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The
Canadian Ecclesiastical Gazette;

OR CHURCH REGISTER FOR THE DIOCESES OF QUEBEC, MONTREAL, TORONTO, AND HURON.

VOLUME VII.

TORONTO, APRIL 16, 1860.

No. 8.

[The pressing importance of the proposed alteration in the Marriage Law, has induced us to devote the whole of the Gazette to it.]

MARRIAGE WITH A DECEASED WIFE'S SISTER.

MARRIAGE LAW DEFENCE ASSOCIATION—MEETING AT WILLIS'S ROOMS.

[The following papers are published under the authority of Right Rev the Lord Bishop of Toronto, for the guidance of, and to give necessary information to, those lovers of order and morality who would be grievously injured by a change in the Law of Marriage, which it is the glory of the reformation to have preserved inviolate, and under which the social and peaceful family intercourse of Great Britain has been ensured. A mischievous and wanton attack has suddenly been made on the Law of Marriage in Canada, and the people of this country are threatened with a violation of their moral and social customs which ought not to be suffered passively. Fortunately the question is one which does not in its effects blight the happiness and shock the religious principles of any one class of believing christians: on the contrary, the Church of England and Ireland, the Greek and Asiatic Branches of the Church, the Gallican, Spanish, Austrian and American Churches, the Presbyterians of Scotland, all preserve the same law, and are of one voice in forbidding marriage within certain degrees, and which are therefore called "prohibited degrees." In Canada the United Church of England and Ireland being free from all state connexions, and having no direct voice in Parliament, is now forced to assume an attitude of defence against an invasion of principle, which are sacred. The Church is forced to condemn this proceeding as a wicked and sinful act against God, and against His express law, and is called to protest solemnly against a measure which sanctions the crime of incest. She further protests against the measure as a wanton and uncalled for interference with the moral law, endangering the social happiness of families, and utterly subversive of the peace and eternal welfare of those who may, under sanction of human law, violate the law of God; lastly, the Church must protest against a civil enactment, which, inasmuch as it clashes with the Word of God, places Her in a position in which it will be impossible to maintain neutral ground.]

TORONTO, March 31st, 1860.

REVEREND SIR,—The form of Petition, which you will find below, against the proposed Bill to legalize marriage with the sister of a deceased wife, has my cordial approval, and I would earnestly request you to forward to the Secretary of the Church Society authority to attach your signature to it.

I am, Rev. Sir,

Yours truly,

JOHN TORONTO.

To the, &c.

We, the undersigned, the Bishop and the Clergy of the Diocese of Toronto, beg humbly to represent to your honourable House, that we have seen, with great apprehension, the frequent attempts which have been made in the Imperial Parliament to relax the laws, by which the sanctity of marriage and the purity and happiness of domestic life have so long been guarded. Your Petitioners deeply regret that a Bill should have been introduced into the Provincial Legislature, during the present session, the object of which is to sanction certain marriages within the prohibited degrees, and they humbly beg your honourable House to withhold its assent from any such measure. And your Petitioners, &c.

(Signed)

N.B.—It is requested that signatures may be sent in as early as possible, in order that the Petition may be presented immediately after the Easter recess. The above form of Petition will be addressed *mutatis mutandis*, to the Governor-General, and to both Houses of the Legislature.

A very full meeting of the Clergy and Laity, including some of the leading representatives of all shades of opinion in the Church, was held last Wednesday, in connection with the Marriage Law Defence Association, to co-operate with its efforts in opposing the proposed bill for legalizing marriage with a deceased wife's sister.

The Duke of Marlborough presided; and upon the platform were the Earl of Shaftesbury, the Bishop of Oxford, the Bishop of St. David's, the Dean of Westminster; Archdeacons Sinclair, Hale, Burney, and Denison; Vice-Chancellor Sir W. P. Wood; Revs. Dr. Irons, Dr. Hessey, Dr. Jelf, Principal of King's College; Hon. and Rev. R. Liddell; Revs. R. E. Auriol, C. W. Page, D. Moore, E. Garbett; Hon. F. Lyon, M.P., Mr. Maxwell Close, M.P., Captain Gordon, M.P., Mr. H. Ker Seymour, M.P., Mr. Kekewich, M.P., Mr. Beresford Hope, Mr. J. C. Colquhoun, Mr. Roundell Palmer, Q. C., Mr. Whateley, Q. C., &c. In the body of the room there was a considerable number of ladies.

The DEAN OF WESTMINSTER opened the proceedings with prayer.

The CHAIRMAN, in calling attention to the purpose for which they were met, observed that, although it was scarcely possible to suppose that all who composed that crowded meeting could be of one mind or one opinion with regard to the various aspects in which the question of marriage with a deceased wife's sister might be viewed and considered, he might assume that they were all influenced in their attendance by one common object—an object of the greatest social importance, and involving results of the most momentous consequences—viz., the preservation of the law of marriage as it now stood. As they were all no doubt aware, the meeting had been called together in consequence of the action which he was sorry to see was still going on year after year by an organization promoted by a small body of persons as its originators and founders, but which, if unchecked, might unhappily extend its baneful influence through the large and important masses of the community. They were met to show that the people of England were determined, by God's help, to maintain the law by which the purity of family life was protected. It would not become him, in the presence of so many gentlemen of great ability and such intimate knowledge of all the bearings of the subject, to detain the meeting with any lengthened remarks; he would merely touch upon the principal or salient points involved in the question at issue, and leave the elicitation of further details to those who had consented to propose and support the resolutions. They must all admit that the question was to be viewed in two aspects—the one Scriptural and religious, the other social and economic. It seemed to him strange that the advocates for the repeal of the marriage law of England as it now stood should venture to take Scripture for their warrant, because a fair and impartial view of the Scriptures showed clearly that if such unions as those who desired to maintain the law felt to be repugnant to the best feelings of society were not actually forbidden in express terms, there was more than sufficient of implication even in the Old Testament to satisfy any reasonable mind that it was not only marriages of consanguinity that were forbidden, but marriages of affinity likewise. And even if there was a supposed permission given by implication to the ancient people of God to contract such marriages, he denied that that implied permission would be binding on us Christians. It must be borne in mind that the dispensation under which the Jewish Church was placed was of a lower character than that upon which our blessed Saviour had raised the Christian Church. Consequently we found many things permitted by implication in the Jewish Church, from the absence of any express prohibition to the contrary, which under no circumstances could be allowed or tolerated amongst christians. Take polygamy itself—there was no prohibition, on the contrary, there were passages in the Old Testament which might almost be taken as a warrant for the practice, yet no one would pretend to argue that polygamy was to be permitted in a Christian community, much less that it was sanctioned by the law of God. Again, there was suicide. Nothing in the Scriptures of the Old Testament forbade suicide, yet we all know that if a man fell by his own hand he committed a crime which the law of the land and the sense of society stamped as one of the deepest character. But, on the other hand, every patient and prayerful investigator of the christian law would find that by implication there were ample indications in the Old Testament that marriages of the nature contemplated by the advocates of a change in our marriage law were displeasing in the sight of God; that the near approach of consanguinity

in marriage were equally repugnant to God's law: and, under the sanctifying power of a higher, a more enlightened, and a holier dispensation, we might be sure that those prohibitory indications which could be proved to exist in the Old Testament had multiplied and raised themselves to complete and indubitable prohibition in the Christian Church. But in considering this question there was another ground to be taken. It was true that our blessed Lord had indicated to us that the true state of marriage was the ancient and primitive one, wherein God made man, both male and female, that they twain might be one flesh. But they might be permitted to take a lower ground, and look upon the question in its social aspect. He was quite sure that, regarding the subject from this point of view, he should be well representing the true feeling of every person in that room and hundreds of thousands who were not present, when he said that such a change as was sought to be introduced would be regarded with the greatest displeasure and alarm by the great majority of families in this country, as imperilling every domestic tie, and introducing confusion and suspicion where there ought only to be order, confidence, and love. For what was it that was proposed by this bill—whether it was in the House of Commons already he did not know, but which, at all events, was impending? It was in effect to declare that that person who in all countries, and from all time, had hitherto been known as the "sister-in-law," should no longer be a sister—that was to say that when a man was married the sister of his wife was to be no longer a sister, nor received into the house in that character. And for whose benefit, or at whose desire, was this change in the law proposed?—and this was an important question for consideration in a matter of such great social importance. The proposers of this change were driven to a variety of expedients to maintain their case. First they took the Scriptural ground, and when that failed they turned to the social ground, and contended that, because the habits and inclinations of certain people led them to contract such marriages, or to wish to contract them, therefore the law should be altered in order that these illegal acts might be stamped with the character of legality. But who were these persons? Not a majority, but an infinitesimally small minority. It was for the sake of this small and inconsiderable minority that the feelings of the vast majority were to be outraged, as well as the law of England, which had grown up for centuries, which had been confirmed by a recent enactment, and which was not only the law of England but the law of the primitive Church, uniformly acknowledged by the Churches of the east and of the west from the foundation of christianity until it was tampered with by dispensations from the corrupt Church of Rome. It was said that when once the bond of marriage was dissolved between a man and his wife by death, the man was at liberty to marry the woman who was nearest in relationship to his deceased wife—viz., her sister. The dissolution of the bond here assumed was that caused by the death of the wife; but he would wish the meeting to consider whether there were not other ways by which the bond of marriage might be dissolved? We had seen a great change in the law introduced of late by the action of the Divorce Court. Without passing any opinion on the expediency or in expediency of that change, he would simply remark that divorces seemed now much more easy of attainment than they formerly were, and it was possible to obtain the dissolution of the marriage bond in cases in which it could not under the previous law of divorce have been even expected. This being so, he would ask the promoters of the proposed bill whether the man whose marriage was dissolved by the action of the Divorce Court was to be equally at liberty to marry his wife's sister with the man whose marriage was dissolved by the death of his wife? Because, if so, the result to which the law, if passed, might be followed out would be that a man might be married to two sisters both living at the same time. But it was not for him to dwell longer on such a subject. It must be patent to all that such an alteration of the marriage law as was now demanded must be fraught with incalculable mischief to society, and was opposed to every consideration of social, religious, and moral feeling. He trusted the measure would not pass, but the people of England must stand forward and back up that portion of the Legislature which had hitherto shown itself sensible of the popular feeling in regard to this question. It ought not to be left to a contest between Lords and Commons. The House of Lords had done their duty honestly and faithfully; but with a certain section of the House of Commons the question had become a clap-trap cry, and was employed as a sort of test of House of Commons liberalism. It was for the people to show the House of Commons they were strong in dissenting to this measure, and if they, by their sympathy and co-operation, backed up the association and backed up the House of Peers, he thought that, although they could not calculate upon all sections being of one mind on the subject, they might safely calculate upon such a change of feeling in the House of Commons as would set at rest for ever this important question. (Cheers.)

VIC-CHANCELLOR SIR W. PAGE WOOD had been requested to move the following resolution, it having been thought right by the committee that after the Chairman's able exposition, a layman should be the first to give practical effect to the objects of the meeting. The resolution was—

"That this meeting is convinced that any alteration of the marriage law which should permit marriage with a wife's sister or any other person

within the degrees now prohibited, would be fraught with grave danger and injury to religion, morality, and family life."

He believed that he should have the entire concurrence of the whole of that vast assembly in the general proposition here set forth, whatever might be the individual views entertained upon any one branch of the question. There was no one there present, he apprehended, who did not see that there was great danger to religion, to morality, and to all the best interests of family life, if the measure contemplated, and which had been so pertinaciously put forward for two or three sessions, should ever acquire the force of law. And what was it that the advocates of this alteration of the marriage law were attempting? It was to uproot and set at nought the deep feelings and religious convictions of a vast majority of the people of England: to overturn the moral instincts of others who would not even admit the religious view in which many of us and most of us happily in England were accustomed to regard the question: and, further, to revolutionise and destroy family ties by breaking down social relations which had existed from the very commencement of society. It was no light occasion, then, upon which they were now met together, and the numbers he saw before him convinced him that the people at large were beginning at length to understand and appreciate the importance of the question and the magnitude of the danger. He believed that was only because those who desired to maintain the law—the vast majority of the population—had been too languid in their opposition to these repeated attempts to change it, that a measure so pregnant with mischief of every kind could ever have been passed by a majority of the House of Commons. But he did not believe, in spite of its having twice passed the House of Commons, the people of England were in favour of any such alteration. He once had the honour of raising his voice in the House of Commons against this fatal measure, and he was happy to say that on that occasion he was supported by men of all religious views and of every shade of political opinion. In that debate he heard the indignant eloquence of Mr. Stuel, then a Roman Catholic member of the house, denouncing the measure, and the able advocacy of Mr. Roebuck, who could not, any more than himself, be regarded as entertaining high Conservative principles, brought to bear against it. But this was a matter in which every Englishman and Englishwoman should be Conservative, for the question at issue was whether we should hold religious feelings intact, and whether we were to maintain those social views which formed the basis of domestic purity in their full integrity. After having read almost every pamphlet which had been written, and heard very many of the speeches which had been made upon the subject, it appeared to him that there were certain propositions which were incontestable. They were these—that the Church of England had ever held, and still held, that these marriages were contrary to God's law, and that the Church of England, in so holding, only followed the truth as laid down by the whole body of the Catholic Church from the time of its first foundation "on the Apostles and Prophets, Jesus Christ being the Corner-stone." Further, that the law of England had been uniform in holding, as the Church held, that all such marriages were contrary to the law of God: for in express terms it was so enacted in the Act of Henry VIII., and he contended that those who wished to overturn that which had been sanctioned by the law from the first institution of society—and he now addressed those more especially who disregarded the authority of the Church—that which had been sanctioned uniformly by law and by custom, had a great burden cast upon them, of proving that they were justified in making such a proposition. His resolution declared that to alter the law for the purpose of "permitting marriage with a wife's sister, or any other person within the degrees now prohibited, was fraught with great danger and injury to religion, morality, and family life." As he hoped to be followed by men high in the Church—by his right rev. friend the Bishop of Oxford, by the right rev. prelate the Bishop of St. David's, and others, his comments upon the religious part of the question should be very brief. But, said, the right hon. and learned Judge, we are met here to claim not only your sympathy, upon which I shall make some demand before I conclude, but to claim also the best exercise of your reason upon this momentous subject. I want to show that we are not afraid to discuss it, be the adversary who he may, on grounds of the most deliberate reasoning, apart altogether from the religious ground, and as if every thing connected with it were an open proposition. And at a time when it is discussed, whether man derives his being from a sponge or an anemone, it may be advisable, in dealing with such a question, to go back to first principles. I am prepared to argue, therefore, with him who holds, as I hold, that the Scripture is the word of God—with him who holds with me that the Church has rightfully expounded Scripture—I am prepared, also, to argue with him who holds neither of those propositions, and with also who says that our social system on this question is to be argued on first principles. As regards what the Scripture says upon the subject of these marriages, I will be very brief. But we rest our case on this fact, that there is recorded in God's Word a list of unions which are denounced as abominable—not merely abominable according to the Jewish law, which was not then given, but about to be given, but abominable on the part even of the Canaanites and the Egyptians, who had never any revealed law, and yet were guilty of these abominations. That

was an answer to those who said this prohibition, if it existed at all, was only a Jewish institution, and not binding upon others. The chapter of Leviticus begins in this solemn manner:—"After the doings of the land of Egypt, wherein ye dwelt, shall ye not do; neither shall ye walk in their ordinances; ye shall do my judgments and keep mine ordinances to walk therein; I am the Lord your God." And it concludes—"For all these abominations have the men of the land done which were before you, and the land is defiled. That the land spue not you out also when ye defile it, as it spued out the nations that were before you." Looking, then, at this exordium and to this conclusion, can we say any thing other than a Divine Lawgiver pronouncing His blessing on those who obey His law, and His curse on those who reject it? In the enumeration of forbidden unions, there occur a number of specific cases, many of these being cases of relationship by marriage, and not by blood only; and the first opening of the whole legislation, as we find it in the sixth verse of the chapter, is in effect—"None of you shall marry any that is near of kin to you." It then proceeds, to mention more cases of affinity than of relationship by blood. This is a clear explanation of what is meant by the words "any that is near of kin." Then it mentions specific cases, and says the brother shall not marry his deceased brother's wife. That is explicitly stated, and there are numerous other cases mentioned. It is true that at that part the case of the wife's sister is not otherwise provided for, and then it is asked, "Are you justified in the inference that the wife's sister is included in the prohibition, that being the converse case?" Why, the affinity is the same, and the relationship is as near. But here is a conclusive argument. In this code, if you interpret it otherwise than by implying the converse case, there is no prohibition of the father marrying his own daughter; the prohibition is only against the son marrying his mother. The conclusion, then, for our interpretation is self-evident; for if not, there is no prohibition against the father marrying his daughter. But then, say our opponents, pointing to the 18th verse, "here is a verse which throws all into doubt and difficulty." My answer to that is, in the first place, "To override a proposition so self-evident, you must have a very clear verse and a very clear interpretation of that verse," and it is not too much to say that that verse which is said to give inferentially the right to marry the wife's sister rather leads to the opposite conclusion. It is, "Neither shalt thou take a wife to her sister to vex her, beside the other in her lifetime," and it is argued that the words "in her lifetime" give an implied permission to marry the sister after the wife's death. But if the meaning of this verse were clear and plain, I altogether deny the assumption. I deny that you can derive, as against a clear and direct prohibition, an inference from an exception not introduced as such and following that prohibition, but words introduced in a subsequent and a new commandment. Then comes the question as to the interpretation. Now, strong evidence tends to show us that the true interpretation is "a wife to another wife." That is the interpretation given in the marginal notes of the Bible. The translators put an interpretation in the way of marginal note, when it appears to be reasonable and probable, although they have adopted the words of the text; and in all cases in which they so illustrate the meaning they say you are to pause and exercise your judgment and discretion as to what is in the text. As to the meaning of the passage, "a wife to her sister," I will just refer to a statement contained in an admirable answer to Dr. McCaul's pamphlet, from the pen of Dr. Hessey, published by this society, in which these words, "the wife to her sister" are shewn to be the Hebrew expression commonly used for adding one thing to another; so much so that the words "the wife to her sister" and "the brother to his brother" as meaning two things of the same kind, the one added to the other, occur in the Bible no less than forty-one times, in thirty-two of which they are actually translated as one thing added to another, and of the other nine in only one instance are they translated as in this particular verse. I merely want to show you that that is a verse of very doubtful interpretation, for according to all principles of construction of law—according to every code of interpretation that I know of, you cannot get of an explicit enactment by the interpretation of a subsequent passage of doubtful explanation. Now, we stand upon that ground, and I think it is a ground very firm and solid. But, I ask, how has it been interpreted. Dr. McCaul tells you that all the Jews—the orthodox Jews, the Talmudists—interpreted it in a way in which all those who wish these unions to take place contend for. It is rather singular that we, in these days, should be called upon as christians to follow the Jewish Rabbis in our interpretation of Scripture, seeing that their interpretation is what was so decidedly denounced by our Lord in His sermon upon the mount. The object of this prohibition was to conduce to the purity of life. The Jewish Talmudists liked narrowing the law away, whilst we are told by our Lord to extend it. The Jewish Talmudists wished to find an indirect sanction for polygamy. But, on the other hand, another set of Jews, the Karaites, who were strict interpreters, interpreted it as a prohibition of polygamy. Now, as to the Church's interpretation, Dr. McCaul says that nobody ever heard of any prohibition about the fourth century. He is right. There was no prohibition until the time of Constantius, about the middle of the fourth century. They were not prohibited before the letter of St. Basil.

But why were they not prohibited before amongst christians? Because such things were not thought of. Show me an instance of any such union being recognised by any christian Church until the dispensation given by Pope Alexander VI. to the King of Portugal, and then I will admit that you bring something like an argument to bear upon the question. You cannot show me an instance of any such union down to the period I have mentioned. But I can show you this—that the moment such union was talked of or mooted in the christian Church, the immediate answer was, "It is against all our customs." These are the words of the first letter on the subject. St. Basil, in the year 350, says—"We have no such customs here; it is polluted, it is incestuous." Therefore, I say that from the very first moment it was broached, you have the voice of the Church against it. It was prohibited by the christian Church as a thing incestuous, and contrary to the law of God. How did it come about that the Romish Church allowed dispensations for these marriages? Simply from the growing corruption of that Church. She added fresh prohibitions to the word of God in this as in many other instances, and then took upon herself to dispense, but it was a long time before she ventured to dispense with this portion of God's word. After a time, growing bold, and finding pecuniary advantage in the payment exacted for these dispensations—and the amount of payment was always measured by the degree of incest—then she granted dispensations, and the number of these marriages increased. We have an instance in the days of Louis Quatorze, that 20,000 livres was paid to the Church for permission to marry deceased wife's sister. We are told, however, that the Jewish Rabbis and the Roman Catholic Church interpret these things differently from our own Church; therefore, our own Church must be entirely wrong. I feel that I have dwelt longer on this question than I ought to do, and my concluding observation on that point shall be this:—With regard to this particular matter of dispensation for marrying a deceased wife's sister, the first that was granted was that which I have already alluded to—the dispensation granted by Alexander Borgia towards the close of the fifteenth century to the King of Portugal—a dispensation granted by a man who lived with his own sister—that Pope whose very name is an abomination in the ears of every christian man. But the Church of England was firm, and at the time of her Reformation, casting aside all the traditions and human fictions which had been mingled with God's law, adhered to the Scriptures; and in her 99th Canon has laid down the prohibited degrees taken from Leviticus, including especially the degree now under consideration in the converse case of the brother marrying the brother's wife. But is the Church of England singular in this? Some persons may not be willing to adopt our Church's view of the question. But how does the Presbyterian Church of Scotland decide? In the year 1613 the Assembly of Westminster—an assembly of divines who well weighed the Scriptures—indeed, there never was a time when the Scriptures were more seriously and anxiously examined than at the time of the great rebellion or great revolution—which ever it may be called, and what was the resolution to which they come? "A man may not marry any of his wife's kindred nearer in blood than he may of his own, nor a woman of her husband's kindred, nearer in blood than she may of her own." That is the interpretation of the Kirk of Scotland on this 6th section, which says you shall marry none that are near of kin. That is the exact view which has been adopted by the Church of England. The Kirk of Scotland and the people of Scotland have been faithful to that teaching, and are so determined on the point, that if you will follow their example, the bill is gone. In every bill that has yet been introduced they have been obliged to exempt Scotland, and I ask you to rouse yourselves, to show the same front as the people of Scotland have done, and say, "We are not less religious than our forefathers—we are not less pious than our Scottish brethren." If the bill had passed, we should have been in this predicament—that a Scotchman coming to England might here marry his wife's sister, and going back to Scotland, he would have been a single man, in the eye of the Scotch law, and might have married whom he liked. So much for the religious part of the question. I now take up the second branch of the subject, and proceed to the morality of the question. It is a grave and serious matter, and I know it is an unpleasant question to discuss. Our adversaries have relied upon this, and have thought we would not venture upon holding a public meeting to discuss a question the details of which might offend the natural delicacy of female ears. But it is a question in which the female part of the population are especially interested, and I trust we shall be able so to deal with it as to give offence to no one present. As to the morality of the case, the strong ground of our opponents, as they think, is this. The prohibition is not in God's law at all; and, further, a large portion of them say that the whole of that chapter of Leviticus has nothing to do with us as Christians, but relates only to the Jews. That is one proposition. The next proposition they maintain is this. Marriage is in itself a thing so sacred and favoured by the Almighty, that unless you have an express prohibition in God's law man has no right to prohibit it. Put these two propositions together, and what is the result? General intercourse is free. A man may marry his daughter, he may marry his sister, or any one else, because there is no revealed prohibition. Can that be? There is a moral instinct—there is a moral law—

I mean that power of deciding what is right and what is wrong that is given to the heathen—not in the same degree, no doubt, as to us—but he has a light to walk by until a better is given to him. The Romans, the Greeks, and other civilized nations, were not without a moral law on this subject. If you cannot prohibit these marriages except by revelation, how did the Romans and the Greeks prohibit them? We find that they had their prohibitions,—not identical with those in Scripture, but, such as they had, they adhered to scrupulously. The first thing to consider is this.—Let the prohibition be once laid down, it ought never afterwards to be thought of and discussed, because it is a subject of so delicate a nature that the moral instinct should not be shocked. The way that instinct is formed is this.—We have, first, a sentiment of revolt against such unions which is afterwards embodied in a law, and when once the law has sanctioned the instinct, the question should never be again opened. If we cannot rely upon a total revision of the mind, even the possibility of doubt is a most perilous state to be in on such a question in regard to our social life in general. It is that subject which, once settled, should never be tampered with. It is a part of every man's life. It is a portion of every man's creed. Our social relations are founded upon it, and woe to the man who attempts to shake every moral conviction, every moral instinct, by mooted a question of this odious and revolting character after it has been once deliberately settled. The law and the church having sanctioned it, it becomes a part of every man's life, and consequently our sister-in-law is our sister, and that is a name, God permitting, we do not intend to lose. She is our sister in every respect. Who that has ever been married has not felt that when he has formed an union with the woman of his choice, that atmosphere of love, which he experiences in his heart towards her he has taken to his home, spreads itself out collaterally, envelops all who are connected with her in the same way that it does those who are connected with himself? Her relations become his relations. She is blood of his blood, bone of his bone, flesh of his flesh. All her blood relations are his relations. He welcomes them to his own heart and his home. I asked a gentleman who entertains a strong opinion upon the subject, "Can you tell me honestly that any man in England treats his sister-in-law in the same way as any other lady of his acquaintance? Is not the relation of sister established in all their conduct and all their intercourse?" He could not deny that it was so. I then said, you must destroy that relationship before you give even a thought to the alteration of the law which you propose. I have here a pamphlet, called *Facts and Opinions*, which has been largely circulated by those who entertain the opposite view, and all I can say of it is, that it seems to be a singularly happy exemplification of Mr. Canning's remark, that nothing is so deceptive as figures except facts. It is stated that such marriages were virtually permitted before the year 1835. Now, I state, on the highest judicial authority—that of the House of Lords—that such marriage was never lawful before 1835—was always unlawful, always void by the law of England. But the only remarkable point was this—and it certainly is a singular one—that the ecclesiastical court having the power to declare such marriages void, had not the power to entertain any suit which would effect the issue of any incestuous marriage after the death of either of the parents. That was the only difficulty which existed. The same rule exactly would apply to a marriage between own brother and sister. But was it not void? Within the last year the case has arisen, and it was decided in July last on appeal in the house of Lords. The case was this. A Scotch gentleman, having property in Scotland, but domiciled in England, had married a wife's sister in 1808. That was before the law of 1835. The wife died, and afterwards, when he died, the Scotch heir claimed the property. There was a child by the unlawful marriage. The legitimate or lawful heir denied the right of such child, and set up his claim, and the question arose whether it was a void marriage, or only a voidable one. There was the whole point, for if it was not void, the child of the marriage would have succeeded to the property. The judges who heard the appeal were Lord Brougham, Lord Wensleydale, Lord Cranworth, and Lord Chelmsford, and they decided that the law is as I state it to be, and that the marriage was not only voidable, but void. Lord Brougham said, "First let us consider if the marriage was lawful in the country where it was contracted—which was England—and where both the parties had their domicile. It was clearly illegal by the law of England, because that law treated all such marriages incestuous." This shows the value of this proposition—the fact, as it is called, No. 13, in this pamphlet—namely, that these marriages were lawful in England before the Act of 1835. I think it very important, to give a caution on this point, for these parties have done a very cruel thing towards many women, for they issued circulars and advertisements stating that by the decision of Lord Stowell, a marriage, good according to the law of the country where it is celebrated, is good everywhere, and then adding that all that a man had to do who wished to marry his wife's sister, was to go to Altona and get married there, for by the law of Denmark such marriages were valid. Now, I call that a most cruel deception, and I believe that many an unhappy woman has been deceived and rendered miserable for life by the publication of that statement. For after the peccage case it was well known that a marriage prohibited by the law of

the country of which the parties were subjects, is an exception to the rule laid down by Lord Stowell. I say, therefore, that having the law thus established, and having this course in our families, surely the matter is deeply important, far beyond the change now asked for, because, when once the theory is mooted, when once you allow it to be argued, the whole question is open, and there is nothing to prohibit other marriages within the prohibited degrees of affinity, as the marriage of the uncle with his niece. It is impossible to say how far we may be called upon, or where is the degree of blood at which we are permitted to stop. Are we to have polygamy? The example of foreign countries has been referred to. We are told that Massachusetts is a moral country, and that the law there allows a man to marry his deceased wife's sister. But if that is to be an argument, why not go to Utah for an example, where polygamy is allowed? Lastly, let us come to family life, for we ought to argue the question out fully and logically. The proposed alteration in the law will introduce into every home in England a new rule, and have a most injurious effect on family life. The custom of English life is that a young man and a young woman cannot live alone in the same house if they are capable of intermarrying. I know several excellent young women, the sisters of deceased wives, who are living with and comforting the husband of their deceased sister, because they know that marriage is impossible. But if the proposed change should be effected, all these women will have to leave their present homes unless they marry their brother-in-law. And what is the argument used on the other side? It is said that an aunt is the best guardian of a deceased wife's children. But are they not guardians now, and will not the proposed change prevent them from remaining guardians? As Mr. Roobuck pitifully remarked, a sister is the best guardian of a deceased wife's children, but making her a stepmother would not make her a better guardian. ("Hear, hear," and a laugh.) There are many high-minded, pure-minded women who will not dream of entering into such a contract, and and who, therefore, will be under the necessity of deserting their present homes, whilst the lady who agrees to such a marriage might have children of her own, and will be tempted to take care of these children instead of those of the former wife. Our opponents tell us that the poor desire this change, and that it is a poor man's question. Now, if ever there was an untruth, that is one of the greatest. (Cheers.) The fact is, that some twenty years ago certain gentlemen got themselves into a difficulty by marrying contrary to the law, and employed two solicitors to stir in the matter, and that was the origin of the movement. That they may have talked some poor men into their view, I do not deny. But the poor are the longest in maintaining fixed impressions. They are impressed with the sanctity of the marriage law as it stands, and we know that the poor do not desire this change. Taking the *a priori* view, even if it is an advantage to the poor man to have his wife's sister to look after his family, we find that the almost universal rule is for girls in poor families to marry as soon as they are marriageable, or to go out as servants to earn their living. It seldom happens, therefore, that the poor man has the choice of having his wife's sister in the house to look after his family, and of afterwards placing her in the position of his deceased wife. I know something of one of the poor districts of this metropolis, and have taken some pains to ascertain the feelings of the poor on the subject. In the parishes of St. Margaret and St. John I instituted inquiries, and found only one case of such union, and in that case the parties who had formed the connection were universally looked down upon by their neighbours. But the inquiry disclosed other painful statistics of other unions which were found to exist; that I mentioned in the House of Commons. A city missionary afterwards wrote to the *Times*, and said he had found two other such cases in the parishes of St. Margaret and St. John. Well, admitting it to be so, there are three in a population of upwards of 40,000, and in the one I discovered the parties, as I have told you, were looked down upon by all their neighbours. A clergyman wrote to me and said, "I assure you that many of the poor earnestly desire this change." I replied, "I only want to come to the truth; send me their names and their residences." I never heard another word from him. I believe that if we were to go through the whole of the case which has been got up by these two solicitors, it would be found that it is only a small portion of the rich middle class, and not the poor, who desire this change in the law. I believe that in the West Riding of Yorkshire a great many persons take that view, but I do not believe that to be the case in any other district in England. Now, what grounds are there for such a social revolution as this change would effect? We have been told of the benefit to the poor, and the advantage to the children of the deceased wife. I have shown you the fallacy of this argument. Then it is said that a great many people who do not entertain these objections, desire to form these unions; but is the idiosyncrasy of forty, fifty, sixty, or a hundred, or a thousand if you will, to override and upset our long-settled, deep religious conviction, moral feeling, and social institutions? And who are they that ask for this change? Why, the people who have broken the law. In all other cases it is not usual for Parliament to legislate on the ground that the law has been broken. It is no ground for altering the law, that certain people have broken it. If they had asked for the law to be changed before

they had broken it, they might have been entitled to more attention; but when they have committed an offence, they have no right to ask for such alteration in the law. In the collection of evidence that has been published in support of the change, it is stated by one of the barristers employed that he knew a most respectable gentleman, who kept his carriage—I suppose that was the test of his respectability—who, because the law was as it was, lived in concubinage with his wife's sister, and yet was not looked down upon, because the law prohibited him from marrying her. Is that the morality we are to adopt? If any ladies have been deluded into such marriages under the influence of the advertisements that have been put forward by the advocates of this measure, I sincerely pity them; but that is no reason for altering the law. One word more. It is our apathy alone that has allowed the question to advance to such a stage, that but for a majority of only ten in the House of Lords the bill would have become the law of the land. On that occasion we had the support of only eight of our Bishops. I trust on the next occasion we shall have the support of the whole of the Episcopal Bench—at least those who have not committed themselves on the question. None ought to oppose us, and thereby put the Church and the State in opposition, for I believe that not one of them has yet moved the repeal of the 99th Canon; but we want your power in every way, coming forward as you have done to-day, to say that the thing shall not be done. A friend of mine smiled when I said the other day I would rather hear of 300,000 Frenchmen having landed at Dover than of the passing of this law, but I said I know we should soon get rid of the Frenchmen, but this law once passed, it was impossible to say that we should ever get rid of its consequences. Just at the decline of the Roman Empire exactly the like case happened. In the decline of Rome, when her ancient austere morals had been sapped, and Claudius, the third Emperor, was on the throne, he took a fancy to marry his wife's niece, a marriage which was forbidden by the Roman Law. At first so strong was the popular feeling against it that they scarcely dared to mention the subject, but a few parasites began to whisper it about gradually, to accustom the people to it; and at last it came before the Senate on an address made to them, which was almost word for word the same as the arguments of those who now demand the great change in our own law. If you read the speech which is put pithily by Tacitus (which I read in the House of Commons,) you will find that the effect of it is—this is an old story; our ancestors who made this law were not enlightened men like us of the present day—they once objected to cousins intermarrying—marriages ought to be free. Every one of these arguments was urged upon the Senate. The result was that the Emperor succeeded—the law was passed—and he married the lady, who afterwards poisoned him. That was the decline of the Roman Empire, and I call attention to it because I believe that the present movement is a sign of the decline of this country. If we allow our morals to be sapped in this direction—if we do not stand firm on our religious, moral, and social laws, with regard to the intercourse between men and women, we shall be lost. See what has already been developed by our Divorce Court. I don't speak of the remedy, I speak of the evidence it affords of the festering disease—the proof how our morals are being sapped at this moment. We are told that America does this, and that Germany does this. America sanctions divorce because people do not like each other, and Germany the same. Is that to be our own law of divorce? If you look to all these questions seriously, you will find that as in the decline of the Roman Empire, the Romans who had seen the Gauls in their city, and allowed it to be sacked, but still upheld the life of Rome by her Senate—who had seen Hannibal at their gates, and had ventured to give the full price of the ground on which his army was encamped because they believed in their own moral strength—you see them in the reign of the Emperor Claudius, when, instead of having their empire circumscribed by their own walls, as in the time of Hannibal, they appeared to be ruling the whole world, as we are now supposed to be ruling India and half the world, breaking their old moral code of marriage law. Then their morals began to decay, and the doom of Rome was sealed; and if we do not firmly, resolutely, earnestly maintain the morals of this country, a greater and more appalling calamity will fall upon us, for which our descendants will have reason to curse us, than anything which has befallen the country before or can befall it in the direct shape of physical character. (The right hon and learned gentleman resumed his seat amidst loud and prolonged cheering.)

THE BISHOP OF OXFORD—My lord duke, ladies, and gentlemen—I can only say that it is a perfectly frightful thing for any man to have to second, at such a meeting as this, a resolution which had been moved in such a speech as that we have just heard. It we could but hear, as we do in another place, where we, my lord duke, often happily agree together—if we could but find any person weak enough or foolish enough to get up and attempt to answer such a speech, I should have the greatest possible pleasure in dealing with that answer; but when a resolution has been moved in a speech which has exhausted every argument and touched every string of feeling, what remains for the unhappy seconder to say? The learned Vice-Chancellor says that he hopes, when the question comes next before Parliament, a larger number of the Episcopal votes will be registered

against the passing of the bill. I can venture to assure him that if God gives me life and strength, he will at least see my vote registered against it. (Cheers.) For me it seems to be a ruled question even before I go into the sacred presence of God's revealed Word, and if I thought her wrong in that, I could not but conscientiously take one of two courses—either seek to alter her law, or else leave her community. As one sworn in the most solemn hour of life to take her interpretation of the Word of God and to act upon it, I, for one, as an honest man, could not stand up in the senate of my country and say, "Alter the law of the nation," when the law of the Church precludes such alteration. Perhaps you will allow me to stamp this conclusion again upon my own mind and upon the minds of all present—for it is all important—that we should have ready at every moment, as an answer to every assailant, the complete Scripture argument to their objections. The objections appear to me to resolve themselves into these separate heads. In the first place, when we quote to the objector the written word of God as contained in the Old Testament, he says—"Yes, but you must draw no inference from it, but take it as it stands." What is the simple answer to that? That he proves too much upon his own showing, for if we take it as it stands and draw no inference from it, we charge the Most High with allowing to His own people the marriage of the father with his daughter; and as no one of these gentlemen has yet gone so far as that, we have a complete answer to the argument which forbids our drawing an inference by analogy. The second argument we have to meet is this—"Yes, but supposing you may argue by inference and analogy, and by inference and analogy you condemn these marriages, yet there is another text which seems by one interpretation to contradict that position." The answer lies in a nutshell. It is this—that no law, human or divine, could bind any one, if you may interpret the plain by the obscure, instead of the obscure by the plain. We need not lose our time in proving the great obscurity of the second verse. The Vice-Chancellor just glanced at the high probability that what it intended to forbid was polygamy. But there is another view, a construction which has lately come over from America—namely, that that verse is really intended to be a limitation of that particular law of the Jewish ritual which, under certain circumstances, bade the brother marry the widow of his deceased brother—that it was the limitation of the Levitical law—and that it meant to declare that the law should not apply where such brother had already a wife living. It has been actually argued out in the document that has reached me from America, that in the case of Boaz and Ruth, where the nearer kinsman was challenged to perform the kinsman's duty and refused, he was not, as the law of Moses required, struck upon the cheek and branded as refusing to build up his brother's house, but his refusal was accepted, and the duty passed on to Boaz. And it is said he was not allowed to marry his brother's widow, because he was already married. This may be the true interpretation, or it may not, but if the case is capable of any such exceeding doubt of every kind, does it not come under the category in which the law meets those filtering consciences which seek, by some miserable subterfuge, to set dark things against plain, doubtful things against certain, in order to allow them the liberty they seek of gratifying their sensual appetites, as the rock of adamant meets the surges of the sea? (Cheers.) The argument next assumes this form—"Given, that it is forbidden in this chapter of Leviticus; I take my stand upon this position, that it is the law given to the Jews, and I have nothing to do with it." I wish they would hold to that opinion throughout. I shall have a word to say upon that presently, but let me clear the way as we go on. I say, be ready at once with this answer to every such objector—I grant your position, and I do not say that it is forbidden to us because it was forbidden to the Jews, or because it was in the law given to the Jews; but I say it is forbidden to us. The All-wise Legislator has revealed that there was a prohibition not grounded on any thing peculiar to the Jews, but on the law of universal purity and of universal right. It was a prohibition not for the Jews only. It was a part of that wonderful presence which, as we scan God's Word, meets us in fresh developments in every page. It is written for us, the Christian men of this day, who have to wrestle with the enemy upon this accursed question. It was written for us that these things God hated in the Canaanite and Egyptian, as well as the man who was under the ceremonial law of Moses. This is the distinction—It is not forbidden to the Christian because it was forbidden to the Jew; but it is forbidden to the Christian as well as to the Jew, because it was an abomination in His sight as to any man. If we go a little further with the religious argument, I come to that code of the Gospel which is binding on every man who admits the truth of revelation. Is it in vain, think you—when you consider in the way in which God's Word teaches—that there should be recorded in one of the Epistles one strong and distinct censure, written, remember, under the direct guidance of the Holy Ghost, as to one of these unclean mixtures, and that that one selected instance should be an instance of affinity and not of consanguinity—setting at rest for ever that other miserable argument, that after all, the law of nature teaches us the evils of those consanguineous unions, but has nothing to do with unions of affinity? The law of nature? Whenever that argument is used I should like to ask the

person who uses it—What do you mean by the law of nature!—do you mean the law written by the finger of God on our common nature? because, if you do, if you are going to quote that, you must prove that it agrees with His written law, for no two laws of the Almighty Legislator can thwart one another, and if I can show you that the written law says there was an abomination in all men, then the law of nature written by God in man's heart must say the same. But what is it that people commonly mean when they talk of the law of nature? I have uniformly found that it means their own predispositions—that the conclusion to which they have come is right. It means nothing more. Men are always this way arguing—always selecting parts of God's law which go against their own particular inclinations and temptations, and endeavouring to wear that law down until it suits their own case, by introducing licenses and private dispensations. This is the meaning of the "law of nature." It must be God's rule written in the heart of man if it is to mean any thing of truth. And then I say of this law that, in the words of the resolution, "it is dangerous to religion to alter the law of marriage," as abundantly confirmed by every argument that can be used. But there is another argument which I consider most important. One special ground which I have for wholly detesting the nature of the argument by which the advocates for a change of the law seek to maintain their opinion is this, that it is continually slipping back from the Christian standing-place into the old Jewish bondage. That is a grave charge to bring, but I can establish it in a single word. Amongst the newest arguments advanced by the most able, learned, and I believe religious advocates of the change, stands this, in monstrous prominence—"Yes, this is all very well, but you are not to deal with the two sexes as upon an equality; you must deal with the man in one way, and a woman in another." I say that that whole argument is a detestable piece of miserable sophistry. (Cheers.) What! stand up in a Christian community—amongst men whom Christ has made free—amongst those who have been taught the perfect equality of man and woman in the regenerate Church of Christ—and whisper to us that we are to go back to those miserable, half heathen, half Jewish fables, all of which are based in truth if you search it out—to tell us that woman is created for man's use and pleasure and not as a sharer with him of regeneration and of eternal salvation. (Cheers.) I can hardly conceive any set of arguments more fatal in truth to all real religion, in its power and in its purity amongst us, than those which have been introduced, not by accident, but of necessity, in order to support this despicable question. Then I may take the ground that this is fraught with danger to our religion, and I agree with the Vice-Chancellor in thinking that it is fraught with the greatest danger to our morals also. And for this plain reason—that I know nothing more certain to sap the morals of any country than to lower down the requirements of law to the invitations of appetite. It is a universal principle—once admit that your law is to forbid not what God has forbidden, but what man is able to observe, and you sap the very foundation of all moral power. And in this case indubitably what has been said already is perfectly true. Even if you grant this wretched relaxation, could you stop there? Does any man believe you could? Do the advocates of the change themselves even tell you so? This is the deceit commonly used in almost every question which involves downhill progress. You are told, "Concede this one thing, and all will be peace." But surely in vain the net is spread. It is openly stated by the men who want you to take this step, that instead of being the final step, it is only the beginning of a series. Why, only in the last debate in the House of Commons on the subject, a great statesman stood up and openly declared that if the alteration of the law which he advocated took place, it would be impossible to stop short, and that the change must go on to a still greater extent. Oh! what a lamentable utterance for a British statesman! How deplorable an exhibition of a man floating upon the placid edge of the mighty catract which in a moment is going to whirl him into depths which he cannot fathom! What an instance of human weakness is the man who gives up the moral principle for an external cry, and then tells you he does not know how far it may carry him! And he is right. This is no theory, it is a certainty. It is the result of existing fact. It is a frightful fact, that at this moment, in this highly favoured land, there might be found advocates for legalising unions in the very closest blood relationship, even more in number, if the violation of the law is to be received as an argument for its alteration. I was rejoiced to hear the argument of the Vice-Chancellor. I was rejoiced to hear him say that when the advocates for the change contend that this is a poor man's question, they simply tell us great untruth as could be stated. He tells us that he has made an investigation in a certain district with which he is acquainted in this metropolis. I felt it my duty to make an inquiry in my diocese through the parochial clergy of three large counties, and I found that there was scarcely throughout the whole of those three counties a poor man's case, but that the people who desired the change were the lazy, the wealthy, and the somewhat sensual middle class. The result of the inquiry was that in no sense was it a poor man's question. But I also found one person after another saying, "We lament that the breaches of the moral law, which it is pretended would be prevented by this alteration, are more in number in cases of near blood relationship, than they are in the marriage of a sister to a deceased wife. Look at what you are to come to. The law of the church, based upon the unchanged word of God, is

to be tempered down until it meets the appetites of a degraded sensuality. The British law, based in this case upon that law of the church, is to be lowered down professedly because people require it, and will marry illegally if you do not make it lawful so to marry. I say that this will sap the very foundation of national morality. One thing more the resolution says—that any alteration of the law of marriage which should permit marriage with a wife's sister or any other person within the degrees now prohibited would be fraught with grave danger and injury to religion, morality, and family life. Does any man deny that statement? Does any man after hearing the admirable way in which the Vice-Chancellor pressed it upon you, doubt that there are certain things (for the most part the deepest laws of our nature) which it is not safe to erect in the face of fallen man in the shape of a bare and simple prohibition, but which you must fence round with the feelings which are generated in the mind by education, by religious impressions, and by the whole tone of decent society protesting against them as an abomination. And not only this. I beseech you to consider this—are such prohibitions as this, part of an unkind denial by God of what, if granted, would be for man's happiness; or are they a merciful hedge, to include a greater amount of happiness than could in any other way be secured, and therefore given where strength is most required to maintain it and fence it round? That is the whole point of the question. Is the saying that blood relations shall not intermarry—putting every thing else aside, is the forbidding of blood relations to marry a cause of personal happiness or unhappiness in society? Does not all the sanctity of family life depend upon this prohibition? Does not the fact of its being impossible for a brother and sister-in-law to marry, spread the blessed law of holiness, like some dew from Heaven, around every tenderly shooting plant in every English house and home? If all this depends upon the prohibition, is not the issuing of that prohibition a mark of love? When it is extended to the near of kin through the wife, is it a prohibition causing unhappiness or happiness? Does not every man know that it is just the foundation of the blessedness of family life in England that these reserved cases are so strictly enforced, and that therefore the liberty within them may be so perfect and so unsuspected? Is not this the climax of all? Is it not the teaching of our blessed Lord, that marriage, however debased by the ignorance of man's heart, however lifted up again to its true level—even under the dispensation which God himself gave to the Jews, because the spirit was not to them given, and because then Christ had not given to those who believe on him the marvellous gifts it has bestowed on them—yet, from the beginning, marriage in God's institution was the union of the one man with the one woman, so that they twain might become one flesh. Is not that the principle of marriage as published by our blessed Lord? And if so, how can any man dare to say that my wife's near blood is not my near kin, without going altogether astray from the first notion of what holy matrimony is? Now see the puerility of the argument of those who advocate this change of the law. We have proved to you that God's Word prohibits these unions—we have shown that the Church, from the beginning, has prohibited them. I will add one thing, and the only thing the Vice-Chancellor omitted saying on this point. How can any man possibly account for the Emperor Constantine, in the year 355, having prohibited these marriages by the Roman law, except through the influence of the church? They were allowed by the Roman law, but within thirty years of the empire becoming Christian, the law was altered in that respect. The Roman empire at that time was increasing in its corruption. The people were becoming so decayed in morals that it needed the irruption of the northern hordes to restore them to that manhood on which morality can alone be grafted; yet in their decomposing state of morality they issued this rescript changing the marriage law, declaring that those marriages which had hitherto been allowed were henceforth unlawful; and I challenge any man to a solution of that circumstance except on the principle that the church had introduced those restraints and had published them through the imperial law. Then, I say that Scripture condemns these marriages; that the church has condemned them from the beginning; that they are contrary to religion, and dangerous to morality. I ask you to look at the cumulative force of these two arguments, as to their effect on family life. What does it depend on for its blessedness? Does it not depend upon the blessing of God on that union, which is an appointed instrument of His goodness to man, of His presence being with the wedded couple in the trials, in the sorrows, in the distresses, and in the manifold crosses and troubles of married life? And if you are now asked to introduce into your marriage law a principle which is contrary to religion and to morals, what are you doing? Bidding God's presence withdraw itself from the then unblessed state. What are you doing but, so far as you can, banishing that which makes Christian matrimony blessed? And if, as I believe, it is to the purity of England's family life, above all God's other blessings, secured to us in the unfathomable reservoir of His goodness by that holy institution, that we owe that moral and religious character upon which the position and prosperity of this nation depends, I do beseech you to set a front that no man can mistake against the proposition to alter it. Yes, when we have done with arguments we may venture to address your feelings. It is the apathy of those who believe this to be contrary to God's law that makes the danger. If there was half the zeal amongst those who believe the change to be contra-

to the mind of God to prevent its enactment which has been manifested by those who, to suit their own private ends, are trying to effect the change, their puny voice would be unheard amidst the universal condemnation. Scotland, to a man, is against it. England in its moral instincts, in its religious convictions, in its family life, is almost to a man united against the measure. It is but the old story—a band of a few, thoroughly in earnest for private ends, using money, means, voices, public political influence, bringing them to bear on men whose seat is trembling in the balance in certain boroughs, and to whom the question is put—“Will you have my support and give up the wife's sister, or will you protect the wife's sister and lose my vote?” Then, I say, let every man of us be in earnest—let every woman be in earnest—let us show in our demeanour, in our language, and in our conduct, that this is one of those questions which we will not suffer to be stirred without marking our disapprobation of the stirrer. The mischief is half done when the question is stirred at all. In those deep interests affecting morality and family life, the very declaration by that respectable carriage-keeper—(laughter)—that it is lawful to do it—the very publication of that opinion has done harm somewhere. It is like those states of the atmosphere predisposing countries to some diseases. Let the seeds of that disease fall where they may they are sure to find some one predisposed to receive them. Depend upon it, on this great moral question, a strong moral disapprobation of the troublers of moral law is never misplaced. In that which God has from time to time signally honoured and specially rewarded, go, I pray you, forth, one and all, determined that so far as your influence goes, the very debating of this question shall be put down, and, God helping us, England is safe. (Loud and continued cheering.)

The resolution was put and carried unanimously. The BISHOP OF ST. DAVID had to propose a resolution which was simply the necessary complement of that which had just been passed. The previous resolution expressed the unanimous conviction of the meeting as to the dangerous tendency of the proposed change in the law: his proposition pointed to the most simple, obvious, and necessary mode of carrying that conviction into practical effect. It was—“That this meeting promises to use its best endeavours to promote the signature and presentation of the following petition to both Houses of Parliament:—*To the Right Hon. the Lords Spiritual and Temporal of the United Kingdom of Great Britain and Ireland, in Parliament assembled.* The humble petition of the undersigned, being inhabitants of —, sheweth—That your petitioners view with alarm, the attempts which have been so perseveringly made to bring about a change in the law of marriage. Your petitioners therefore humbly pray your right hon. house not to pass any bill that has for its object the legalising of marriage within the degrees now prohibited by law.” He was not tired to disclose a reflection that came across his mind as he entered the room, as to a peculiarity of his own in regard to this question. Nevertheless, he would do so, for he enjoyed a certain degree of consolation under it, and it was just possible that it might afford consolation to others. There was this peculiarity in his own case with respect to this subject—that whereas the opinions of some persons had always been stationary, his own had undergone considerable variation. He was not ashamed of making this statement in that or any other assembly, because the same admission had been made by the late Bishop of London. That right rev. prelate stated in the House of Lords that he had not always taken the same view of the question, and he (the Bishop of St. David) was disposed to think that the view last expressed by the right rev. prelate very nearly resembled his own. There were some people who seemed to suppose that the whole matter lay in a nutshell, and that it was no very hard matter to crack the nut and extract the kernel. Now, although no doubt it was a great blessing and a great comfort to those who could say as much of their own powers, his consolation was, that perhaps after all those who enjoyed that comfort might have paid a higher price for it than he should be inclined to pay, and that their uniformity of opinion might possibly arise from their having looked to only one side of the question. He, on the contrary, had endeavoured to look on the subject from all sides. That to him was one source of comfort. Another was, that although there had been some variation in his opinions, it had always been a variation in the same direction; his view had not altered except in so far as it had grown much clearer and stronger than it originally was. He had also a third ground of consolation, which was, that, however his speculative views might have varied, his practical conduct with regard to the subject might have always been the same. He had never been one of those who had changed both their principles and their votes. And he would state why it was, that when his view of the subject was somewhat less clear and strong than it was now, he had not felt the least hesitation as to the course he was bound to pursue. The reason was that he had, he trusted, in common with the immense majority of his fellow-countrymen, an instinctive horror of any innovation in that part of our institutions which related to the law and order of family life. He conceived that any change in those institutions, however apparently for the better, must be a change fraught with infinite and incalculable evils. To make such a change, except upon the clearest evidence of its lawfulness, its ex-

pediency, its necessity, would be one of the grossest he would not say mistakes, but crimes, which a Legislature could commit. And, therefore, when he did not see all the bearings of the case as he did now, he felt that if there was a doubt or a difficulty in the matter, the greater was the strength of the argument against any alteration of the law; and he must say that he was astonished when he heard the doubts and difficulties that were said to beset certain theological arguments on the question adduced as reasons for changing the law, instead of as reasons for refraining from such change until such doubts were cleared up. But, in another point of view, he must consider himself in rather an unfortunate position. His own convictions, as he had said, had become clearer and stronger, but then he felt disheartened by the fact of finding himself continually voting in an increasing majority. And hence it was that many very excellent persons had an advantage over him. They had changed both their opinions and their votes, and always in the direction in which they conceived the current of public opinion was flowing. (“Hear, hear,” and a laugh.) Still, this was an advantage which he could not bring himself to regard with envy, but he rather looked upon it as a fact deeply to be deplored. But when he looked at the history and position of the question, there were two or three things which seemed to him to afford a sufficient explanation of that fact. He was very much and very painfully struck, on the last occasion when the subject was debated in the House of Lords, by one circumstance, which, so far as he was aware, was entirely new in the history of this question. Their chairman would probably remember that some years ago a night, on which otherwise neither house might have met, was given to the discussion in the House of Lords, on the ground that the question was entirely free from the influence of party—that it was one with which party feelings had nothing to do. On the last occasion—and he should never forget it—one of the speakers who gave the weight of his high character, his judicial reputation, his close and argumentative mind in favour of our cause—he meant Lord Cranworth—opened his speech with an expression of regret that he was not able to agree with his noble friends around him. He (the Bishop of St. David) then perceived for the first time, with great pain and uneasiness, that the question had become a party question, and that, too, in the House of Lords. That was a fact which he deeply lamented, but he could only say that whatever side he might take as a politician, his views on this subject would not be influenced by the political party to which he might happen to belong; and he contended that those who took the other view forfeited their right to vote or give an opinion on the question. There was another disagreeable occurrence which struck him during the last debate, though it was by no means a new one. He should never forget a few words which a noble lord whose circumstances connected him peculiarly with the mercantile interests of the city of London, and who had on more than one occasion been charged with petitions from large bodies in that and other great towns in support of that change in the law of marriage which he and those now present predated. That noble lord, on the last occasion on which he presented one of these petitions—a petition in which, if he (the Bishop of St. David) mistook not, the whole strength lay in the number of heads of municipal bodies who had signed it, as mayors and heads of corporations—he expressed himself in a certain tone of indignation that persons could be found so wilful and obstinate as to withstand or resist such a manifestation of public opinion. (“Oh, oh!” and a laugh.) Now, he would put a case. Let him suppose their noble chairman intrusted with petitions signed by every member of the Bench of Bishops, by all the dignitaries of the Church, by a great number of the beneficed and unbeneficed clergy, praying for the adoption of a decimal coinage, or some modification of the tariff, or some change in our navigation laws, or any other point involving profound and abstract questions of political economy—he should like to see the expression of countenance which would be assumed by that same noble lord who presented that petition on the subject of marriage, signed, no doubt, by many most respectable men, but whose personal opinion on such a question could not be more valuable than that of the Bishops and clergy on a point of political economy. (“Hear, hear,” and laughter.) The questions would really have been exactly parallel. But what was the practical conclusion as applied to the resolution he was going to propose? It showed the necessity of petitioning, and the signatures of those who understood the subject under discussion would certainly be as valuable as those of the heads of corporations, including even Alderman Salomon's himself. (Cheers and laughter.) The petitions in favour of the bill, and the statement made by the petitioners that such marriages did take place, was a fact to be regretted, but it did not induce him to change the opinion which after mature investigation he had formed; on the contrary, he had considered it an additional argument in favour of the kind of united exertion they were now commencing in support of the law. During the twenty years which he had been connected with his diocese, he should be rather going beyond than falling short of the mark if he were to say that he had never heard of more than three cases where marriage of the description contemplated by the promoters of the change was desired. He had never heard of more than one such marriage actually taking place, though he had been asked once or twice by clergymen whether they should comply with the request of parties who wished to contract such unions, and he was by no means satisfied that in the one case he referred to

perjury was not committed when the parties were asked if they knew of any legal impediment. He stated this to demonstrate that those supposed cases of violating the law by contracting such marriages were exclusively rare, though, were the fact otherwise, it ought to have no weight. There was another view which might, perhaps, have had a great deal of influence with many. He was told that in advocating his views he was setting up his private judgment against the word of God. But when they came to the point, it appeared there was quite as much of private judgment and just as little of the expressed word of God on the one side as on the other. The simple point was, there was a tacit, not an expressed permission. Neither the permission nor the prohibition was expressed; but there was a great difference between the two as far as implication was concerned. The prohibition was in perfect agreement with the whole context, while the presumed permission was perfectly contrary to it, and depended upon the most improbable supposition and the most strained interpretation. Yet the one was said to depend upon the word of God, and the other simply upon a human judgment. If they looked simply at the merits of the question, making the truth their great object—if they cast aside all their party considerations and regarded rather authority than numbers as to the opinions of those who were on the adverse side—if they were not swayed by any corrupt or improper motive—if they refused to be blinded by sophistry or dogmatism, and if they kept well together, then there need be no doubt or anxiety as to the result. He lamented that such an association as the present had not been formed many years ago, for if it had, the question would have been in a very different position. The Church had been asleep on this question, while her enemies had been wide awake and busy, sowing the tares. He trusted that he might say that the Church was now awakening to the magnitude of the danger, and he would call on all present to circulate petitions amongst those who might be willing to sign, in order to meet that false and spurious exhibition of public opinion which had imposed on the credulity of many both in and out of Parliament, by a genuine, real, and powerful exhibition. (Applause.)

Mr. J. C. COLQUHOUN seconded the resolution. Referring to the remark of Vice-Chancellor Pigo Wood that it was only in the West Riding of York that there was any desire on the part of the poor in favour of a change in the law, he assured the meeting that that district was not altogether tainted. He had received from ladies in the West Riding communications expressing their sympathy in the movement of this society, and recommending more active exertions against the agitation now going on for an alteration of the law. The question was one of such social interest both to man and woman that he did not wonder at its stirring up the heart of England, for it was the purity of female life in this country which was the basis of all our greatness. The purity of our married life consisted in this, that man and wife, following, however imperfectly, the Scriptural law, became, in our happy homes in England, one in interest, one in sympathy, and one in feeling. They felt that God had drawn around them a circle which separated them, indeed from the world without, but within which there was intimacy and confidence, and the husband felt that he had taken to himself by his connection the brotherhood and sisterhood of his wife, and the wife felt that she had taken to herself the brotherhood and sisterhood of her husband. It was true that by the providence of God this blessed relation by the death of one of the parties might be dissolved; but the ties which were formed were indissoluble—the circle of blood which was thus drawn was drawn by the Great Creator of man, and it was a circle which spread wherever man was found, whether shivering at the North Pole, or basking in the sunlight of the tropics. Every where there was the same magic and blessed circle, which created new hopes, new ties, new sympathies, new joys, and new affinities; and the husband taking to himself these affinities, and the wife taking to herself these affinities, they became one with an extended sisterhood and with an extended brotherhood in the deepest and most intimate confidence. Death might remove one of the parties, but death did not dissolve these ties. It did not make her who was called a sister yesterday less a sister because she was bereaved. It did not make him who was called a brother yesterday less a brother. From the moment of marriage they stood in a new and blessed relation, having contracted ties formed upon earth, but resting in the heavens—indissoluble ties, which no human act should dissolve. It had been said that there had been made increasing majorities in one House of Parliament and decreasing majorities in the other. But this was not a question to be settled by majorities of men, but by the fiat of him who made man. Passing by the vain and futile judgments of man, he appealed to that enduring law which was written by God in every heart. When a man was widowed by an act of Providence, and bereaved of the partner of his life, the blessed providence of God allowed him to take unto himself another. But he must refrain from entering that circle of blood which had been drawn not by human dictate but by the Divine law. If it should be said "Here is an Act of Parliament which gives a licence to encroach within that circle"—but he trusted that would never be the case—nature would recoil, for God, who is above all Acts of Parliament, had prescribed a law which man dare not defile. Therefore, passing through the shifting pageantry of time, and turning his back on the future majorities of Parliament, he would appeal to those eternal counsels which were written

in the heart of man, and would say—Men and women of England, if you value the purity of an English home, if you love and cherish the sanctity of the family hearth, keep entire that circle which God has traced by his divine finger, within which is love, and peace, and purity, and the joyous confidence of trusted hearts; but within which, if you ever introduce the serpent tongue of this fatal measure, which will create distrust instead of confidence, and infuse poison instead of confidence, then woo to English homes, and sadness to many a mourning heart.

Mr. KER SKYMON, M.P., in supporting the resolution, remarked that although the bill more than once passed the House of Commons, it was always in a comparatively thin house, and if a true canvas could now be made of the members of the Lower House, he did not believe that a majority would vote in its favour. The House of Commons was led away a great deal by claptrap, particularly with regard to this question. When certain persons wished to do any thing, the interests of the poor were always put forward, but he believed that nothing would have been heard on this subject if the poor only had been interested in the question. The poor did not keep offices in Parliament-Street, or advertise extensively in the *Times*, or send lawyers' clerks all over the country, to agitate the question and get signatures to petitions. Who the people were who kept the offices in Parliament-street, advertised in the *Times*, and sent these lawyer's clerks about, he did not know, for their names were not put forward, but he strongly suspected that they were some of those rich persons of whom they had heard, who, having broken the law, were anxious to alter it, in order to cover their illegal acts. Another piece of claptrap was the talk about the disconsolate widower being so deeply attached to his wife, that he was anxious to marry her sister, in order that she might take care of his children; but he believed it was much less the children of the first marriage that were thought of in these cases, than the anticipated issue of the second.

Mr. A. J. B. BENKSFRON-HORN moved—"That this meeting considers the Marriage Law Defence Association worthy of the support of all persons desirous of opposing the threatened change in the matrimonial law." He observed that the mayor and corporation influence, to which the right reverend alluded, he himself was a sufferer from. He owed to that, in fact, his exclusion from the Parliament in 1852. He received a notice that in consequence of his vote upon the bill for legalising these marriages he would not be returned. He replied that he was very sorry for it, but he entertained a conscientious view upon the question, and all he could say was, "Good morning to you, gentlemen." From his own experience, he knew how the screw was put upon members of Parliament upon this question. Those members who had any selfish motive to gratify—those who desired to oblige the mayors, town clerks, and beer-house keepers, found it convenient to come down on the Wednesdays, when, as there was always a thin house on these days, the question was invariably brought on, and vote for the bill; and this was the way in which it had hitherto been carried. He knew that feeling of delicacy which prevented the opening of this question in a public meeting, but after all it was a most important question—it was the question of the women of England, of the wives and daughters of England, who, with the natural delicacy of their minds, shrank from any thing like public discussion on the subject. This the enemy knew and relied upon, and it was a striking instance of might overruling right. He altogether denied that it was the poor man's question, and of this they had the best evidence in the report of the commissioners. Their statistics showed that of the marriages which took place, or were known to have been prevented by the state of the law, between persons within the prohibited degrees, up to 1848 there were 1,848, of which 196 occurred before the act of 1836; since then there had been 1,364, and 88 had been prevented. Of these 1,648 marriages, 1,608 were amongst the higher and middle classes, and 40 only amongst the lower. And yet, with these statistics before them these people who agitated the question had the brazen effrontery to come forward and call that clean which God had pronounced unclean, and call that holy which God had denounced as unholy; and, as they said, all for the sake of these poor men who in their soul's soul they knew were not the sufferers from the existing state of the law, but really for the sake of those men who were rich enough to bid defiance to the law, and wealthy enough to endeavour to alter it for their own purposes.

The Rev. DANIEL MOORE seconded the resolution, and from his own experience stated that the proposed alteration of the law was not desired, nor could it be a boon to the poor, for in poor families it was impossible for the wife's sister to be placed in the position of guardian to her sister's children, because as soon as the daughters in poor families were marriageable, they were married, or employed as servants. The resolution was agreed to.

Dr. JELF, in moving a vote of thanks to the Chairman, could state from a long acquaintance with Germany, that the people of the better class in that country were surprised that the people of England should be agitating for permission to contract these prohibited marriages, which in the case of their own country had been attended with the most pernicious consequences.

The DEAN OF WESTMINSTER seconded the resolution, which was carried by acclamation, the Bishop of St. David pronounced the Benediction, and the meeting then separated.