

So for its unbroken witness, an Order of men for whose existence we cannot otherwise account, whose meaning we cannot otherwise explain. The historic Episcopate is to us one of the essentials of that quadrilateral that the Bishops of the Church set to guard the citadel of the changeless faith and order of the Church of God.

My dear brother, again as in the beginning, must one be chosen to be a witness with us of His resurrection. The lot, as it is cast in our American Church, has fallen upon you, and you are to be numbered henceforth among the witnessing Order.

Upon you the other and the varied duties of the Episcopate will many a time lie heavy, and you will cry, 'Who is sufficient for these things?' The loneliness, the heart-ache, the disappointed hopes, the plans that fail, the care of all the churches, these you will find sore burdens to bear, and sufficient reasons for Bishops becoming old before their time.

And you will find in that other and profounder purpose of your Office, which is not *diocesan*, but for the *universal Church* and the wide world, the need for steadfastness and unfaltering courage. For the assault in our day is upon the supernatural. Even men *inside* the Church are found ready to yield the ground or timidly to apologize for holding it. There is treachery in the air. Materialism assaults the citadel.

And on you will rest the charge of the eternal testimony. Whoso fails, you dare not. Whoso falters in a double sense, you may not speak but one meaning. Whoso fears, you must be brave.

You bear a supernatural Office. The office testifies by its *perpetuity* to supernatural facts past, to supernatural facts present. 'We are witnesses of His resurrection' to the end. May He for whom we stand, as our brethren have stood since Pentecost, so fill your heart and soul and spirit with the Holy Ghost that your witness be no perfunctory official witness, that you may know in yourself the power of His resurrection, and that your own life may declare the might and wisdom sent down from the midst of the sevenfold fires that burn before the throne by Him who was dead and is alive again forever more; Alpha and Omega, King of Kings and Lord of Lords.—*Consecration Sermon by Bishop of Mississippi in Southern Guardian.*

RE-MARRIAGE OF DIVORCED PERSONS.

The Lower House of the Province of Canterbury, at its last session, received a report from a special committee appointed to consider the question of the re-marriage of divorced persons. The Bishop of Reading was chairman of the committee, and read the report, and we consider it of sufficient importance to call the special attention of the Bishops, Clergy and laity of the Church of England in Canada to it. Although there was some opposition, the report carried by a very large majority in the Lower House. Our readers will remember that at the last meeting of the Provincial Synod of Montreal in 1889, a very long, and, we may say, learned discussion took place on this subject. The Rev. Dr. Partridge, of Halifax, supported the view, which undoubtedly is in accordance with that of the lower house in Canterbury. But there, as in the Lower House, there were advocates for permission to re-marry being granted to the innocent party.

The report submitted showed that as long ago as 1866 the Lower House of the Province of Canterbury had advised the Bishops that the officers of the Ecclesiastical Court, through whom the licenses were granted, might be ordered to refuse the same to divorced persons. The same report pointed out (1) that no change was made in the practice of the Ecclesiastical Courts by the Divorce act of 1857. 2. That

Canon 101 appears to imply a discretion in the granting or refusing of the license. Whilst Act 25, Henry VIII, Cap. 21 empowered the Archbishop to grant licenses, it does not require that he should grant them to all applicants.

In June, 1870, upon the suggestion of the late Archbishop Tait, the Vicar General attended in the Upper House and stated that the ordinary law as to licenses rested upon the Canon Law, and that there was nothing interfering with or limiting the discretion of the Bishops as to granting such licenses. Their Lordships thereupon passed a resolution expressing disapproval of any favour being shown to the re-marriage of divorced persons, which may have a tendency to increase such evils.

The present report, introduced by the Bishop of Reading, explained that the evil had increased, and it affirmed that two distinguished judges of the Divorce Court of England, Sir Creswell Creswell and Lord Penzance, had said that it would be desirable that the marriage bond should be legally indissoluble, which opinions were given since the passing of Lord Stowell's Divorce Act of 1857.

The committee strongly urged the members of the Upper House *not* to grant their license for the marriage of divorced persons, whether the applicant be the innocent or the guilty party; observing that though the law of the country had been altered, the law of the Church had not. Though there was no conclusive consensus of the opinions of the English Church against the re-marriage of the innocent husband, there was a conclusive consensus against its expediency, and in favor of discouraging it; and the committee further stated 'that it regarded as disastrous any action of the Church herself in a matter where her action was entirely unfettered, which might seem to show that she thinks lightly of any breach of that which is still her law, though the law of the state has been changed.'

In the debate which followed upon the introduction of this report into the Lower House, the Bishop of Reading, Archdeacon Kaye, Canon Lowe, Canon Constantine Frere, Archdeacon Sherringham and Canon Jeffreys took part. The matter therefore was fully discussed, yet as we have said the report was adopted almost unanimously.

Archdeacons Kaye and Sherringham urged the plea in favor of the innocent party, but their arguments were completely refuted and overthrown by those of Canon Frere and Canon Jeffreys, not to speak of the Bishop of Reading. The latter, in closing his remarks on introducing the report, said: 'Beyond all question there is a strong tendency to great laxity in the matter of divorce. Undoubtedly this was so in some of the colonies where they had legislated so as to make desertion for a certain time an occasion of divorce. What was said was this. That as marriage was not allowed to be entered into unadvisedly, lightly or wantonly, so divorce ought not to be granted unadvisedly, lightly or wantonly. The whole wish of the Church was against divorce, and certainly if divorce was absolutely necessary, against re-marriage. That was the mind of the Church, and there ought to be no dispensation, no favor shown, that would confuse people's minds as to what were the views of the Church on marriage and divorce. They believe in the old order—the law of unity and indissolubility.'

Archdeacon Kaye, having referred in his arguments in favor of the innocent party to the 107 Canon as supporting his pretensions, Canon Lowe read the exact words of the Canon: 'Nor shall they during each others life-time contract marriage with any other person,' and added, 'that left them no option * * * * They had a clear rule given them to follow, and it was impossible for them to set themselves against the distinct and emphatic authority of this 107th Canon.'

The *Reformation Legum* was also referred to by Archdeacon Kaye, but Canon Frere affirmed that it 'never got any authority from the English Church and could not be regarded as an authority in that House.' 'Canon Frere's whole speech must have been one of considerable power. He pointed out that there was no coincidence between the Ecclesiastical and Civil laws on this matter up to 1857, and affirmed the necessity of the Church clearly asserting her own law on the subject, inasmuch as the question was one upon which it had to follow the law of God rather than the law of man.' He believed there was no question on which imprudent action on the part of the Church would be more dangerous and more likely to cause disruption, and at the same time no question on which any want of firmness and courage on the part of the Church, would be more unworthy of the trust which has been confided to her. He believed that the idea of the sanctity of Christian marriage was committed especially to the care of the Anglican Church. The Roman Church had weakened if not forfeited her position in this matter by her dispensations, for by her own confession, it was impossible to regard as Divine law that which she claimed to have the power to dispense with. The Anglican Church had a unique position in this matter—a present, secure, established position. They had inscribed on their banner the words, 'That what we have heard from the beginning we should walk in.' He would not say the *duty* was imposed on the Anglican Church, but on her was imposed the honour and glory and joy of maintaining the discipline of the Church in this matter. Furthermore, with the great disintegration going on amongst the sects in point of doctrine, it was also likely to follow in point of discipline; but with The Church faithful to her trust, they might find the Dissenters rally, if they could rally at all, to her standards. * * The Church had a law of her own. * * The doctrine of the Church was based upon what had been the ideal of marriage from the beginning, viz: the absolute indissolubility of marriage. Our Lord Himself in maintaining that ideal—and the Church after Him in Her degree—had been the Saviour of human Society.'

CANON JEFFREYS, who is spoken of by the *Church Times* as 'a very cautious and learned divine,' in speaking upon the question stated that in his opinion 'the only divorce allowed in old times was a *mensa et thoro* (from bed and board) and not a *vinculo*, that is from the marriage tie itself, which he thought explained the terms of the Canon. He also adduced the passage in 1st Corinthians as against the re-marriage of divorced persons, 'And unto the married I command, yet not I, but the Lord, let not the wife depart from the husband. But, and if she depart, let her remain unmarried, or be reconciled to her husband, and let not the husband put away his wife.'

Archdeacon Sherringham claimed Bishop Cosin as an authority in favour of permitting an injured and innocent man or woman to contract another marriage, but the Bishop of Reading in reply said, that though Bishop Cosin was a great authority, yet 'Evelyn said distinctly that why Cosin voted as he did (in the House of Lords) was because he was of age: 'that is he was in his dotage.' King, another Bishop had also asserted at the debate in the House of Lords, and was for re-marriage, because he himself wanted to divorce and remarry.

Only these two out of eighteen Bishops who voted, were in favour of the proposal; and they might fairly say that the authority of the Bishops at the time, was distinctly against Cosin.'

The *Church Times* in its comments upon this report and the debate thereon, says:

There is no question that these second marriages of the divorced, whether guilty or innocent, have caused that fearful increase in