HOUSE OF DEPUTIES SITS ALL DAY AS A COMMITTEE OF THE WHOLE

BOARD OF MISSIONS WILL NOT CHANGE CANON UNTIL NEXT GENERAL CONVENTION

Bishop of Dakota Tells of Sioux Indians.

THE Board of Missions, in session last evening at Trinity Church, decided after several hours' discussion to refer the report of the committee intrusted with the resolutions amending the form of canon 7 of the constitution to the General Convention of three years hence. It was also decided to place printed copies of the proposed amendment in the hands of members of that convention three months before the date of its meeting.

The section of last night was to have been devoted to the subject of domestic missions and the Bishops of Alaska, Missouri, Kentucky and South Dakota were to have addressed the board. Most of the evening, however, was taken up with the amendment of canon 7 and when the decks were finally cleared the Bishops of Alaska and Kentucky had retired. The Bishop of Kentucky was to have spoken of missionary work among colored people; the Bishop of Alaska of the work in his own frozen diocese.

The Bishop of South Dakota spoke for just a few moments. He exhibited a walking cane carved by a Christian Sioux Indian and presented to the Bishop a short time ago with the statement that the carving told the story of the Indian. The head of the cane was of stone; along the stick was carved a snake chasing a mouse which was just about to find safety in a hole carved in the stone handle.

"I asked the Indian what the carving meant," said the Bishop.

"He replied, 'Weakness seeks refuge in strength,' and this is the case to-day with the Indian."

The Bishop of Missouri spoke entertainingly and expressed the hope that the Episcopal church would yet become the national church of the United States.

CHAIRMAN OF COMMITTEE OF THE WHOLE AND PARTICIPANTS IN THE DEBATE ON DIVORCE.

ELOQUENCE OF ORATORS APPLAUDED

Continued From Page One.

Deputy Packard of Maryland, who presided over the debate, was obliged to read the rules of order when applause greeted some of the speakers. He cautioned all present that in the event of another breach of decorum he would enforce the rules and have all but the deputies conducted from the church.

The debate was not finished when the hour of adjournment was reached yesterday afternoon and it will be continued on Monday morning.

The House of Bishops after a long debate in executive session adopted a canon for disciplining divorced persons who remarry. The prelatees also nominated five clericals to fill vacant missionary districts in the Orient and America, whom the House of Deputies will be requested to accept.

The Board of Missions held a short session last night and disposed of important matters. Sessions were held yesterday by the Woman's Auxiliary, the Brotherhood of St. Andrew and other organizations connected with the Episcopal church.

HOLD SPECIAL SERVICES.

Visiting Churchmen at St. Stephen's and Church of the Advent.

The Brotherhood of St. Andrew conducted "A Quiet Hour" at St. Stephen's Church last evening. The service was a preparation for holy communion and was under the direction of Rev. Arthur S. Lloyd, general secretary of the Domestic and Foreign Missionary Society.

There was also a special service last night in the Church of the Advent. The Bishop of Milwaukee conducted the service and the coadjutor of Fond du Lac preached the sermon.

Willing Workers to Give Concert.

A concert and social under the auspices of the Willing Workers of the Bush-street Synagogue will be given at the Hall of the Cercle Francais, Hotel Savoy, at 8:30 o'clock to-morrow night. The proceeds will be devoted to the building of classrooms for the Sabbath school connected with the congregation.

Contest Over an Estate.

Irene Mary Harrigan, who applied for letters of administration upon the estate of her father, John Harrigan, yesterday, is placed in a peculiar position. The duties of administrator are now being performed by Dennis Harrigan, who opposes the young woman's petition on the ground that she is not the daughter of the late John Harrigan, having been born after he had secured a divorce from his wife. The hearing of the petition was continued until next Friday.

Stops the Cough

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ORATORICAL EFFORTS OF SPEAKERS ENJOYED BY FAIR VISITORS.

Continued From Page One.

"So much of this amendment, sir, as is new and not contained in the form submitted by the committee—so much of my amendment as is new is not my own, but the work of a former member of this house, Mr. Miller of Georgia, who is not in attendance here because of duties in the Supreme Court at Washington. Mr. Miller was a member of the committee appointed by this house to deal with this subject, and the view which holds and which I share is embodied by his own hands in the amendment which I have now offered.

"With respect to the legal merits of it I shall have nothing to say, for there are many on this floor far more competent to speak upon that point, but I should like very briefly to state my argument on the main principles involved and which I believe to be unanswerable.

"It is admitted by all that our Lord Jesus Christ in his utterances on the subject of marriage and divorce spoke of one exception to the rigid law which he laid down, and I do not raise the point as to interpretation of the exceptions, but make the single point that our Lord Jesus Christ in his own legislation admitted the exception of one exceptional case.

"How can that be met by the friends of this measure? Only by discrediting the record. Only by raising the question of a higher criticism, and if that question be raised there will be scholars enough to meet it. I may remark in passing that it is a little singular that the opposition of our existing legislators on this subject should come from a person who lost no opportunity to disparage higher criticism, whereas when it comes to the issue the only way in which the legislation which they propose can be adopted is by methods of higher criticism.

"Our Lord Jesus Christ admitted one exception to his rigid law of marriage, therefore any legislation by this church which does not admit one exception to the rigid law of marriage is not and cannot be in accordance with the mind of Jesus Christ."

VIEWS OF REV. MR. BATTLE.

The Rev. Mr. Battle of North Carolina said: "Mr. Chairman and gentlemen of the convention: I have drawn an amendment to this clause under consideration in almost the exact terms of those offered by the deputy from New York. I will ask the clerk to insert after the words 'nor to the remarriage of parties once divorced, seeking to be united again.'"

Deputy Lewis in reply said: "In reply to the gentleman from North Carolina I would ask whether he does not think the committee has covered his objection in the canon they have proposed and in the portion of which it is left intact by the amendment of the reverend deputy from New York. The word 'other' in the third line before 'persons' was inserted there for that purpose. They are forbidden to marry any one who has been the husband or wife of any other person then living. If they have been the husband or wife of some person there is no objection and it was put there for that purpose."

The Rev. Mr. Battle—I believe in leaving nothing to construction that can be avoided by the enactment that is made at the time the legislation is desired and therefore I see no objection to adding the words that are in the present canon on the subject of marriage and divorce.

Continuing the Rev. Mr. Battle said: "I desire that this church should set an example to the citizens of the United States of all churches of all denominations. I believe that we should try to constitute ourselves leaders on this question. And if we do not adopt this canon as sent down from the House of Bishops we would make a very great if not a fatal mistake. I believe that if we adopt this canon we will take a step that will enable us in the end to bring about uniformity of the laws of the United States in regard to marriage and divorce. I believe that this legislation is such as is suited to the people of the United States and as is consistent with the Christianity of the United States.

"What was the law when our Savior spoke to his disciples on this question? It was that a woman guilty of adultery should die. That, of course, would end the marriage. Isn't that so? And if he said nothing about the adultery of men it was because he was not laying down laws inconsistent with those of the Jews then in existence. The laws of the Roman empire were then in the ascendant. The very laws to which these people allude who asked him these questions admitted polygamy. A man was allowed to have a plurality of wives.

"The teachings of our Lord and Savior Jesus Christ laid down such principles of morality, such principles of religion and of virtue as have educated the people of all civilized countries to the point at which we stand to-day. Women of his day were but little better than servants. Men were their masters. Why say that a woman guilty of adultery that her husband should be divorced when the law was that she should die, to end the marriage in that way?

"What did our Savior say when they asked him the question, 'What shall be done with this woman who was taken in the act?' He replied, 'Let he who is without sin among you throw the first stone at her.' What sin had the man done? Why, the sin which they charged her with being guilty of. Nobody doubted that or can doubt it who reads it with understanding. He didn't pardon her sin. He didn't condemn her to death. This is what he said to the woman: 'Has no man condemned thee? Neither do I condemn thee. Go, and sin no more.'

"I know that it is natural for this church, refined and educated, to desire to stand upon a higher plane than any other Christian body can stand, but let us not take an impracticable step. Let us take a step in which we will be accompanied by the best people of this country in all churches of any and all denominations."

The Rev. Elder of South Virginia stated that he was in sympathy with the amendment but deemed the language not sufficiently comprehensive and that the evidence of adultery should be sought in the records of the court rather than upon the face of the decree, etc. "My only object is to enlarge the means or the way by which the ground or cause of divorce is to be ascertained," he said.

WANTS AMENDMENTS BEATEN.

Judge Bradford of Delaware, United States District Court Judge of Delaware, then addressed the committee as follows:

Mr. Chairman, gentlemen of the committee—I sincerely trust that these amendments will be defeated. I hope from the bottom of my heart that section 4 as reported from the House of Deputies will pass. I am not one of those who believe that Holy Scripture forbids the marriage of an innocent party to a divorce on the ground of infidelity during the lifetime of his or her wife or husband. I do not entertain that belief, but equally, I do not believe that Holy Writ contains a command or an injunction that under all circumstances and regardless of the conditions existing at the time, a divorced person, though innocent, must be married and must receive what he is entitled to have, the ceremony performed and solemnized by the ministers of this church.

I believe that the situation confronting us is one which demands of us some action. It seems to me that this question cannot be decided by merely theological arguments. We all know that there are very many learned men who differ on this subject. We cannot expect them to agree. Now what is our duty? Look at the condition of society. I claim that considerations of religion, of Christian morality, and I may further say, common decency, require the passage of the resolution as reported from the House of Deputies.

Now, during the past few years, the granting of divorces has attained such alarming proportions as to be a growing menace to the morals of the family and to the community. It has brought reproach upon Christian communities throughout the length and breadth of this land. It menaces the purity and happiness of the family, which we all know is at once the unity and basis of our Christian civilization.

I believe, gentlemen, that it is the duty of the church to take action in this matter. The question is, what action? Shall it apply a general rue? Or shall it apply a rule subject to exceptions, which will partially neutralize and defeat the rule itself? I am in favor of the universality of the prohibition in all cases of divorce, no matter what may be the cause, for the simple reason that in my judgment no other view, no other law, is practicable and can work satisfactorily. We all know that most general laws work individual hardships in particular cases, but because individual hardships may result from the application of a general rule, no argument is furnished against the propriety of that law, if it be calculated to do good to the greatest number. If it promote the general welfare we rest content with it.

Undoubtedly the universality of the prohibition is contained in the section as reported from the House of Deputies will, in my judgment, in certain cases, work a hardship, for I do not, as I have already stated, entertain the ideas entertained by a great many of the delegates here present. But shall individual hardship practically defeat in large measure the beneficial results which will enure from the universality of the rule? I claim not.

MINISTERS LACK AUTHORITY.

Now it is proposed in substance to amend the section by excepting the case of an innocent party to a divorce on the ground of adultery. Who is to ascertain the fact of the innocence? Will it appear by the record? Certainly the ministers of this church have no authority at their own instance to institute an inquiry which might lead to a satisfactory determination of the fact. They are without power to summon and examine witnesses, so it goes without saying that if the innocence of the parties is to be established at all, it must be established by evidence, as the lawyers say, aliunde.

Of what shall that consist? Shall it consist of a certified copy of the decree? Why, as stated by the deputy who last spoke (the Rev. Mr. Battle), in many cases decrees do not disclose the precise ground on which the divorce has been granted. A libel for divorce may set forth various grounds and the decree in some of the States is simply that a divorce a vinculo matrimoniae be granted. Of course, all the discussions I am referring to are of absolute divorces and not merely divorce from bed and board.

Who is to determine the innocence of the party? It not unfrequently happens that both parties are guilty and that there is collusion between the parties. How are you going to meet that case by a certified copy of any record? How is it possible to meet that case by the production of the record of a civil court? You can't do it. If there be collusion between the parties one will be found guilty, of course, if the divorce be granted, but only inferentially. The other party is innocent. Whereas, in case of collusion they are equally in guilt. I claim therefore that if you introduce any exception to that universality of this rule you largely defeat the purposes to be accomplished by the section.

I claim that it is better and safer to let the section stand as it is. It may be we will work individual hardship in some cases, but in the long run it will conduce to the welfare of the community, it will be for the protection of the clergy and it will advance the interests of religion on all sides. Under the present condition of things they no doubt for the moment had in view the laxity in relation to marriage and divorce. What is called holy matrimony is now only too often a contract of convenience between the parties, more or less temporary in its nature.

DR. GREER'S ARGUMENT.

The Rev. Dr. Greer of New York, who is in favor of prohibiting remarriage of divorced persons, then addressed the committee as follows:

"Mr. Chairman and members of the committee: There is no doubt in my mind that there is no subject of greater importance that is to come or that can come before this General Convention. I find myself interested in it, not merely, or not chiefly, as a theologian or an ecclesiastic, but as a priest of the church, and as a lover of my kind and as a lover of my country.

"What is the present social situation in this country? It has been statistically summarized for us time and again by different persons, but by none perhaps more succinctly and clearly than by Dr. Peabody of Cambridge in his admirable book on Jesus Christ and the social question, where he tells us that during the recent year more divorces were granted in this country than in all the countries of Europe, Australia and Canada; that while during the past twenty years, as he says, the population of this country has increased at a ratio of 60 per cent, the divorces during that period have increased at a ratio of 156 per cent, and further he adds that if this accelerating ratio shall continue there will be more marital separations by the end of the century by divorce than by death.

"That is the social situation which confronts us, or rather in the midst of which we are, and as far as each of us has influence before this body we are responsible for the social situation of the body, as therefore, in my limited way, a student of social progress, as a student of the course of civilization, of the method of social development which teaches me and teaches, it seems to me, every student in clearest and most emphatic language the inviolability and indissolubility under any circumstances of the integrity of the family unity, I find myself compelled to vote against the amendment which has been offered by my esteemed friend from New York and to favor the canon as it has been passed in the House of Bishops and sent down to the House of Deputies.

"And, sir, I believe further that this is the teaching of our divine Lord upon the subject. Every one, of course, is responsible to his own intelligence and to his own conscience in the interpretation of the teaching of our Lord. I believe that the drift of his teaching is to lay the stress not only upon the indissolubility of the family, but upon the spirituality of the family relation. To dissolve that relation is to disintegrate that unity. It seems to me implicitly recognized that it is a physical relation and not a spiritual relation. It is a spiritual relation into which a man and woman enter. A spiritual relation in the midst of a physical environment like the soul in the midst of the body or like the divine and personal in the presence and in the midst of a physical universe.

BELIEVES IN SEPARATION.

"I believe in separation. I believe that for many causes other than infidelity, physical infidelity, there may and ought to be separation. Cruelty, drunkenness and other things, necessary perhaps and expedient beyond those necessary, that the husband and wife who are husband and wife in this world, that they should be separated, but not that they should be absolutely divorced so that either party should have the privilege of remarriage. May I quote in this connection again what Dr. Peabody says in his admirable chapter upon the family in that book:

"'Brother and sister may be separated; parent and child may be separated; they may be alienated for what seems to be good and sufficient cause, living far apart on opposite sides of the earth, but they are always, as this same gentleman remarks, always and everywhere brother and sister, parent and child, and cannot be anything else.'

"I am interested, therefore, in the passage of this proposed canon because I love my kind, because I love my country and because if I want, as far as in me lies, to put some stop and check to the anarchistic poison that is blushing in our society to-day. I want to begin at the beginning, because I recognize that the family is an indissoluble unity and that if you permit, from any cause, any disintegration or solution of that unity you are poisoning the germ that will ultimately poison the whole social body and the whole national framework.

"Sir, and gentlemen, I recognize the fact and no one more clearly or better than I, that in some instances it will work hardship. Of course, in some cases it will work hardship. That is always the case with the great principle of social righteousness.

"I read only the other day in a book some such figure of allegory as this:

"'Some beautiful companion vases placed beside a fire were talking and complaining against the elements and said: "See how bitterly you treat me. Me you destroyed. All these you give durability."

"'But the other one replied: "You have nothing to complain of but your own nature. For me, I am fire everywhere and always."'

"Social righteousness is illustrated and taught in that great divine development and altering of society as illustrated and taught as I think by the sovereign lord of the world. Social righteousness may burn and destroy here and there and work social hardship, but it is social righteousness always and everywhere.

FAVORS THE AMENDMENT.

The Rev. Dr. McKim of Washington, who favored the amendment of Dr. Huntington, said:

"Mr. President and gentlemen of the committee: I rise to speak upon this subject under a very solemn sense of responsibility. It has been truly said that no question that is to come before us, or that can come before us, is more important.

"I desire at the outset to express my deepest sympathy with the motive that lies behind the canon that has been proposed to us and that has come down from the House of Bishops. I sympathize profoundly with the motive which is intended to guard the purity of the family, which is intended to check the vast and growing evils of divorce in our land. But, Mr. President, I differ in toto from the committee in regard to the measure which they propose as I do not believe it will accomplish the ends that they propose. I believe so strongly that it is a measure fraught with evil to this church, not only in itself, but in its relationship to the people of the land, and if there were no other voice in this convention to rise and oppose it, mine should be that voice.

"Now, sir, I beg to call your attention; first, to the fact that this proposed legislation is revolutionary. For 100 years it has been the privilege of the clergy of this church to officiate at the marriage of an innocent party in the case of divorce for adultery. The practice, the principles, the usage of the church, for 100 years, is now proposed to be overturned, and in justification of that statement I have only to point to you the language used by a member of the committee himself.

"I mean the Rev. Dr. Fulton, who said that this legislation is along the lines of discipline of the Western church; that is to say, the church of Rome. I object again to this because it brings into this church the doctrine upon the subject of marriage which belonged distinctively to the church of Rome. We had yesterday the 'Bishop of Rome' upon our floor. That was something to laugh at because of a mistake, but to-day, in this proposition, we have the spirit and the teachings and the discipline of the Church of Rome in very deed and truth.

"The Church of Rome teaches that marriage is absolutely indissoluble. This church has always taught it. Now this is a proposition that we shall change our position upon that point so that marriage is absolute and under no circumstances indissoluble.

"I would like at once then to come to the question. What is the teaching of our divine Lord? The reason why I object to this legislation, the reason why I feel so profoundly upon it, the reason why I would not dare to vote for such a proposition as this, is because, in my opinion, this is in direct contravention of the teachings of holy Scripture and the authority of our Lord and Saviour Jesus Christ and of the authenticity of the records of the holy Gospel. I believe that it would be one of the gravest possible errors that this church could possibly make.

"Let me first, briefly and hastily as possible direct your attention to what the real evidence of holy Scripture is upon this subject. Our Lord spoke about this upon three occasions. Two of them are mentioned in Matthew and one in St. Luke. St. Mark mentions one which is one of those mentioned by St. Matthew.

"In two of the cases upon which our Lord spoke he made that one exception to the indissolubility of marriage. Now it is said that St. Paul has spoken in the seventh chapter of Romans and seventh chapter of First Corinthians and says nothing about an exception, but it did come to pass that a statement of our Lord was to be subjected to the extenuation of an exception. Our Lord in St. Matthew in those two places states the law and the exception. St. Paul states the law without mentioning the exception.

"Now, Mr. President, my opinion, of course, will not weigh much upon this subject, but I venture to direct attention to the opinion of one whose authority will, I think, be recognized. I hold in my hand the clerical confirmations for July, 1898. In the course of the debate that took place in the upper house the Bishop of Lincoln—you gentlemen who are legislators will respect the opinion of Dr. King, the Bishop of Lincoln, who was tried for his ritualism. This is what he said:

"'The argument from Scripture seems to be such that I cannot regard marriage as absolutely indissoluble. The excepting clause to these statements in the Gospel must, it seems to me, limit the general statement to St. Mark and St. Luke. Such would be the question to my mind, and when I consider the weight of the authority of our greatest Biblical scholars I dare not put it aside. Such was the question put by Bishop Wadsworth, whose learning is known to all of us.'"

The speaker quoted other noted churchmen of England, and continued:

"All these men agree in saying that in case of adultery the marriage may be dissolved and the innocent party at least allowed to marry again. The responsibility of opposing their judgment is very great. Gentlemen, I think the responsibility of opposing the judgment of those great scholars and of opposing their judgment in the English-speaking world in the nineteenth century, is very great indeed.

"Now, gentlemen, there is your canon in which you say the innocent party shall not be permitted to have the services of this church, shall not have the services of its pastor in connection with such a ceremony, and if that canon is passed, then we will be in this position—you will refuse your own children the right to matrimony in such cases, but you will accept them in your communion.

RESPONSIBILITY OF CLERGY.

"Mr. Chairman, allusion has been made here

Continued to Page Three.

MISSIONARY BISHOPS APPOINTED

Continued from Page One.

of the missionary district of Shanghai, to be missionary Bishop of Hankow; Rev. Charles H. Brent, a presbyter of the diocese of Massachusetts, to be missionary Bishop of the Philippine Islands; Rev. Frederick William Cator, presbyter of the diocese of Iowa, to be missionary Bishop of the district of Porto Rico; Rev. William Cabel Brown, D. D., presbyter of the church in Brazil, to be missionary Bishop of the District of Olympia, and Rev. Charles Campbell Pierce, D. D., presbyter of Washington, to be missionary Bishop of the District of North Dakota.

A message was also sent to the House of Deputies that the Bishops had concurred in and adopted proposed article V of the constitution and that it had disagreed to the ratification of the proposed article V and the second part of the proposed article X.

At its session in the afternoon the prelates discussed canon 37, relating to divorce, and concluded by adopting the following substitute:

Title—"Of Persons Marrying After Divorce."

No person divorced for causes arising after marriage and marrying again during the lifetime of the other party to the divorce, nor any person marrying a person so divorced, shall be admitted to baptism or confirmation or permitted to receive the holy communion until the written approval of the Bishop shall be given; provided, that this prohibition shall not apply to the case of the innocent party to a divorce for the cause of adultery, and provided also, that the sacrament shall in no case be refused to a penitent person in imminent danger of death.

The House of Bishops also considered the proposition to accept a portion of the State of Kansas as a missionary district. A vote was taken and it was decided that action upon the matter should be deferred. It was recommended, however, that the Board of Missions should take cognizance of the fact that the Bishop of the diocese was laboring under extraordinary burdens.

A committee of five, composed of the Bishops of Albany, Fond du Lac, Texas, Vermont and Los Angeles, was appointed to prepare a canon on provinces and submit it to the next convention.

A committee composed of three presbyters and three laymen was appointed to take up the consideration of the translation of Bishops and report at the next convention. The committee appointed by the House of Bishops consists of the Bishops of New York, Maryland and coadjutor of Southern Ohio.

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