

BEST AVAILABLE COPY

4-18-52

THE EVENING BULLETIN, PHILADELPHIA, WEDNESDAY, APRIL

Bishop Cited For Contempt

4 Others Accused Over Forbidden Installation

U. S. District Court Judge Grim today cited Bishop Viorel D. Trifa, of the Romanian Orthodox Episcopate of America, for criminal contempt of court.

Cited with the Bishop were four men who had parts in the decision to consecrate and install the Bishop at ceremonies here last Sunday, despite a temporary injunction by Judge Grim against holding the ceremonies.

The others cited were Archbishop Ioan Theodorovich, of Bala-Cynwyd, Metropolitan of the Ukrainian Orthodox Church in America, who officiated at the ceremonies; the Rev. Ioan Trutza, president of the episcopate's council; the Rev. John Popovich, pastor of the Descent of the Holy Ghost Church, American and Brown, where the ceremonies were held, and Maximilian J. Klingner, Philadelphia attorney who advised that they be held.

Ten Days for Answer

Archbishop Mystyslew, of South Bound Brook, N. J., also of the Ukrainian Church, was another participant in the consecration. He was not cited because U. S. marshals did not serve him personally with the court order.

Judge Grimm gave the defendants ten days to answer the citation. He said he will then set a date for a hearing. The penalty on conviction is a fine or imprisonment or both, all to be fixed at the discretion of the judge.

The injunction was obtained Friday by Attorneys John R. Ventilla, of Cleveland, and William M. Gerber, of Philadelphia, representing Bishop Andrei Moldovan, of Detroit, who maintains he is the head of the Romanian Church in this country.

Consecrated in Romania

He was consecrated to that post in Romania in 1950. Bishop Trifa was elected at an episcopate meeting in Chicago last summer.

The court's temporary injunction forbade the ceremonies until a hearing today. On Saturday, Klingner filed a motion to dissolve the injunction, contending it was illegal because no bond was posted by the petitioner and it was an unconstitutional interference with religious freedom.

Without hearing argument on this issue, Judge Grim dismissed Klingner's motion. Gerber then petitioned for the contempt citation. Assistant U. S. Attorney Alfred L. Luongo joined him "to vindicate and preserve the authority of the court." It was at Luongo's request that Klingner was included with the clergymen.

Attorney Testifies

Klingner was called to the stand in a courtroom that was filled with clergymen of the church. He admitted that the consecration had proceeded on his advice, but said it would have been carried out no matter what he had advised.

Judge Grim said he realized an attorney should be fearless and aggressive in representing a client, "but an order of the court, on the other hand, must be obeyed and treated with respect; it is a shame you didn't wait."

Klingner, deeply affected, said he had been a member of the bar for 15 years. He said he had followed the "dictates of my conscience."

Klingner said that Moldovan and his group were under control of the Romanian Popular Government and thus under domination of Communists.

Many Attended

He said there could have been no delay in the ceremony because some 700 to 1,000 clergymen and laity, none of them rich, had assembled from all parts of the country to attend the ceremony.

Judge Grim remarked that he sympathized with men "who as you say want to free themselves from atheistic Russia."

At this point, Vintille asked and was given permission to address the court. He said that Bishop Moldovan had been an American citizen since 1923 and was "a real American."

Bishop Trifa, he said, is not a citizen, has been in the United States a year and a half or at the most two years.

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCE METHODS EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2003 2008

do
W2

←
→

✓

8

[

]