

number of persons were found willing to brave the censures of the first from the very indulgent view of their conduct which was taken by the second. But at length circumstances arose which gave to our legislation on the subject a character pre-eminently anomalous, even in a system abounding with anomalies. Marriages within the prohibited degrees of affinity had been treated, not as void, but as voidable only on a decree of the ecclesiastical courts, in a suit regularly instituted. Proceedings in such a suit could only be taken during the lifetime of *both* the contracting parties, and as, when a suit was pending, no second suit could be commenced until the first was disposed of, it became a common thing for some friend of the family to take the first formal steps in a cause, and thus prevent any proceedings by parties really anxious to invalidate the marriage. The terrors of the law, therefore, ceased to have any practical effect, and the suit for a decree of nullity had become as much a matter of form as levying a fine or suffering a recovery. But in 1835 an exceptional case arose." The Duke of Beaufort had married his deceased wife's sister, and there was danger that remainder-men might successfully attack the validity of the marriage, and bastardize the issue.

Lord Lyndhurst thereupon introduced an Act, which was intended to remedy some of the hardships of the existing law. All voidable marriages then existing were to be rendered valid, and no such union was in future to be assailed, after the expiration of two years from the time of contracting it.

"The bill had passed both Houses, and had reached its final stage in the House of Lords without material alteration, when the then Bishop of London insisted upon the introduction of a clause providing that from the passing of the Act, these marriages should cease to be voidable only, and should become void absolutely and ipso facto. The Commons demurred, but the Bishop was firm, and his following was sufficiently numerous to make it unsafe to risk a division. The session was near its end, the sacred grouse were on the wing, and everyone was anxious to get away from town. The supporters of the bill were disposed to reject it altogether, rather than accept it in its altered form, but it was urged that to do so would be to leave the interests of the House of Beaufort in jeopardy for a considerable period.