

From the Editor's Desk

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From the Editor's Desk

Although St. Thomas More is the Patron Saint of THE CATHOLIC LAWYER, it was fitting that the first issue to reach a subscriber's mailbox was delivered on January 29, the feast of St. Francis de Sales. Bishop Thomas K. Gorman, of Dallas-Fort Worth, Episcopal Chairman of the Press Department, National Catholic Welfare Conference, has declared that St. Francis undoubtedly belongs among the world's most distinguished journalists by reason of his formal writings and publications.† This pre-eminence was formally recognized in 1922 when Pope Pius XI designated St. Francis de Sales as the patron of the Catholic press.

But to the Catholic lawyer St. Francis is of even greater interest because he was himself a member of the bar. A student of law at the Universities of Paris and Padua, he passed his bar examinations and was admitted as an advocate of the Senate of Savoy on November 24, 1592.

His career at the bar was short-lived for he soon entered the Catholic priesthood and was later consecrated Bishop of Geneva. But the legal training which he had received stood him in good stead in his career as polemical pamphleteer and journalist. In an eminent degree his were the virtues, his was the clear style, his was the sound doctrine needed by every Catholic writer — and advocate.

In any event, the prayers and protection of both heavenly patrons were welcomed during the preparation of the first issue of THE CATHOLIC LAWYER. The editorial staff, the business office and the circulation department all had their problems, most of which were magnified or multiplied by reason of the novelty of the enterprise.

An occasional subscription was misfiled, a few delays occurred in the mail service, two typographical errors appeared in one line of a last minute biographical entry. But the first issue finally met the critical and/or kindly eyes of a varied audience.

The first reactions were received before the issue had been published. In an effort to be fair in answering requests for advance copies of the article on *Bingo, Morality and the Criminal Law* we made galleys available to the New York papers, the news magazines, the news services and several Democratic and Republican members of the New York State Legislature several days before the publication date. In so doing, we had hoped that the bingo article would be stale in a few days and that the magazine would be examined for its other features.

†Gorman, Sainly Patron of the Catholic Press, 35 Columbia 10 (Feb., 1955).

How wrong we were! At least as to the bingo article's being forgotten. Several mid-western papers took a few paragraphs from a news service account and headlined the item: "Priest Calls Bingo Wholesome." And twenty-four hours later we received a caustic card saying, "Some people would call a cesspool wholesome."

Several other writers evidently based critical remarks upon a press statement rather than upon the article itself and to each of these correspondents who included a name and address we sent a copy of the complete article without engaging in further debate.

Several readers questioned the wisdom or prudence of running the bingo article as the lead article even though they agreed with the philosophy and theology involved. Others, including some priests, suggested that more space should have been given to the viewpoint of those who question the prudence, rather than the morality of bingo under church auspices.

Several requests for reprints of the bingo article have been received but at present THE CATHOLIC LAWYER finds it impossible to make reprints available. Pending a final definition of policy in this matter, a publishing company has manifested an interest in reprinting the article in pamphlet form and our readers will be notified through the *Postscripts* department if the pamphlet is printed.

At the suggestion of a keen-eyed reader the cover design has been revised so that the title will not be obscured when the magazine is placed in a library periodical rack. The change in color is a seasonal one and will help to identify each issue.

For the most part, the reception which THE CATHOLIC LAWYER received ranged

from toleration to enthusiasm. Most encouraging, however, was the response to the drive for subscriptions. With a very limited advertising budget, it was still possible to insert a small ad in some twenty-five Catholic newspapers throughout the country as well as in a number of Catholic periodicals. Advertisements were also inserted in the American Bar Association Journal and in a number of local bar association bulletins.

Several Guilds of Catholic Lawyers circulated an announcement of THE CATHOLIC LAWYER among their members and the St. Thomas More Society of Allegheny County prepared a special announcement and mailed it to each of its members at its own expense.

Letters of encouragement were received from all parts of the country and some are reprinted in the *Letters* department. Several members of the hierarchy ordered from fifty to one hundred copies of the first issue for distribution among the lawyers of their respective dioceses and one bishop has announced his intention of giving a year's subscription to each Catholic lawyer in his diocese.

But while it is necessary to place THE CATHOLIC LAWYER on a self-supporting basis as soon as possible, it is even more necessary to make the magazine and the St. Thomas More Research Institute immediately useful. Already we have received a number of excellent, though difficult, questions for future issues of our *Question Box*. One of these questions constitutes the basis of the lead article in this issue and so, in the interests of space, the *Question Box*, as a separate department, has been omitted.

Lawyers who have been disturbed by the charge that the Catholic Church grants divorces by means of the "euphemistic device known as an *annulment*" will find Father

Cahill's article on fraud in marriage very enlightening. The sequel to the present article will trace the history of the present civil action for annulment as it was developed in various jurisdictions subsequent to the American Revolution.

Suggestions for practical articles on problems which lawyers frequently encounter in handling the affairs of Catholic Institutions have been abundant. Some have come from non-Catholic lawyers who have labored for years for Catholic churches, schools, orphanages, and hospitals.

Many requests for information or assistance in the formation of Catholic Lawyers Guilds or St. Thomas More Societies have been received. The article on the Guild of Catholic Lawyers of New York which appears in this issue will be of material benefit to groups of lawyers contemplating similar action. The choice of name is really a matter of local preference since the objectives and the activities of the Catholic Lawyers Guilds and the St. Thomas More Societies are fundamentally the same. While there is no national federation of such guilds or associations, there is a national association called the St. Thomas More Society of America. Further information concerning this organization will be available in the next issue.

The July issue of *THE CATHOLIC LAWYER* will carry the first of two articles on the legal, moral and sociological aspects of artificial insemination. It will also carry lengthy excerpts from two early New York cases which held that a communication received by a Catholic priest in the Sacrament of Penance was privileged and inadmissible in evidence while a communication to a Protestant clergyman is not so privileged even though received in his capacity of spiritual advisor. The statute which ultimately changed the rule in the second case will likewise be given.

The list of our advisors which is published for the first time in this issue is neither complete nor entirely representative. The membership of the first Board is heavily weighted in favor of New Yorkers because of the need for personal discussion in the early stages of the foundation of *THE CATHOLIC LAWYER*.

The advisors will serve for a term of not more than three years and a new class will be appointed each year so as to sound out legal opinion in all sections of the country.

Meanwhile suggestions from all our readers as to suitable topics for treatment and the names of possible contributors will be most welcome.

Joseph J. Tinnelly, c.m.

EDITOR