

give his views upon such a subject. Holy Scriptures, it is said, has been searched in vain for a prohibition of such a marriage. Probably, Holy Scripture is not for private interpretation, still I find amply sufficient to guide my course of conduct. I am told that after marriage, twain are no longer two but one, by which I understand that, except in the case of One, perfect humanity consists of two persons united; that this union is not merely of two persons, but of two spirits, from henceforth till death, made one. That is to say, I and my wife are one—more so indeed than if we had been born of the same parents; her sisters are my sisters, and my brothers her brothers. If I am taken, my brother can take her and our children to his home, to be a brother to her and a father to her children; and if she is taken, her sister, who nursed her in her illness and took care of her children, can continue the same duties. But change this law, make the brothers-in-law and the sisters-in-law mutually marriageable, and such very desirable assistance cannot, or must not, be given unless the parties marry—force themselves to enter into a fresh relationship with one who for years had been looked upon as a brother or a sister! Take an extreme case. I wish to infuse disgust rather than joke. A man, who has passed the first fervor of youth, is introduced to a widow lady and her four daughters, beautiful and attractive as the above-named Cardinal's wife was, all of them with the seeds of the same insidious disease lurking beneath. Our hero marries the eldest daughter; as was feared, within less than two years consumption develops, and he is left a widower. Dull and solitary, he searches the Statutes at large and the Revised Statutes. Thanks to Cardinals, heads of Methodist Conventions, and Dominion members of Government, no odious law stands in his way, and a minimum of good taste and compunction lurking in his mind, he proposes to the second daughter; and shortly leads her to the Hymeneal altar. To be brief with the life so sad and so strange, a mixture of orange flowers, and cakes and ale; within little more than a dozen years he has been the husband of all four of the sisters, and for a time the inconsolable widower of so many. In this extremity of his grief and now apparently irremediable solitude, but with a heart susceptible still of tenderness, he sees the countenance of her whom four times he has made his mother-in-law still bright and charming, not much, too, over forty years of age, of constitution stronger than any of her daughters, and he closes the present chapter by marrying her. And quite right too! the present agitation would cry, and if there is any kind sympathy among them, the very next session will be brought in an Act to amend an Act, etc. Clause I—"And be it by this august assembly ordered and enacted that the permission graciously granted to a man to marry the sister of his wife, provided one of them be deceased, by a statute made and passed in the 43rd year of the reign of Queen Victoria (I trust not!) shall be, and is hereby, extended to all or any relations whatsoever of the said deceased." 2. Full indemnity to interim peccants. What we shall need is a sharp look-out that the marriage with the aforesaid party is not made compulsory on us! I have no objection to a private Bill being passed legalizing by name the incestuous marriages that have been contracted in the Dominion; but let the law for the community remain as it is. Consider, 1st, very few persons would be inclined to break it; 2ndly, a very small proportion of these would break it; 3rdly, and of those who did so, a very small proportion would be proceeded against in the lifetime of both parties contracting, which, unless carried out and the marriage then set aside, the children would not suffer. By marrying within the prohibited degrees a man attains his aim—he gets a wife. If he wishes the respect of his fellow-men and their families towards himself and his sister-in-law, he must not persuade her to join with him in breaking the law of the Land and of the Church, and then ask for a Bill of indemnity and absolution.

Yours faithfully, D.

MR. BORTHWICK'S QUESTIONS.

(To the Editors of the Church Guardian.)

Sirs,—Will you please correct, in your next issue, the following errors, which you made in printing my letter on the Biblical Questions:—

For under ch. xxvii. he says *Julian* was "a centurion of Augustine's band,"

read under ch. xxvii. he says *Julian* was a "centurion of Augustine's band." For the *Scriptos and Gylla*, read the *Scriptos and Gylla*. For just overtures read first overtures; for *India, Samaria and Galilee*, read *Judea, Samaria and Galilee*; and for conversion and Christianity, read conversion to Christianity.

A STUDENT.

THE CATECHISM.

(To the Editors of the Church Guardian.)

Sirs,—If "Sacerdos" can show that the Catechism was written in Latin as well as in English, and thus adopted by the Church in England, and also that the expression under discussion is "gratia datum," I must acknowledge that my interpretation is slightly incorrect. But I do not think that he can prove the former.

It has always been my idea that the writers in the 16th century were very particular about punctuation, and that they would most certainly have placed a comma [Qu. Would it not have been a semicolon?] between "grace," and "given," if they had intended there to be one.

I see that Blunt supports my view. If you translate "grace given" into "gift of favour bestowed," I do not see how you can separate the two words. The expression "ordained by Christ Himself" being between two commas, might possibly be made to refer only to the word "Sacrament," but in my humble opinion it refers to both "Sacrament," and "sign,"—chiefly to the latter. Would not you take an unwarrantable liberty with the English language, if you were to make the word "given" belong to "Sacrament?" and then make the sense the same as both "Sacerdos" and I do. It would then read thus:—"I mean an outward and visible sign of an inward and spiritual grace; which Sacrament is given unto us, and ordained by Christ Himself, as a means whereby we receive the same Sacrament, &c." But surely it does not really say that! In my opinion it is intended to teach the idea of which the Epistles are so full, that grace is given, and that the outward sign is a means and pledge of that grace then given. But I do not profess to be infallible.

CREDO.

THE "CLERICAL GUIDE" vs. "BEAVEN."

(To the Editors of the Church Guardian.)

Sirs,—I am surprised that you allowed E. W. Beaven, of Brockville, Ont., to speak of the above work as he did, characterizing it as a great fraud. Because there are a few errors in it, errors that have been shown to exist in publications of more pretensions and from presumed unerring quarters, is Mr. Bliss's work to be denounced as a fraud? A fraud is a something intended to deceive, and by the deception to bring gain to the perpetrator. Has Mr. Bliss made any profit by this publication? Probably not enough to pay for his time. Has he intended to deceive? Certainly not. Has not his work proved a most useful manual to the clergy? And has not the work received the highest endorsement from the highest dignitaries of the Church in Canada? Why then should Mr. Beaven characterize such a work, more a labour of love than of profit, as a fraud? I deem that Mr. Beaven owes Mr. Bliss an apology for his unkind and unchristian-like language. "To err is mortal," therefore a few errors does not constitute a crime, and a fraud is a crime.

Wm. Ross Brown,
Iron-Hill, P. Q.

FREDERICTON D. C. S.

(To the Editors of the Church Guardian.)

Sirs,—The Right Reverend the Metropolitan has written an earnest and timely Pastoral Letter to the Clergy and Laity of this Diocese, on "The position of the Diocesan Church Society, 1st March, 1880."

There is no doubt that many of our better-off people could, if they wished, double or treble their subscriptions to the D. C. S.; but, as a rule, the better-off people give less in proportion to their means than the poorer.

Then, our poorer members are now taxed to the utmost. I do not think that they could bear any more burden; any further would constitute "the last straw." There are too many calls made upon their poverty. "Home Missions," "Foreign Missions," "The Widows' and

Orphans' Fund," "Algoma," Rector's Salary, Sunday School Books, Church Periodicals, Alms for Poor, Church Repairs, the Weekly Offering, each and all claim a portion of their limited means. Many of them, by dint of early rising and late taking rest, can just scrape out a mere subsistence; and these, in country parishes, form the bulk of every congregation. Then there are a great many spiritual dead-heads, or rather Church dead-heads, either by will or necessity. These you cannot move. And there are very few wealthy people in our country parishes. The times, as yet, may be called depressed. For these reasons, I say, it would not be prudent to put 22 per cent. or any further per cent. on the sum at present required from the Missions.

What, then, can be done? Let an appeal be made to the wealthy people of our cities and larger towns, and more wealthy country parishes, to make up the deficiency. They do not give, in proportion, one-tenth of what our poor labourers and mechanics give. If that does not bring enough, then make use, as a matter of necessity, during hard times, of a portion of those investments from legacies which were not left on condition of perpetuity. If the donor did not attach the condition of perpetuity, why should the D. C. S. do so? It would not be dishonest to use such funds, nor ruinous either, to do so occasionally by necessity.

If this be not deemed feasible, then close those Missions most lately opened. What right has the D. C. S. to grant what they do not possess? A secular employer might as well hire labourers knowing that he had not the means to pay them.

It is not right to hamper the older and poor Missions with 100 or more communications, for the sake of spreading ourselves over new ground, and without means to do it.

Neither ought we to legislate altogether for the future, by keeping up investments where the condition of perpetuity is not attached, but for the present as well, especially for the "present distress."

Let a Sunday be set apart after Easter for the prayers and alms of the Church towards a "Deficiency Fund," appealing chiefly to the well-off members, making up balances from unconditional investments, and, if this be not enough, strike off the Missions most lately formed.

RUSTICUS.

New Brunswick, March 10, 1880.

A CHURCH WANTED IN HALIFAX

(To the Editors of the Church Guardian.)

Sirs,—The more I study the subject, the more convinced I become that the Church people residing in the north-western part of this city are gradually slipping away from the fold of the Church and joining the ranks of the dissenters; or worse still, attending no place of worship, and growing negligent of all religious duties. Can no remedy be found to stop this egress, and to change this unhappy state of things? Is it possible that with such a comparatively rich Church population enough money cannot be subscribed to build a small church, and stem the tide which will eventually sweep away from us dozens of families, who have no place of worship nearer than St. George's Church or the Bishop's Chapel? I know of several Church families living in our north-western suburbs who habitually send their children to a dissenting Sunday School in the neighbourhood, where doctrines contrary to the teaching of the Church are taught, and the mischief wrought is greater than may be imagined. These young ones, children of Church people of sound Church principles, are not sent to the Bishop's Chapel or St. George's Sunday Schools, simply because the distance is too great for them to travel. The Church in Halifax is manifestly not doing her duty in permitting such a state of affairs; and the sooner a Church is built to provide accommodation for those who have now no place to go to, and thus keep them in the "Faith once delivered unto the Saints," the better it will be for all concerned. I am sure if proper representations were made to the Board of Home Missions, sufficient funds would be furnished to proceed with the building of a Church, the foundation of which I am given to understand has already been laid. Or better still, a collection might be made in the various Parishes for the purpose of raising sufficient money to complete the structure. No matter how small the commencement, the good wrought will be incalculable, and in time

a Church population would exist in our north-western suburbs, which would be fully able to support a clergyman of its own. I hope, Messrs. Editors, that the matter will not rest here. When such great progress is being made by the Church at large, we in Halifax, boasting as we do of such a large English population, should not slumber, but should put forth all our energies towards making the Church what she was manifestly intended to be, the Church of the people.

Sincerely yours,

T.

Halifax, 9th March, 1880.

MARRIAGE WITH A DECEASED WIFE'S SISTER.

(To the Editors of the Church Guardian.)

Sirs,—In your issue of the 11th, you mention the fact of a Bill to legalize marriage with a deceased wife's sister, as having been introduced into Parliament at Ottawa, and recommend that petitions against the Bill be set on foot on account of (1) indecent haste; (2) trouble likely to arise in families; (3) and being contrary to the law of Scripture, law of the land, and law of the Church of England.

I hope that no considerable body of Church people will commit themselves by signing the petition on any such grounds, for such petition would have its ground completely cut from it on all these heads.

When you object to the proposed law as likely to affect the happiness of families, one naturally asks, why? Is not everybody aware that such marriages are already quite common throughout the Dominion as well as the United States, and even in England, where the table of degrees is law, without having been found to produce the unhappiness which you and others predict of M. Girouard's Bill. The matter of happiness can be safely left to the parties directly interested in this, as in other cases of marriage.

Let me look into what you state are the legal objections to legalizing such marriages. Pardon the apparent inconsistency of the last sentence. Your objections seemed to call it out in that form. The objections you adduce, then, are three:

1. The law of God.
 2. The law of the land.
 3. The law of the Church of England.
- (1.) The Scriptural question has been thoroughly discussed during the last thirty years by the most learned men of England, and the preponderance of opinion is great as to their being no prohibition in the Scriptures to the marriage. Leviticus xviii. 18 limits the contraction of such marriages to the lifetime of the first wife. If there was anything against the law of God in such an union, what are we to think of our Saviour Himself, when the case of the woman who had successively married seven brothers was brought to His notice, and he uttered no condemnation of her? We must conclude that, in a strong case of this kind, if there had been any violation of God's law or the law of social morality, he would never have let it pass by unrebuked.

(2.) The law of the land. Where do you find it?

(3.) The law of the Church of England. The Episcopal Church in this country is not the Church of England any more than are the Episcopal Churches of Scotland, Ireland, the United States, etc.

There is no Church of England out of England. This has been expressly decided in England upwards of five and twenty years ago. Your objection probably assumes the legality of what are called the Canons of the Church of England. Do you wish your readers to understand that those Canons are binding in the Colonies on any body? It has been decided in the courts of law in England that however the clergy may be affected by them, they have no legal power over the laity, because they have never received the sanction of parliament, which body represents the laity. The table of prohibited degrees is one of the Canons; but whatever value that table possesses, it possesses from the fact of its being the law of the land in England, and not because it is a Canon of the Church. Whenever the law of the land removes any of the prohibitions in that table, the Church will follow suit and expunge it from the Canons. Connected as the Church is with the State, it cannot hold

a Canon in opposition to the law of the State. If it is pretended that the Canon law is binding, it is binding as a whole, and not in detached portions. The clergy cannot pick out one or two Canons and shake them in the face of the laity with the terrors of excommunication, and leave others a dead letter. But seriously, Mr. Editor, do you, or does any other clergyman pretend to look upon that body of musty old formulas as of any practical validity, or capable of enforcement? Does any clergyman clothe himself or cut his garments as Canon law directs him to? Does any clergyman, or bishop even, venture to pronounce the lesser or greater excommunication according to Canon law?

How often have clergymen been heard to speak jeeringly about the Canons as having been "fired off," "spiked," etc., indicating their disbelief in either their validity or acceptability. The Church has never passed any law on the subject of marriage, either permissive or prohibitory. The table of prohibited degrees bound up in some of our prayer-books has no legal right there. It is not contained in the "sacred copy," that is, in the authorized standard of the prayer-book. It, therefore, is not a legal portion of that book. The date of its introduction can be readily obtained. The Canons were passed by the convocation of Canterbury, represented by the clergy alone, with the sanction of King James, but royal sanction alone does not make law.

If the marriages in question are to be condemned through Canon law, what can be said in favour of the marriage of the clergy? Canon law once forbid them, and does yet, in the opinion of some extreme persons, as being repugnant to the law of God, against Christian decency, and injurious to the peace of families.

The marriages you object to have been made valid in all the Australian provinces. In the United States they have been common enough, without ever having been found destructive to the peace of families or the moral atmosphere of the community; and why should any one anticipate any evil in Canada, as the result of settling their validity in the Dominion?

Let me refer you to a report on the subject, made by Commissioners appointed under Royal Warrant in 1847, under the churchmanship of the then Bishop of Lichfield, and published by authority in 1856—the work of the commission extended over a long period; evidence was invited from all sorts of persons, and the whole is given in detail in a folio blue book of 160 pages. The bulk of the evidence is in favour of permitting those marriages. The report is signed by the Bishop of Lichfield, the Right Hon. James Stuart Mortley, Right Hon. Stephen Lushington, Sir Edward Vaughan Williams, Anthony H. Blake, and Andrew Rutherford, Esquires. They unanimously say in their report:—

"We consider that the feeling against these marriages is, in a great measure, founded rather on a vague and unfounded assumption, that they are prohibited by God's word, than on a mature examination either of the Scriptures, or of the law of the Church."

"We do not find that the persons who contract these marriages, and the relations and friends who approve them, have a less strong sense than others of religious and moral obligation, or are marked by laxity of conduct."

"In a letter communicated to us by Mr. Justice Storey (the learned American jurist) he thus expressed himself: 'Nothing is more common in almost all the States of America than second marriages of this sort; and so far from being doubtful as to their moral tendency, they are, among us, deemed the very best sort of marriages. In my whole life I never heard the slightest suggestion against them, founded on moral or domestic considerations.'"

"On a review of the subject, in all these its different bearings and efforts, we are constrained, not only to express our belief that the Statute 5 and 6, Will 4, has failed to attain its object, but also to express our doubts whether any measure of a prohibitory character would be effectual. These marriages will take place when a concurrence of circumstances give rise to mutual attachment; they are not dependent on legislation."

"PLEBS."

March 10, 1880.

[The italics in the above extracts are those of the writer.]