

# MARLEY'S STATEMENT

Issue Between Catholic Church and France Defined by Archbishop of New York

New York—Archbishop John M. Marley of New York has given out the following statement on the church and state controversy in France:

Here in America, where there is no attempt made by the state to interfere with the various religious denominations, the people at large are naturally disposed to condemn clergy-men who, by declining to comply with the behests of the government, expose themselves to a charge of rebellion against the authorities of the land. But in order to understand the refusal of the Roman Catholic clergy of France to fulfill the requirements of the new law of separation it must be explained that the provisions of the statute in question demand the consent of the church and of its ministers to the alienation of all the property that has been bequeathed and donated, to be held in trust for religious and philanthropic purposes. It is property which they do not derive from the government, but from the munificence of the pious and of which they are merely the trustees.

The situation created by the new law of separation, which is the cause of the present crisis in France, is as

if, for instance, the legislature of New York were to enact laws compelling the trustees of the Trinity church corporation, under the penalty of confiscation, to give their consent to the alienation of all its vast property to other uses than those for which it was intended and to transfer its administration and control to people who might either belong to rival denominations or even profess atheism. It is as if the legislature of New York were to enact a statute requiring the Catholic church, under the penalty of confiscation of its property of one kind or another, to consent to the transfer of the management and control of its sacred edifices, seminaries, rectories, hospitals, protectories and other educational and charitable institutions to associations in which not merely avowed foes of Catholicism among the Protestant denominations, but also agnostics and scheming politicians, indifferent to any kind of religious belief, were in the majority.

Were such laws to be enacted by the state of New York the clergy and trustees administering the great property of the Trinity church corporation and the clergy and trustees invested with the direction of the property of the Catholic church, would be prompted to refuse obedience, not only on religious grounds, but also by reason of their conviction that compliance would involve a flagrant disregard of their moral and material obligations as trustees. They would look upon the law in question as iniquitous, as unconstitutional, and would therefore consider themselves justified in doing nothing to express their submission thereto.

It is inconceivable to the American people that the legislature of New York or indeed of any other state of this great and free republic, should enact any such laws of virtual spoliation. Yet that is precisely what the French government has done.

In a word the new law requires of the church the alienation of all its property to boards of laymen, in the selection of which it has virtually no voice; this board to have full and perfect control not only of the funds, but even over the religious edifices and over the exercise of divine worship itself, independent of pope, bishops and canon law.

The property at stake consists of about 30,000 churches (of which less than 300 have been built with the aid of state or municipality), and the property accumulated by means of endowments and legacies during the last 100 years, since the last confiscation of church property at the time of the great revolution, and amounting to considerably over \$100,000,000.

Only a portion of this vast property is destined for purely ecclesiastical purposes, the great majority of the funds being designed and used for purposes of charity and philanthropy. Of this proper, the clergy are the trustees by virtue of the conditions under which it was donated and bequeathed. Their acceptance of the new law and their transfer of this property trust to the "associations cultuelles" would alienate forever the estate of the church in deference to an iniquitous law which may be re-

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pealed by another parliament.

Aristide Briand, the minister of education in France and the author and executor of this iniquitous law, has solemnly declared that without the written consent of the clergy to the establishment of these boards or "associations cultuelles," and without the transfer by the clergy of the property of the church to these bodies, there could not only be no public exercises of divine worship, but there would also follow the confiscation of the sacred edifices, the rectories and the other ecclesiastical property by the state.

There is no question of the differences between the various religious denominations. The pope and the Roman Catholic church in France today are fighting with far better justification and much greater moderation the very war that Chalmers and the other founders of the Free kirk waged in Scotland sixty years ago for "the crown rights of Christ." The clergy of France, in one word, are fighting the battle of Christendom and should have the sympathy of every Christian church, no matter what its denomination, which owns property and endowments to be used for divine worship and for the dispensation of charity according to its own lights.

## FRISCO PAPER FLAYS PRESIDENT

Says He Would Subvert Liberties of Countrymen for Intruding Race

San Francisco.—In commenting on the special message to congress in which President Roosevelt, as forecast by Secretary Root, will declare for federal supremacy over state rights the Chronicle says:

"By his hateful attacks on a section and a class and his arrogant misuse of power in seeking to prostitute the judicial processes of the government to subvert the liberties of his countrymen in the interest of an alien and intruding race, Roosevelt has done more to turn back the tide of national patriotism than would seem possible for any one man.

"The inevitable failure of his attempt will not undo the mischief. Fol-

lowed, as it has been, by the declaration of his sympathizer and spokesman, Secretary Root, that 'sooner or later the constitution will be construed so as to obliterate all state rights and vest the power of administration in the national government,' the effort has been to place the entire federal government under a suspicion which nothing can remove but such indignant disclaimer from all parts of the country as followed the utterance of Mr. Root in the very banquet hall where he was the guest of honor.

"If it were thinkable that the federal courts would assume, by any refinement of legal construction, to invest the federal government with powers which every school child in the United States comes to know were never intended to be granted to it, it would be impossible to foresee the consequences. They would be very grave.

"In the face of all this the obstinacy of a president, mad by flattery, to endeavor thus to subvert the liberties which he has sworn to defend cannot be characterized in terms which even the most just indignation will justify using in connection with the president of the republic."

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two years ago by making an attack on a bill to make a close season on the killing of squirrels. Yesterday