

Inter-Church Conference on
Marriage and Divorce



SECOND ADDRESS AND APPEAL TO
THE CHRISTIAN PUBLIC

INTER-CHURCH CONFERENCE ON MARRIAGE AND DIVORCE.

Churches represented :

PROTESTANT EPISCOPAL CHURCH IN THE U. S.,	EVANGELICAL LUTHERAN CHURCH,
PRESBYTERIAN CHURCH IN THE U. S. A.,	THE BAPTIST CHURCHES,
METHODIST EPISCOPAL CHURCH,	THE CONGREGATIONAL CHURCHES,
METHODIST EPISCOPAL CHURCH SOUTH,	THE UNIVERSALIST CHURCHES,
REFORMED CHURCH IN AMERICA,	THE UNITARIAN CHURCHES,
REFORMED CHURCH IN THE U. S.,	THE REFORMED PRESB. CHURCHES,
UNITED PRESBYTERIAN CHURCH,	THE CUMBERLAND PRESB. CHURCH,
	THE ALLIANCE OF THE REFORMED CHURCHES HOLDING THE PRESBY- TERIAN SYSTEM.

SECOND ADDRESS AND APPEAL TO THE CHRISTIAN PUBLIC.

The representatives of the fifteen Churches composing the Inter-Church Conference on Marriage and Divorce, who during the past three years have held several meetings for the consideration of the important subjects entrusted to them, issue to the Christian public this second Address and Appeal.

The latest meeting of the Conference was held at Washington, D. C., January 25th and 26th, 1905, and the action taken by its members with absolute unanimity was along two distinct and separate lines, civil and ecclesiastical.

In the matter of the relation of the State to the subject of divorce, the Conference has cordially accepted the guidance of the American Bar Association. That Association, at its meeting in 1900, approved an Act respecting Divorce which had been drawn up by the Commissions on Uniform Laws appointed by about thirty of the States of the Union. The Act, so far as the first five sections are concerned, was adopted by the Conference, and highly approved as a decided step forward towards securing unity of legal procedure in the several States, in order to check and control hasty divorces and prevent the possibility of procuring fraudulent divorces for the purpose of remarriage. The Conference recommends the amendment of the sixth section of the Act in the direction of the greater safety of society and the more complete protection of the home, and the proposed amendment is printed along with the Act in the Appendix to this Address.

The members of the Conference are happy to make known their high appreciation of their reception at the White House by the President of the United States, on the afternoon of January 26th, 1905, and of his prompt and frank expression of sympathy and readiness to co-operate in measures which might tend to the preservation of the sanctity of marriage, the safety of the family, and the sacredness of the home. With the most cordial outspokenness the President pledged his help to further

these objects which the Conference aims to serve, and at the suggestion of the Conference with characteristic promptness he sent a message to Congress within four days, asking that the Census Bureau be "authorized by appropriate legislation to collect and publish statistics and laws pertaining to the subject of divorce from 1886 to the present time." This legislation has been enacted.

The Conference also authorized the Chairman to prepare a second Address and Appeal, and adopted the following Resolutions:—

"*Resolved*, That a copy of such Address and Appeal be sent to the President of the United States, to the Governors of all the States and Territories, and to the clergy of all Churches represented in the Conference, asking their aid and influence for the passage in the District of Columbia and in the States and Territories of such an Act as that recommended by the American Bar Association, the sixth section being amended so as to provide that if action is to be taken on the subject of remarriage, the innocent party shall not marry again within a year from the date of the decision allowing the divorce, and that a just discrimination shall be made between the innocent and the guilty party; And providing further, that the final decree shall not be entered until six months after such decision; such six months, if allowed, to form part of the year.

"*Resolved*, That the Chairman ask the consideration by the American Bar Association of such an amendment.

"*Resolved*, That a copy of the Address and Appeal be sent to the Chief Justices of the highest Courts of the District of Columbia, and of all the States and Territories, respectfully asking them to call the attention of their Courts having jurisdiction of divorce to the fraud often practiced upon them by false or insufficient evidence in respect of residence and cause for divorce, and by collusion between the parties, and requesting them to endeavor to have all requirements of law in their States or Territories rigidly observed in cases coming before them."

Further than this, the Conference by a unanimous vote adopted the following Resolution bearing upon the ecclesiastical part of this momentous question, and tending to secure unity of action among the Churches as to the religious side of marriage:—

"*Resolved*, That it is the judgment of this Conference, and hereby it is recommended to the ecclesiastical bodies represented in the Conference for their approval, that ministers should refuse to marry divorced persons, except the innocent party in a case where the divorce has been granted on Scriptural grounds, nor then until assured that a period of one year has elapsed from the date of the decision allowing the divorce."

It will be noticed as to this Resolution that the Conference recommends first, that remarriage after divorce be allowed by the Church only to the innocent party divorced; and, second, that even in such cases, it is recommended that the time-limit as to remarriage be fixed at one year, in order to avoid the securing of a divorce from one person for the sake of immediate remarriage to another, thus helping to prevent the indecent haste which has increased the scandal of divorce cases, and also affording time for thoughtfulness and possible reconciliation between the parties to the suit.

In issuing this statement of the action taken by the Conference, action more strong and practical than ever before, its members once more earnestly appeal to the Christian conscience of America to rouse to a realization of the grave conditions which exist now among us, and ask all Christians to bestir themselves to the formation of such public opinion and such religious convictions as will check and arrest the dangerous, downward tendencies which so threaten the most sacred institutions of humanity. We make the impressive declaration of President Roosevelt our own, that if the nation shall "solve every other problem in the wisest possible way it shall profit us nothing if we shall have lost our own national soul; and we will have lost it, if we do not have the question of the relations of the family put upon the proper basis."

In behalf of the Conference,

WM. C. DOANE,
WM. N. McVICKAR,
DAVID H. GREER,
JOHN FULTON,
J. H. ECCLESTON,
RANDOLPH H. McKIM,
EDWIN B. NIVER,
FRANCIS LYNDE STETSON,
CHARLES A. DICKEY,
S. J. NICCOLLS,
WM. J. McCAUGHAN,
PAUL F. SUTPHEN,
JOHN E. PARSONS,
JOHN W. FOSTER,
WM. M. LANNING,
S. P. HARBISON,

JOHN S. CANDLER.

EDWARD G. ANDREWS,
WILLIAM V. KELLEY,
A. W. WILSON,
JAMES I. GOOD,
J. C. SCOULLER,
P. S. GROSSCUP,
EDWARD P. JOHNSON,
CHARLES E. JEFFERSON,
S. W. DIKE,
T. P. STEVENSON,
J. D. STEELE,
HENRY G. WESTON,
J. F. ELDER,
J. H. LAUGHLIN,
WM. H. ROBERTS,
FRANCIS G. PEABODY,

APPENDIX.

THE INTERVIEW WITH THE PRESIDENT OF THE UNITED STATES.

In presenting the members of the Inter-Church Conference on Marriage and Divorce to the President, at the White House, Washington, D. C., January 26, 1905, the Chairman, Bishop Doane, said in substance:

ADDRESS OF THE CHAIRMAN.

My dear Mr. President:

I have the pleasure of introducing to you the gentlemen who are here, representing a larger body known as the Inter-Church Conference on Marriage and Divorce, and made up of representatives of almost all the Protestant religious bodies in America. I have felt that we had two reasons for asking you to give us a portion of your crowded and valuable time: first, because this body represents what may be called the combination and co-operation of American Protestant Christianity. Separated as we are in matters of doctrine and of discipline, we are, nevertheless, strongly united to maintain and set forward the moral and religious interests of our common country; second, because we have good cause to know how, alike in your personal life and in your official utterances, you stand for the sacredness of marriage, the safety of the family and the sanctity of the home, which are the real underlying objects about which we are taking counsel. I shall have the honor of sending you before long a copy of the resolutions adopted at our meeting this morning without a dissenting voice, and I have great pleasure in feeling sure that we shall have your cordial coöperation in carrying them into effect.

RESPONSE OF PRESIDENT ROOSEVELT.

Bishop Doane and Gentlemen:

It is a very great pleasure to meet you here. I should have been disappointed, Bishop Doane, if you had not felt about coming here just as you have described. There is a certain tendency to exalt the unessential in dealing with our public questions, and public men especially are apt to get their attention concentrated on matters that have an importance, but a wholly ephemeral importance, compared with those that go straight to the root of things. Questions like the tariff and the currency are of literally no consequence whatsoever compared with the vital question of having the unit of our social life—the home—preserved. It is impossible to overstate the importance of the cause you represent. If the average husband and wife fulfill their duties toward one another and toward their children as Christianity teaches them, then we may rest absolutely assured that the other problems will solve themselves. But if we have solved every other problem in the wisest possible way, it shall profit

as nothing if we have lost our own national soul; and we will have lost it, if we do not have the question of the relations of the family put upon the proper basis.

While I do not know exactly what it is that you wish me to do, I can say in advance that so far as in me lies all will be done to cooperate with you toward the end that you have in view. One of the most unpleasant and dangerous features of our American life is the diminishing birth rate and the loosening of the marital tie among the old native American families. It goes without saying that, for the race as for the individual, no material prosperity, no business growth, no artistic or scientific development, will count, if the race commits suicide. Therefore, Bishop, I count myself fortunate in having the opportunity to work with you and your colleagues in this matter of vital importance to the national welfare.

In reply to the President's proffer of cooperation, it was suggested that he request the U. S. Congress to enact appropriate legislation for the collection and publication of the Laws and Statistics of Divorce from 1886 to the present time. This would supplement the excellent compilation already published, and would be of great value in connection with the consideration of the subject. The President promised and gave immediate attention to the request, and sent the message to Congress herewith appended. The interview closed with words of friendly greeting and appreciation by Bishop Edward G. Andrews of the Methodist Episcopal Church.

MESSAGE OF THE PRESIDENT OF THE UNITED STATES TO CONGRESS.

To the Senate and House of Representatives :

I call the attention of the Congress to the fact that no statistics have been collected by the Federal Government upon the subject of marriage and divorce since the year 1886, and that but few of the States have provisions for the collection of such statistics.

The institution of marriage is of course at the very foundation of our social organization, and all influences that affect that institution are of vital concern to the people of the whole country. There is a widespread conviction that the divorce laws are dangerously lax and indifferently administered in some of the States, resulting in a diminishing regard for the sanctity of the marriage relation.

The hope is entertained that cooperation amongst the several States can be secured to the end that there may be enacted, upon the subject of marriage and divorce, uniform laws, containing all possible safeguards for the security of the family. Intelligent and prudent action in that direction will be greatly promoted by securing reliable and trustworthy statistics upon marriage and divorce. I deem the matter of sufficient general importance to recommend that the Director of the Census be authorized by appropriate legislation, to collect and publish statistics pertaining to that subject covering the period from 1886 to the present time.

The White House, January 30, 1905.

THEODORE ROOSEVELT.

AN ACT CONCERNING DIVORCE.

[This Act was prepared by the Conference of State Commissions for the promotion of uniformity of legislation in the United States, and has been approved by the American Bar Association.]

SECTION 1. No divorce shall be granted for any cause arising prior to the residence of the complainant or defendant in this State, which was not a ground of divorce in the State where the cause arose.

SECTION 2. No person shall be entitled to a divorce for any cause arising in this State, who has not had actual residence in this State for at least one year next before bringing suit for divorce, with a bona fide intention of making this State his or her permanent home.

SECTION 3. No person shall be entitled to a divorce for any cause arising out of this State unless the complainant or defendant shall have resided within this State for at least two years next before bringing suit for divorce, with a bona fide intention of making this State his or her permanent home.

SECTION 4. No person shall be entitled to a divorce unless the defendant shall have been personally served with process, if within this State, or if without this State, shall have had personal notice duly proved and appearing of record, or shall have entered an appearance in the case; but if it shall appear to the satisfaction of the court that the complainant does not know the address nor the residence of the defendant, and has not been able to ascertain either, after reasonable and due inquiry and search, continued for six months after suit brought, the court or judge in vacation, may authorize notice by publication of the tendency of the suit for divorce, to be given in manner provided by law.

SECTION 5. No divorce shall be granted solely upon default nor solely upon admissions by the pleadings, nor except upon hearing before the court in open session.

SECTION 6. *After divorce, either party may marry again, but in cases where notice has been given by publication only, and the defendant has not appeared, no decree or judgment for divorce shall become final or operative until six months after hearing and decision.

SECTION 7. Whenever the word "divorce" occurs in this act, it shall be deemed to mean divorce from the bond of marriage.

SECTION 8. All acts and parts of acts inconsistent herewith are hereby repealed.

*PROPOSED AMENDMENT TO THE SIXTH SECTION.

The Conference took action approving the Act, except that it asked that the Sixth Section be "amended so as to provide that if action is to be taken on the subject of remarriage, the innocent party shall not marry again within a year of the decree of divorce, and a just discrimination shall be made between the innocent and the guilty party, and providing further, that the final decree shall not be entered until six months after the decision; such six months, if allowed, to form part of the year."

OFFICERS OF THE INTER-CHURCH CONFERENCE.

Chairman, Rt. Rev. Wm. C. Doane, D.D., Bishop of Albany, Albany, N. Y.

Secretary, Rev. Wm. H. Roberts, D.D., Witherspoon Building, Philadelphia, Pa.

Treasurer, Francis Lynde Stetson, Esq., 15 Broad St., New York, N. Y.