

fiscation of this vast property created out of the public purse. And such an idea never once knocked at the ante-room of the governmental brain. The Anglican Church in Ireland was disestablished in 1869. The Act which severed its connection with the State left it in full possession of all its property, of the estimated value of £8,000,000 sterling, with an annual revenue of £616,840. To this was added the gift of a vast Commutation Fund given by the Treasury in order to secure vested interests and enable the existing clergy, (whose ranks had been hastily and largely increased in view of this provision) to receive the customary handsome revenues for the term of their natural lives. Such, in briefest terms, is a statement of how disestablishment, or the separation of Church and State, is carried out by Governments that are not bent (as Minister Briand declares the French Government is) on 'making an end of Christianity' and 'hunting Christ' out of the country.

THE GREAT FRENCH PILLAGE

REMARKABLE PRONOUNCEMENT BY A NOTED PROTESTANT JUDGE

On the night of February 12, a remarkable pronouncement was made at Lincoln, U.S.A., on the great French plunder by the Hon. Peter P. Grosscup, presiding Judge of the United States Circuit Court for that district. It was made during the course of a lecture on Abraham Lincoln to the Knights of Columbus. The Philadelphia 'Catholic Standard' of February 16, from which we take the report, says: 'As the utterance of one of the leading jurists on the Federal Bench, who has been called upon to decide many questions of the very highest importance to the nation at large, and as a Protestant, Judge Grosscup's views must carry great weight. His subject was "Abraham Lincoln," and in his development of it he was led to a discussion of common honesty, international relations, law, justice, and humanity. He took up the French question and dealt with it as a judge rendering an opinion off the Bench.' Judge Grosscup spoke in part as follows:—

Perhaps the greatest lasting thing that the Civil War did was to nationalise life, liberty, and property. Before the fourteenth amendment to the Federal Constitution life, liberty, and property, were within the power of the eight and thirty States. By that amendment they were put within the protecting shield of the nation. Henceforth the right to life, the right to liberty, and the right to property were

National Interests.

When we look across the Atlantic to what is transpiring in France to-day in relation to the Church properties created by the Catholics of France, the value of this, our great national guaranty against absolutism and spoliation, stands out one of the mighty bulwarks of American institutions.

For centuries the Catholics of France had been building their churches and their other institutions. Like the little Lutheran church building in which I was confirmed—like the Protestant church buildings to which the majority of Americans are attached—these edifices became, humanly speaking, the property of their human creators. By every law of nature and of right they should have remained the property of their creators. But in the frenzy of the revolution of 1789 they were seized by the mob, and because the mob at that time was the Government of France, what had been built by religion was consecrated to the State. No historian of standing, no jurist of standing has ever attempted on any principle of honor or morals to defend this act. It was an act of sheer brute force—the taking by sheer force and without compensation of things created from their creators and turning them over to the State. No Socialist of the most radical type has ever outstripped in speech what the mob of the Revolution accomplished in deed.

For twelve years the situation thus stood—the forcible retention by the State of that which did not belong to the State. Then Napoleon, alive to the fact that a religion in France was needed as well as French armies, and that the weakness of his government in the eye of the world was the spoliation on which it was founded, set about to undo the wrong.

The Concordat of 1801 was the result. The Concordat was a compromise. It did not restore to the Catholics of France the property that belonged to them. Rightful as such restoration would have been, it probably was beyond the power of Napoleon to accomplish. But what was accepted as an equivalent was agreed upon—the assumption by the State of a part of the burdens of the Church. And as a contract to that end the Concordat has stood now for over a hundred years.

Nothing Less Than a Repudiation.

It is from this settlement, this contract between the authorities of the State and the authorities of the Church that has stood for a century, that the State now withdraws; withdraws, too, without a pretence of restoring to the other party the right of property that the contract that is abrogated was intended to replace. A withdrawal under such circumstances is nothing less than repudiation. True, as some of the apologists for the act of separation say, the Concordat by its terms was not perpetual; but assuming that that fact gives to the State the right of withdrawal, it does not excuse the duty, when the supposed right of withdrawal is exercised, of at least restoring that for which the contract was intended as the equivalent. Could the State the next day after the contract was signed, or a year thereafter, or ten years thereafter, still keeping its grasp on the property taken, have withdrawn without guilt of repudiation? Why then in ten times ten years? 'For it is not the lapse of time, however long, that gives the right to withdraw. The sole basis of that right, whenever exercised, would be the restoration to the other party of what had been originally taken—what we call in the law the restoration of the statu quo.'

True, too, as the apologists say, the State has had now the legal title to these properties for a century. But by what code of morals or justice does the possession of title for a period, however long, accompanied by a burden settled upon it as a part of the consideration upon which the title was surrendered, entitle the party to throw off at will the burden while holding fast to the title? Besides, there is no principle, either in morals or in public law, that makes that right which originally was wrong. No plea of that character can stand for an instant in the court of public conscience.

Contrary to the American Principle.

But again it is said that the repeal of the Concordat is only putting into effect in France the principle of separation between Church and State that prevails in America. But what is there in the American principle that deprives the Church of the right to hold the property that the Church has from time to time created, or that justifies the taking by the public of that property without full compensation for the thing taken? Indeed, the American principle contemplates that the Churches shall hold their own property, to be used according to their own interpretations of their religious duties; and it prohibits the State, by the solemnity of constitutional guarantees, from taking any property, either church or secular, except upon full compensation first made.

As a final apology it is said that the act of separation still preserves to the people who reside in the vicinity of the individual churches taken the continued enjoyment of such churches as houses of worship; that all that these several communities have to do is to apply to the State for permission to use the church buildings, whereupon permission will be granted, as a matter of course, without charge.

The people who offer this argument, the speaker pointed out, fail to see that the Separation Law is fatally defective in failing to preserve the orthodoxy of the proposed associations of worship; is, in fact, an encouragement to schism. Continuing, Judge Grosscup said:

Besides, what assurance have the Catholics of France that a public that will seize without right what belongs to another, and withdrawing without right from the arrangement under that seizure for a century was condoned, will observe any later or less substantial promises that it will make? What assurance have the Catholics of France that step by step, as it is now going on, this process of elimination will not result in the end in the total elimination of the Catholic faith from the properties that their ancestors have created?

Every Attempt at Justification Fails.

Indeed, every attempt at justifying these acts of the French Government dissolves the moment it is put under the lens of any honest application of the axioms of law or morals—dissolves instantly one applies to it that

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