsstands. To correct these defects, a bill passed the New York Legislature and is now before the Governor for approval. This bill prohibits the publication of certain types of comic books, and the sale of these books to minors.

Many municipalities and counties have also enacted local ordinances aimed at the prohibition of the publication and sale of objectionable comic books.

The United States Senate authorized the formation of a subcommittee to investigate the influence of comic books and television crime programs on juvenile delinquency. Senator Estes Kefauver will be chairman of the subcommittee. A committee to investigate juvenile delinquency and comic books has also been established by the Connecticut Legislature.