

Another question now arises. Can a clergyman refuse to marry in Lent? To begin with, it is very doubtful whether an action would lie against any clergyman for refusing to solemnize a marriage. It is of course conceivable that if damages in the legal sense accrued to a couple for an unreasonable refusal on the part of a clergyman, an action might lie. But in the case *Davis vs. Black*, tried before Lord Denman, upon these grounds, the clergyman won his case, Lord Denman laying it down in his judgment that a clergyman's refusal to marry is actionable "if it be malicious, and without probable cause." The refusal to marry persons in Lent would not be constructed as "malicious" in any court of law, nor, in the face of the arguments I have adduced, could it be considered as "without probable cause." The Divorce Act specially provides for the case of a clergyman exercising his right of refusal to marry. By Canon 68 of 1603, ministers refusing to christen or to bury were subject to three months' suspension. But nothing is said about refusing to marry, which is a significant omission in considering the legal point before us. We may sum up the matter in the words of Blunt's Book of Church Law, p. 150, where he considers that "a reasonable refusal on the part of a clergyman would be respected by a court of law." To sum up the whole matter we may conclude:

I. That the prohibition of Lenten marriages is a part of the Primitive Canon Law of the undivided Church of Christ.

II. That other "prohibited" times have not the same sanction.

III. That the Post-Reformation practice of

our people we should use careful and diligent explanation, we should avoid the semblance of dictatorial authority, and we should show clearly that we are not acting upon our own will or caprice, but simply administering the Primitive Canon Law of the Church, which is commended to our observance by the common sense and right feeling of Christian people generally.—*Living Church*.

FASTING.

FROM THE PARISH MESSENGER, OMAHA, NEB.

Fasting is abstinence from food and drink. Some Christian people tell us the true fast is to abstain from sin. Abstinence from sin is certainly better than abstinence from food. But abstinence from sin is not fasting at all. The Church does not appoint the Lenten fast for us that during its continuance we might abstain from unlawful or sinful actions. These are forbidden all the year round.

When the Church orders us to fast she means to fast from food, and to abstain for the time from the ordinary social pursuits which are in themselves innocent at other seasons. Riot, excess, and worldliness are wrong for Christians at all seasons. To follow these things wildly up to the very beginning of Lent and to renew them as the sun of Easter sets, is not Christian at all. A Lent sandwiched in between a pre-Lenten carnival and a post-lenten saturnalia, is a sham, and they who keep such a Lent are shallow, heady, having the form of godliness, but denying its power.

To fast is to go without eating at all for one or more meals of the day. To abstain is to

deny oneself a full meal, or some particular food that the appetite craves strongly. It is not abstinence to substitute one kind of pleasant food for another not more so. To rise from the table with the appetite unsatisfied, or to satisfy it with less pleasant food, this is abstinence.

Withdrawal from innocent social pleasures and amusements is also abstinence. To be of value to the soul it must be a glad, willing abstinence. The social butterflies who simply comply with the general social custom to be more quiet, because it is Lent, but who comply reluctantly, and look forward impatiently to post-Lenten renewal of gay pleasures, these abstain not profitably.

Nor is it abstinence to give up the more gay, public, social indulgence, while we quietly engage in private, quiet parties, where salads are not so much in use perhaps, but other good things are; where dancing is not engaged in to the music of a band, but where "a quiet set" is made up, to the music of the family piano; where no public announcement is made in the society paper of a "high five" party, but where a quiet hand of modest "high five," or "progressive euchre" is made up "quite impromptu," with "refreshments afterwards."

Nor is it profitable Lenten self-denial to live in abasement, and eschew the ordinary run of theatres, but on the coming of the stars of the theatrical firmament to secure tickets quietly some days ahead, to see Booth, or Mary Anderson, or to hear Patti, or Kellogg. A sham Lent is the worst kept Lent. An open, honest worldling is always a better, nobler animal, than one who tries to conceal his worldliness.

same is a sham and a deceit, the Lord's anointed though he be.

A faithful, genuine Lent kept, as far as the imperative duties of life will permit, apart from the world, is the only honest, profitable Lent. Living apart from the world as much as possible in communion with God, and in honest self-examination of our own deceitful hearts, meditating on the emptiness of this sorrow-filled world and on the fulness of joy in God's presence, this is the only Lent worthy the thought or heart of Christian man or woman. The rest is only vanity and vexation of spirit.

CORRESPONDENCE.

[The name of Correspondent must in all cases be enclosed with letter, but will not be published unless desired. The Editor will not hold himself responsible, however, for any opinions expressed by Correspondents.]

To the Editor of the Church Guardian:

SIR,—Notwithstanding the efforts made to show that the Theological Colleges have no power to confer Degrees in Divinity, I hold with what I believe to be the majority in thinking that they have. When this truth is questioned, it is my business to make the fact known that they so possess the power, and the grounds on which it rests, and I gladly avail myself of the opportunity afforded me for this purpose by those who seem inclined to dispute the fact. But it is a fact, and will remain so as long as the present arrangement lasts.

The University calls upon its Chancellor to confer degrees upon its students in its own building after examination had. This is what a University does when it confers its degrees. So the Theological College calls upon the Metropolitan (who by the Legislature is author-

ized to act the part of a University towards it in this respect) to confer degrees upon its students, in its own building, after examination had; and what is the difference in the two cases? People may quibble about the difference, but the public form their own independent judgment. The Metropolitan was made a University sole for the Colleges: not for the Universities unless they choose, for they did not need it. Consequently the Colleges can confer degrees through the Metropolitan, as their Chancellor, Q. B. D. The wisdom of the arrangement is great, for it satisfies both parties. The Universities are content, and so are the Colleges.

I am yours, truly,

WM. HENDERSON.

P.S.—A reciprocity—Provost Body thinks "one or two sentences in Principal Henderson's letter—so extraordinary." Principal Henderson, in like manner, thinks one or two sentences in Provosts Body's letter so extraordinary. Principal Henderson understands thoroughly that "the Universities in no way surrender any portion of their chartered rights," and so far as he is concerned, the lucid explanation and reference of the Provost on a previous occasion was not required. But he submits that there is not one sentence in his letter of the 19th, as quoted by Provost Body, which contravenes that understanding. The extraordinary part is that Provost Body should imagine it.

The question is what are the additional powers given "under the Canon,"—observe "under the Canon"—to the Universities on the one hand and the Colleges on the other.

1. There is power to create an examining

Metropolitan, but under the Canon, they can do so if they please. Therefore, the word 'do' in the Provost's sentence is not to be taken in an absolute sense, when he says, "nor do they act under the Canon by any other powers than the powers they had before the Canon was passed. They may do otherwise if they like. This is evidently the interpretation of the words, because the alternative expressed does not apply to the Colleges, and except in relation to the Universities, the first part of the alternative would be superfluous. Surely the Universities did not need permission from the Canon to proceed "under the existing University powers" alone.

It may be said, the first part of the alternative refers to the Universities, and the second to the Colleges, but the rest of the sentence conflicts with this view. The whole sentence runs thus: "Every candidate shall have the right of proceeding to his Degree, either under the existing powers at his University or under the powers thus conferred upon the Metropolitan at the University or College to which such candidate belongs." The words "at the University" should have been omitted in the last clause if the above interpretation be not correct.

Objection was taken in Committee, the Provost says, to the proposition that all the Institutions should be placed on the same footing. Naturally so, for it would look like a surrender of their charter by the Universities. But the difficulty was overcome by showing that they did not surrender it; and that was done by granting the alternative to the Universities, which of course the Colleges did not require.

Excuse the length of this communication, and believe me, Yours truly,

WM. HENDERSON,

For further correspondence see page 11.