

had married the sister of his deceased wife, Sir Herbert Jenner stated :—

"In the first place, this is a contract which is prohibited by the laws both of God and man ; for so, sitting in an ecclesiastical court, I should be bound to consider it, even if I were, as I am not, among the number of those who privately entertain any doubt upon the subject. * * * * But whatever may have been the intention of the Legislature, and whatever may be the effect of this Act of Parliament, the marriage had between the two parties, Thomas Moulden Sherwood and Emma Sarah Ray, is an incestuous marriage, and must ever so remain. The law of God cannot be altered by man. The Legislature may exempt the parties from punishment ; it may legalize, humanly speaking, every prohibited act, and give effect to any contract, however inconsistent with the Divine law ; but it cannot change the character of the act itself, which remains as it was, and must always so remain, whatever be the effect of the Act of Parliament." *

This is the solemn authority of the highest court of ecclesiastical law in England. The unanimous judgment of the Queen's Bench in the more recent case of Chadwick, has decided—what could hardly have been previously ambiguous—that the marriage of any man with the sister of his deceased wife is no marriage ; and, consequently, that the marriage of the husband with a third woman, while the unhappy being, the sister of his first wife, was still living, was not bigamy.

What Scripture has denounced, what the Church has forbidden, what the law has prohibited, is equally inconsistent, as might well be expected, with the best interests of social life.

Those who fear not God, neither regard man—in other words, those who disregard the authority of Scripture, the voice of the Church, and the law of the land, can little be expected to stop in their course from any consideration of the social evils and domestic misery which will follow their success. But those law-makers who have not broken the law, and do not desire to alter it in order that they may do that which at present it forbids, ought to consider the effects of the proposed measure upon others, as well as on the law-breakers.

In the actual state of public feeling and of the law, a man

* Stephens's Ecclesiastical and Eleemosynary Statutes, vol. ii, p. 1649.