

measure, and the United Presbyterian Church have, through their Kirk Sessions and Presbyteries, arrived at the conclusion that marriages of the nature with which this Bill deals, ought not to be a bar to Church membership. As to Ireland, I may state that the corporation of Dublin have five times sent petitions to this House, and that forty other corporations in Ireland have petitioned in the same sense. I may also mention that the late respected Cardinal Cullen authorised me to say that he had no difficulty in acceding privately to the opinion expressed by Cardinal Wiseman and other dignitaries of that Church, although he declined to sign any petition because of the difference of views existing among his clergy. In England, the most important corporations, that of the city of London being at the head of them, have repeated their adhesions, and this evening the petitions presented by His Royal Highness the Prince of Wales, and by the Prime Minister, as well as that by myself from three Bishops, and upwards of two hundred Roman Catholic clergy, including the superiors of the chief religious orders, confirm our opinion.

"It should not be forgotten that all the Non-conformist bodies, without the exception of a single sect, are in favour of the Bill, and what is the immense proportion they bear in the Christian community of this country.

"And now, my Lords," continued Lord Houghton, "I pray you to give a second reading to this Bill. If you do so, you will relieve thousands of your fellow-citizens, honest men and honest women, from a deep sense of partial legislation and cruel injustice; if you reject this Bill, you will force on them the conviction that they might, like yourselves, enjoy the great happiness of family life with those they love best, without discomfort to themselves or dishonour to their offspring, were it not for the intolerance of the Church of England, and the social prejudices of the House of Lords."

I do not intend to consider the religious aspect of the question. It cannot be denied, however, that the law as it stands at present hurts the conscience of the majority of the people of this Dominion, whose religion and faith do not forbid them to marry the sister of a deceased wife. Again, it is equally certain that a large number of spiritual peers of the Church of England have declared their conviction of the spiritual lawfulness of such marriages. More than 400 of the metropolitan clergy have petitioned the British Parliament for their legalisation. I hold a long list of most eminent Protestant divines, and among them such names as Dr. Whately, Dr. Cumming, Canon Paley, Dr. Dodd, Dr. Eadie, George Gilfillan, Dr. Norman McLeod, Dr. Chalmers, Dr. Hook, Dr. Musgrave, Dr. Fair, who are always high authorities on religious questions, from a Protestant point of view, and who strongly advo-

cate the passing of the Bill so often rejected by the House of Lords." However, I cannot shut my eyes to the persistent, and almost systematic opposition of the majority of the prelates of the Episcopal Church. I cannot either ignore the restrictions imposed by the Church of Rome, and the Bill I have the honour to submit to the consideration of the House, is so framed as to meet the views of all, and respect the prejudices, scruples, and sentiments of everyone. In a mixed community like ours, it is important that the conscience of no one should be disturbed or hurt. In the preparation of the Bill, I have been guided to a great extent by the remarks made by Mr. Gladstone, in 1869, when Mr. Chambers's Bill was under consideration. This eminent statesman said:

"Some twelve or fourteen years ago, I formed the opinion that the fairest course would be to legalise the marriage contracts in question, and legitimise their issue, leaving to each religious community the question of attaching to such marriages a religious character."

This religious character will be kept by making such marriages dependent upon the regulations of the Church celebrating the marriage. My bill reads as follows:—

"1. Marriage between a man and the sister of his deceased wife, or the widow of his deceased brother, shall be legal and valid; provided always, that if in any church or religious body whose ministers are authorised to celebrate marriages any previous dispensation, by reason of such affinity between the parties, be required to give validity to such marriage, the said dispensation shall be first obtained according to the rules and customs of the said church or religious body: Provided also, that it shall not be compulsory for any officiating minister to celebrate such marriage.

"2. All such marriages heretofore contracted as aforesaid are hereby declared valid cases (if any) pending in courts of justice alone excepted."

The Bill has no reference to the celebration of the marriage. We all know that under the Constitutional Act that subject is left to Provincial Legislatures exclusively. You will permit me to close these remarks, more lengthy than I anticipated, but not too long if we consider the importance of the subject, by making a few quotations. The Royal Commissioners, appointed June 28th, 1847, to enquire into the state of the law relating to marriages of affinity say: